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by

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Absent and not voting: Allen, Browne, Cosgrove, Dallam, Dickey, Fairweather, Glascock, Gray, Henry, Hungate, Jamieson, Kellogg, Kinnear, McDonald, McReavey, Minor, Neace, Newton, Shoudy, Stevenson, E. H. Sullivan, Van Name, Willison, Mr. President. So the Convention refused to adjourn.

Mr. Dyer moved to go into the committee of the whole to consider the article on election and elective rights. Mr. Griffitts moved to make the report of the Committee on Elections and Elective Rights special order for Monday morning. The ayes and noes were ordered.

Mr. Gowey moved to adjourn.

The ayes and noes were ordered and the following twenty-eight members voted aye: Burke, Comegys, Crowley, Dunbar, Eldridge, Eshelman, Fay, Glascock, Gowey, Hayton, Henry, Jeffs, Joy, Lillis, McElroy, Mires, Morgans, Power, T. M. Reed, Sohns, Stiles, Suksdorf, Turner, Van Name, Warner, Weir, Weisenburger, Winsor. The following twenty-four members voted no: Blalock, Bowen, Buchanan, Coey, Durie, Dyer, Godman, Griffitts, Hicks, Jones, Lindsley, Manly, McCroskey, J. Z. Moore, R. S. More, Prosser, J. M. Reed, Schooley, Sharpstein, Sturdevant, P. C. Sullivan, Tibbetts, Travis, West.

Absent and not voting: Allen, Berry, Browne, Clothier, Cosgrove, Dallam, Dickey, Fairweather, Gray, Henry, Hungate, Jamieson, Kellogg, Kinnear, McDonald, McReavey, Minor, Neace, Newton, Shoudy, Stevenson, E. H. Sullivan, Willison, Mr. President.

Mr. Weir was granted leave on Monday.

At 4:02 p.m. the Convention adjourned till August 12th, 1889, at 9 a.m.

August 12th, 1889

Convention called to order by the President at 9 a.m. Prayer by the Chaplain.

On roll call all the members were present except Messrs.

Minutes read and approved. Messrs. Hicks, Henry, Turner, Glascock, and Sturdevant asked to be reported present. So ordered.

Mr. Eshelman moved that the Convention proceed to consider the report of the Committee on Elections and Elective Rights as in committee of the whole with the President in the chair. Carried. And the Convention proceeded as in committee of the whole to consider the report. At 12 noon Mr. Turner moved that the Convention take a recess until 2 p.m. Carried.

At 2 p.m. Convention called to order by the President. Mr. Eldridge moved that the Convention proceed informally as in committee of the whole to consider the report of the Committee on Elections and Elective Rights. So ordered.

At 2:05 the Convention then proceeded as in the committee of the whole to consider the report.

At 5 p.m. the chair reported that the committee of the whole had had under consideration the report of the Committee on Elections and Elective Rights and had made sundry amendments thereto and recommended that the Convention concur in the same and when so concurred in that it be adopted.

The question then was shall the amendments be concurred in and it was so ordered that the amendments were concurred in.

Mr. Eldridge then moved to strike out of the article the word "male" and demanded the ayes and noes. They were ordered and on a call of the roll the following eight members voted aye: Messrs. Dickey, Eldridge, Eshelman, Joy, McCroskey, Newton, Prosser, Winsor. The following fifty members voted no: Messrs. Blalock, Bowen, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dunbar, Durie, Dyer, Fairweather, Glascock, Godman, Gowey, Griffitts, Hayton, Henry, Jamieson, Jeffs, Lillis, Lindsley, Manly, McElroy, Minor, J. Z. Moore, R. S. More, Schooley, Sharpstein, Sohns, Stevenson, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Weisenburger, West, Mr. President. Those not voting and absent were Messrs. Allen, Berry, Browne, Fay,
Gray, Hicks, Hungate, Jones, Kellogg, Kinnear, McDonald, McReavey, Mires, Neace, Shoudy, Weir, Willison. And the amendment was lost.

Mr. Cosgrove moved to strike out of Section 7 “or military” and insert “civil” before office. Lost. Mr. Sullivan moved to strike out Section 7. Carried.

Mr. Dunbar moved to strike from Section 3 the words “at any school election” and demanded the ayes and noes. So ordered and on a call of the roll the following eighteen members voted aye: Cosgrove, Dickey, Dunbar, Eldridge, Eshelman, Griffitts, Jamieson, Joy, McCroskey, Prosser, J. M. Reed, Sharpstein, Stevenson, Sturdevant, E. H. Sullivan, Warner, West, Winsor. The following forty-three members voted no: Messrs. Blalock, Bowen, Buchanan, Burk, Clothier, Coey, Comegys, Crowley, Dallam, Durie, Dyer, Fairweather, Glascock, Godman, Gowey, Gray, Hayton, Henry, Jeffs, Lillis, Lindsley, Manly, McDonald, McElroy, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, T. M. Reed, Schooley, Sohns, Stiles, Suksdorf, P. C. Sullivan, Travis, Turner, Van Name, Weisenburger, Mr. President. Absent and not voting: Messrs. Allen, Berry, Browne, Fay, Hicks, Hungate, Jones, Kellogg, Kinnear, McReavey, Neace, Shoudy, Weir. And the amendment was lost.

Mr. Eldridge moved to add to Section 11 “and all females possessing the qualifications of electors shall vote on this question” and demanded the ayes and noes. So ordered and on a call of the roll the following eighteen members voted aye: Messrs. Burk, Crowley, Dickey, Dunbar, Eldridge, Eshelman, Glascock, Gowey, Joy, McCroskey, Newton, Prosser, J. M. Reed, Stevenson, Tibbetts, Weisenburger, Winsor, Mr. President.

Mr. Dyer moved to substitute for Section 11 as adopted in committee of the whole the following: “At the time of the election of county officers on the Tuesday next after the first Monday in November in the year 1890, a proposition to amend this Constitution by striking out the word ‘male’ from the article on elections and elective rights shall be submitted to the electors of the state for adoption or rejection in manner following. Said election shall be by ballot and the ballot of those voting in favor shall read, ‘For Woman Suffrage Amendment — Yes.’ And the ballot of those voting against shall read, ‘No.’ The provisions of the laws of the state touching general elections shall as far as applicable apply to said election. If at said election the number of ballots cast in favor of the adoption of said proposition shall exceed those casting against its adoption, then the word ‘male’ shall be stricken from said article on elections and elective rights and shall be no part thereof,” and demanded the ayes and noes. And the following thirty-one members voted aye: Messrs. Bowen, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Dyer, Eldridge, Eshelman, Fairweather, Gowey, Joy, Lillis, Lindsley, McCroskey, Minor, Mires, J. Z. Moore, Morgan, Newton, Power, Prosser, T. M. Reed, Schooley, Sohns, Stiles, P. C. Sullivan, Tibbetts, Turner, Winsor, Mr. President.


Mr. Reed moved to suspend the rules and that the article be considered engrossed and passed to a third reading. Lost.

Mr. Stiles moved a call of the house. So ordered and on a call of the roll the following members were found to be absent: Messrs. Fay, Hungate, Jones, Kinnear, McReavey. The following members were excused: Messrs. Berry, Hicks, Kellogg and Neace.

Mr. Lindsley moved that further proceeding be dispensed with. Carried. Mr. J. Z. Moore moved to adjourn. Lost.

* Stricken in journal.
Mr. Power moved to amend: insert in line two of Section 3 after word "election," "nor the right to hold the office of School Superintendent or School Director." Lost.

Mr. Dyer moved to suspend the rules that the article may be put upon its third reading and final passage and demanded the ayes and noes. So ordered and the following thirty-eight members voted aye: Messrs. Bowen, Burk, Coey, Crowley, Dallam, Dickey, Dunbar, Dyer, Eldridge, Eshelman, Fairweather, Gowey, Hayton, Jamieson, Joy, Lillis, Lindsley, Manly, McCroskey, Minor, Mires, J. Z. Moore, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sohns, Stiles, P. C. Sullivan, Tibbetts, Travis, Turner, Weisenburger, Winsor, Mr. President. The following twenty-three members voted no: Blalock, Buchanan, Clothier, Comegys, Cosgrove, Durie, Glascock, Godman, Gray, Griffiths, Henry, Jeffs, McDonald, McElroy, R. S. More, Sharpstein, Stevenson, Sturdevant, Suksdorf, E. H. Sullivan, Van Name, Warner, West. Absent and not voting: Messrs. Allen, Berry, Browne, Fay, Hicks, Hungate, Jones, Kellogg, Kinnear, McReavey, Neace, Shoudy, Weir, Willison, and the rules were not suspended.

The question then was shall the article [then]* be passed to a third reading, considered engrossed and be printed, and the ayes and noes being demanded and ordered, the following thirty-one members voted aye: Bowen, Burk, Coey, Crowley, Dallam, Dunbar, Dyer, Eshelman, Fairweather, Gowey, Hayton, Jamieson, Lillis, Lindsley, Manly, Minor, Mires, J. Z. Moore, Morgans, Power, Prosser, T. M. Reed, Schooley, Sohns, Stiles, P. C. Sullivan, Tibbetts, Travis, Turner, Weisenburger, Mr. President.

The following thirty members voted no: Blalock, Buchanan, Clothier, Comegys, Cosgrove, Dickey, Durie, Eldridge, Glascock, Godman, Gray, Griffiths, Henry, Jeffs, Joy, McCroskey, McDonald, McElroy, R. S. More, Newton, J. M. Reed, Sharpstein, Stevenson, Sturdevant, Suksdorf, E. H. Sullivan, Van Name, Warner, West, Willison. Absent and not voting: Berry, Browne, Fay, Hicks, Hungate, Kellogg, McReavey, Neace, Shoudy, Weir, Winsor, and it was so ordered.

The question was then on the report of the Committee on Legislative Apportionment and the article was read for information.

* Stricken in journal.
Mr. Manly moved to amend by striking out "Okanogan" in the third line and striking out "Spokane" and inserting "Okanogan" in its place in the sixth line. Carried.

Mr. Dyer moved that the rules be suspended and the article be considered engrossed and put upon its third reading. Carried.

The article was then read a third time and the question then was shall the article be now agreed to by the Convention and become an article of the Constitution, and the ayes and noes were ordered, and on a call of the roll the following forty-eight members voted aye: Blalock, Bowen, Buchanan, Burk, Coey, Comegys, Cosgrove, Crowley, Dickey, Dunbar, Dyer, Eldridge, Eshelman, Fairweather, Gowey, Gray, Hayton, Jamieson, Jeffs, Joy, Lillis, Lindsley, Manly, McCroskey, McDonald, McElroy, Minor, Mires, J. Z. Moore, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sohns, Stevenson, Sturdevant, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Weisenburger, West, Winsor. And the following six members voted no: Glascock, Godman, Griffitts, R. S. More, Sharpstein, Mr. President. Messrs. Allen, Berry, Browne, Clothier, Dallam, Durie, Fay, Henry, Hicks, Hungate, Jones, Kellogg, Kinnear, McReavey, Neace, Shoudy, Stiles, Suksdorf, Warner, Weir, Willison absent and not voting. A majority of all the members having voted in the affirmative the article was agreed to as follows:

**Article.**

**Section 1.** Until otherwise provided by law, the state shall be divided into twenty-four senatorial districts, and said districts shall be constituted and numbered as follows:

The counties of Stevens and Spokane shall constitute the First District and be entitled to one Senator; the county of Spokane shall constitute the Second District and be entitled to three Senators; the county of Lincoln shall constitute the Third District and be entitled to one Senator; the counties of Okanogan, Lincoln, Adams and Franklin shall constitute the Fourth District and be entitled to one Senator; the county of Whitman shall constitute the Fifth District and be entitled to one Senator; the county of Columbia shall constitute the Seventh District and be entitled to one Senator; the county of Walla Walla shall constitute the Eighth District and be entitled to two Senators; the counties of Yakima and Douglas shall constitute the Ninth District and be entitled to one Senator;
the county of Kittitas shall constitute the Tenth District and be entitled to one Senator; the counties of Klickitat and Skamania shall constitute the Eleventh District and be entitled to one Senator; the county of Clark shall constitute the Twelfth District and be entitled to one Senator; the county of Lewis shall constitute the Thirteenth District and be entitled to one Senator; the counties of Pacific and Wahkiakum shall constitute the Fourteenth District and be entitled to one Senator; the county of Thurston shall constitute the Fifteenth District and be entitled to one Senator; the county of Cowlitz shall constitute the Sixteenth District and be entitled to one Senator; the county of Chehalis shall constitute the Seventeenth District and be entitled to one Senator; the county of Pierce shall constitute the Eighteenth District and be entitled to three Senators; the county of King shall constitute the Nineteenth District and be entitled to five Senators; the counties of Mason and Kitsap shall constitute the Twentieth District and be entitled to one Senator; the counties of Jefferson, Clallam and San Juan shall constitute the Twenty-first District and be entitled to five Senators; the counties of Skagit and Island shall constitute the Twenty-second District and be entitled to one Senator; the county of Whatcom shall constitute the Twenty-third District and be entitled to one Senator.

