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.
Mr. Minor moved to [strike]* amend Article 4 by striking out the word “first” and inserting “second,” making it read—“terms of judges elected shall be six years from and after the second Monday in January next succeeding their election.” Carried.

Article 2 was then read and the question then was on agreeing to the article as amended and revised, and on a call of the roll the following sixty members voted aye: Allen, Berry, Bowen, Browne, Buchanan, Burk, Coey, Comegys, Cosgrove, Crowley, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gray, Hayton, Henry, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Sturdevant, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

The following one member voted no: Griffitts. Not voting: Blalock, Clothier, Dallam, Gowey, Hicks, Hungate, Manly, T. M. Reed, Stiles, E. H. Sullivan, Warner. Messrs. Godman and Neace on leave, and a majority of all the members of the Convention having voted in the affirmative, the article was agreed to as Article 2 of the Constitution and ordered referred back to the Committee for [Revision, Adjustment and] Enrollment.

Article 4 was then read and the question then was upon agreeing to the article as amended and revised, and on a call of the roll the following fifty-nine members voted aye: Allen, Berry, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fay, Glascock, Gray, Griffitts, Hayton, Henry, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, McDonald, McElroy, McReavey, Minor, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Turner, Van Name, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

The following two members voted no: Stevenson, Travis. Not voting: Blalock, Crowley, Dallam, Fairweather, Gowey, Hicks, Hungate, Jamieson, Manly, Mires, Stiles, Warner. On leave, Godman

* Stricken in journal.
and Neace, and a majority of all the members voting in the affirmative, the article was so agreed to and it was referred back to the Committee for [Revision, Adjustment and] Enrollment.

Article 5 was then read and the question then was upon agreeing to the article as so amended and revised, and on a call of the roll the following fifty-nine members voted aye: Allen, Berry, Bowen, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Dickey, Dunbar, Durie, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gray, Griffitts, Hayton, Henry, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Sharpstein, Shoudy, Sohns, Stevenson, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Weir, West, Willison. Not voting: Blalock, Browne, Crowley, Dallam, Gowey, Hicks, Hungate, Jamieson, Manly, Weisenburger, Winsor, Mr. President. On leave: Godman and Neace. And a majority of all the members voting in the affirmative the article was so agreed to and it was referred back to the Committee for [Revision, Adjustment and] Enrollment.

The report of the Committee on Federal Relations, Boundaries and Immigration was then taken up and the report was read a second time.

Mr. Burk moves to strike out “north” in the second line and insert “main.”

Mr. Minor moved to [strike out] * amend the amendment to strike out main. Ruled out of order. Mr. Burk’s amendment was lost. Mr. Dyer moved that in line twelve after word “west” insert “from Greenwich.” Lost.

Mr. Bowen moved to strike out the word “north” in second line. The ayes and noes were demanded and ordered and on a call of the roll the following twenty-three members voted aye: Bowen, Browne, Burk, Dickey, Eldridge, Gowey, Hayton, Henry, Joy, Minor, Mires, R. S. More, T. M. Reed, Schooley, Sohns, Tibbetts, Travis, Van Name, Warner, Weir, Weisenburger, Willison, Winsor.


* Stricken in journal.

Mr. Suksdorf moved to insert after the word “house” in sixteenth line, “thence westerly one league.” Lost.

The question then being upon third reading Mr. Griffitts moved that the rules be suspended, it be considered read a third time, engrossed and put upon its final passage, and on a call of the roll the following sixty-one members voted aye: Allen, Berry, Bowen, Browne, Buchanan, Clothier, Coey, Comegys, Crosgrove, Crowley, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gowey, Griffitts, Hayton, Henry, Jamieson, Jones, Joy, Kellogg, Lillis, Lindsley, Manly, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, Sharpstein, Shoudy, Sohns, Stevenson, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Weir, Weisenburger, West, Winsor, Mr. President.

The following two members voted no: Burk, T. M. Reed. Not voting: Blalock, Dallam, Dickey, Gray, Jeffs, Kinnear, Schooley, Willison. On leave: [Hungate]*, Godman and Neace. And the article was agreed to and ordered sent to the Committee on Revision, Adjustment and Enrollment for enrollment as follows:

Committee on Federal Relations, Boundaries and Immigration

Article

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

* Stricken in journal.
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 of 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 Kook-Skooskia or Clear Water 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 Bonilla 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.

Mr. Sturdevant asked indefinite leave for Mr. Blalock. So ordered.

Mr. Minor from the Committee on Revision [, Adjustment and Enrollment] brought to the attention of the Convention that the following words were left out in Section 23 of article on corporations other than municipal: “Upon payment of just compensation to be ascertained in the manner provided by law for the condemnation of private property for public use.”

Mr. Turner moved that the rules be suspended and the matter be considered at this time. So ordered.

The question then was shall the words as reported by Mr. Minor be inserted, and Mr. Sullivan called for the ayes and noes, and on a call of the roll the following twenty-four members voted aye: Buchanan, Clothier, Dunbar, Durie, Dyer, Gowey, Hayton, Kinnear, Lindsley, Manly, Minor, Mires, J. Z. Moore, Power, Prosser, T. M. Reed, Schooley, Turner, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

The following thirty-five members voted no: Bowen, Browne, Burk, Coey, Crowley, Dickey, Eldridge, Eshelman, Fairweather, Glascock, Gray, Griffitts, [Hayton]*, Henry, Jamieson, Jeffs,  

* Stricken in journal.

Mr. Turner asked leave to file a protest to the article. Mr. Hoyt and Mr. Gowey joining. Granted.

The report of the Committee on State, School and Granted Lands as amended and reprinted was then read. The question then was upon agreeing to the article.

Mr. Crowley moved to suspend the rules to consider the following amendment. None of the money received from the sale of any of the granted public school lands shall be loaned to private persons or to corporations, but it may be invested in national, state, county or municipal bonds and the interest on the fund may be used for the benefit of the common schools. The rules were not suspended.

Mr. Kinnear moved to suspend the rules for the purpose of considering the following amendment. Adding line four, Section 8 after the word “land” and also who in good faith have made valuable improvements on shore lands. Lost.

Mr. Turner then filed the following protest. The undersigned members of the Constitutional Convention respectfully protest against [said]* the action of the Convention in refusing to amend the article on corporations so as to require telegraph corporations proposing to occupy the road bed of railroad companies to make just compensation for the same, because:

First. Said amendment was adopted in committee of the whole and in the Convention and was by mistake omitted from the printed article adopted by the Convention.

Second. The article in its present form allows the confiscation of the roadbeds of railroad companies or so much thereof as

* Stricken in journal.
may be necessary for telegraph purposes and transfers the same to telegraph companies.

GEORGE TURNER
JOHN P. HOYT
JOHN F. GOWEY
T. M. REED
J. J. WEISENBURGER

Mr. J. Z. Moore moved to suspend the rules to allow him to move to strike from Section 7 the word “one” in line two and insert “two.” Carried.

The question then was upon agreeing to the article as amended and Mr. Bowen moved the previous question and it was so ordered and on a call of the roll the following thirty-five members voted aye: Allen, Bowen, Browne, Burke, Dickey, Dunbar, Dyer, Eldridge, Eshelman, Fay, Hayton, Henry, Jamieson, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, Minor, Morgans, Power, T. M. Reed, Schooley, Shoudy, Sohns, Stiles, P. C. Sullivan, Turner, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

The following thirty-four members voted no: Berry, Blalock, Buchanan, Clothier, Coey, Comegys, Cosgrove, Crowley, Durie, Fairweather, Glascock, Gowey, Gray, Griffitts, Jeffs, Manly, McCroskey, McDonald, McElroy, McReavey, Mires, J. Z. Moore, R. S. More, Newton, Prosser, J. M. Reed, Stevenson, Sturdevant, Suksdorf, E. H. Sullivan, Tibbetts, Travis, Van Name, Warner. Not voting: Dallam, Hicks, Hungate, Sharpstein. On leave: Godman and Neace. And a majority of all the members not voting on the affirmative, the article was not agreed to.

Mr. Turner gave notice that he would present an article on this subject this afternoon and move to suspend the rules for its consideration.

Mr. Comegys moved that the privilege of the house be extended to the Hon. S. C. Wingarde, ex-justice, Supreme Court of the territory. So ordered.

Mr. P. C. Sullivan moved to take a recess until 2 p.m., pending which Mr. Gowey was called to the chair, and the Convention took a recess until 2 p.m.

Convention called to order by Mr. Gowey at 2 p.m. Mr. Tibbitts moved to take up the report of the Committee on Seal. Carried.
Mr. Sharpstein moved to adopt the first recommendation in the report. Mr. Turner moved the amendment that we adopt the seal without the motto. Mr. Joy moved to strike out the present motto and insert “put none but Americans on guard.” Lost.

Mr. Turner’s amendment was then adopted. Mr. Stiles moved to insert as a motto, “We the people rule.” Lost. Mr. Sharpstein’s motion as amended was then adopted.

The question then was upon suspending the rules and placing the report upon its third reading and final passage. Carried.

The article was then read a third time as follows. [The Seal of]* “A seal encircled with the words “The Seal of the State of Washington’ with the vignette of General Geo. Washington as the central figure and beneath the vignette the figures ‘1889’,” and put upon its final passage and on a call of the roll, the following sixty-four members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Godman, Gowey, Gray, Griffitts, Hayton, Henry, Jamieson, Jeffs, Jones, Joy, Kellogg, Lillis, Lindsley, Manly, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Stiles, Suksdorf, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Weir, Weisenburger, West, Willison, Winsor. On leave: Neace. Not voting: Crowley, Kinnear, Hicks, Hungate, Morgans, Sohns, Stevenson, Sturdevant, E. H. Sullivan, Mr. President. And it was finally agreed to, a majority of all the members having voted therefor and it was referred to the Committee on Revision [, Adjustment and Enrollment].

Mr. Turner asked to have read the following and moved to suspend the rules and that the article be considered engrossed, read a third time and put upon its final passage.

Article

The State of Washington by virtue of its inherent sovereignty is the owner of the beds and shores of all navigable waters in this state up to and including the line of ordinary high tide in waters where the tide ebbs and flows and up to and including the line of

* Stricken in journal.
ordinary high water in all rivers and lakes and no act of the Territory of Washington or of 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 association and maintenance of such ownership; provided that this section shall not be construed so as to [order]* debar any person from asserting his claim to vested rights in the courts of the state, and provided further that the Legislature may, by law, validate and confirm the titles of persons holding patents from the government of the United States or deraigning title from patentees of the United States to lands affected by this section, but the state shall never part with title to any lands reserved by this Constitution for harbor purposes.

Mr. Power moved to refer the article to the Committee on State, School and Granted Lands and demanded the ayes and noes, and was ruled out of order. Mr. Lillis moved the previous question and it was so ordered.

The question then was shall the rules be suspended, and the ayes and noes having been demanded and ordered, the following thirty-five members voted aye: Berry, Bowen, Buchanan, Burk, Clothier, Comegys, Cosgrove, Crowley, Dunbar, Durie, Dyer, Glasscock, Godman, Gowey, Griffitts, Jamieson, Lindsley, McCroskey, Minor, Mires, J. Z. Moore, R. S. More, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles, Sturdevant, Travis, Turner, Van Name, Warner.