Section 2. Until otherwise provided by law the representatives shall be divided among the several counties of the state in the following manner; the county of Adams shall have one Representative; the county of Asotin shall have one Representative; the county of Chehalis shall have two Representatives; the county of Clark shall have three Representatives; the county of Clallam shall have two Representatives; the county of Cowlitz shall have one Representative; the county of Douglas shall have one Representative; the county of Franklin shall have one Representative; the county of Garfield shall have one Representative; the county of Island shall have one Representative; the county of Jefferson shall have two Representatives; the county of King shall have eight Representatives; the county of Klickitat shall have two Representatives; the county of Kittitas shall have two Representatives; the county of Kitsap shall have one Representative; the county of Lewis shall have two Representatives; the county of Lincoln shall have two Representatives; the county of Mason shall have one
Representative; the county of Okanogan shall have one Representative; the county of Pacific shall have one Representative; the county of Pierce shall have six Representatives; the county of San Juan shall have one Representative; the county of Skamania shall have one Representative; the county of Snohomish shall have two Representatives; the county of Skagit shall have two Representatives; the county of Spokane shall have six Representatives; the county of Stevens shall have one Representative; the county of Thurston shall have two Representatives; the county of Walla Walla shall have three Representatives; the county of Wahkiakum shall have one Representative; the county of Whatcom shall have two Representatives; the county of Whitman shall have five Representatives; the county of Yakima shall have one Representative.

Mr. Dunbar was excused for the balance of the day.

The question then was upon suspending the rules and considering the article on public health and vital statistics engrossed and put upon its third reading and final passage. Carried.

The question then was on agreeing to the article on public health and vital statistics and the ayes and noes were ordered, and on a call of the roll the following fifty-two members voted aye: Messrs. Blalock, Bowen, Buchanan, Burk, Clothier, Coey, Crowley, Dallam, Dickey, Durie, Dyer, Eldridge, Eshelman, Fairweather, Glascock, Godman, Gowey, Gray, Hayton, Jamieson, Jeffs, Joy, Lillis, Lindsley, Manly, McCroskey, McElroy, Minor, J. Z. Moore, R. S. More, Morgans, Newton, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Sohns, Stevenson, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Weisenburger, West, Winsor, Mr. President. No members voting no.

And the following members absent and not voting: Messrs. Allen, Berry, Browne, Comegys, Cosgrove, Dunbar, Fay, Griffitts, Henry, Hicks, Hungate, Jones, Kellogg, Kinnear, McDonald, McReavey, Neace, Shoudy, Stiles, Sturdevant, Weir, Willison, and a majority of all the members voting in the affirmative, the article was agreed to as follows.

**Article**

**Section 1.** There shall be established by law a State Board of Health and a Bureau of Vital Statistics in connection therewith with such powers as the Legislature may direct.
Section 2. The Legislature shall enact laws to regulate the practice of medicine and surgery, and the sale of drugs and medicines.

And considered engrossed and referred to the Committee on Revision, Enrollment and Adjustment.

The question then was upon the report of the Committee on Mines and Mining Interests and the article was read for information.

Mr. Turner moved to strike out Section 3. Carried.

Mr. Turner moved to strike out Section 4. Carried.

Mr. Turner moved that the rules be suspended, the article considered engrossed and be read a third time and put upon its final passage. Lost.

Mr. Newton moved that the minority report be adopted in place of the majority report on mines and mining interests and demanded the ayes and noes.

The ayes and noes were ordered and on a call of the roll the following twenty-one members voted aye: Messrs. Buchanan, Clothier, Dickey, Durie, Eldridge, Gray, Griffitts, Schooley, Sharpstein, Stevenson, Tibbetts, Travis, Warner.


Mr. Dyer moved an amendment to the amendment as follows. "Strike out of Section 1 all after the word 'election' in third line so it shall read, 'There shall be established and maintained the office of Inspector of Mines, the duties and salaries of which shall be prescribed by law. Inspectors of Mines shall be elected by the qualified electors of the state at large at the general election.' "
Mr. Fairweather moved to lay the subject on the table and Mr. Tibbetts demanded the ayes and noes. So ordered and the following nine members voted aye: Buchanan, Comegys, Dallam, Fairweather, Glascock, Hayton, Henry, Newton, Weisenburger.


On the amendment of Mr. Dyer to Mr. Stiles' amendment, the ayes and noes were demanded and ordered, and on a call of the roll the following nine members voted aye: Blalock, Burk, Dyer, Henry, Newton, J. M. Reed, Schooley, Travis, Mr. President.


The question then was on the amendment by [of]* Mr. Stiles pending which Mr. Cosgrove moved to adjourn. Lost.

The roll was then called on Mr. Stiles' amendment and the following thirty-one members voted aye: Bowen, Buchanan, Burk, Comegys, Dallam, Dickey, Eshelman, Fairweather, Glascock, Gowey, Henry, Jamieson, Jeffs, Joy, Lillis, Lindsley, Minor, Mires, J. Z. Moore, R. S. More, Power, T. M. Reed, Schooley, Sohns, 

* Stricken in journal.
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Stevenson, Stiles, Sturdevant, P. C. Sullivan, Turner, Van Name, Weisenburger.

The following twenty-two members voted no: Blalock, Clothier, Coey, Cosgrove, Durie, Dyer, Gray, Griffitts, McDonald, McElroy, Minor, Newton, Prosser, J. M. Reed, Sharpstein, Suksdorf, E. H. Sullivan, Tibbetts, Warner, West, Winsor, Mr. President. Absent and not voting: Messrs. Allen, Berry, Browne, Crowley, Dunbar, Eldridge, Fay, Godman, Hayton, Hicks, Hungate, Jones, Kellogg, Kinnear, McCroskey, McReavey, Morgans, Neace, Shoudy, Travis, Weir, Willison. And the amendment was carried.

Mr. Dyer moved that the following be added as an additional section.

Section 3. It shall not be lawful for any owner or manager or agent of any person or corporation operating or working a mine to exact more than eight hours a day as a day's labor from any person employed in underground mining.

Mr. Bowen moved to adjourn. Lost.

On Mr. Dyer’s amendment the ayes and noes were demanded and ordered and on a call of the roll the following thirty-three members voted aye: Clothier, Coey, Dickey, Durie, Dyer, Eldridge, Eshelman, Gowey, Griffitts, Lillis, Manly, McCroskey, McDonald, McElroy, Minor, Mires, Newton, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Sohns, Stevenson, Sturdevant, Suksdorf, E. H. Sullivan, Tibbetts, Travis, Warner, Weisenburger, West, Mr. President.

The following twenty members voted no: Blalock, Buchanan, Burk, Comegys, Cosgrove, Glascock, Hayton, Henry, Jamieson, Jeffs, Joy, Lindsley, J. Z. Moore, R. S. More, Morgans, Stiles, P. C. Sullivan, Turner, Van Name, Winsor. Absent and not voting: Allen, Berry, Bowen, Browne, Crowley, Dallam, Dunbar, Fairweather, Fay, Godman, Gray, Hicks, Hungate, Jones, Kellogg, Kinnear, McReavey, Neace, Power, Shoudy, Weir, Willison. And the amendment was carried.

Mr. Durie moved to amend: add to Section 1 “In addition to the other qualifications of state officers, he shall be a practical miner of ten years’ experience, two of which shall have been in this state, and shall have no interest direct or indirect in mines in this state.” Carried.

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Mr. Gowey asked to be excused for the day. So ordered.

Mr. Cosgrove moved to adjourn. Lost. Mr. Cosgrove moved for a call of the house. Lost.

Mr. Prosser moved the following amendment. "Section 3. Nor to employ in underground mining any person under the age of sixteen," pending which Mr. Turner moved to adjourn. Lost.

The question then was shall the article be considered engrossed, passed to a third reading. Carried.

Mr. Dyer moved to adjourn. Carried, and the Convention stood adjourned until 9 a.m., August 13th, 1889.

August 13th, 1889

Convention called to order by the President at 9 a.m. Prayer by the Rev. Mr. Chaplin [sic].

On a call of the roll all the members were present except Messrs. Coey, Fairweather, Jones, J. Z. Moore, Stevenson, Stiles, and Messrs. Berry, Browne, Kellogg, Neace, Weir, Willison, Hicks, Hungate on leave.

Minutes read and approved. Messrs. Coey, Godman, McReavey, J. Z. Moore, Stevenson, Fairweather, Henry, Gray, Jones, Griffitts, and Stiles reported present.

Mr. Hicks excused for the day. Mr. Manly excused indefinitely. Mr. Weir excused for the morning.

Mr. Bowen submitted a telegram relative to Section 19 of article on corporations other than municipal signed by S. T. Armstrong and others and ordered to lie on the table.

The article on elections and elective rights was then read a third time and the question then was shall the Convention agree to the article as read, and on a call of the roll the following thirty-three members voted aye: Allen, Bowen, Burk, Coey, Cosgrove, Crowley, Dallam, Dunbar, Dyer, Gowey, Hayton, Jamieson, Jones, Kinnear, Lillis, Lindsley, Manly, Minor, Mires, J. Z. Moore, Morgans, Prosser, T. M. Reed, Schooley, Shoudy, Sohns, Stiles, Sturdevant, Tibbetts, Turner, Weisenburger, Winsor, Mr. President.
AUGUST 13, 1889


The article on mines and mining interest was then read a third time and the question then was shall the Convention agree to the article as read and on a call of the roll the following twenty-nine members voted aye: Clothier, Dallam, Durie, Dyer, Eldridge, Gray, Griffiths, Hayton, Kinnear, Lillis, Lindsley, McCroskey, McDonald, McElroy, McReavey, Minor, J. Z. Moore, Newton, Power, Prosser, J. M. Reed, Sharpstein, Shoudy, Stevenson, Suksdorf, Tibbetts, Van Name, Warner, West.


Absent on leave: Berry, Browne, Dickey, Fairweather, Hicks, Hungate, Kellogg, Neace, Weir, Willison. Not voting: Mr. Godman, being excused from voting. A majority of all the members of the Convention not voting in the affirmative, the article was not agreed to.

Mr. Bowen moved that the Convention resolve itself into a committee of the whole for the purpose of considering the reports of the Committee on State, School and Granted Lands, and Harbors, Tidewaters and Navigable Streams. At 9:40 the Convention went into committee of the whole to consider the report with Mr. McReavey in the chair.

At 11:55 the committee rose and the President resumed the chair. The committee reported that they had had under consideration the report of the Committee on State, School and Granted Lands, and Harbors, Tidewater and Navigable Streams and had
made progress but come to no resolution thereon, and asked leave to sit again. Leave was granted.

Mr. Dyer moved to take a recess until 2 p.m., pending which Mr. Cosgrove was granted leave for the afternoon. Mr. Dyer’s motion was then agreed to.

At 2 p.m. Convention called to order by the President. Mr. Crowley moved under a suspension of the rules that the subject matter of the article on elections and elective rights be sent back to the committee to report a new article.

Mr. Dyer moved that the Convention resolve itself into a committee of the whole for the further consideration of the report on harbors, tidewaters and navigable streams. Carried.

Mr. Weir, Mr. Willison and Mr. Browne were reported present.

At 2:05 the Convention went into a committee of the whole for the further consideration of the report of the Committee on Harbors, Tidewater and Navigable Streams with Mr. McReavey in the chair.

At 4 p.m. the committee rose and the President resumed the chair. The committee reported that they had had under consideration the report of the Committee on Harbors, Tidewater and Navigable Streams and had made sundry amendments thereto and recommended that the Convention concur in the same and that when so concurring that it be agreed to by the Convention.

The question then being on concurring in the amendments, they were concurred in as follows.

Article

Section 1. The Legislature shall provide for the appointment of a commission whose duty it shall be to locate and establish harbor lines in the navigable waters of all harbors, estuaries, bays and inlets of this state wherever such navigable waters lie, within or in front of the corporate limits of any city or within one mile thereof upon either side. The state shall never give, sell or lease to any private person, corporation or association on [sic] any rights whatever in the waters beyond such harbor lines, nor shall any of the area lying between any harbor lines (and the line of ordinary high tide) and within not less than fifty feet nor more than six hundred feet of such harbor line (as the commission shall determine) be
sold or granted by the state, nor its right to control the same relinquished, but such area shall forever be reserved for landings, wharves, streets and other conveniences of navigation and commerce.