Mr. Dunbar moved that the rules be suspended in order that he might introduce the following and have the same considered at this time.

* Stricken in journal.
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 interest disposed of to be ascertained in such manner as may be provided by law, be paid or safely secured to the state.

Section 2. 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.

Section 3. Not more than one-fourth 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 one-half 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 5. 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 two miles of any incorporated city.

Mr. Turner moved the previous question. Carried.

The question then was upon suspending the rules to consider
the article proposed by Mr. Dunbar and the ayes and noes being
demanded and ordered, the following forty-two members voted aye:
Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier,
Comegys, Crowley, Dickey, Dunbar, Durie, Dyer, Eshelman, Fay,
Glascock, Godman, Gowey, Griffitts, Jamieson, Joy, Kellogg, Lind­
sley, McCroskey, Minor, Mires, J. Z. Moore, R. S. More, Morgans,
Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Shoudy, Sohns,
Stiles, Suksdorf, Tibbetts, Turner, Warner.

The following twenty-seven members voted no: Coey, Cos­
grove, Dallam, Eldridge, Fairweather, Gray, Hayton, Henry, Jeffs,
Jones, Lillis, Manly, McDonald, McElroy, McReavey, Sharpstein,
Stevenson, Sturdevant, E. H. Sullivan, P. C. Sullivan, Travis, Van
Name, Weir, Weisenburger, West, Willison, Winsor. Not voting:
Hicks, Hungate, Kinnear, Newton, Mr. President. On leave: Neace.
And the rules were not suspended.

Mr. Turner moved that the subject matter of the article on
state, school and granted lands be referred back to the Committee
on same and that they be instructed to report tomorrow separate
articles, one on tidelands and one on school lands. Mr. Jamieson
moved the previous question. So ordered.

The question then was on the motion of Mr. Turner, the ayes
and noes were demanded and ordered and on a call of the roll, the
following thirty-seven members voted aye: Allen, Berry, Bowen,
Browne, Burk, Clothier, Coey, Dickey, Dunbar, Durie, Dyer, Eshel­
man, Fay, Glascock, Godman, Gowey, Griffitts, Jeffs, Joy, Kellogg,
Lillis, Lindsley, McCroskey, Minor, Mires, R. S. More, Power,
Prosser, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Suksdorf,
Tibbetts, Turner, Van Name.

The following twenty-nine members voted no: Blalock,
Buchanan, Comegys, Cosgrove, Eldridge, Fairweather, Gray, Hay­
ton, Henry, Jamieson, Jones, Manly, McDonald, McElroy, Mc­
Reavey, J. Z. Moore, Morgans, J. M. Reed, [Power, Prosser,
Schooley, Sharpstein, Shoudy, Sohns, Suksdorf]*, Stevenson,
Sturdevant, E. H. Sullivan, P. C. Sullivan, Travis, Warner, Weir,
Weisenburger, West, Willison, Winsor. Not voting: Crowley, Dal­
lam, Hicks, Hungate, Kinnear, Newton, Stiles, Mr. President. On
leave: Neace, and the motion prevailed and it was so ordered.

* Stricken in journal.
E. H. Sullivan moved to adjourn. Lost. Mr. Turner moved to take a recess until 4 p.m. Mr. P. C. Sullivan moved to adjourn. Ruled out of order. Mr. Turner's motion carried and the Convention took a recess until 4 p.m.

At 4 p.m. the Convention was called to order by Mr. Gowey.

Mr. Tibbetts moved a call of the house. So ordered. And on a call of the roll the following members were found to be absent without leave: Messrs. Gray, Hicks, Hungate, Kinnear, Neace and Mr. President.

Mr. Lindsley moved that further proceedings be dispensed with. Carried.

Mr. O. A. Bowen introduced the following resolution. "Resolved, that this Convention authorize the Chief Clerk to issue a certificate to Robert Black for an amount which shall be a just compensation for extra labor performed in assisting the Journal Clerk."

Mr. Minor moved its adoption. Carried. Mr. Power introduced the following resolution.

Section. The State of Washington disclaims all title in and claim to all tide, swamp and overflowed lands patented by the United States and asked that it be referred to the Committee on State, School and Granted Lands.

Mr. Turner moved to lay on the table. Ayes and noes demanded and ordered, and on a call of the roll the following twenty-two members voted aye: Berry, Blalock, Browne, Crowley, Dallam, Godman, Griffitts, Jeffs, Manly, McCroskey, McDonald, Mires, J. Z. Moore, R. S. More, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, Travis, Turner, Van Name, and Warner.

The following thirty-nine members voted no: Allen, Bowen, Burk, Coey, Clothier, Cosgrove, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gowey, Hayton, Henry, Jones, Joy, Kellogg, Lindsley, McReavey, Minor, Morgans, Newton, Power, Prosser, T. M. Reed, Schooley, Shoudy, Sohns, Stevenson, P. C. Sullivan, Tibbetts, Weir, Weisenburger, West, Willison, Winsor. Not voting: Buchanan, Comegys, Dickey, Gray, Hicks, Hungate, Jamieson, Kinnear, Lillis, McElroy, J. M. Reed, Sharpstein, Mr. President. On leave: Neace. And the motion was lost and the
resolution referred to Committee on State, School and Granted Lands.

Mr. Stiles moved to amend Section 7 as follows.

Section 7. After the words "Constitution" in line two insert "including a County Clerk for each county." Carried.

Mr. Durie moved to amend Section 2 by adding, "Provided that this section shall not be so construed as to validate any act of the Legislature of Washington Territory granting shore or tidelands to any person, company or any municipal or private corporation." Adopted.

Mr. Crowley moved to amend Section 14 as follows. Insert after the word "Constitution" on the third line of Section 14 the words, "and the County Clerk of each county elected at the first election." Carried.

Mr. Dickey moved to amend Section 17 as follows. Strike out separate Article No. 1 and insert "For Woman Suffrage Article." Strike out separate Article No. 2 and insert "For Prohibition Article." Carried.

Mr. Minor moved that the language to be used in Section 17 shall be For Woman Suffrage, Against Woman Suffrage and For Prohibition, Against Prohibition. Carried.

Mr. Crowley moved to adjourn at 4:55 p.m. Carried. And the Convention stood adjourned till 9 a.m. August 20th, 1889.

From page 198 (Omitted by mistake):

Article as Agreed to on

Militia

Article

Section 1. All able bodied male citizens of this state between the ages of eighteen and forty-five years, except such as are exempt by laws of the United States or by the laws of this state, shall be liable to military duty.

Section 2. The Legislature shall provide by law for organizing and disciplining the militia in such manner as it may deem expedient, not incompatible with the Constitution and laws of the United States. Officers of the militia shall be elected or appointed
in such manner as the Legislature shall from time to time direct and shall be commissioned by the Governor.

The Governor shall have power to call forth the militia to execute the laws of the state, to suppress insurrections and repel invasions.

Section 3. The Legislature shall provide by law for the maintenance of a soldiers' home for honorably discharged Union soldiers, sailors, marines, and members of the State Militia disabled while in the line of duty and who are bona fide citizens of the state.

Section 4. The Legislature shall provide by law, for the protection and safekeeping of the public arms.

Section 5. The militia shall in all cases except treason, felony and breach of the peace, be privileged from arrest during their attendance at musters and election of officers and in going to and returning from the same.

Section 6. No person or persons having conscientious scruples against bearing arms, shall be compelled to do militia duty in time of peace provided such person or persons shall pay an equivalent for such exemption.

From page 164. (Omitted by mistake):

Article as agreed to on County, City and Township Organizations

Article

Section 1. The several counties of the Territory of Washington existing at the time of the adoption of this Constitution are hereby recognized as legal subdivisions of this state.

Section 2. No county seat shall be removed unless three-fifths of the qualified electors of the county voting on the proposition at a general election shall vote in favor of such removal, and three-fifths of all votes cast on the proposition shall be required to relocate a county seat. A proposition of removal shall not be submitted in the same county more than once in four years.

Section 3. No new county shall be established which shall reduce any county to a population less than four thousand nor shall a new county be formed containing a less population than two
thousand. There shall be no territory stricken from any county unless a majority of the voters living in such territory shall petition therefor, and then only under such other conditions as may be prescribed by a general law applicable to the whole state.

Every county which shall be enlarged or created from territory taken from any other county or counties from which such territory shall be taken; provided that in such accounting neither county shall be charged with any debt or liability then existing incurred in the purchase of any county property, or in the purchase or construction of any county buildings then in use or under construction which shall fall within and be retained by the other county; provided further that this shall not be construed to affect the rights of creditors.

Section 4. The Legislature shall establish a system of county government which shall be uniform throughout the state and by general laws shall provide for township organization under which any county may organize whenever a majority of the qualified electors of such county voting at a general election shall so determine, and whenever a county shall adopt township organization the assessment and collection of the revenue shall be made and the business of such county and the local affairs of the several townships therein shall be managed and transacted in the manner prescribed by such general laws.

Section 5. The Legislature by general and uniform laws shall provide for the election in the several counties of Boards of County Commissioners, Sheriffs, County Clerks, Treasurers, Prosecuting Attorneys and such other county, township or precinct and district officers as public convenience may require, and shall prescribe their duties and fix their terms of office. It shall regulate the compensation of all such officers in proportion to their duties and for that purpose may classify the counties by population. And it shall provide for the strict accountability of such officers for all fees which may be collected by them and for all public moneys which may be paid to them or officially come into their possession.

Section 6. The Board of County Commissioners in each county shall fill all vacancies occurring in any county, township, precinct or road district office of such county by appointment, and officers thus appointed shall hold office till the next general election and until their successors are elected and qualified.
Section 7. No county officer shall be eligible to hold his office for more than two terms in succession.

Section 8. The Legislature shall fix the compensation by salaries of all county officers and of constables in cities having a population of five thousand and upwards; except that public administrators, surveyors and coroners may or may not be salaried officers. The salary of any county, city, town or municipal officer shall not be increased or diminished after his election, or during his term of office, nor shall the term of any such officer be extended beyond the period for which he is elected or appointed.

Section 9. No county nor the inhabitants thereof nor the property therein shall be released or discharged from its or their proportionate share of taxes to be levied for state purposes, nor shall commutation for such taxes be authorized in any form whatever.

Section 10. Corporations for municipal purposes shall not be created by special laws, but the Legislature by general laws shall provide for the incorporation, organization and classification in proportion to population of cities and towns which laws may be altered, amended or repealed. Cities and towns heretofore organized or incorporated may become organized under such general laws whenever a majority of the electors voting at a general election shall so determine and shall organize in conformity therewith and cities or towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this Constitution shall be subject to and controlled by general laws.

Section 11. Any county, city, town or township may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws.

Section 12. Legislature shall have no power to impose taxes upon counties, cities, towns or other public or municipal corporations, or upon the inhabitants or property thereof, for county, city, town or other municipal purposes, but may by general laws vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

Section 13. Private property shall not be taken or sold for the payment of the corporate debt of any public or municipal corporation except in the mode provided by law for the levy and collection of taxes.

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Section 14. The making of profit out of county, city, town or other public money, or using the same for any purpose not authorized by law, by any officer having the possession or control thereof, shall be a felony, and shall be prosecuted and punished as prescribed by law.

Section 15. All moneys, assessments and taxes belonging to or collected for the use of any county, city, town or other public or municipal corporation coming into the hands of any officer thereof, shall immediately be deposited with the Treasurer or other legal depository to the credit or such city, town or other corporation respectively, for the benefit of the funds to which they belong.

August 20th, 1889

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

On roll call all the members were present except Messrs. Hungate, Jamieson, Kinnear and Mr. President, and Mr. Neace on leave.

Mr. Henry moved that Mr. Gowey act as president pro tem. Carried.

Minutes read and approved. Mr. Jamieson reported present.

Mr. Minor, from the Committee on Revision, Adjustment and Enrollment, reported Articles 3, 6, 7, 8, 9, 10 and 11.

Article 3 was read and the question then was upon agreeing to the article as amended and revised. The roll was called and the following sixty-four members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fay, Glascock, Godman, Gowey, Griffiths, Hayton, Henry, Hicks, Jeffs, Jones, Joy, Kellogg, Lillis, Lindsley, McCroskey, McElroy, 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, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Weir, Weisenburger, West, Willison, Winsor.

Not voting: Fairweather, Gray, Hungate, Jamieson, Kinnear, Manly, McDonald, Neace, E. H. Sullivan, Warner, Mr. President.
And a majority of all the members voting in the affirmative it was so agreed to and referred back to the Committee for Enrollment.

Article 6 was then read and the question then was upon agreeing to the article as so amended and revised. The roll was called and the following fifty-seven members voted aye: Allen, Blalock, Bowen, Browne, Buchanan, Burke, Clothier, Coey, Comegys, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eshelman, Fay, Glascock, Godman, Gowey, Gray, Griffitts, Hayton, Henry, Hicks, Jeffs, Jones, Kellogg, Lindsley, McDonald, McElroy, McReavey, Mires, J. Z. Moore, R. S. More, Morgans, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Stiles, Suksdorf, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Weir, Weisenburger, West, Willison, Winsor.

And the following two members voted no: Eldridge and McCroskey. Not voting: Berry, Cosgrove, Fairweather, Hungate, Jamieson, Joy, Kinnear, Lillis, Manly, Minor, Newton, Sturdevant, E. H. Sullivan, Warner, Mr. President. On leave: Neace. And a majority of all the members having voted in the affirmative the article was so agreed to and it was referred back to the Committee on Enrollment.

Article 7 was then read and the question then was upon agreeing to the article so amended and revised. The roll was called and the following sixty-two members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burke, Clothier, Coey, Comegys, Cosgrove, Crowley, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gowey, Gray, Griffitts, Hayton, Henry, Hicks, Jeffs, Jones, Joy, Kellogg, Lillis, Lindsley, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles, Sturdevant, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Weir, Weisenburger, West, Willison, Winsor.

The following one member voted no: Godman. Not voting: Dallam, Fairweather, Hungate, Jamieson, Kinnear, Manly, Stevenson, Suksdorf, Van Name, Warner, Mr. President. On leave: Neace. And a majority of all the members having voted in the affirmative the article was so agreed to and it was referred back to the Committee on Enrollment.
Article 8 was then read and the question then was upon agreeing to the article as so amended and revised. The roll was called and the following fifty-nine members voted aye: Allen, Berry, Bowen, Browne, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fay, Glascock, Gray, Griffitts, Hayton, Henry, Hicks, Jeffs, Jones, Joy, Kellogg, Lillis, Lindsley, McCroskey, McElroy, 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, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Weir, Weisenburger, West, Willison, Winsor.

And the following two members voted no: Blalock, Sturdevant. Not voting: Buchanan, Fairweather, Godman, Gowey, Hungate, Jamieson, Kinnear, Manly, McDonald, Suksdorf, Van Name, Warner, Mr. President. On leave: Mr. Neace. And a majority of all the members voting in the affirmative the article was so agreed to and referred back to the Committee for Enrollment.

Article 9 was then read and the question then was upon agreeing to the article as so amended and revised. The roll was called and the following sixty-five members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fay, Glascock, Godman, Gowey, Gray, Griffitts, Hayton, Henry, Hicks, Jeffs, Jones, Joy, Kellogg, Lillis, Lindsley, Manly, McCroskey, McElroy, 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, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Weir, Weisenburger, West, Willison, Winsor.

Not voting: Fairweather, Hungate, Jamieson, Kinnear, McDonald, Sturdevant, Suksdorf, Van Name, Mr. President. On leave: Mr. Neace. And a majority of all the members voting in the affirmative the article was so agreed to and referred back to the Committee for Enrollment.

Article 10 was then read and the question then was upon agreeing to the article as amended and revised. The roll was called and the following fifty-six members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Cosgrove,

Not voting: Comegys, Durie, Hicks, Hungate, Jamieson, Jeffs, Kellogg, Kinnear, McElroy, R. S. More, Power, Sharpstein, Sturdevant, Suksdorf, Travis, Warner, Willison, Mr. President. On leave: Neace. And a majority of all the members voting in the affirmative the article was so agreed to and referred back to the Committee for Enrollment.

Mr. Dunbar from the Committee on State, School and Granted Lands submitted an article on Tidelands.

Tidelands

Article

Section 1. The State of Washington asserts its ownership to the beds and shores of all navigable waters in the State of Washington up to and including the line of ordinary high tide where the tide ebbs and flows and up to and including the line of ordinary high water within the banks of the navigable rivers and lakes. Provided, 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 2. The State of Washington disclaims all title in and claim to all tide, swamp, and overflowed lands patented by the United States.

Section 3. 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.

All of which is respectfully submitted.

O. A. Bowen, Secretary
J. C. Kellogg
E. Eldridge
Oliver H. Joy
J. T. Eshelman
S. A. Dickey
T. L. Stiles

We concur in Sections 1 and 2 of the above report but do not concur in Section 3.

R. O. Dunbar, Chairman
S. G. Cosgrove
Albert Schooley
J. A. Shoudy

Also one on school and granted lands.

Mr. President and Members of the Convention:

Your Committee on School and Granted Lands report the following article on the subject and recommend its adoption.

School and Granted Lands

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; 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. 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.

Section 3. Not more than one-fourth of the land granted to the state for educational purposes shall be sold prior to January 1st, 1895, and not more than one-half prior to January 1st, 1905. 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 4. Not more than one hundred and sixty acres 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 or [sic] 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.

All of which is respectfully submitted.

O. A. Bowen, Secretary
R. O. Dunbar, Chairman
J. C. Kellogg
E. Eldridge
S. G. Cosgrove
H. F. Suksdorf
Albert Schooley
John A. Shoudy

Oliver H. Joy
J. J. Travis
J. T. Eshelman
Francis Henry
Thomas T. Minor
J. J. Browne
S. A. Dickey
C. H. Warner
T. L. Stiles

The article on tidelands was read and considered read a second time by title.
Mr. Eldridge moved that the rules be suspended and the article be considered now, upon which the ayes and noes were demanded and ordered and the following thirty-one members voted aye: Allen, Blalock, Bowen, Clothier, Cosgrove, Crowley, Dickey, Eldridge, Eshelman, Gowey, Hicks, Jones, Joy, Kellogg, Lillis, Lind­sley, McDonald, [McElroy]*, Minor, Mires, R. S. More, Morgans, Newton, Power, Prosser, Warner, Weir, Weisenburger, West, Willi­son, Winsor.

And the following thirty-seven members voted no: Berry, Browne, Buchanan, Coey, Comegys, Dallam, Dunbar, Durie, Dyer, Fairweather, Fay, Glascock, Godman, Gray, Griffitts, Hayton, Henry, Jeffs, Manly, McCroskey, McElroy, McReavey, J. Z. Moore, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Stiles, Suksdorf, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name. Not voting: Hungate, Jamieson, Kinnear, Sturdevant, E. H. Sullivan, Mr. President. Mr. Neace on leave. And the rules were not suspended and the report was ordered to lie over one day and be printed.

The article on school lands was then read and considered read a second time by title.

Mr. Dunbar moved that the rules be suspended and the article considered at this time and the ayes and noes were demanded and ordered and on a call of the roll the following forty-four members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Clothier, Comegys, Cosgrove, Dallam, Dickey, Dunbar, Durie, Dyer, Eshelman, Glascock, Godman, Gowey, Griffitts, Hayton, Henry, Kellogg, Lindsley, McCroskey, McDonald, McElroy, Minor, Mires, R. S. More, Morgans, Power, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Sohns, Stiles, Suksdorf, E. H. Sullivan, Tibbetts, Travis, Turner, Van Name, Weisenburger.

And the following twenty-four members voted no: Burk, Coey, Eldridge, Fairweather, Fay, Gray, Hicks, Jeffs, Jones, Joy, Lillis, Manly, McReavey, J. Z. Moore, Newton, Prosser, Shoudy, Steven­son, P. C. Sullivan, Warner, Weir, West, Willison, Winsor. Not voting: Crowley, Hungate, Jamieson, Kinnear, Sturdevant, Mr. President. On leave: Neace. And the rules were not suspended and the article was ordered to lie over one day and be printed.

* Stricken in journal.
Mr. Turner moved to suspend the rules and consider the article on tidelands.

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

Mr. E. H. Sullivan asked leave until Thursday. Not granted.

Mr. Sullivan moved to adjourn sine die. Ruled out of order.

Mr. Sullivan appealed from the chair and chair sustained.

Mr. Turner raised a point of order that a motion to take a recess is not a privileged question. Sustained.

Mr. J. Z. Moore moved to adjourn. Ayes and noes demanded and ordered. The roll was called and the following thirteen members voted aye: Comegys, Griffitts, Kellogg, McDonald, McReavey, Mires, J. Z. Moore, Sharpstein, Shoudy, E. H. Sullivan, P. C. Sullivan, Travis, Warner.

And the following fifty-two members voted no: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Godman, Gowey, Gray, Hayton, Henry, Hicks, Jeffs, Jones, Joy, Lillis, Lindsley, Manly, McCroskey, McElroy, Minor, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Stevenson, Stiles, Suksdorf, Tibbetts, Turner, Van Name, Weir, Weisenburger, West, Willison. Not voting: Cosgrove, Crowley, Hungate, Jamieson, Kinnear, Sohns, Sturdevant, Winsor, Mr. President. On leave: Neace. And the motion was lost.

The question then was upon suspending the rules and considering the article on tidelands. The ayes and noes were demanded and on a call of the roll the following thirty-five members voted aye: Berry, Blalock, Clothier, Comegys, Dickey, Dunbar, Dyer, Eldridge, Eshelman, Glascock, Godman, Gowey, Gray, Jones, Joy, Kellogg, Lillis, Lindsley, McDonald, Minor, R. S. More, Morgans, Power, Prosser, J. M. Reed, Schooley, Stiles, Suksdorf, E. H. Sullivan, Tibbetts, Turner, Warner, Weir, Weisenburger, West. Not voting: Cosgrove, Crowley, Dallam, Hicks, Hungate, Jamieson, Kinnear, Sohns, Sturdevant, Van Name, Mr. President.