Section 2. The Legislature shall provide by general laws for the leasing of the right to build and maintain wharves, docks and other structures upon the areas mentioned in Section 1 of this article, but no lease shall be made for any term longer than thirty years, or the Legislature may provide by general laws for the building and maintaining upon such areas, wharves docks or other structures.

Section 3. Municipal corporations shall have the right to extend their streets over intervening tidelands to the area reserved as herein provided.

Mr. Weir moved to strike out of line nine “and the line of ordinary high tide.”

Mr. Turner moved to take a recess until 8 p.m. Out of order. Mr. Fairweather moved to adjourn. Lost. Mr. Kinnear moved that when the Convention adjourn that it be to 8 p.m. Lost. Mr. Durie moved to adjourn. Lost.

Mr. Gowey moved to substitute the following for Mr. Weir’s amendment.

Article

Section 1. The Legislature shall provide for the appointment of a commission whose duty it shall be to locate and establish harbor lines in the navigable waters of all harbors, estuaries, bays and inlets of this state, wherever such navigable waters lie within or in front of the corporate limits of any city or within one mile thereof on either side. The state shall never give, sell or lease to any private person, corporation or association any rights whatever in the waters beyond such harbor lines, nor shall any of the area lying between any harbor line and the line of ordinary high tide and within not less than fifty feet nor more than six hundred feet of such harbor line (as the commission shall determine) be sold or granted by the state, nor its right to control the same relinquished, but such area shall be forever reserved for landings, wharves, streets and other conveniences of navigation and commerce.
Section 2. Municipal corporations shall have the right to extend their streets over intervening tidelands to the area within the limits of said harbor lines, and under such regulations as the Legislature may provide, may lease the right to build, or maintain wharves, docks and other structures therein, subject, however, to the right of the state to resume control of the same at any time.

Mr. E. H. Sullivan rose to a point of order. Not sustained.

Mr. Browne demanded the ayes and noes on Mr. Gowey's substitute. And they were ordered and on a call of the roll the following seventeen members voted aye: Berry, Blalock, Dickey, Durie, Fay, Gowey, Henry, Hicks, Jamieson, Kinnear, McElroy, Minor, T. M. Reed, Stiles, P. C. Sullivan, Turner, Weisenburger. The following forty-nine members voted no: Allen, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Crowley, Dunbar, Dyer, Eldridge, Eshelman, Fairweather, Glascock, Godman, Gray, Griffitts, Hayton, Jeffs, Jones, Joy, Lillis, Lindsley, Manly, McCroskey, McReavey, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, Schooley, Shoudy, Sohns, Stevenson, Sturdevant, Suksdorf, E. H. Sullivan, Tibbetts, Travis, Van Name, Warner, Weir, West, Winsor, Mr. President.

Messrs. Comegys, Dallam, McDonald [and] Sharpstein not voting and Messrs. Cosgrove, Hungate, Neace and Willison absent on leave, and the substitute was lost.

On the question of Mr. Weir's amendment it was lost.

Mr. Turner moved to take a recess until 8 p.m., pending which an amendment was offered by Mr. Tibbetts, moving to make it 8 a.m. tomorrow.

Mr. Allen moved to adjourn and Mr. Turner demanded the ayes and noes. So ordered and on a call of the roll the following thirty-one members voted aye: Allen, Buchanan, Coey, Comegys, Crowley, Dunbar, Durie, Eldridge, Fairweather, Fay, Gray, Henry, Hicks, Jones, Joy, Lillis, McElroy, Minor, Mires, Morgans, Power, Prosser, Schooley, Shoudy, Stiles, Suksdorf, P. C. Sullivan, Weir, Weisenburger, Winsor.

The following thirty-two members voted no: Blalock, Bowen, Browne, Clothier, Dickey, Dyer, Eshelman, Glascock, Godman, Gowey, Griffitts, Jamieson, Jeffs, Kinnear, Lindsley, McCroskey,

The question was then on the amendment of Mr. Tibbetts to Mr. Turner's motion. The ayes and noes were demanded and ordered and on a call of the roll the following thirty-eight members voted aye: Blalock, Buchanan, Burk, Comegys, Crowley, Dickey, Dunbar, Durie, Dyer, Fairweather, Fay, Henry, Hicks, Jeffs, Jones, Joy, Lillis, Lindsley, Manly, McCroskey, McReavey, Minor, [Mires]*, J. Z. Moore, Morgans, Power, Prosser, J. M. Reed, Schooley, Shoudy, Sohns, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Warner, Weir, West.

The following twenty-eight members voted no: Messrs. Allen, Bowen, Browne, Clothier, Coey, Eldridge, Eshelman, Glascock, Godman, Gowey, Gray, Griffitts, Hayton, Jamieson, Kinnear, McElroy, Mires, R. S. More, Newton, T. M. Reed, Stevenson, Stiles, Travis, Turner, Van Name, Weisenburger, Winsor, Mr. President. And Messrs. Berry, Dallam, McDonald, Sharpstein not voting, and Messrs. Cosgrove, Hungate, Kellogg, Neace and Willison absent on leave. And the amendment was carried.

The question then was shall the motion as amended be ordered, pending which Mr. Crowley moved to adjourn and the ayes and noes were demanded and ordered and the following thirty-two members voted aye: Allen, Bowen, Buchanan, Burk, Coey, Comegys, Crowley, Dickey, Durie, Eldridge, Glascock, Gowey, Gray, Griffitts, Hayton, Henry, Hicks, Jones, Joy, McCroskey, McElroy, Minor, Mires, Newton, Power, T. M. Reed, Schooley, Stiles, Suksdorf, P. C. Sullivan, Weir, Weisenburger.


* Stricken in journal.
August 14th, 1889

Convention called to order by the President at 9 a.m. Prayer by Rev. Mr. Chaplain [sic].

On a call of the roll all the members were present except Messrs. Crowley, Gowey, Stiles, P. C. Sullivan [and] Fairweather on leave. Dallam, Henry, Hungate, Neace.


Mr. Sharpstein from the Committee on Miscellaneous Subjects, Schedule and Future Amendments submitted the following report.

In the Convention

Schedule

In order that no inconvenience may arise by reason of a change from a territorial to a state government, it is hereby declared and ordained as follows.

Section 1. No existing rights, actions, suits, proceedings, contracts or claims shall be affected by a change in the form of government, but all shall continue as if no such change had taken place, and all process which may have been issued under the authority of the Territory of Washington previous to its admission into the union shall be as valid as if issued in the name of the state.

Section 2. All laws now in force in the Territory of Washington which are not repugnant to this Constitution shall remain in force until they expire by their own limitation, or are altered or repealed by the Legislature.

Section 3. All debts, fines, penalties and forfeitures which have accrued, or may hereafter accrue to the Territory of Washington, shall enure to the State of Washington.

Section 4. All recognizances heretofore taken, or which may be taken before the change from a territorial to a state government, shall remain valid and shall pass to and may be prosecuted...
in the name of the state; and all bonds executed to the Territory of Washington, or to any county or municipal corporation, or to any officer or court in his or its official capacity, shall pass to the state authorities and their successors in office, for the uses therein expressed, and may be sued for and recovered accordingly, and all the estate, real, personal and mixed, and all judgments, decrees, bonds, specialties, choses in action, and claims or debts, of whatever description, belonging to the Territory of Washington, shall enure to and vest in the State of Washington, and may be sued for and recovered in the same manner, and to the same extent, by the State of Washington, as the same could have been by the Territory of Washington.

Section 5. All criminal prosecutions and penal actions which may have arisen or which may arise before the change from a territory to a state government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the state. All offenses committed against the laws of the Territory of Washington, before the change from a territorial to a state government and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the State of Washington with like effect as though such change had not taken place; and all penalties incurred shall remain the same as if this Constitution had not been adopted. All actions at law and suits in equity, which may be pending in any of the courts of the Territory of Washington, at the time of the change from a territorial to a state government, shall be continued and transferred to the court of the state having jurisdiction of the subject matter thereof.

Section 6. All officers now holding their office under the authority of the United States, or of the Territory of Washington, shall continue to hold and exercise their respective offices until they shall be superseded by the authority of the state; and shall be entitled to receive for services rendered the state a compensation not greater than that theretofore received on the taking effect of this Constitution.

Section 7. All officers provided for in this Constitution, when no other time is fixed for their election, shall be elected at the election to be held for the adoption of this Constitution on the first Tuesday in October, 1889.

Section 8. Whenever the judge of the Superior Court of any
county, elected or appointed under the provisions of this Constitution, shall have qualified, the several causes then pending in the district court of the territory, within any county and the accords, papers and proceedings of said district court, and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the Superior Court for such county and until the district courts of the territory shall be superseded in manner aforesaid, the said district courts and the judges thereof shall continue with the same jurisdiction and powers, to be exercised in the same judicial districts respectively as heretofore constituted under the laws of the territory. Whenever a quorum of the judges of the Supreme Court of the state shall have been elected and qualified the causes then pending in the Supreme Court of the territory, and the papers, records and proceedings of said Court and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the Supreme Court of the state and until so superseded, the Supreme Court of the territory and the judges thereof shall continue with like powers and jurisdiction as if this Constitution had not been adopted.

Section 9. Until otherwise provided by law the seals now in use in the Supreme and District Courts of the territory are hereby declared to be the seals of the Supreme and Superior Courts respectively of the state. The seal of municipalities, and all county officers of the territory shall be the seals of such municipalities and county officers respectively under the state, until otherwise provided by law.

Section 10. When the state is admitted into the Union and the Superior Courts in the respective counties organized, the books, records, papers and proceedings of the probate court in each county and all causes and matters of administration pending therein shall pass in the jurisdiction and possession of the Superior Court of the same county created by this Constitution and the said Court shall proceed to final judgment or decree, order or other determination in the several matters and causes, as the territorial probate court might have done if this Constitution had not been adopted. And until the election and qualification of the Superior judges as provided for in this Constitution, the territorial probate judges shall act as judges of the probate courts with the respective counties.

Section 11. The Legislature at its first session shall provide
for the election of all officers whose election is not provided for elsewhere in this Constitution and fix the time for the commencement and duration of their term.

Section 12. In case of a contest of election between candidates at the first general election under this Constitution for judges of the Superior Courts the evidence shall be taken in the manner prescribed by the territorial laws, and the testimony so taken shall be certified to the Secretary of State; and said officer together with the Governor and Treasurer of state shall review the evidence and determine who is entitled to the certificate of election.

Section 13. One representative in the Congress of the United States shall be elected from the state at large, at the first election provided for in this Constitution, and thereafter at such times and places and in such manner, as may be prescribed by law. When a new apportionment shall be made by Congress, the Legislature shall divide the state into congressional districts, in accordance with such apportionment. The vote cast for representative in Congress at the first election shall be canvassed, and the result determined in the manner provided for by the laws of the territory for the canvass of the vote for delegate in Congress.

Section 14. All district, county and precinct officers under territorial laws except probate judges and prosecuting attorneys who may be in office at the time of the adoption of this Constitution shall hold their respective offices until the ______ day of January, A.D. 1891, and until their successors are elected and qualified, and the official bonds of all such officers shall continue in full force and effect until the termination of their respective terms of office, the same as if this Constitution had not been adopted.

Section 15. The first election held at the time of the adoption of this Constitution shall be held and conducted in all respects according to the laws of the territory and the votes cast at said election for all officers (where no other provisions are made in this Constitution) shall be canvassed and returned in the manner provided by territorial law.

Section 16. The provisions of this Constitution shall be in force from the day on which the President of the United States
shall issue this proclamation declaring the State of Washington admitted into the Union.

Respectfully submitted,

B. L. Sharpstein, Chairman
D. Buchanan
GEO. Comegys
John M. Reed
Matt J. McElroy
W. B. Gray

We concur in the foregoing report except Section 14 and in its stead recommend the following.

Section. All district, county and precinct officers who may be in office at the time of the adoption of this Constitution shall hold their respective offices until the second Monday of January, A. D. 1891, and until such time as their successors may be elected and qualified in accordance with the provisions of this Constitution, and the official bonds of all such officers shall continue in full force and effect as though this Constitution had not been adopted.

S. A. Dickey, Secretary
M. W. Lillis
Robert Jamieson

Ordered to lie over one day and be printed.

Mr. Comegys from the Committee on Federal Relations, Boundaries and Immigration submitted the following report.

In the Convention
Committee on Federal Relations,
Boundaries and Immigration

Mr. President and members of the Convention:

Your Committee on Federal Relations, Boundaries and Immigration having had under consideration the question of boundaries of the State of Washington recommend the following.

GEO. Comegys, Chairman
D. Buchanan
Jim McReavey
Arnold J. West
Matt J. McElroy
The boundaries of the State of Washington shall be as follows: Beginning at a point in the Pacific Ocean one marine league due west of and opposite the middle of the north ship channel of the mouth of the Columbia River, thence running easterly to and up the middle channel of said river and where it is divided by islands up the middle of the widest channel thereof to where the forty-sixth parallel of north latitude crosses said river, near the mouth of the Walla Walla River, thence east on said forty-sixth parallel of latitude to the middle to the main channel of the Shoshone or Snake River, thence follow down the middle of the main channel of Snake River to a point opposite the mouth of the Kooskooskie or Clearwater River, thence due north to the forty-ninth parallel of north latitude, thence west along said forty-ninth parallel of north latitude to the middle of the channel which separates Vancouver's Island from the continent, that is to say to a point in longitude 123 degrees 19 minutes and 15 seconds west; thence following the boundary line between the United States and British possessions through the channel which separates Vancouver's Island from the continent to the termination of the boundary line between the United States and British possessions at a point in the Pacific Ocean equidistant between Bonnilla Point on Vancouver's Island and Tatoosh Island Lighthouse; thence running in a southerly course and parallel with the coast line, keeping one marine league offshore to place of beginning.

Ordered received and filed.

Mr. Eldridge was called to the chair and the question then was on the adoption of the article on harbors, tidewaters and navigable streams.

Mr. Durie moved to add an additional section as follows.

Section 4. The state shall vest control of said area for general police purposes and for the building and maintaining of wharves, docks and other structures or the leasing of the right to build and maintain such structures in the municipal corporations fronting thereon, subject to such general laws as the Legislature may provide.

Mr. Turner rose to a point of order that the whole discussion was not germane to the question before the house.

Mr. Cosgrove rose to a point of order that the state lands were not under consideration. Not sustained.
Mr. Dunbar rose to a point of order that the discussion of harbors and tidelands and navigable rivers was the only subject under consideration. Not sustained.

Mr. Dunbar appealed from the discipline of the chair and was sustained and it was ordered that the discussion should only be single subject of harbors, tidewaters and navigable streams.

Mr. Bowen moved the previous question. Carried.

The question then being upon the amendment offered by Mr. Durie the ayes and noes were demanded and ordered and on a call of the roll the following three members voted aye: Berry, Durie, McElroy. The following seventy members voted no: Allen, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Crowley, Dallam, Dickey, Dunbar, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Godman, Gowey, Gray, Griffitts, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, Manly, McCroskey, McDonald, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Weir, Weisenburger, West, Winsor, Willison, Mr. President. On leave, Hungate [and] Neace and the amendment was lost.

Mr. Prosser moved to amend by inserting the word "permanent" after the word "establish" in line two of the substitute and withdrew the motion.

Mr. T. M. Reed moved to amend. Strike out of Section 1, line nine, the words "the line of ordinary high tide" and insert "government meander line."

Mr. West moved to amend the amendment by inserting "the line of vegetation" and withdrew the motion.

Question was then on Mr. Reed's amendment and it was lost.

Mr. Griffitts moved to amend. Strike out "provide for the appointment of" and insert "by general laws provide for" [in] line one. Lost.

Mr. Stiles moved to amend by inserting after words "harbors" in second line the word "rivers." Carried.
Mr. Stiles moved to strike out of the second section the word "leasing" and insert "licensing." Lost.

Mr. Power moved to amend by adding to Section 2, "Provided that no lease or license shall be granted within such harbor limits except for wharfage and storage purposes and the charges to be collected thereon shall be subject to such limitations as the Legislature shall from time to time prescribe by general laws." Lost.

Mr. Turner moved to amend by inserting after "intervening to" "and across" in Section 3.

Mr. Griffitts moved to strike out of Section [sic] a portion of same and insert, "and the Legislature shall never vest control thereof in any municipality or other political subdivision of the state, and every law of the Territory of Washington granting any such area or any part thereof in any manner to any municipal or other corporation, person, firm, association whatsoever or approving any transfer thereof, is hereby declared to be void."

Mr. P. C. Sullivan moved to take a recess until 2 p.m. Lost.

Mr. Griffitts' motion was lost.

Mr. Moore moved the previous question. Carried.

Mr. Sullivan moved to adjourn until 2 p.m. Ruled out of order.

The question then was shall the article be considered engrossed and passed to a third reading. The ayes and noes were demanded and ordered and the following forty-six members voted aye: Allen, Berry, Blalock, Bowen, Browne, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Glascock, Griffitts, Hayton, Henry, Hicks, Jeffs, Kellogg, Kinneear, Lindsley, McCroskey, McElroy, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, Schooley, Sturdevant, Suksdorf, E. H. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, West, Mr. President.

The following twenty-six members voted no: Berry, Buchanan, Eldridge, Fairweather, Fay, Godman, Gowey, Gray, Jamieson, Jones, Joy, Lillis, Manly, McDonald, McReavey, Minor, T. M. Reed, Sharpstein, Shoudy, Sohns, Stevenson, Stiles, P. C. Sullivan, Weir, Weisenburger, Winsor. Not voting, Mr. Willison. On leave, Hungate [and] Neace, and it was so ordered.
Mr. Tibbetts moved to take a recess until 2 p.m., pending which Mr. Lillis was granted leave of absence. Mr. Tibbetts' motion was agreed to and the Convention took a recess until 2 p.m.

At 2 p.m. Convention called to order by the President. Mr. Minor from the Committee on Revision reported the article on preamble and declaration of rights as revised and asked that it be considered. So ordered.

The article was read and the question then being on finally agreeing to the article as a part of the Constitution, a call of the roll was ordered and had and the following fifty-five members voted aye: Allen, Blalock, Berry, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gowey, Hayton, Hicks, Jamieson, Jones, Joy, Kellogg, Kinnear, McCroskey, McDonald, McElroy, Minor, Mires, J. Z. Moore, Morgans, Power, J. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Sturdevant, Suksdorf, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Weir, Weisenburger, West, Willison, Mr. President.

And the following four voted no: Godman, Griffitts, Jeffs, E. H. Sullivan. Not voting: Dickey, Gray, Henry, Lindsley, Manly, Lillis, McReavey, R. S. More, Newton, Prosser, T. M. Reed, Stiles, Winsor. Absent on leave, Hungate, Neace, and a majority of all the members of the Convention voting in the affirmative the article was adopted as a part of the Constitution and returned to the Committee on Revision, Enrollment and Adjustment for final engrossment.

Mr. Minor from same committee asked that the word "present" relative to veto power be stricken from legislative department and executive department articles so as to make them consistent throughout.

Mr. Tibbetts moved that the committee be instructed to strike out the word "present" as recommended and the ayes and noes were demanded and ordered and on a call of the roll the following thirty-three members voted aye: Bowen, Buchanan, Burk, Clothier, Coey, Comegys, Dallam, Durie, Dyer, Eldridge, Fairweather, Fay, Glascock, Godman, Hayton, Joy, Kellogg, Kinnear, Minor, Mires, J. Z. Moore, Prosser, Schooley, Sharpstein, Sohns, Tibbetts, Travis, Turner, Weir, Weisenburger, West, Winsor, Mr. President.
The following thirty-four members voted no: Allen, Berry, Blalock, Bowen, Cosgrove, Crowley, Dickey, Dunbar, Eshelman, Gowey, Griffitts, Henry, Hicks, Jamieson, Jeffs, Jones, Lindsley, Manly, McCroskey, McDonald, McElroy, R. S. More, Morgans, Power, J. M. Reed, Shoudy, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Van Name, Warner, Willison. Not voting, Gray, Lillis, McReavey, Newton, T. M. Reed, Stevenson. Absent on leave, Hungate, Neace and the motion was lost.

Mr. Minor from same committee then recommended that Section 22 of the Legislative Department be amended so as to be consistent with the other article. Lost.

Mr. Minor from the same committee reported Sections 34 [sic] of the [article on] legislative department back to the Convention for their action.

Mr. Stiles moved to attach it to the preceding section. Ruled out of order.

They also recommend Section 34 united to Section 33 and "corporation" to be stricken out.

The Committee also made the following report: "The Committee on Revision recommend that the following order be observed as to the first four articles:

Article 1. The Legislative Department
Article 2. The Executive Department
Article 3. The Judicial Department
Article 4. Impeachment and removal from office

T. T. MINOR, Chairman"

The report was read and it was so ordered.

The Committee was given leave to sit during Convention hours.

Mr. Godman was granted leave for the balance of the day.

Mr. Dunbar moved that the Convention proceed informally as in committee of the whole to consider the report of the Committee on State, School and Granted Lands, with the President in the chair. Carried.

At 2:40 the Convention proceeded informally as in committee of the whole to consider the report. During this session Mr. Bowen was called to the chair.
At 5:30 the Convention resumed its session with the President in the chair. The Committee reported that they had had under consideration the report of the Committee on State, School and Granted Lands but had come to no resolution thereon.

Mr. P. C. Sullivan gave notice that he would on tomorrow or some subsequent time move to reconsider the vote by which the article on elections and elective rights was defeated.

Mr. Cosgrove moved to adjourn. And the ayes and noes were demanded and on a call of the roll the following forty-two members voted aye: Allen, Browne, Buchanan, Burk, Coey, Comegys, Cosgrove, Crowley, Dickey, Dunbar, Durie, Dyer, Eldridge, Gowey, Gray, Hayton, Henry, Hicks, Jamieson, Jones, Joy, Kellogg, McCroskey, McDonald, McElroy, Minor, Mires, Morgans, Power, Prosser, T. M. Reed, Shoudy, Sohns, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Weir, Weisenburger, Willison, Winsor.

The following twenty-seven members voted no: Berry, Blalock, Bowen, Clothier, Dallam, Eshelman, Fairweather, Fay, Glasscock, Griffittts, Jeffs, Kinneear, Manly, J. Z. Moore, R. S. More, J. M. Reed, Schooley, Sharpstein, Stevenson, Tibbetts, Travis, Turner, Van Name, Warner, West, Mr. President. Not voting: Stiles, Newton, Lindsley, Lillis, Godman. On leave, Hungate and Neace. And the motion prevailed and the Convention stood adjourned to August 15th, 1889, at 9 a.m.

August 15th, 1889

Convention called to order by the President at 9 a.m.
On a call of the roll all the members were present except Messrs. Eldridge, Fairweather, Gowey, Jones, McElroy, McReavey, Stiles and Turner, and Messrs. Hungate and Neace on leave.

Minutes read and approved.

The following members reported present: Messrs. Turner, Jones, Stiles, McElroy, Gowey, McReavey, Fairweather.

Mr. Prosser presented a memorial from Zeralda McCoy, a taxpaying woman, relative to equal suffrage. Read and referred to Committee on Elections and Elective Rights.

Mr. Joy (by request) presented a memorial from ninety-three voters of Buckley relative to same subject. Read and referred to Committee on Elections and Elective Rights.
Mr. Weir presented a petition relative to school lands, tidelands, etc. signed by Louis Poole and many other citizens of Port Union. Ordered to lie on the table.

By the Clerk petition on same subject signed by J. Powell and many others. Read and ordered to lie on the table.

The President submitted a petition from citizens of Port Gamble on same subject. Read and ordered to lie on the table.

The article on harbors, tidewaters and navigable streams was then read a third time and passed to a final vote. And the question then was shall the Convention agree to the article as read and on a call of the roll the following forty-nine members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dickey, Durie, Dunbar, Dyer, Eshelman, Fay, Glascock, Griffitts, Hayton, Hicks, Jeffs, Joy, Kellogg, Kinnear, Lindsley, McCroskey, McElroy, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, Schooley, Shoudy, Sohns, Suksdorf, E. H. Sullivan, Travis, Turner, Van Name, Warner, Weir, Willison, Winsor, Mr. President.

The following twenty-one members voted no: Eldridge, Fairweather, Godman, Gowey, Gray, Henry, Jones, Lillis, Manly, McDonald, McReavey, Minor, Mires, T. M. Reed, Sharpstein, Stevenson, Stiles, P. C. Sullivan, Tibbetts, Weisenburger, West. Not voting: Dallam, Jamieson [and] Sturdevant. On leave, Hungate, [and] Neace. A majority of all the members of the Convention having voted in the affirmative the article was agreed to and ordered referred to the Committee on Revision, Adjustment and Enrollment as follows.

**Article**

Section 1. The Legislature shall provide for the appointment of a Commission whose duty it shall be to locate and establish harbor lines in the navigable waters of all harbors, rivers, estuaries, bays and inlets of this state wherever such navigable waters lie within or in front of the corporate limits of any city or within one mile thereof upon either side. The state shall never give, sell or lease to any private person, corporation or association any rights whatever in the waters beyond such harbor lines, nor shall any of the area lying between any harbor line and the line of ordinary high tide and within not less than fifty feet nor more than six hundred feet of such harbor line (as the Commission shall
determine) be sold or granted by the state, nor its right to control the same relinquished, but such area shall be forever reserved for landings, wharves, streets and other conveniences of navigation and commerce.