And the following twenty-seven [voted] no: Allen, Bowen, Browne, Buchanan, Burk, Coey, Durie, Fairweather, Fay, Griffitts, Hayton, Henry, Jeffs, Manly, McCroskey, McElroy, McReavey, Mires, J. Z. Moore, Newton, T. M. Reed, Sharpstein, Shoudy, Steven-
son, P. C. Sullivan, Travis, Willison. Mr. Neace on leave. And the rules were not suspended.

Mr. Griffitts moved to suspend the rules and consider the report of the Committee on School and Granted Lands and the following thirty-seven members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Clothier, Coey, Comegys, Dickey, Dunbar, Durie, Dyer, Eshelman, Fay, Glascock, Godman, Gowey, Gray, Griffitts, Hayton, Jeffs, Lindsley, McCroskey, McDonald, McElroy, Mires, R. S. More, J. M. Reed, Schooley, Sharpstein, Suksdorf, E. H. Sullivan, Travis, Turner, Van Name, Warner.

And the following twenty-five [voted] no: Eldridge, Fairweather, Henry, Hicks, Jones, Joy, Kellogg, Lillis, Manly, McReavey, Minor, J. Z. Moore, Morgans, Newton, Prosser, T. M. Reed, Shoudy, Stevenson, P. C. Sullivan, Tibbetts, Weir, Weisenburger, West, Willison. Not voting: Cosgrove, Crowley, Dallam, Hungate, Jamieson, Power, Sohns, Stiles, Sturdevant, Winsor, Mr. President. Neace on leave. And the rules were not suspended.

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

Mr. E. H. Sullivan moved to adjourn and demanded the ayes and noes and they were ordered and the following thirteen members voted aye: Eldridge, Gray, Hayton, Jeffs, McDonald, McReavey, Mires, J. Z. Moore, Shoudy, P. C. Sullivan, Van Name, Weisenburger, Winsor.

And the following forty-six members voted no: Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Dallam, Dickey, Durie, Dyer, Eshelman, Fairweather, Fay, Glascock, Godman, Gowey, Griffitts, Henry, Hicks, Jones, Joy, Lillis, Lindsley, Manly, McCroskey, McElroy, Minor, R. S. More, Morgans, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Stevenson, Suksdorf, Tibbetts, Travis, Warner, Weir, West, Willison. Not voting: Allen, Cosgrove, Crowley, Dunbar, Hungate, Jamieson, Kellogg, Kinnear, Newton, Sohns, Stiles, Sturdevant, E. H. Sullivan, Turner, Mr. President. On leave: Mr. Neace. And the motion was lost.

Mr. Manly moved a call of the house. So ordered. And on a call of the roll the following members were absent without leave: Jamieson, Kinnear, Mr. President.
Mr. Lindsley moved that further proceedings be dispensed with, pending which Mr. Mires moved to adjourn. Lost.

Mr. Griffitts moved that the absent be brought in.

The question then was upon dispensing with further proceedings under the call. And the ayes and noes were demanded and ordered. The roll was called and the following forty members voted aye: Allen, Blalock, Bowen, Buchanan, Burk, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Eldridge, Eshelman, Fairweather, Fay, Godman, Gowey, Hayton, Henry, Hicks, Joy, Kellogg, Lindsley, McCroskey, Minor, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Stiles, P. C. Sullivan, Tibbetts, Turner, Weir, Weisenburger, West, Willison, Winsor.

And the following twenty-six members voted no: Berry, Clothier, Coey, Comegys, Durie, Glascock, Gray, Griffitts, Jeffs, Jones, Lillis, Manly, McDonald, McElroy, McReavey, Mires, J. Z. Moore, R. S. More, Sharpstein, Shoudy, Sohns, Stevenson, Sturdevant, Travis, Van Name, Warner. Not voting: Browne, Dyer, Hungate, Jamieson, Kinnear, Suksdorf, E. H. Sullivan, Mr. President. Mr. Neace on leave. And the motion was carried.

Moved by Mr. Lindsley that the Convention take a recess until 2 p.m. Carried, and the Convention took a recess until 2 p.m.

Convention called to order at 2 p.m. by the President.

Mr. Eldridge moved that the article on tidelands be now taken up and considered. Not in order.

Mr. Eldridge moved to suspend the rules for the purpose of considering the report on tidelands. Mr. P. C. Sullivan demanded the ayes and noes: So ordered and on a call of the roll the following fifty-three members voted aye: Allen, Berry, Blalock, Bowen, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fay, Glascock, Godman, Gray, Hayton, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, Minor, Mires, R. S. More, Morgans, Newton, Power, Prosser, T. M. Reed, Schooley, Sohns, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, Tibbetts, Turner, Van Name, Warner, Weir, Weisenburger, West, Willison, Winsor, Mr. President. And the following fifteen members voted no: Buchanan, Fairweather, Griffitts, Jamieson, Jeffs, Manly, McDonald, McElroy, McReavey, J. Z. Moore, J. M. Reed, Shoudy, Stevenson, P. C. Sullivan, Travis. Not voting:
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Browne, Gowey, Henry, Hicks, Hungate, Sharpstein. And Mr. Neace on leave. And the rules were suspended for the consideration of the article.

The article was read for information. Mr. Jones moved to amend by adding the following as a new section.

Section. 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.


And the following eighteen members voted no: Clothier, Coey, Comegys, Durie, Gray, Griffitts, Jeffs, Manly, McCroskey, McDonald, McReavey, R. S. More, J. M. Reed, Stevenson, Stiles, Sturdevant, Travis, Warner. Not voting: Browne, Godman, Gowey, Henry, Hicks, Hungate, Sharpstein. On leave; Mr. Neace. And the amendment was adopted.

Mr. Turner moved to substitute the following for the whole article.

Section 2. The State of Washington, by virtue of its inherent sovereignty, is 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 and agents and no act of any individual or corporation in pursuance of claim to private right shall be permitted to prejudice the state in the assertion and maintenance of such ownership; provided that this sec-

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...tion shall not be construed so as to debar any person from asserting his claim to vested rights in the courts of the state, and provided further that the Legislature may by law validate and confirm the title of persons holding patents from the government of the United States or deriving title from patentees of the United States to lands affected by this section, but the state shall never part with the title to any lands reserved by this Constitution for harbor purposes.

And demanded the ayes and noes. So ordered, and on a call of the roll the following twenty members voted aye: Berry, Buchanan, Crowley, Dallam, Dyer, Glascock, Godman, Griffitts, McCroskey, Mires, J. Z. Moore, R. S. More, J. M. Reed, Sturdevant, Suksdorf, E. H. Sullivan, Travis, Turner, Van Name, Warner.

And the following forty-eight members voted no: Allen, Blalock, Bowen, Burk, Clothier, Coey, Comegys, Cosgrove, Dickey, Dunbar, Durie, Eldridge, Eshelman, Fairweather, Fay, Gray, Hayton, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, Manly, McDonald, McElroy, McReavey, Minor, Morgans, Newton, Power, Prosser, T. M. Reed, Schooley, Shoudy, Sohns, Stevenson, Stiles, P. C. Sullivan, Tibbetts, Weir, Weisenburger, West, Willison, Winsor, Mr. President. Not voting: Browne, Gowey, Henry, Hicks, Hungate, Sharpstein. On leave: Mr. Neace. And the substitute was lost.

Mr. Comegys moved the following as a new section. "No sale or disposition of any of the public lands of this state not sold at public sale shall be valid until approved in writing by the Governor, Secretary of State and Attorney General." Adopted.

Mr. P. C. Sullivan moved to strike out the word "public" and insert "tide." Lost.

Mr. Sohns moved to amend as follows. Strike out all that relates to navigable rivers and streams as follows. "All up to and including ordinary high tide water, etc.,” and demanded the ayes and noes. They were ordered and on a call of the roll the following thirty-eight members voted aye: Blalock, Bowen, Burk, Clothier, Comegys, Crowley, Dallam, Dickey, Durie, Eldridge, Fay, Godman, Griffitts, Hayton, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McReavey, Minor, R. S. More, Power, T. M. Reed, Schooley, Sohns, Stevenson, Sturdevant, Suksdorf, P. C. Sullivan, Travis, Warner, Weir, West, Willison, Winsor.
And the following thirty members voted no: Allen, Berry, Buchanan, Coey, Cosgrove, Dunbar, Dyer, Eshelman, Fairweather, Glascock, Gray, Jamieson, Manly, McCroskey, McDonald, McElroy, Mires, J. Z. Moore, Morgans, Newton, Prosser, J. M. Reed, Shoudy, Stiles, E. H. Sullivan, Tibbetts, Turner, Van Name, Weisenburger, Mr. President. Not voting: Browne, Gowey, Henry, Hicks, Hungate, Sharpstein. And Mr. Neace on leave. And the amendment was adopted.

Mr. Stiles moved to amend by substituting the following for Section 3.

Section 3. Whenever the Legislature shall by law authorize the sale of any of the tidelands of the state it shall provide also that all persons owning land abutting upon such lands and having valuable improvements occupying the 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 tidelands 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 tideland 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.

Mr. McCroskey moved the previous question and it was so ordered and the ayes and noes were demanded and ordered and on a call of the role the following thirty-five members voted aye: Allen, Blalock, Bowen, Buchanan, Burk, Crowley, Eldridge, Eshelman, Fay, Gowey, Hayton, Henry, Jamieson, Jones, Joy, Kellogg, Lillis, Lindsley, McReavey, Minor, R. S. More, Morgans, Power, Prosser, T. M. Reed, Sohns, Stevenson, Stiles, Suksdorf, P. C. Sullivan, Weir, Weisenburger, West, Willison, Winsor.

And the following thirty-four members voted no: Berry, Browne, Clothier, Coey, Comegys, Cosgrove, Dallam, Dickey, Dunbar, Dyer, Fairweather, Glascock, Godman, Gray, Griffitts, Jeffs, Kinnear, Manly, McCroskey, McDonald, McElroy, Mires, J. Z. Moore, J. M. Reed, Schooley, Shoudy, Sturdevant, E. H. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Mr. President. Not voting: Durie, Hicks, Hungate, Newton, Sharpstein. Mr. Neace on leave. And the substitute was adopted.
Mr. Kinnear moved to amend the amendment after the words “abutting land” by inserting the following “and also persons occupying tidelands who have in good faith made valuable improvements thereon.”

Mr. Cosgrove moved the previous question.

Mr. Jamieson moved a call of the house. Lost.

The previous question then was ordered and the question was on Mr. Kinnear’s amendment. The ayes and noes were demanded and ordered and on a call of the roll the following twenty-eight members voted aye: Allen, Blalock, Burk, Dickey, Dyer, Fairweather, Hayton, Henry, Jamieson, Kellogg, Kinnear, McElroy, McReavey, Minor, Morgans, Power, Prosser, T. M. Reed, Schooley, Shoudy, Sohns, Stevenson, Suksdorf, E. H. Sullivan, Tibbetts, Travis, Weisenburger, Mr. President.

And the following thirty-nine members voted no: Berry, Bowen, Browne, Buchanan, Clothier, Coey, Comegys, Cosgrove, Dallam, Dunbar, Eldridge, Eshelman, Fay, Glascock, Godman, Gray, Griffitts, Jeffs, Jones, Joy, Lillis, Lindsley, Manly, McCroskey, McDonald, Mires, J. Z. Moore, R. S. More, Newton, J. M. Reed, Sturdevant, Stiles, P. C. Sullivan, Turner, Van Name, Weir, West, Willison, Winsor. Not voting: Crowley, Durie, Gowey, Hicks, Hungate, Sharpstein, Warner. And Mr. Neace on leave. And the amendment was lost.

Mr. Browne moved the following substitute for the whole article as amended.

Article

Section 1. All the lands belonging to this state by virtue of its sovereignty, except as herein provided, shall be sold only at public auction to the highest bidder after the value thereof less the improvements thereon on the 22nd day of February, 1889, shall be appraised by a board of appraisers to be provided by law and no sale shall be valid unless the sum bid be equal to the appraised value of said land. Provided, that the owner of valuable improvements upon any of said lands in actual use in commerce, business or trade shall have the prior right for a limited time to purchase the land covered by such improvements at the valuation fixed by said board of appraisers provided such valuation, appraisement and sale shall be approved by the Governor, Attorney
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General and Land Commissioners, who are hereby constituted a board for such purposes.

Section 2. Before any of said lands shall be appraised or disposed of the same shall be subdivided into tracts not exceeding forty acres, and not more than one tract shall be offered for sale, and all such lands within the limits of any incorporated city or within two miles of the boundary of any incorporated city where the valuation of such lands 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; 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 land lying in front of any fort or lighthouse owned by the United States.

Section 3. The proceeds of the sale of all lands mentioned in this article shall be added to and become a part of the principal of the common school fund of the state.

Mr. P. C. Sullivan moved the previous question. So ordered. The ayes and noes were demanded and ordered and on a call of the role the following twenty-seven members voted aye: Berry, Browne, Clothier, Crowley, Eldridge, Glascock, Gowey, Gray, Griffitts, Henry, Kellogg, McCroskey, McDonald, McElroy, Mires, J. Z. Moore, R. S. More, Newton, J. M. Reed, T. M. Reed, Schooley, Shoudy, E. H. Sullivan, Travis, Turner, Van Name, Warner.

And the following forty-two [voted] no: Allen, Blalock, Bowen, Buchanan, Burk, Coey, Comegys, Cosgrove, Dallam, Dickey, Dunbar, Dyer, Eshelman, Fairweather, Fay, Hayton, Jamieson, Jeffs, Jones, Joy, Kinnear, Lillis, Lindsley, Manly, McReavey, Minor, Morgans, Power, Prosser, Sohns, Stevenson, Stiles, Sturdevant, Suksdorf, P. C. Sullivan, Tibbetts, Weir, Weisenburger, West, Willison, Winsor, Mr. President. Not voting: Durie, Godman, Hicks, Hungate, Sharpstein. Mr. Neace on leave. And the substitute was lost.

Mr. Godman moved to strike out Section 2 and demanded the ayes and noes and on a call of the roll the following nineteen members voted aye: Berry, Blalock, Browne, Coey, Crowley, Godman, Gray, Griffitts, McCroskey, McDonald, J. Z. Moore, Newton, J. M. Reed, Suksdorf, E. H. Sullivan, Travis, Turner, Van Name, Warner.

Mr. Turner moved a substitute for the article as now amended. Mr. Weisenburger raised a point of order that the subject of the substitute was not germane. Point of order sustained.

Mr. Turner appealed from the ruling of the chair and the chair was sustained.

The question then was upon considering the article engrossed and passed to a third reading. So ordered, and Mr. Dickey moved to suspend the rules and place the article upon its final passage and the following forty-two members voted aye: Allen, Blalock, Bowen, Burk, Comegys, Cosgrove, Dallam, Dickey, Dunbar, Dyer, Eldridge, Eshelman, Fay, Hayton, Henry, Jamieson, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McDonald, R. S. More, Morgans, Power, Prosser, J. M. Reed, Shoudy, Sohns, Stiles, Sturdevant, E. H. Sullivan, P. C. Sullivan, Turner, Warner, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

And the following twenty-seven members voted no: Berry, Browne, Buchanan, Clothier, Coey, Crowley, Fairweather, Glascock, Godman, Gray, Griffitts, Jeffs, Manly, McCroskey, McElroy, McReavey, Minor, Mires, J. Z. Moore, Newton, T. M. Reed, Schooley, Stevenson, Suksdorf, Tibbetts, Travis, Van Name. Not voting: Durie, Hicks, Hungate, Gowey, Sharpstein. Mr. Neace on leave. And the rules were not suspended.

Mr. Dunbar moved that the rules be suspended and the article on school and granted lands as reported by the Committee be considered. Carried.

Mr. Dunbar moved to strike out "on the 22nd day of February, 1889." Carried.
Mr. Stiles moved to amend as follows: "After 'lands' in line one, Section 1, insert 'granted to the state'." Carried.

Mr. Crowley moved to add as a proviso to Section 2 the following. 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 and be confirmed by the Legislature. Carried.

Mr. Browne moved to amend Section 3 as follows. Strike out the following. "Commencing with the word 'not' in line one, Section 3, and to and including '1900' in line three and insert the following instead thereof, 'not more than one section in each township shall be sold prior to January 1st, 1900'."

The question then was upon Mr. Browne's amendment and the ayes and noes were demanded and ordered and on a call of the roll the following nineteen members voted aye: Allen, Berry, Blalock, Browne, Coey, Crowley, Durie, Fay, Glascock, Gray, Griffitts, Lindsley, McReavey, Mires, J. Z. Moore, Newton, Prosser, Sharpstein, Willison.

And the following thirty-eight members voted no: Bowen, Buchanan, Burk, Clothier, Cosgrove, Dickey, Dunbar, Dyer, Eshelman, Godman, Hayton, Henry, Jamieson, Jeffs, Jones, Joy, Kinnear, Lillis, McCroskey, McElroy, Minor, R. S. More, Morgans, J. M. Reed, T. M. Reed, Schooley, Shoudy, Sohns, Stevenson, Sturdevant, P. C. Sullivan, Tibbetts, Travis, Van Name, Weir, Weisenburger, West, Mr. President. Not voting: Comegys, Dallam, Eldridge, Fairweather, Gowey, Hicks, Hungate, Power, Stiles, Suksdorf, E. H. Sullivan, Warner, Winsor. And Mr. Neace on leave. And the amendment was lost.

Mr. P. C. Sullivan moved to amend by inserting the word granted after the word any in the first line and demanded the ayes and noes, and on a call of the roll the following thirty-four members voted aye: Allen, Berry, Blalock, Bowen, Buchanan, Burk, Clothier, Coey, Crowley, Dickey, Dyer, Eldridge, Fay, Hayton, Jamieson, Jeffs, Jones, Kellogg, Kinnear, Lillis, Manly, McReavey, Mires, R. S. More, Morgans, Power, Schooley, Shoudy, Sohns, Stevenson, Sturdevant, P. C. Sullivan, West, Winsor.

And the following twenty-nine members voted no: Browne, Cosgrove, Dallam, Dunbar, Durie, Eshelman, Glascock, Godman,
Mr. Berry moved to amend as follows. Strike out two hundred dollars in line four, Section 4, and insert one hundred dollars.

Section 6 first report. Carried.

Mr. Shoudy moved to add to Section 4 the following: “and not more than one-half of said lots or blocks shall be sold prior to January 1st, 1890.” Lost.

The question then was upon considering the article considered engrossed and the article passed to a third reading. Carried.

Mr. Mires moved to suspend the rules and pass the article. The ayes and noes were demanded and ordered and on a call of the roll the following forty-two members voted aye: Allen, Berry, Blalock, Browne, Buchanan, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dunbar, Dyer, Eshelman, Fairweather, Fay, Glasscock, Godman, Gray, Griffitts, Hayton, Joy, Kellogg, Kinnear, Lindsley, McCroskey, McElroy, Mires, R. S. More, J. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Sturdevant, Suksdorf, Travis, Turner, Van Name, Warner, Willison, Mr. President.

And the following twenty-three members voted no: Bowen, Burk, Dickey, Durie, Henry, Jones, Lillis, Manly, McReavey, Minor, J. Z. Moore, Morgans, Power, Prosser, T. M. Reed, Stevenson, Stiles, P. C. Sullivan, Tibbetts, Weir, Weisenburger, West, Winsor. Not voting: Eldridge, Gowey, Hicks, Hungate, Jamieson, Jeffs, McDonald, Newton, E. H. Sullivan. And Mr. Neace on leave. And the rules were not suspended.

Mr. Griffitts moved to take up the schedule.

Mr. Mires moved to adjourn. Carried. And the Convention stood adjourned to 9 a.m. tomorrow, August 21, 1889.

August 21st, 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 the following members: Messrs. Turner, Gowey and Weir; and Mr. Neace and Hungate on leave.

Minutes read and approved. The following members reported present: Gowey, Weir and Turner.

Mr. Minor from the Revision Committee reports Articles 11, 12 and 14. Also on the following subjects which they cannot number at this time, viz: state institutions and public buildings, amendments, legislative apportionments, water and water rights, homestead and property exemption, public health and vital statistics, compact with the United States.

Article 11 was then read as amended and revised and the question was upon final agreement to the article as so amended and revised and on a call of the roll the following fifty-five members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fay, Glascock, Gray, Griffitts, Hayton, Henry, Hicks, Jeffs, Joy, Kellogg, Kinnear, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Stevenson, Stiles, Sturdevant, Tibbetts, Travis, Turner, Van Name, Weisenburger, West, Willison, Winsor, Mr. President.

And the following nine members voted no: Dallam, Fairweather, Godman, Jones, R. S. More, Sharpstein, Sohns, P. C. Sullivan, Warner. Not voting: Crowley, Gowey, Hungate, Jamieson, Lillis, Lindsley, Manly, Shoudy, Suksdorf, E. H. Sullivan, Weir. And a majority of all the members voting in the affirmative the article was so agreed to and referred back to the Committee for Enrollment.

Article 12 was then read as amended and revised and Mr. Reed from the committee recommended the words “and telephone” be inserted after “telegraph” in line six. So ordered.

The question was then on final agreement to the article as amended and revised and on a call of the roll the following fifty-seven members voted aye: Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fay, Glascock, Griffitts, Hayton, Henry, Hicks, Jeffs, Jones, Joy, Kinnear, Lindsley, McCroskey,

And the following two members voted no: Manly, Minor. Not voting: Allen, Crowley, Dallam, Fairweather, Godman, Gowey, Gray, Hungate, Jamieson, Kellogg, McDonald, Suksdorf, E. H. Sullivan, Tibbetts, and Mr. Neace on leave. And a majority of all the members voting in the affirmative it was agreed to and was referred back to the Committee for Enrollment.

The article on state institutions and public buildings was read as amended and revised.

Mr. Lindsley moved a call of the house. Carried. And on a call of the roll the following members were found to be without leave: Messrs. Fairweather and Jeffs.

Mr. Bowen moved to dispense with further proceedings under the call. Carried.