Section 2. The Legislature shall provide general laws for the leasing of the right to build and maintain wharves, docks and other structures upon the areas mentioned in Section 1 of this article, but no lease shall be made for any term longer than thirty years, or the Legislature may provide by general laws for the building and maintaining upon such area wharves, docks or other structures.

Section 3. Municipal corporations shall have the right to extend their streets over intervening tidelands to and across the area reserved as herein provided.

Mr. P. C. Sullivan moved that the vote by which the article on elections and elective rights failed to pass be now reconsidered.

The ayes and noes were demanded and ordered and on a call of the roll the following fifty members voted aye: Allen, Berry, Blalock, Bowen, Buchanan, Burk, Coey, Comegys, Cosgrove, Dickey, Dunbar, Dyer, Eshelman, Fairweather, Fay, Gowey, Hayton, Henry, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, Manly, McCroskey, McElroy, Minor, Mires, J. Z. Moore, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Shoudy, Sohns, Suksdorf, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Weir, Weisenburger, Willson, Winsor, Mr. President.


The question then was on agreeing to the article, pending which Mr. J. Z. Moore moved the previous question. Lost.

Mr. Crowley moved that the vote by which a third reading of the article was defeated be reconsidered. The ayes and noes being demanded and ordered the following fifty-nine members voted aye: Allen, Berry, Blalock, Bowen, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dickey, Dunbar, Durie, Dyer, Eld-

The following eleven members voted no: Browne, Fairweather, Lillis, Lindsley, Manly, Mires, J. Z. Moore, Morgans, Weir, Weisenburger, Mr. President. Not voting, Dallam, Jamieson, Stiles. On leave, Hungate and Neace. And the motion prevailed.

Mr. Crowley moved the following substitute for Section 9. The following article shall be submitted separately to the electors of the territory at the time of the election held for the adoption of the Constitution.

Separate Article

All persons, male and female, of the age of twenty-one years or over, possessing the following qualifications shall be entitled to vote at all elections.

The ballot of those voting in favor of the article shall read "For Woman Suffrage"; the ballots of those voting against the article shall read "Against Woman Suffrage." If at said election the number of ballots cast in favor of the adoption of said article exceeds those cast against its adoption, then said separate article shall become a part of the Constitution and shall be substituted for and take the place of the following sentence in the article on elections and elective rights: "All male persons of the age of twenty-one years or over possessing the following qualifications shall be entitled to vote at all elections."

Mr. Bowen moved the previous question. So ordered. The question then was on the adoption of Mr. Crowley's substitute. Mr. Eldridge moved to amend the substitute and it was adopted as follows. "In the event of the rejection of the separate article on Woman Suffrage, the Legislature may at any future general election submit the question to the qualified electors and if a majority of all the votes cast on that question shall be in favor of Woman Suffrage it shall then take effect and become the law."

Ayes and noes demanded and ordered and on a call of the roll
the following twenty-eight members voted aye: Allen, Blalock, Burk, Cosgrove, Crowley, Dickey, Dunbar, Durie, Eldridge, Eshelman, Fay, Gray, Jamieson, Joy, Kellogg, Kinnear, Manly, McCroskey, McReavey, Newton, J. M. Reed, Stevenson, Tibbetts, Warner, Weir, Willison, Winsor, Mr. President.


Mr. Shoudy moved to add the following as a proviso to Section 1: “But after the year 1895 the following additional qualification in addition to above shall be required. No person shall be allowed to vote at any election or hold any office who cannot read and write in the English language.” Lost.

Mr. Dyer moved that the rules be suspended, the article be considered engrossed and passed to third reading and it was so ordered.

The Article was then considered read a third time and the question then was upon agreeing to the article as read and on a call of the roll the following sixty-seven members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eshelman, Fairweather, Fay, Glascock, Godman, Gray, Griffitts, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, McDonald, McElroy, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Travis, Turner, Van Name, Warner, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

The following five members voted no: Clothier, Eldridge, Manly, McReavey, Tibbetts. Messrs. Gowey, Hungate and Neace not voting and a majority of all the members voting in the affirm-
ative the article was agreed to and ordered sent to the Committee on Revision, Adjustment and Enrollment.

Article

Elections and Elective Rights

Section 1. All male persons of the age of twenty-one years or over possessing the following qualifications shall be entitled to vote at all elections. They shall be citizens of the United States, provided that Indians not taxed shall never be allowed the elective franchise. Provided further that all male persons who at the time of the adoption of this Constitution are qualified electors of the territory shall be electors. They shall have lived in the state one year and in the county ninety days and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote.

Section 2. The Legislature may provide that there shall be no denial of the elective franchise at any school election on account of sex.

Section 3. All idiots, insane persons and persons convicted of infamous crimes, unless restored to their civil rights, are excluded from the elective franchise.

Section 4. For the purpose of voting and eligibility to office no person shall be deemed to have gained a residence by reason of his presence or lost it by reason of his absence while in the civil or military service of the state or of the United States, nor while a student at any institution of learning, nor while kept at public expense in any poorhouse or other asylum, nor while confined in public prison, nor while engaged in the navigation of the waters of this state or of the United States or of the high seas.

Section 5. Voters shall in all cases except treason, felony and breach of the peace be privileged from arrest during their attendance at elections and in going to and returning therefrom. No elector shall be required to do military duty on the day of any election except in time of war or public danger.

Section 6. All elections shall be by ballot. The Legislature shall provide for such method of voting as will secure to every elector absolute secrecy in preparing and depositing his ballot.

Section 7. The Legislature shall enact a registration law and
shall require a compliance with such law before any elector shall be allowed to vote, provided that this provision is not compulsory upon the Legislature except as to cities and towns having a population of over five hundred inhabitants. In all other cases the Legislature may or may not require registration as a prerequisite to the right to vote and the same system of registration need not be adopted for both classes.

Section 8. The first election of county and district officers not otherwise provided for in this Constitution shall be on the Tuesday next after the first Monday in November, 1890, and thereafter all elections for such officers shall be held biennially on the Tuesday next succeeding the first Monday in November.

The first election of all state officers not otherwise provided for in this Constitution after the election held for the adoption of this Constitution shall be on the Tuesday next after the first Monday in November, 1892, and the elections for such state officers shall be held in every fourth year thereafter on the Tuesday succeeding the first Monday in November.

Section 9. The following article shall be submitted separately to the electors of the territory at the time of the election held for the adoption of the Constitution.

Separate Article

All persons male and female of the age of twenty-one years or over possessing the following qualifications shall be entitled to vote at all elections.

The ballots of those voting in favor of the article shall read "For Woman Suffrage". The ballots of those voting against the article shall read "Against Woman Suffrage." If at said election the number of ballots cast in favor of the adoption of said article exceed those cast against its adoption, then said separate article shall become a part of the Constitution and shall be submitted for and take the place of the following sentence in the article on elections and elective rights. "All male persons of the age of twenty-one years or over possessing the following qualifications shall be entitled to vote at all elections."

Mr. Dyer called to the chair.
Mr. Kinnear withdrew his amendment to Mr. Turner's substitute of yesterday relating to state, school and granted lands.

Mr. Stiles moved to strike out all after the word "lakes" in Mr. Turner's substitute.

Mr. Reed moved to strike out of Mr. Turner's substitute "line of ordinary high tide" where it occurred and insert "government meander lines." Ruled out of order.

Mr. Stiles' amendment being put it was lost.

Mr. Turner moved the previous question. Lost.

Mr. Stiles moved to take a recess until 2 p.m. Lost.

Mr. J. Z. Moore moved that previous question. Carried.

On the question shall the amendment of Mr. Turner be adopted the ayes and noes were demanded and ordered and on a call of the roll the following thirty-six members voted aye: Allen, Bowen, Browne, Clothier, Coey, Comegys, Dallam, Dunbar, Dyer, Eshelman, Glascock, Godman, Gray, Griffitts, Hayton, Hicks, Kinnear, Lindsley, McCroskey, McElroy, Mires, J. Z. Moore, R. S. More, Prosser, Reed, Schooley, Sharpstein, Shoudy, Sturdevant, Suksdorf, E. H. Sullivan, Travis, Turner, Van Name, Warner, Mr. President.


Messrs. Berry, Gowey, Hungate, Neace, Newton not voting. Mr. Durie excused from voting and amendment was adopted.

Mr. Mires moved to take a recess until 2 p.m. Carried.

At 2 o'clock p.m. the Convention called to order by Mr. Dyer.

A communication from the Carpenters' Union of Tacoma relating to making Labor Day a legal holiday received and ordered to be on the table subject to call.

Mr. Hoyt moved the following amendment to the report on State, School and Granted Lands as an additional section.
"All patents of the United States purporting to grant to individuals lands between high tide and the meander line of the United States survey shall have the same force and effect as though such lands were above high tide."

Mr. Crowley moved to amend the section as follows:

"The State of Washington disclaims title to all school lands heretofore sold by the commissioners of any county pursuant to any territorial statutes where the purchase price has been paid in good faith."

Mr. Turner raised a point of order that the amendment is not germane to the substitute and he was sustained.

Mr. Stiles moved that the Convention now go into a committee of the whole for the purpose of considering the report of the Committee on State, School and Granted Lands. So ordered.

At 2:10 p.m. the Convention went into committee of the whole to consider the report, taking with them the section proposed by Mr. Hoyt and subsequent proceedings.

At 5:30 the committee rose and the President resumed the chair. The committee reported that they had had under consideration the report of the Committee on State, School and Granted Lands, and made progress and asked leave to sit again. Leave was granted.

Mr. Reed moved to adjourn. Carried. And the Convention stood adjourned to 9 a.m., August 16th, 1889.

August 16th, 1889

Convention called to order by the President at 9 a.m. Prayer by the Rev. Mr. Chaplain [sic]. On a call of the roll all the members were present except Fairweather, Gowey, Stiles and Turner, and Messrs. Neace and Hungate on leave.

Minutes read and approved. The following members were reported present: Messrs. Fairweather, Turner, Gowey and Stiles.

The President presented a petition relative to women’s suffrage signed by M. B. L. West and others. Read and ordered to lie on the table.

Mr. Minor from the Committee on Revision recommended to
the Convention that in the article on organization of counties, cities and townships from the first five lines of the section down to the word "cities" in the fifth line the following be substituted: "Corporations for municipal purposes may be created by the Legislature by special laws, but the Legislature shall by general laws provide for the organization and government of such municipal corporations and for the classification of the same in proportion to their population; such laws may be altered, amended or repealed," and he moved that the Committee be instructed to make such change.

Mr. P. C. Sullivan rose to a point of order that the recommendation does not come within the powers and duties of the Committee. Sustained.

Mr. Gowey moved to suspend the rules and consider the recommendation of the Committee on Revision. Lost.

Mr. Suksdorf was excused for the morning session.

Mr. Dyer moved that the Convention resolve itself into a committee of the whole for the purpose of considering the report of the Committee on State, School and Granted Lands. Lost.

The regular order was then on report of the Committee on Schedule. Mr. Gowey gave notice that on tomorrow he would introduce an amendment to the rules allowing the Committee on Revision to suggest and report such amendments to articles said Committee has under consideration as in their judgment they may deem necessary for the perfecting of the same, for the action of the Convention and it was ordered that the Convention go into a committee of the whole for the purpose of considering the report of the Committee on State, School and Granted Lands.

At 9:40 the Convention went into a committee of the whole for the consideration of the report, with Mr. Dyer in the chair.

At 12:00 noon the committee rose and the President resumed the chair. The committee reported that they had had under consideration the article on state, school and granted lands, had come to no resolution thereon and asked leave to sit again. Leave was granted.

Mr. Dunbar moved to take a recess till 2 p.m. Carried.

At 2 p.m. the Convention was called to order by the President.
Mr. Dunbar moved that the Convention resolve itself into a committee of the whole for the further consideration of the report on state, school and granted lands. Carried. And the Convention went into a committee of the whole for the consideration of the report, with Mr. Dyer in the chair.

At 2:45 the committee rose and the President resumed the chair. The Committee reported that they had been considering the report of the Committee on State, School and Granted Lands, and made progress but come to no resolution thereon and asked leave to sit again. Leave granted.

Mr. Tibbetts moved a call of the house. Carried. And on the roll being called the following members were found to be absent without leave: Messrs. Allen, Henry, Fairweather and Turner.

Mr. Tibbetts moved that the call of the house be dispensed with. Carried.

Mr. Warner moved that the Convention resolve itself into a committee of the whole for the purpose of further considering the report of the Committee on State, School and Granted Lands. So ordered. The Convention then went into a Committee of the whole for the purpose of considering the report with Mr. Dyer in the chair.

At 5:30 the Committee rose and the President resumed the chair. The committee reported that they had had under consideration the report of the Committee on State, School and Granted Lands and report the same to the Convention.