The question then was upon final agreement to the article on state institutions and public buildings as amended and revised. The roll was called and the following sixty-eight members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Eldridge, Eshelman, Fay, Glascock, Godman, Griffitts, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinneer, Lillis, Lindsley, Manly, McCroskey, McElroy, 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, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

Not voting: Comegys, Fairweather, Hungate, McDonald, Gray, Warner. Mr. Neace on leave. And a majority of all the members voting in the affirmative the article was agreed to and referred back to the committee for enrollment.

Article 14 was then read as amended and revised and the question was on final agreement. The roll was called and the following sixty-six members voted aye: Allen, Berry, Blalock,

And the following one member voted no: Gray. Not voting: Browne, Dallam, Godman, Hungate, Jamieson, Sohns, E. H. Sullivan. And Mr. Neace on leave. And a majority of all the members voting in the affirmative the article was agreed to and was referred back to the committee for enrollment.

Article on amendments was then read as amended and revised and the question was upon final agreement. The roll was called and the following seventy-one members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Godman, Gowey, Gray, Griffitts, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Joy, Kinnear, Lillis, Lindsley, McCroskey, McDonald, McElroy, 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, Willison, Winsor, Mr. President.

Not voting: Hungate, Manly. Mr. Neace on leave. And a majority of all the members having voted in the affirmative the article was so agreed to and referred back to the committee for enrollment.

Article on legislative apportionment was then read as amended and revised and the question was upon final agreement. The roll was called and the following sixty members voted aye: Allen, Berry, Blalock, Bowen, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Gray, Hayton, Henry, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, Manly, McCroskey, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Mor-
Article on water and water rights was then read as amended and revised and the question was upon final agreement: The roll was called and the following forty-nine members voted aye: Allen, Berry, Blalock, Bowen, Burk, Clothier, Coey, Comegys, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Gray, Hayton, Henry, Hicks, Jamieson, Joy, Kellogg, Kinnear, Lindsley, Manly, McCroskey, McDonald, Minor, Mires, R. S. More, Morgans, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Sohns, Sturdevant, P. C. Sullivan, Travis, Turner, Van Name, Weir, West, Winsor, Mr. President. And a majority of all the members voting in the affirmative the article was so agreed to and referred back to the committee for enrollment.

Article on homestead and property exemptions was then read as amended and revised and the question was upon final agreement. The roll was called and the following sixty-four members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Godman, Gray, Griffitts, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles, Sturdevant, E. H. Sullivan, Suksdorf, Travis, Turner, Van Name, Weir, Weisenburger, West, Willison, Winsor.

And the following nine members voted no: Browne, Godman, Glascock, Griffitts, Hicks, Sharpstein, Suksdorf, Travis, Mr. President. Not voting: Gowey, Hungate, McDonald, Newton, Warner. Mr. Neace on leave. And a majority of all the members voting in the affirmative the article was so agreed to and referred back to the committee for enrollment.
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Sturdevant, Suksdorf, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

Not voting: Crowley, Dallam, Glascock, Gowey, Hungate, Manly, Newton, Stevenson, E. H. Sullivan. And Mr. Neace on leave. And a majority of all the members having voted in the affirmative the article was so agreed to and referred back to the committee for enrollment.

Article on public health and vital statistics was then read as amended and revised and the question was upon final agreement. The roll was called and the following fifty-six members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Cosgrove, Dallam, Dickey, Durie, Eldridge, Eshelman, Fairweather, Fay, Godman, Griffitts, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Joy, Kellogg, Lillis, Lindsley, Manly, McDonald, McReavey, Minor, J. Z. Moore, R. S. More, Morgans, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles, Sturdevant, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Weir, West, Willison, Winsor. Mr. President.

And Mr. Weisenburger voted no. Not voting: Comegys, Crowley, Dunbar, Dyer, Glascock, Gowey, Gray, Hungate, Kinnear, McCroskey, McReavey, Mires, Newton, Stevenson, Suksdorf, E. H. Sullivan, Warner, and a majority of all the members voting in the affirmative the article was so agreed to and referred back to the committee for enrollment.

The compact with the United States was then read as amended and revised and the question was upon final agreement. The roll was called and the following sixty-two members voted aye: Allen, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Godman, Griffitts, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, Manly, McCroskey, McElroy, 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, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Weir, West, Willison, Winsor, Mr. President.

And the following one member voted no: Warner. Not voting: Berry, Crowley, Dallam, Glascock, Gowey, Gray, Hungate, McDonald, E. H. Sullivan, Weir, Willison, Winsor, and Mr. Neace on leave.
And a majority of all the members voting in the affirmative the compact was so agreed to and it was referred back to the committee for enrollment.

Mr. Power, as representing the Committee on Printing, submitted the following recommendation.

"Resolved, that the Secretary of the Territory be and he is respectfully requested within ten days after the final adjournment of the Convention to have one hundred thousand copies of the Constitution printed in supplement form and have a number distributed as equitably as possible according to circulation to the several newspapers of the territory with a request that the same be circulated with such papers and the remainder of said one hundred thousand copies distributed to the several county auditors with a request to have the same distributed to the qualified electors and have one or more copies posted at the polling places of the several precincts.

"And be it further resolved that the Secretary have one thousand five hundred additional copies printed in pamphlet form for distribution among the members of this Convention."

Mr. Turner moved to strike out "one hundred" and insert "twenty." Mr. Turner moved the previous question. So ordered. Mr. Turner's amendment was lost.

The question was then upon the adoption of the resolution and it was lost.

Mr. Dunbar from the Committee on State, School and Granted Lands submitted the following resolution.

"Resolved, that the Chief Clerk of this Convention issue a certificate to the Good Templars Lodge of Olympia No. 4 for the sum of eight dollars for committee rooms provided Committee on State, School and Granted Lands." Carried.

Mr. Stiles moved to suspend the rules to introduce a resolution. Lost. Mr. Kinnear moved to suspend the rules to introduce a resolution. So ordered. And the following resolution was then introduced and he moved its adoption.

"Resolved, that the Clerk be instructed to issue a warrant for the sum of twelve dollars for rent of room to Committee on Corpo-
rations Other Than Municipal certified to by J. R. Kinnear, Chair-
man." Adopted.

Mr. Dunbar moved to suspend the rules to take up the article on school lands. Lost.

The article on tidelands was then read a third time.

Mr. Bowen moved the previous question. So ordered. And the question was upon agreeing to the article as read. The roll was called and the following thirty-two members voted aye: Allen, Blalock, Bowen, Burk, Comegys, Dickey, Eldridge, Fay, Gowey, Hayton, Henry, Jamieson, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McReavey, Morgans, Power, T. M. Reed, Sohns, Stevenson, Stiles, P. C. Sullivan, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

And the following forty members voted no: Berry, Browne, Buchanan, Clothier, Coey, Cosgrove, Crowley, Dallam, Dunbar, Dyer, Eshelman, Fairweather, Glascock, Godman, Gray, Griffitts, Hicks, Jeffs, Manly, McCroskey, McDonald, McElroy, Minor, Mires, J. Z. Moore, R. S. More, Newton, Prosser, J. M. Reed, Schooley, Sharpstein, Shoudy, Sturdevant, Suksdorf, E. H. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner. Not voting: Durie, Hungate. And Mr. Neace on leave. When Mr. Durie's name was called he was excused from voting. And the article was not agreed to.

Mr. Reed moved to suspend the rules to insert "until" in Section 3 after the word "bidder." Lost.

The question was then on agreeing to the article on school and granted lands and the roll was called and the following forty-eight members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Clothier, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eshelman, Fairweather, Fay, Gray, Hayton, Jeffs, Joy, Kellogg, Kinnear, Lillis, Lindsley, Manly, McCroskey, McElroy, Minor, Mires, R. S. More, Newton, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Turner, Van Name, Warner, Mr. President.

And the following twenty-three members voted no: Burk, Coey, Eldridge, Glascock, Gowey, Griffitts, Henry, Hicks, Jamieson, Jones, McDonald, McReavey, J. Z. Moore, Morgans, Power, Prosser, J. M. Reed, Travis, Weir, Weisenburger, West, Willison, Winsor.
Not voting: Godman, Hungate, Stevenson. And Mr. Neace on leave. And a majority of all the members voting in the affirmative the article was agreed to.

School and Granted Lands

Section 1. All public lands granted to 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 interest disposed of, to be ascertained in such manner as may be provided by law, be paid or safely secured 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. 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 shall be excluded. 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 3. Not more than one-fourth of the land granted to the state for educational purposes shall be sold prior to January 1st, 1895, and not more than one-half prior to January 1st, 1905. 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 land shall be valid unless the full value of such lands is paid or secured to the state.

Section 4. Not more than one hundred and sixty acres of any granted 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 lands shall be found by appraisement to
exceed one 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. None of the permanent common school fund shall ever
be loaned to private persons or corporations, but it may be in­
vested in national, state, county or municipal bonds.

Mr. Crowley asked leave to introduce a resolution. Granted
and he introduced and moved the adoption of the following.

To the President and Members of the Convention:

We the undersigned, on behalf of our respective committees,
recommend that the sum of twenty-five dollars be paid T. M. Reed
for the rent of room for use of committees and recommend the
adoption of a resolution directing the payment of said sum to
said T. M. Reed.

P. C. SULLIVAN, Secretary
D. J. CROWLEY, Chairman
Committee on Apportionment
THOMAS T. MINOR, Chairman
Committee on Revision, Ad­
justment and Enrollment
JOHN F. GOWEY, Chairman
Committee on Revenue and
Taxation
A. A. LINDSLEY, Secretary
Com. Public Instruction

"Resolved, that the sum of twenty-five dollars be appropriated
and paid to T. M. Reed for rent of room for use of Committee."

Mr. Crowley's resolution was adopted.

Mr. Bowen was granted leave to introduce the following. "Re­
 solved, that the Chief Clerk be instructed to procure a state seal
embodying the design adopted by this Convention and issue his
certificate in payment for the same." And moved its adoption.
Lost.

Mr. J. Z. Moore was granted leave to introduce the following
and moved its adoption. "Resolved, that the Secretary of the Terri­
tory pay Jno. S. Carrere for telegrams sent by this Convention
$6.90. And for sending telegrams by this Convention that said Secretary pay to President Hoyt of this Convention $5.45.” Carried.

Mr. E. H. Sullivan introduced the following resolution and moved its adoption.

Olympia, Wash. Ter., August, 1889

Constitutional Convention Dr [sic]

To Carlyon & Co.

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<th>July 10th</th>
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Correct.

Resolved, that the sum of $27.00 be appropriated to pay Carlyon & Co. amount due as per above bill and that the Secretary be ordered to pay the same. Adopted.

Mr. Eldridge moved to take a recess until 2 p.m. Withdrawn for the purpose of allowing Mr. Turner to introduce the following additional section as an amendment to the schedule.

“The State of Washington hereby asserts its ownership of the beds and shores of all navigable waters in the state up to and including the line of ordinary high tide in waters where the tide ebbs and flows, and up to and including the line of ordinary high water within the banks in all rivers and lakes. Provided, that nothing herein shall be construed to debar any person or corporation from asserting vested rights in the courts, and provided further, that the state hereby disclaims title to any tide, swamp or overflowed lands to which patent has issued under the laws of the United States to persons acquiring the same in good faith and without fraud, unless said lands are included within the reservation for harbor purposes by this Constitution and in which case the title of the state to the same shall be maintained.”
Mr. Kinnear offered the following resolution and moved its adoption. "Resolved, that May L. Sylvester, who was employed as committee clerk of this Convention, July 6th, 1889, be allowed for forty-eight days' work as such clerk at $5.00 per day and $10.00 additional for stationery furnished by her and that an order be given her therefor." Adopted.

Mr. Joy moved to adopt the following resolution: "Resolved, that the Secretary of the territory be authorized and instructed to procure the printing on one thousand copies of the Constitution in pamphlet form for the use of the members of this Convention to enable them to send copies to those that have kindly furnished us copies of the constitutions of other states, and that fifty thousand copies be printed in supplement form to be distributed among the voters of the territory in such manner as will be of most use to said voters. Provided, that such printing shall not exceed the sum of eight hundred dollars."

Mr. Power moved to add, "Provided they be printed and distributed within ten days after the adjournment of this Convention." Carried.

The resolution as amended was adopted.

The schedule was then taken up and read.

Mr. Stiles moved to grant Hon. Elwood Evans, and Mr. Crowley added Hon. Harry W. Scott, the privilege of the house. So ordered.

Mr. Turner then called up the amendment to the schedule he had introduced and moved its adoption.

Mr. E. H. Sullivan moved the following as a substitute for Mr. Turner's amendment.

Section 1. The State of Washington, by virtue of its inherent sovereignty, is the owner of the beds and shores of navigable waters in the state up to and including the line of ordinary high tide where the tide ebbs and flows, and up to and including the line of ordinary high water within the banks of the navigable rivers and lakes. Provided, that the Legislature may by law validate and confirm the title of persons holding patents secured in good faith from the United States government or the title of any grantee of any of said patentees to any of the lands affected by this section.

Section 2. The Legislature may provide by law for the ad-
justment of any and all equities to any of the lands above-mentioned between the state and any person arising by means of valuable improvements having been placed on the same by any person in good faith in aid of commerce, and any equities which may exist in favor of any person who may own lands abutting upon any of the lands affected by the above section; and the Legislature may provide that any person possessing any of said equities may have a privilege [sic] right for a limited time to purchase a reasonable quantity of the lands, in the above section mentioned.

Section 3. None of the lands affected by Section 1 herein shall be sold or transferred unless proper reservation shall have been made of the right of the state to control the same for the purpose of commerce.

Section 4. None of said lands shall be sold except they be first appraised and said sale shall have been confirmed by the Governor, Secretary of State and Attorney General.

Section 5. Nothing herein shall be so construed as to debar any person from asserting his claim to vested rights in the courts of this state.

Mr. Browne moved that the whole subject matter be referred back to the Committee. Lost.

The question then was upon the substitute offered by Mr. Sullivan. The ayes and noes were demanded and ordered and on a call of the roll the following twenty-five members voted aye: Blalock, Coey, Comegys, Crowley, Dickey, Glascock, Gowey, Hicks, Jamieson, Jones, Kellogg, Lillis, Lindsley, McCroskey, Minor, Mires, R. S. More, Shoudy, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Warner, Winsor.

And the following forty-eight members voted no: Allen, Berry, Bowen, Browne, Buchanan, Burk, Clothier, Cosgrove, Dallam, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Godman, Gray, Griffitts, Hayton, Henry, Jeffs, Joy, Kinnear, Manly, McDonald, McElroy, McReavey, J. Z. Moore, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Sohns, Stevenson, Tibbetts, Travis, Turner, Van Name, Weir, Weisenburger, West, Willison, Mr. President. Absent on leave, Messrs. Hungate and Neace. And the substitute was lost.
Mr. Lillis moved the following substitute for Mr. Turner’s amendment.

Section 1. The State of Washington, by virtue of its sovereignty, is the owner of the beds and shores of all the navigable waters of the state and all of the tidelands lying along the shores of the Pacific Ocean below high water mark and the beds and banks of all streams that are navigable up to the ordinary high water mark within the bank thereof.

Section 2. The State of Washington disclaims any right of claim to homestead pre-emption or donation land claims covered by patents of the United States below high water mark.

[The ayes and noes were demanded and ordered on Mr. Joy’s amendment and the following twenty-seven members voted aye: Blalock, Clothier, Dunbar, Durie, Eshelman, Fairweather, Gowey, Hayton, Henry, Hicks, Joy, Kellogg, Lindsley, Minor, R. S. More, Morgans, Power, Prosser, T. M. Reed, Shoudy, Sturdevant, Tibbetts, Weisenburger, West, Willison, Mr. President.


Article

Section 1. The State of Washington asserts its ownership to the beds and shores of all navigable waters in the State of Washington up to the government meander line. Where the tide ebbs and flows and up to and including the line of ordinary high water within the banks of the navigable rivers and lakes. Provided, 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.

The ayes and noes were demanded and ordered and the following twenty-seven members voted aye: Blalock, Buchanan, Comegys, Crowley, Durie, Fairweather, Gowey, Hicks, Jamieson,

* Stricken in journal.

And the following forty-five [voted] no: Bowen, Browne, Burk, Clothier, Coey, Cosgrove, Dallam, Dickey, Dunbar, Dyer, Eldridge, Eshelman, Fay, Glascock, Godman, Gray, Griffitts, Hayton, Henry, Jones, Joy, Kinnear, Manly, McCroskey, McDonald, McReavey, Minor, Morgans, Newton, Power, Prosser, T. M. Reed, Schooley, Sohns, Stevenson, Tibbetts, Travis, Turner, Van Name, Weir, Weisenburger, West, Winsor, Mr. President.

Not voting: Berry. Messrs. Hungate and Neace on leave. And the substitute was lost.

Mr. Reed moved the previous question. So ordered.

The question then was upon the amendment of Mr. Turner. The ayes and noes were demanded and ordered and the following twenty-seven members voted aye: Blalock, Clothier, Dallam, Dunbar, Durie, Dyer, Fairweather, Glascock, Gowey, Hayton, Hicks, Kinnear, Lindsley, Manly, McElroy, Minor, Mires, R. S. More, Prosser, T. M. Reed, Schooley, Shoudy, Stiles, Tibbetts, Turner, Weisenburger, Mr. President.


Mr. Joy moved to amend by adding the following as a new section.

Article

Section 1st. The State of Washington by virtue of its sovereignty is the owner of the beds and shores of all the navigable waters of the state and all of the tidelands lying along the shores of the Pacific Ocean below high water mark and the beds and banks of all streams that are navigable up to the ordinary high water mark within the bank thereof.

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Section 2nd. The State of Washington disclaims any right or claim to any homestead pre-emption or donation land claims covered by patents of the United States below high water mark.

The ayes and noes were demanded and ordered on Mr. Joy's amendment and the following twenty-seven members voted aye: Blalock, Clothier, Dunbar, Durie, Eshelman, Fairweather, Gowey, Hayton, Henry, Hicks, Joy, Kellogg, Lindsley, Minor, R. S. More, Morgans, Power, Prosser, T. M. Reed, Shoudy, Sturdevant, Tibbetts, Weisenburger, West, Willison, Mr. President.


Mr. Power moved to amend as follows.

Section. The State of Washington disclaims all title in, and claim to all tide, swamp and overflowed lands patented by the United States. Provided the same is not impeached for fraud.

Mr. Suksdorf moved to amend by striking out "tide" and inserting "salt marsh." Lost.

The question then was on Mr. Power's amendment. The ayes and noes were demanded and ordered. The roll was called and the following forty-three members voted aye: Allen, Blalock, Bowen, Burk, Clothier, Crowley, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gowey, Hayton, Henry, Jamieson, Jones, Joy, Kellogg, Kinnear, Lindsley, McElroy, McReavey, Minor, R. S. More, Morgans, Power, Prosser, T. M. Reed, Schooley, Shoudy, Stevenson, Stiles, Tibbetts, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

Messrs. Hungate and Neace on leave, and the amendment was carried.

Mr. Dyer moved the following amendment.

Article

Section. The State of Washington asserts its ownership to the beds and shores of all navigable waters in the State of Washington up to and including the line of ordinary high tide, where the tide ebbs and flows, and up to and including the line of ordinary high water within the banks of the navigable rivers and lakes. Provided, 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 the ayes and noes were demanded and ordered and the following thirty-two members voted aye: Allen, Blalock, Buchanan, Clothier, Coey, Comegys, Crowley, Dunbar, Dyer, Fairweather, Glascock, Gray, Hayton, Hicks, Jeffs, Kellogg, Lindsley, McElroy, Minor, Mires, J. Z. Moore, R. S. More, Prosser, T. M. Reed, Schooley, Sharpstein, Shoudy, E. H. Sullivan, Tibbetts, Turner, Warner, Mr. President.


Mr. Turner moved to amend Section 14 by adding the following to separate Article No. 2.

In case a majority of all the voters for and against any separate article, the same shall become a part of the Constitution [sic]. Lost.

Mr. McElroy moved to amend Section 15 as follows: insert after the word "law" in Section 15: "Provided at the election to be held for the adoption or rejection of this Constitution and for the election of officers created thereby, it shall be the duty of the judges of election in all precincts which are within or partially
within any city, town or village of Washington Territory, to define a limit not less than one hundred feet from the polls within which no persons but the officers of election and voters, while preparing and casting their ballots, shall be permitted to enter while the polls are open, and said judges shall provide booths or apartments within said limits where a supply of tickets of all political parties may be deposited and so arranged that an elector may choose and prepare his ballot entirely free from observation or molestation.

The ayes and noes were demanded and ordered, the roll was called and the following thirty members voted aye: Berry, Blalock, Browne, Clothier, Durie, Eldridge, Eshelman, Glascock, Godman, Griffitts, Hicks, Joy, Kellogg, McCroskey, McElroy, McReavey, R. S. More, Prosser, J. M. Reed, Sharpstein, Stevenson, Suksdorf, E. H. Sullivan, Tibbetts, Travis, Van Name, Warner, Weisenburger, West, Willison.


Mr. Jones moved to amend by adding the following as a section.

Section 1. 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.


The following twenty-eight voted no: Bowen, Browne, Buchanan, Clothier, Coey, Cosgrove, Durie, Dyer, Eshelman, Glascock,
Mr. Sharpstein moved to strike out all after word “state” in Section 6. Carried. Mr. Eldridge moved to amend by adding the following amendment.

“All American citizens above the age of twenty-one years residing and owning property in this state who are denied right of suffrage are hereby exempted from paying taxes upon such property.” Ayes and noes demanded and ordered.

Mr. Joy moved a call of the house. Carried. Pending the call, Mr. Warner moved further proceedings be dispensed with. Carried.

The question then was on the amendment and the roll being called, the following seventeen members voted aye: Blalock, Burk, Eldridge, Eshelman, Fay, Joy, Kellogg, Lindsley, McCroskey, McReavey, R. S. More, Prosser, Tibbetts, Van Name, West, Wilson, Winsor.