Mr. E. H. Sullivan moved to adjourn. Agreed to. And the Convention stood adjourned till 9 a.m. August 17th, 1889.

From page 190. (omitted by mistake)

Executive Department

Article

Section 1. The Executive Department shall consist of Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, Attorney General, Superintendent of Public Instruction and a Commissioner of Public Lands, who shall be severally chosen by the qualified electors of the state at the same time and place of voting for the members of the Legislative assembly.
Section 2. The supreme executive power of this state shall be vested in a Governor who shall hold his office for a term of four years and until his successor is elected and qualified.

Section 3. The Lieutenant Governor, Secretary of State, Treasurer, Auditor, Attorney General, Superintendent of Public Instruction and Commissioner of Public Lands shall hold their offices for four years respectively and until their successors are elected and qualified.

Section 4. The returns of every election for the officers named in the first section shall be sealed up and transmitted to the seat of government by the returning officers, directed to the Secretary of State, who shall deliver the same to the Speaker of the House of Representatives at the first meeting of the House thereafter, when he shall open, publish and declare the result thereof in the presence of a majority of the members of both houses. The person having the highest number of votes shall be declared duly elected, and a certificate thereof shall be given to such person, signed by the presiding officers of both houses, but if any two or more shall be highest and equal in votes for the same office, one of them shall be chosen by the joint vote of both houses. Contested elections for such officers shall be decided by the legislative assembly in such manner as shall be determined by law, the terms of all officers named in Section 1 of this article shall commence on the second Monday in January after their election until otherwise provided by law.

Section 5. The Governor may require information in writing from the officers of the state upon any subject relating to the duties of their respective offices and shall see that the laws are faithfully executed.

Section 6. He shall communicate at every session by message to the Legislature the condition of the affairs of the state, and recommend such measures as he shall deem expedient for their action.

Section 7. He may on extraordinary occasions convene the Legislature by proclamation, in which shall be stated the purposes for which the Legislature is convened.

Section 8. He shall be commander in chief of the military in the state except when they shall be called into the service of the United States.
Section 9. The pardoning power shall be vested in the Governor under such regulations and restrictions as may be prescribed by law.

Section 10. In case of the removal, resignation, death or disability of the Governor, the duties of the office shall devolve upon the Lieutenant Governor, and in case of a vacancy in both the offices of Governor and Lieutenant Governor, the duties of Governor shall devolve upon the Secretary of State, who shall act as Governor until the disability be removed or a Governor be elected.

Section 11. The Governor shall have power to remit fines and forfeitures under such regulations as may be prescribed by law, and he shall report to the Legislature at its next meeting each case of reprieve, commutation or pardon granted, and the reasons for granting the same, and also all persons in whose favor remission of fines and forfeitures shall have been made and the several amounts remitted and the reasons of the remission.

Section 12. Every act which shall have passed the legislative assembly shall be, before it becomes a law, presented to the Governor. If he approves he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, which house shall enter the objections at large upon the journal and proceed to reconsider. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present it shall become a law; but in all such cases the vote of both houses shall be determined by the yeas and nays, and the names of the members voting for or against the bill shall be entered upon the journal of each house respectively. If any bill shall not be returned by the Governor within five days, Sundays excepted, after it shall be presented to him, it shall become a law without his signature, unless the general adjournment shall prevent its return, in which case it shall become a law unless the Governor, within ten days next after the adjournment, Sundays excepted, shall file such bill with his objections thereto, in the office of the Secretary of State, who shall lay the same before the legislative assembly at its next session, in like manner as if it had been returned by the Governor. If any bill presented to the Governor contain several sections or items,
he may object to one or more sections or items while approving other portions of the bill. In each case he shall append to the bill, at the time of signing it, a statement of the section or sections, item or items to which he objects, and the reasons therefor, and the section or sections, item or items so objected to shall not take effect unless passed over the Governor's objection, as hereinbefore provided.

**Section 13.** When during a recess of the legislative assembly a vacancy shall happen in any office, the appointment to which is vested in the legislative assembly, or when at any time a vacancy shall have occurred in any other state office, for the filling of which vacancy no provision is made elsewhere in this Constitution, the Governor shall fill such vacancy by appointment, which shall expire when a successor shall have been elected and qualified.

**Section 14.** The Governor shall receive an annual salary of four thousand dollars which may be increased by law, but shall never exceed six thousand dollars per annum.

**Section 15.** All commissions shall issue in the name of the state, shall be signed by the Governor, sealed with the seal of the state, and attested by the Secretary of State.

**Section 16.** The Lieutenant Governor shall be presiding officer of the State Senate, and shall discharge such other duties as may be prescribed by law. He shall receive an annual salary of one thousand dollars, which may be increased by the Legislature but shall never exceed three thousand dollars per annum.

**Section 17.** The Secretary of State shall keep a record of the official acts of the legislative assembly and executive department of the state, and shall when required lay the same and all matters relative thereto before either branch of the legislative assembly, and shall perform such other duties as shall be assigned him by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by the Legislature but shall never exceed three thousand dollars per annum.

**Section 18.** There shall be a seal of state kept by the Secretary of [sic] for official purposes, which shall be called "The Seal of the State of Washington."

**Section 19.** The Treasurer shall perform such duties as shall be prescribed by law. He shall receive an annual salary of two
thousand dollars, which may be increased by the Legislature, but shall never exceed four thousand dollars per annum.

Section 20. The Auditor shall be auditor of public accounts, and shall have such powers and perform such duties in connection therewith as may be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the Legislature, but shall never exceed three thousand dollars per annum.

Section 21. The Attorney General shall be legal adviser of the state officers, and shall perform such other duties as may be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the Legislature, but shall never exceed thirty-five hundred dollars per annum.

Section 22. The Superintendent of Public Schools, and [sic] shall perform such specific duties as may be prescribed by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by law, but shall never exceed four thousand dollars per annum.

Section 23. The Commissioner of Public Lands shall perform such duties and receive such compensation as the Legislature may direct.

Section 24. The Governor, Secretary of State, Treasurer, Auditor, Superintendent of Public Instruction, Commissioner of Public Lands and Attorney General shall severally keep the public records, books and papers relating to their respective offices, at the seat of government at which place also the Governor, Secretary of State, Treasurer and Auditor shall reside.

Section 25. No person except a citizen of the United States and a qualified elector of this state shall be eligible to hold any [sic] and the State Treasurer shall be ineligible for the term succeeding that for which he was elected. The compensation of state officers shall not be increased or diminished during the term for which they shall have been elected. The Legislature may in its discretion abolish the offices of the Lieutenant Governor, Auditor and Commissioner of Public Lands.

August 17th, 1889

Convention called to order at 9 a.m. by the President. Prayer by the Rev. Mr. Chaplain [sic].
On roll call all the members were present except Messrs. Godman, Gowey, Gray, Mires and Stiles and Messrs. Neace and Hungate on leave.

Minutes read and approved. The following members reported present: Gray, Mires, Gowey and Stiles.

Mr. Cosgrove was granted leave for the afternoon session. Mr. Dunbar asked and was granted leave from this day at noon until Monday noon. Mr. Tibbetts asked and was granted leave from 3 p.m. today.

Mr. Bowen from the Committee on State Seal submitted the following report. Ordered to lie over one day and be printed.

Mr. President and Members of the Convention:

Your special Committee to whom was assigned the duty of presenting to this Convention one or more designs for a seal of the State of Washington respectfully submit the following for consideration.

1st. A seal with the vignette of Gen’l. Geo. Washington as the central figure, encircled with the motto “Our varied industries invite You” and beneath the vignette the figures 1889.

2nd. A seal representing a mountain, forest, a ship, factory, church, school building and a train of cars with the name of our various products marked on the cars upon the mountainside, a rising star and encircling all the motto “Westward the Star of Empire takes its way.”

3rd. The present seal of the territory with the motto “Al-Ki” (meaning by and by) changed to “Welcome” and the date 1853 changed to 1889. The accompanying sketches are only intended to illustrate the ideas and are not recommended for their artistic skill or finish.

O. A. Bowen, Chairman
Frank M. Dallam
Gwin Hicks

The question was then on concurring in the amendments to the report of the Committee on State, School and Granted Lands as made in committee of the whole.

The amendment in Section 1 was then agreed to.
The question then was on concurring in the substitute for Section 2 and the ayes and noes were demanded and ordered and the following forty-three members voted aye: Berry, Browne, Buchanan, Clothier, Coey, Comegys, Cosgrove, Crowley, Dunbar, Dyer, Eshelman, Glascock, Gray, Griffitts, Henry, Hicks, Jamieson, Kinnear, Manly, McCroskey, McDonald, McElroy, Minor, Mires, J. Z. Moore, R. S. More, Newton, Power, Prosser, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Sturdevant, Suksdorf, E. H. Sullivan, Travis, Turner, Van Name, Warner, Weisenburger, Mr. President.


The question then was on concurring in the substitute for Section 3 and the ayes and noes were demanded and ordered and the following forty-five members voted aye: Allen, Blalock, Bowen, Buchanan, Burk, Clothier, Cosgrove, Crowley, Dickey, Dunbar, Durie, Dyer, Eshelman, Fay, Glascock, Henry, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McElroy, McReavey, Minor, Morgans, Power, Prosser, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Stiles, P. C. Sullivan, Tibbetts, Weir, Weisenburger, West, Winsor, Mr. President.


The question then was in concurring to add a new Section 4. And the ayes and noes were demanded and ordered and on a call of the roll the following thirty-two members voted aye: Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Dyer, Glascock, Gowey, Gray, Griffitts, Henry, Hicks, Jeffs, Joy, Lindsley, McCroskey, Mires, J. Z. Moore, R. S. More, Newton, J. M.
Reed, T. M. Reed, Sharpstein, Shoudy, Sturdevant, Suksdorf, E. H. Sullivan, Travis, Turner, Warner.


The question was then upon concurring in the amendments to Section 5 and the first amendment was concurred in and the ayes and noes being demanded on the second amendment they were ordered, and on a call of the roll the following forty-eight members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Clothier, Crowley, Dickey, Dunbar, Dyer, Eldridge, Fay, Gowey, Hayton, Henry, Jamieson, Jeffs, Joy, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, McElroy, McReavey, Minor, J. Z. Moore, R. S. More, Morgans, Newton, Power, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles, Sturdevant, Suksdorf, P. C. Sullivan, Tibbetts, Turner, Warner, Weisenburger, West, Mr. President.

The following eighteen members voted no: Burk, Coey, Cosgrove, Dallam, Eshelman, Fairweather, Glascock, Hicks, Jones, Manly, McDonald, Mires, Prosser, Stevenson, Travis, Weir, Willison, Winsor. Not voting: Comegys, Durie, Gray, Griffitts, E. H. Sullivan, Van Name. Absent: Godman. On leave: Hungate and Neace. And the second amendment was concurred in.

And the ayes and noes were demanded and ordered on the third amendment and on a call of the roll the following forty-six members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Cosgrove, Crowley, Dickey, Dunbar, Dyer, Eldridge, Eshelman, Fay, Gowey, Griffitts, Hayton, Henry, Jeffs, Joy, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, McElroy, McReavey, Minor, J. Z. Moore, Morgans, Newton, Power, T. M. Reed, Schooley, Sharpstein, Sohns, Stevenson, Stiles, Sturdevant, Suksdorf, P. C. Sullivan, Weir, Weisenburger, West, Willison, Winsor, Mr. President. The following twenty voted no: Clothier, Coey, Comegys, Dallam, Fairweather, Glascock, Hicks, Jamieson, Jones, Manly, McCroskey,

The amendment to Sections 6 and 7 was then concurred in.

Mr. Joy moved to add a new section as follows:

"The preceding section shall be so construed as to include all of the lands in a section, any portion of which section shall be found to be within one mile of an incorporated city." Carried.

Mr. Prosser moved to substitute the following for Section 5:

"Section. Sections numbered 16 and 36 in each township of the State of Washington have been received from the government of the United States for the purpose of being applied in the support of common schools in the State of Washington and the lands within the sections aforesaid shall never be sold, but shall remain the property of the state forever. Timber, stone or perishable property thereon, after due appraisement, may be sold under such terms and conditions as may be prescribed by law. School lands of the state shall be appraised and leased in such manner and under such terms and conditions as may be prescribed by the Legislature, which shall also provide by law for the protection of the school lands from trespass or unlawful appropriation, and for their defense against all unauthorized claims or efforts to divert them, or the income therefrom from the school fund of the state."

Mr. Bowen moved the previous question on Prosser's substitute. Carried. The question then was on the substitute offered by Mr. Prosser and the ayes and noes were demanded and ordered and on a call of the roll the following twenty-two members voted aye: Blalock, Comegys, Crowley, Durie, Eldridge, Eshelman, Gray, Griffitts, Hicks, Jones, Lindsley, McElroy, Mires, J. Z. Moore, R. S. More, Prosser, J. M. Reed, Sharpstein, Warner, Willison, Winsor, Mr. President.

And the following forty-three voted no: Allen, Berry, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Cosgrove, Dallam, Dickey, Dunbar, Dyer, Fairweather, Fay, Glascock, Hayton, Henry, Jamieson, Joy, Kellogg, Kinnear, Lillis, McCroskey, McReavey, Morgans, Newton, Power, T. M. Reed, Schooley, Shoudy, Sohns, Stevenson, Stiles, Suksdorf, P. C. Sullivan, Tibbetts, Travis, Turner, Van
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Mr. Browne moved to amend Section 6 as follows: "To amend Section 4 (original number) by inserting after the word 'of' in line one the words 'each section of.'" And demanded the ayes and noes. So ordered and on a call of the roll the following thirty-five members voted aye: Berry, Blalock, Browne, Coey, Comegys, Crowley, Dyer, Eldridge, Fairweather, Fay, Glascock, Gowey, Gray, Griffitt, Hicks, Kinnear, Lindsley, Mires, J. Z. Moore, R. S. More, Newton, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Tibbetts, Travis, Turner, Warner, Weisenburger, West, Willison, Mr. President.


Mr. Weir moved to add to the article the following as an additional section:

Section 9. The Legislature shall provide by general law that all persons holding land abutting upon the shore of any navigable water within the limits of the state and having prior to February 22nd, 1889, valuable improvements occupying shore land below the government meander line in front of such abutting land, such improvements being in actual use and necessity for trade, commerce or business and the shore land so occupied being other than the extension of any street, alley or other public highway, shall have the prior right for a limited time to purchase as much of said shore land as may be necessary for the purpose for which such improvements were made at the valuation fixed by a board of appraisers, which board shall fix such valuation irrespective of the improvements on such land. Provided, that nothing herein shall apply to the area covered by the reservation in front of any incorporated city as specified in the article on harbors, nor to any lands lying in front of any fort or lighthouse owned by the United States."
Mr. Jones moved the previous question and the ayes and noes were demanded and ordered and on a call of the roll the following fifty-one members voted aye: Blalock, Bowen, Browne, Burk, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gowey, Gray, Hayton, Henry, Jamieson, Jeffs, Jones, Joy, Kellogg, Lillis, Lindsley McCroskey, McReavey, Minor, Mires, Morgans, Newton, Power, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Sohns, Stevenson, Stiles, Sturdevant, Suksdorf, P. C. Sullivan, Tibbetts, Travis, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

And the following fifteen voted no: Allen, Buchanan, Clothier, Coey, Comegys, Griffitts, Hicks, McDonald, McElroy, J. Z. Moore, R. S. More, Prosser, Turner, Warner. Not voting: Durie, Kinnear, Manly, Shoudy, E. H. Sullivan, Van Name. Absent: Godman. On leave: Neace and Hungate and the main question was ordered.

Mr. J. Z. Moore moved a call of the house. Lost.

The question then was on the adoption of the section offered by Mr. Weir. The ayes and noes were demanded and ordered and on a call of the roll forty-four members voted aye: Allen, Blalock, Bowen, Browne, Burk, Cosgrove, Dickey, Dyer, Eldridge, Fairweather, Fay, Gowey, Gray, Hayton, Henry, Jamieson, Jeffs, Jones, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, McReavey, Minor, J. Z. Moore, Morgans, Power, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Stiles, P. C. Sullivan, Tibbetts, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

The following twenty-five [voted] no: Berry, Buchanan, Clothier, Coey, Comegys, Dallam, Dunbar, Eshelman, Glascock, Griffitts, Hicks, Manly, McDonald, McElroy, Mires, R. S. More, Newton, Prosser, J. M. Reed, Sturdevant, Suksdorf, Travis, Turner, Van Name, Warner. Not voting: Crowley, E. H. Sullivan, Godman, absent. On leave, Hungate and Neace. And the section was adopted.

Mr. Stiles moved to add a proviso to Section 2: “Provided, that this section shall not be construed so as to debar any person from asserting his claim to vested rights in the courts of the state,” and demanded the ayes and noes and they were ordered. On a call of the roll the following forty-four members voted aye: Allen, Berry, Blalock, Browne, Buchanan, Burk, Cosgrove, Dallam, Dunbar, Dyer, Eldridge, Fairweather, Fay, Gowey, Hayton, Henry, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley,


Mr. Turner moved to substitute the following for Section 3: “The Legislature may provide by law for validating and confirming the title to tide or shore lands of persons holding the same under patents from the United States or by mesne conveyance from patentees of the United States, provided that the state shall not part with the title to land necessary for harbor purposes under the article relating to harbors,” and demanded the ayes and noes; so ordered.


Mr. T. M. Reed moved to strike out “for the benefit of common schools” and insert “for educational purposes.” Carried.

Mr. Jones moved to include after the word “magazines” wherever it occurs in Section 1 “docks and dockyards.” Carried.

Mr. Browne moved to amend Section 4 (original number) by
inserting after the words “two-thirds” in line two the following words “of each section.” Carried. Also to amend as follows (Section 4 original number), strike out in line four the word “said” and insert instead thereof the words “the state.” Carried.

Mr. Prosser moved to add to Section 5: “Provided further that no school lands in the State of Washington shall be sold unless a majority of the votes of the state shall at a general election express their approval thereof” and demanded the ayes and noes and they were ordered and on a call of the roll the following eighteen members voted aye: Blalock, Comegys, Crowley, Eldridge, Fairweather, Glascock, Gray, Griffitts, Hicks, Lindsley, McCroskey, Mires, J. Z. Moore, J. M. Reed, Sharpstein, Sturdevant, Willison. And the following forty-four members voted no: Allen, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Cosgrove, Dickey, Dunbar, Dyer, Eshelman, Fay, Henry, Hayton, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Manly, McDonald, McReavey, Minor, R. S. More, Morgans, T. M. Reed, Schooley, Sohns, Stevenson, Stiles, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Weir, Weisenburger, West, Winsor, Mr. President. Messrs. Dallam, Durie, Godman, Gowey, McElroy, Newton, Power, Shoudy, Suksdorf, E. H. Sullivan, Warner not voting. Messrs. Hungate and Neace on leave. And the amendment was lost.

Mr. Griffitts moved to strike out in line three the word “one” and insert “two.” Carried.

Mr. Stiles moved to strike out “lots and blocks” in line five of Section 7 and also “block” after acres in a.” Lost.

Mr. Griffitts moved as a substitute for Section 1, “No land owned by the State of Washington either by grant or otherwise at the time of becoming a state, except lands granted to said state for the establishment and maintenance of a scientific school, normal schools, public buildings and state charitable, educational, penal and reformatory institutions, shall ever be sold or in any manner transferred, but the title thereof shall forever remain in the state,” and demanded the ayes and noes. So ordered and the following sixteen members voted aye: Berry, Blalock, Comegys, Crowley, Eldridge, Glascock, Gray, Griffitts, Hicks, Mires, J. Z. Moore, Prosser, J. M. Reed, Sharpstein, E. H. Sullivan, Warner. And the following fifty-three members voted no: Allen, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Cosgrove, Dallam,

Mr. Prosser moved to strike out “1895” and insert “1900” in the second line and strike out of line three “1900” and insert “1920,” and demanded the ayes and noes. So ordered and on a call of the roll the following twenty-nine members voted aye: Blalock, Browne, Comegys, Crowley, Dallam, Eldridge, Fairweather, Glasscock, Gray, Griffitts, Hicks, Jones, Kellogg, Lindsley, McReavey, Minor, J. Z. Moore, R. S. More, Newton, Power, Prosser, J. M. Reed, Schooley, Sharpstein, Tibbetts, Warner, Weisenburger, Willison.

And the following thirty-eight members voted no: Allen, Berry, Bowen, Buchanan, Burk, Coey, Clothier, Cosgrove, Dickey, Dunbar, Durie, Dyer, Eshelman, Fay, Gowey, Hayton, Henry, Jamieson, Jeffs, Joy, Kinnear, Lillis, McCroskey, McElroy, Morgans, T. M. Reed, Shoudy, Sohns, Stevenson, Sturdevant, Suksdorf, P. C. Sullivan, Travis, Turner, Van Name, Weir, West, Mr. President. Not voting: Godman, Manly, McDonald, Stiles, E. H. Sullivan, Winsor. Absent on leave: Hungate and Neace. And the amendment was not adopted.

Mr. Browne moved the following as an additional section: “The Legislature shall provide by general law for the subdivision into small parcels of all tide or shore lands not otherwise provided for by this Constitution and the same shall be sold or leased only at public sale under such regulations as may be provided by general laws.” Lost.

Mr. Power moved that the article be engrossed and passed to third reading and the ayes and noes being demanded and ordered the following forty-six members voted aye: Allen, Blalock, Bowen, Burk, Cosgrove, Crowley, Dickey, Dunbar, Dyer, Eldridge, Eshelman, Fairweather, Gowey, Hayton, Henry, Jamieson, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, Manly, McCroskey, McReavey, Minor, Morgans, Power, J. M. Reed, T. M. Reed, Schooley, Sharp-

And the following twenty-two members voted no: Browne, Buchanan, Clothier, Coey, Comegys, Dallam, Durie, Fay, Glascock, Gray, Griffitts, Hicks, Jeffs, McDonald, McElroy, Mires, J. Z. Moore, R. S. Moore, Newton, Prosser, Travis, Van Name. Not voting: Berry, Godman, Stiles, Willison, Winsor. Absent on leave: Hungate and Neace. And the motion was carried.

Article.

Section 1. All the public lands of the state are held in trust for all the people and none of such lands, nor any estate or interest therein, shall ever be disposed of unless the full market value of the estate or interests disposed of, to be ascertained in such manner as may be provided by law, be paid or safely secured to the state; provided, that the Legislature may donate to the United States such tracts of shore or other lands as may be needed by the government of the United States for establishing and maintaining defensive works, forts, arsenals, magazines, lighthouses, docks and dockyards. Provided further, that wherever such works, forts, arsenals, magazines, lighthouses docks and dockyards are abandoned, the lands so granted shall revert to the state. Nor shall any lands which the state holds by grant from the United States (in any case in which the manner of disposal and minimum price are so prescribed) be disposed of, except in the manner and for at least the price prescribed in the grant thereof, without the consent of the United States.

Section 2. The State of Washington, by virtue of its inherent sovereignty, is the owner of the beds and shores of all navigable waters in the state, up to and including the line of ordinary high tide in water where the tide ebbs and flows, and up to and including the line of ordinary high water in all rivers and lakes, and no act of the Territory of Washington, or any of its officers or agents, and no act of any individual or corporation in pursuance of a claim of private right, shall be permitted to prejudice the state in the assertion and maintenance of such ownership. Provided that this section shall not be construed so as to debar any person from asserting his claim to vested rights in the courts of the state.
Section 3. The State of Washington disclaims any right in or claim to any homestead, pre-emption or donation land claims covered by patents of the United States lying below high water mark in the navigable waters of the state.

Section 4. None of the lands granted to the state for educational purposes shall be sold otherwise than at public auction to the highest bidder after the value thereof, less the improvements, shall be appraised by a board of appraisers to be provided by law, the terms of payment also to be prescribed by law, and no sale shall be valid unless the sum bid be equal to the appraised value of said land. In estimating the value of such lands for disposal the value of the improvements thereon on the 22nd day of February, 1889, shall be excluded and such improvements shall not be deemed the property of the state, provided that the sale of all school and university lands heretofore made by the commissioners of any county or the university commissioners, when the purchase price has been paid in good faith, may be confirmed by the Legislature.

Section 5. Not more than one-third of each section of the land granted to the state for educational purposes shall be sold prior to January 1st, 1895, and not more than two-thirds of each section prior to January 1st, 1900, provided that nothing herein shall be so construed to prevent the state from selling the timber or stone off of any of the state lands in such manner and on such terms as may be prescribed by law, and provided further that no sale of timber lands shall be valid unless the full value of such lands is paid or secured to the state.

Section 6. Not more than one quarter of a section of any lands of the state shall be offered for sale in one parcel, and all lands within the limits of any incorporated city or within two miles of the boundary of any incorporated city where the valuation of such land shall be found by appraisement to exceed two hundred dollars per acre shall before the same be sold be platted into lots and blocks of not more than five acres in a block, and not more than one block shall be offered for sale in one parcel.

Section 7. The preceding section shall be so construed as to include all of the lands in a section, any portion of which section shall be found to be within one mile of any incorporated city.

Section 8. The Legislature shall provide by general law that all persons owning land abutting upon the shore of any navigable
water within the limits of the state and having, prior to February 22nd, 1889, valuable improvements occupying shore lands below the government meander line, in front of such abutting land, such improvements being in actual use and necessity for trade, commerce or business, and the shore land so occupied being other than the extension of any street, alley or other public highway, shall have the prior right for a limited time to purchase as much of said shore land as may be necessary for the purpose for which such improvements were made, at the valuation fixed by a board of appraisers, which board shall fix such valuation irrespective of the improvements on such land. Provided, that nothing herein shall apply to the area covered by the reservation in front of any incorporated city as specified in the article on harbors, nor to any lands lying in front of any fort or lighthouse owned by the United States.

Mr. Weisenburger moved that the rules be suspended and the article put upon its final passage and demanded the ayes and noes and the following thirty-five members voted aye: Allen, Berry, Bowen, Burk, Comegys, Dickey, Dunbar, Dyer, Elrdidge, Eshelman, Fairweather, Gowey, Gray, Henry, Jeffs, Joy, Kellogg, Kinnear, Lindsley, McDonald, Minor, Mires, Morgans, Newton, Power, J. M. Reed, T. M. Reed, Shoudy, Sohns, E. H. Sullivan, Tibbetts, Turner, Weir, Weisenburger, West.

And the following thirty-five members voted no: Blalock, Browne, Buchanan, Clothier, Coey, Comegys, Crowley, Dallam, Durie, Fay, Glascock, Griffiths, Hicks, Jamieson, Jones, Lillis, Manly, McCroskey, McElroy, McReavey, J. Z. Moore, R. S. More, Prosser, Schooley, Stevenson, Stiles, Sturdevant, Sucksdorf, P. C. Sullivan, Travis, Warner, Van Name, Willison, Winsor, Mr. President. On leave: Hungate and Neace. Absent: Godman. Not voting: Sharpstein, Hayton. And the motion was lost.

The article was ordered reprinted.

Mr. Jamieson gave notice that he would move to reconsider the vote by which the harbor, etc. bill was passed.

Mr. Lillis asked leave of absence. Not granted.

Mr. Gowey moved to take a recess until 2 p.m.

Mr. Sullivan moved to adjourn. Lost. And the Convention took a recess until 2 p.m.
At 2 p.m. Convention called to order by Mr. Turner. The question then was on the schedule as reported by the Committee on Miscellaneous Subjects, Schedule and Future Amendments.

Mr. Dickey moved to informally go into the committee of the whole for the purpose of considering the report.

Mr. Power moved that the Convention proceed to consider the report. Carried.

Mr. Stiles moved to insert in Section 5 the words “superseded by.” Lost.

Mr. Henry moved to amend Section 8 as follows.

“Section 8. Insert after the word county in the fifth line the following: And where the same judge is elected for two or more counties, it shall be the duty of the Clerk of the district court, having custody of such papers and records, to transmit to the Clerk of such county or counties, other than that in which such records are kept, the original papers in all cases pending in such district court, and belonging to the jurisdiction of such county or counties together with transcripts of so much of the records of said district court as relate to the same.” Carried.

Mr. Gowey moved to strike out the word “any” in third line and insert “such.”

P. C. Sullivan moved to amend Section 10 as follows: By inserting immediately after line three, “upon the expiration of the term of office of the probate judges,” and strike out all that portion contained in the last sentence of said section and insert in its place, “and until the expiration of the term of office of the probate judges, such probate judges shall perform the duties now imposed upon them by the laws of the territory.”

Mr. Jones demanded the ayes and noes and they were ordered, and on a call of the roll the following forty-two members voted aye: Allen, Bowen, Burk, Clothier, Crowley, Dallam, Dickey, Dyer, Eldridge, Fairweather, Fay, Glascock, Gowey, Hayton, Jamieson, Jeffs, Jones, Joy, Kellogg, Lindsley, Manly, McReavey, Minor, J. Z. Moore, Morgans, Power, Prosser, T. M. Reed, Schooley, Shoudy, Sohns, Stiles, Sturdevant, Suksdorf, P. C. Sullivan, Tibbetts, Turner, Weir, Weisenburger, West, Winsor.
The following nineteen voted no: Berry, Blalock, Bowen, Buchanan, Coey, Comegys, Gray, Henry, Hicks, McCroskey, McDonald, R. S. More, Newton, J. M. Reed, Sharpstein, Stevenson, Travis, Van Name, Willison. Not voting: Cosgrove, Dunbar, Durie, Eshelman, Griffitts, Kinnear, Lillis, McElroy, E. H. Sullivan, Warner, Mr. President. On leave: Hungate and Neace. Absent: Godman. And the amendment was adopted.

Mr. Browne asked to have leave of absence. Granted. Mr. Griffitts and Mr. Eshelman. Granted.

Mr. P. C. Sullivan moved to amend Section 10 as follows: The Superior Courts shall have appellate revisory jurisdiction over the decisions of the probate court as now provided by law until such latter court expire by limitation. Carried.

Mr. P. C. Sullivan moved to amend as follows: Insert the words “on the second Monday in January, 1891” after the words “probate judges” in the amendment following line three in Section 10. Carried.

Mr. Shoudy moved to amend Section 11 as follows: “Add to Section 11 “and shall further provide that after the year 1895 no person shall be allowed to vote at any election or hold any office who cannot read and write in the English language.”

Mr. Dyer raised the point of order that it was not germane. Overruled.

Mr. Power moved to strike out of Section 14 in first and second lines "except probate judges and prosecuting attorneys."

Mr. Sharpstein moved to amend the amendment. "Insert thereof members of the Legislature."

Mr. T. M. Reed moved to strike out Section 14 and to insert in lieu thereof the minority report of the Committee and Mr. Dyer demanded the ayes and noes. They were ordered and the following forty-five members voted aye: Allen, Blalock, Bowen, Buchanan, Burk, Clothier, Coey, Crowley, Dallam, Dickey, Dyer, Eldridge, Fairweather, Fay, Glascock, Gowey, Hayton, Henry, Jamieson, Jeffs, Jones, Joy, Kellogg, Lindsley, Manly, McCroskey, Minor, J. Z. Moore, Morgans, Power, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles, Sturdevant, Suksdorf, P. C. Sullivan, Travis, Turner, Warner, Weir, Weisenburger, West.

The following twelve members voted no: Berry, Browne, Comegys, Hicks, McReavey, Mires, R. S. More, Prosser, Stevenson, Van Name, Willison, Winsor. Not voting: Cosgrove, Dunbar, Durie, Eshelman, Gray, Griffitts, Kinnear, Lillis, McDonald, McElroy, Newton, J. M. Reed, E. H. Sullivan, Tibbetts, Mr. President. On leave, Hungate and Neace. Absent: Godman, and the amendment was adopted.

Mr. Dickey moved to strike out Section 15 and insert the following:

Section 15. This Constitution shall be submitted to the people of the Territory of Washington for adoption or rejection at an election to be held on the first Tuesday of October A.D., 1889, and there shall be separately submitted at the same time for adoption or rejection the independent article relating to the enfranchisement of woman.

Section 18. [sic] At said election the qualified electors shall vote at the usual places of voting and said election shall be conducted and the returns thereof made according to the laws now in force regulating general elections in the Territory of Washington.

Section 17. At said election the ballots shall be of the following form.

For the Constitution: Yes.
For the Constitution: No.
For Prohibition Amendment: Yes.
For Prohibition Amendment: No.
For Women’s Suffrage Amendment: Yes.
For Women’s Suffrage Amendment: No.

And no ballot shall be counted on either side of any question submitted unless said ballot shall have the form herein prescribed.

Mr. Crowley moved to insert after “returned” in fourth line “of election be issued.” Carried.

Mr. P. C. Sullivan moved that Committee on Revision, Adjustment and Enrollment be instructed to place the prohibition, women's suffrage and capitol articles in their proper places.

Mr. Crowley moved to add to Section 16 the following: “and the term of all officers elected under the provisions of this Constitution shall commence on the Monday next succeeding the issue of said proclamation unless otherwise provided herein.” Carried.

Mr. Stiles moved to add the following.

Section 17. The Legislature is hereby authorized to appropriate from the State Treasury sufficient money to pay any of the expenses of this Constitution not provided for by the Enabling Act of Congress.

Mr. Power moved a substitute for Mr. Stiles’ amendment as follows:

Section. The first Legislature of the state is hereby authorized and required to make provision for the payment of all deficiency in the congressional appropriation of $20,000 for defraying the expenses of the Constitutional Convention as certified to by the President and Chief Clerk of said Convention.

Mr. McCroskey moved to amend the amendment: That the members of this Convention be exempted from the operation of the amendment.

Mr. Browne moved that the whole matter be indefinitely postponed. Lost. Mr. McCroskey withdrew his amendment. The question then was on the adoption of Mr. Power’s amendment.

The ayes and noes were demanded and ordered and the following twenty-six members voted aye: Blalock, Buchanan, Clothier,


The question then being on the amendment offered by Mr. Stiles, the ayes and noes were demanded and ordered and the following forty-two members voted aye: Blalock, Bowen, Buchanan, Coey, Clothier, Crowley, Dallam, Dickey, Dyer, Fairweather, Fay, Glascock, Gowey, Griffitts, Hayton, Henry, Jamieson, Jones, Lindsley, Manly, McCroskey, McDonald, McReavey, Minor, Mires, J. Z. Moore, Power, Prosser, T. M. Reed, Schooley, Stiles, Sturdevant, Suksdorf, P. C. Sullivan, Travis, Turner, Van Name, Weir, Weisenburger, Willison, Winsor.


Mr. Stiles moved to amend as follows: Insert after “territory” in line three, Section 8 “except such causes as would have been within the exclusive jurisdiction of the United States District Court had [soon] such court existed at the time of the commencement of such causes.” Carried.

[Mr. Crowley offered the following as an additional]*

Mr. Stiles moved the following amendment: Insert after “territory” in line 11, Section 8 “except such causes as would have been

* Stricken in journal.
within the exclusive jurisdiction of the United States Circuit Court had such court existed at the time the commencement of such causes.” Carried.

Mr. Crowley offered the following as an additional section:

Section. Either the counties of Columbia, Klickitat, Kittitas, Walla Walla or Yakima may prior to January 1st, 1895, give aid by the issue of its bonds or otherwise to any person, corporation or association, provided two-thirds of the property taxpayers in such county, being legal voters therein and voting thereon, vote therefor at a special election to be held for the purpose of deciding the question of granting such aid. The special election shall be called by the commissioners of the county upon petition of not less than one hundred taxpayers and legal voters therein, and shall be held not less than sixty nor more than ninety days after the date of the order for holding said election which shall be conducted, the returns made and results declared in accordance with the general election law, and provided further that the aggregated total of said granted aid under this section by either of said counties shall not exceed four per centum of its assessed valuation for county and state purposes as shown by its assessment made next preceding such election.

The ayes and noes were demanded. Mr. Griffitts raised a point of order that it was not germane and that the same subject had been passed upon. Overruled.

Ayes and noes ordered and Mr. Crowley’s section offered and the following seventeen members voted aye: Blalock, Clothier, Crowley, Fay, Gowey, Henry, Prosser, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles, Sturdevant, P. C. Sullivan, West, Winsor.

Durie, Eshelman, Gray, Hicks, Joy, Kinnear, Lillis, McCroskey, McElroy, Power, Tibbetts, Van Name. Absent: Godman. On leave: Neace and Hungate, and it was lost.

Mr. Gowey moved to add an additional section:

Section. At the election for the adoption or rejection of this Constitution the ballots shall be in the following form:

For the Constitution. Yes. No.

For Prohibition. Yes. No.

For Women's Suffrage. Yes. No.

Mr. Shoudy moved to amend by striking out "No" and "Yes." Lost. Mr. Gowey's amendment carried.

Mr. Griffitts moved to add "For State Capitol .... (name of place voted for)."

Mr. T. M. Reed moved to recommit the article to the Committee on Schedule which motion carried twenty-four to seventeen. Mr. Power moved to adjourn. Lost.

Mr. Gowey moved to adjourn to 9 a.m. August 19th, 1889. Carried and the Convention stood adjourned to August 19, 1889, at 9 a.m.

August 19th, 1889

Convention called to order by the President at 9 a.m. Prayer by the Chaplain.

On roll call all the members were present except Messrs. Allen, Blalock, Cosgrove, Dallam, Dyer, Godman, Hicks, Hungate, Mires, Mires, Schooley and P. C. Sullivan and Mr. Neace on leave.

Minutes read and approved. The following members reported present: P. C. Sullivan, Mires, Cosgrove, Turner, Schooley, Allen, Dallam, Cosgrove.

Mr. Godman was excused for the day. Mr. Minor from the Revision Committee reported Articles 2, 4 and 5 and asked that Article 4 be amended.

Mr. Dyer moved that the rules be suspended that an amendment might be made to Article 4.