The following thirty-six no: Allen, Berry, Bowen, Browne, Buchanan, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Durie, Dyer, Fairweather, Glascock, Godman, Griffitts, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Lillis, McDonald, McElroy, Minor, Mires, J. Z. Moore, Morgans, Newton, Power, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Sturdevant, P. C. Sullivan, Travis, Turner, Weisenburger, Mr. President. Not voting: Dunbar, Gowey, Gray, Kinnear, Manly, Stiles, Suksdorf, Warner, Weir. Messrs. Neace and Hungate on leave. And the amendment was lost.

Mr. Moore moved to take a recess until 8 p.m. Lost.

Mr. Godman moved the following amendment: to strike out the word “first” in Section 15. Mr. Dyer moved to suspend the rules to consider a resolution. Not granted.

Mr. Dunbar moved to consider the following resolution under a suspension of the rules.
“Resolved, that Robert Black be allowed five dollars a day for forty-six days' work for services as Clerk for the Committee on State, School and Granted Lands.

R. O. DUNBAR, Chairman
Committee on State, School and Granted Lands”

Carried.

Mr. McElroy moved to add the following as a separate section to the schedule.

Section. The title in fee and absolute right of disposition of all shores below ordinary high tide, within the limits of this state, is hereby declared to be in this commonwealth and the property of this state.

Ayes and noes demanded and ordered and the roll was called and the following forty members voted aye: Allen, Berry, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Crowley, Dallam, Durie, Dyer, Godman, Gray, Hicks, Joy, Kellogg, Kinnear, Lindsley, McCroskey, McElroy, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Prosser, Schooley, Sharpstein, Shoudy, Sturdevant, Suksdorf, E. H. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Mr. President.


Mr. Crowley moved that the article be referred to the Committee on Revision [, Adjustment and Enrollment] with instructions to report two articles, the two articles on tidelands and confirming patents in one. Ayes and noes demanded and ordered and the roll was called and the following thirty members voted aye: Allen, Blalock, Buchanan, Burk, Coey, Cosgrove, Crowley, Dallam, Godman, Gowey, Griffitts, Hicks, Jeffs, Joy, Lillis, Manly, McDonald, J. Z. Moore, R. S. More, Prosser, Schooley, Sharpstein, Sohns, Stiles, Sturdevant, P. C. Sullivan, Travis, Van Name, Warner, Weir. The following forty no: Browne, Berry, Clothier, Comegys, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glas-

Mr. Dyer moved to suspend the rules and the article passed to a third reading. Mr. Sullivan moved that the article be referred to committee with instructions to report back, making it congruous. Mr. McCroskey moved to amend by reporting back tonight. Lost.

Original motion lost. Mr. J. Z. Moore moved to adjourn. Mr. Turner asked to have indefinite leave. Not granted.

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

Mr. Dyer renewed his motion that the article be considered engrossed and passed to a third reading. Mr. Reed moved to recommit the article on Judiciary Committee. Carried.


The following twenty-six [voted] no: Berry, Blalock, Buchanan,
AUGUST 22, 1889


August 22nd, 1889

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

On a call of the roll all the members were present except Messrs. Hungate and Neace on leave, and Messrs. Gowey, Kellogg, Lillis, P. C. Sullivan.

Minutes read and approved. Mr. Kellogg granted leave. The following members reported present: Gowey, Lillis and P. C. Sullivan.

Mr. Minor from the Revision Committee reported the following Articles:

XV Harbors and Tidewater
XVI School and Granted Lands
XVII Cession of Jurisdiction
On State Seal
Federal Relations and Boundaries

The article on harbors and tidewaters was then read as amended and revised and the question then was upon final agree­ment.

Pending which Mr. Turner moved a call of the house. So ordered, and on a call of the roll the following members were found to be absent without leave: Gowey, Kellogg, P. C. Sullivan. Mr. Lindsley moved that further proceedings be dispensed with. So ordered.

The roll was then called on final agreement to the article as amended and revised and the following forty-eight members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Crowley, Dallam, Dunbar, Durie, Dyer, Eshelman, Fay, Glascock, Griffitts, Hicks, Jeffs, Joy, Kinnear,
The following nineteen no: Cosgrove, Dickey, Eldridge, Fairweather, Godman, Gray, Hayton, Henry, Jamieson, Jones, Manly, McDonald, McReavey, Morgans, Newton, Stevenson, Weisenburger, West, Winsor. Not voting: Gowey, Kellogg, Lillis, Suksdorf, P. C. Sullivan, Weir. Messrs. Hungate and Neace on leave. And a majority of all the members having voted in the affirmative, the article was finally agreed to and referred back to the Committee for [Revision, Adjustment and] Enrollment.

The article on school and granted lands was then read as amended and revised and the question was upon final agreement to the same. The roll was called and the following fifty-five members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Godman, Gray, Hayton, Jamieson, Jeffs, Joy, Kinnear, Lindsley, McCroskey, McElroy, Minor, Mires, R. S. More, Morgans, Newton, Power, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Sturdevant, Suksdorf, Tibbetts, Travis, Turner, Van Name, Warner, Weir, West, Winsor, Mr. President.

The following eleven no: Glascock, Griffitts, Henry, Jones, Manly, McDonald, J. Z. Moore, Prosser, J. M. Reed, Weisenburger, Willison. Not voting: Gowey, Kellogg, Lillis, McReavey, Stiles, E. H. Sullivan, P. C. Sullivan. And a majority of all the members voting in the affirmative, the article was finally agreed to and referred back to the Committee for [Revision, Adjustment and] Enrollment.

The article on cession of jurisdiction was then read as amended and revised and the question then was upon final agreement. The roll was called and the following sixty members voted aye: Allen, Berry, Blalock, Bowen, Browne, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Godman, Gray, Griffitts, Hayton, Henry, Jamieson, Jeffs, Jones, Joy, Kinnear, Lindsley, McCroskey, McElroy, McReavey, Minor, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharp-
STEIN, SOHNS, STEVENSON, STURDEVANT, SUKSDORF, E. H. SULLIVAN, TIBBETTS, TRAVIS, TURNER, VAN NAME, WEIR, WEISENBURGER, WEST, WINSOR, MR. PRESIDENT. AND MANLY, NO. NOT VOTING: DICKEY, GOWEY, HICKS, KELLOGG, LILLIS, MANLY [sic], MCDONALD, MIRENS, SHODY, STILES, P. C. SULLIVAN, WARNER, WILLISON. MESSRS. HUNGATE AND NEECE ON LEAVE, AND A MAJORITY OF ALL THE MEMBERS HAVING VOTED IN THE AFFIRMATIVE, THE ARTICLE WAS FINALLY AGREED TO AND REFERRED TO THE COMMITTEE FOR [REVISION, ADJUSTMENT AND] ENROLLMENT. (SEE PAGE 462.)

The article on state seal was then read as amended and revised and the question was upon final agreement. The roll was called and the following sixty-seven members voted aye: ALLEN, BERRY, BLALOCK, BOWEN, BROWNE, BUCHANAN, BURK, CLOTHIER, COEGYS, COSGROVE, CROWLEY, DALLAM, DICKEY, DUNBAR, DURIE, DYER, ELDREDGE, ESHELMAN, FAIRWEATHER, FAY, GLASCOCK, GODMAN, GRAY, GRIFFITTS, HAYTON, HENRY, HICKS, JAMIESON, JEFFS, JONES, JOY, KINNEAR, LINDSLEY, MANLY, MCCROSKEY, McELROY, McREAVERY, MINOR, MIRENS, J. Z. MOORE, R. S. MORE, MORGANS, NEWTON, POWER, PROSSER, J. M. REED, T. M. REED, SCHOOLLEY, SHARPSTEIN, SHODY, SOHNS, STEVENSON, STILES, STURDEVANT, SUKSDORF, E. H. SULLIVAN, TIBBETTS, TRAVIS, TURNER, VAN NAME, WEIR, WEISENBURGER, WEST, WILLISON, WINSOR, MR. PRESIDENT. AND NONE NO. NOT VOTING: GOWEY, KELLOGG, LILLIS, MCDONALD, P. C. SULLIVAN, WARNER. MESSRS. HUNGATE AND NEECE ON LEAVE. AND A MAJORITY OF ALL MEMBERS VOTING IN THE AFFIRMATIVE THE ARTICLE WAS FINALLY AGREED TO AND REFERRED BACK TO THE COMMITTEE FOR [REVISION, ADJUSTMENT AND] ENROLLMENT.

The article on boundaries was then read as amended and revised. The question then was upon final agreement.

The roll was called and the following fifty-five members voted aye: ALLEN, BERRY, BLALOCK, BUCHANAN, CLOTHIER, COEGYS, COSGROVE, CROWLEY, DALLAM, DICKEY, DUNBAR, DURIE, ELDREDGE, ESHELMAN, FAIRWEATHER, FAY, GLASCOCK, GRIFFITTS, HENRY, HICKS, JAMIESON, JEFFS, JONES, JOY, KINNEAR, LINDSLEY, MCCROSKEY, McELROY, McREAVERY, MINOR, MIRENS, J. Z. MOORE, R. S. MORE, MORGANS, NEWTON, POWER, PROSSER, J. M. REED, SCHOOLLEY, SHARPSTEIN, SHODY, SOHNS, STURDEVANT, E. H. SULLIVAN, P. C. SULLIVAN, TIBBETTS, TRAVIS, TURNER, VAN NAME, WEISENBURGER, WEST, WILLISON, WINSOR, MR. PRESIDENT.

The following four [voted] no: BOWEN, BURK, T. M. REED, WEIR.

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Not voting: Coey, Godman, Gowey, Gray, Hayton, Kellogg, Lillis, Manly, McDonald, Stevenson, Stiles, Suksdorf, Warner, Burk. Messrs. Hungate and Neace on leave. And a majority of all the members voting in the affirmative the article was finally agreed to and referred back to the Committee on Revision [, Adjustment and Enrollment].

Mr. Turner from the Committee on Judiciary Department made the following report.

To the President and Members of the Convention:

Your Committee on the Judicial Department, to which was referred the article on schedule, respectfully report that they have amended Section 7, 9, 15, 16, and 17 and recommend that the said article with said amendments be adopted.

The Committee further recommended that each of the sections of said article referring to tidelands be voted on as separate articles.

The Committee would call the attention of the Convention to the resolution adopted directing the Committee on Revision [, Adjustment and Enrollment] to transfer the sections or articles relating to women's suffrage and prohibition to the schedule, and recommend that that course be pursued.

Respectfully submitted,
Geo. Turner, Chairman
T. C. Griffitts, Secretary

The question then was upon agreeing to the recommendation of the committee as to tideland. So ordered. And the recommendation was concurred in.

The question then was upon concurring on the amendments to Section 7 and they were concurred in. The question then was upon concurring in the amendments to Section 9 and they were concurred in.

The question then was upon concurring in the amendments to Section 15 and they were concurred in.

The question then was upon agreeing to the substitute for Section 17 and it was agreed to and ordered substituted.
Mr. Power moved that the Convention proceed first to the consideration of that part of the article confirming patents. Lost.

The question then was upon considering the article on schedule be considered engrossed and read a third time. Carried.

The article was then considered read a third time and the question was upon agreeing to the article as amended and revised.

The roll was called and the following sixty-seven members voted aye: Allen, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Godman, Gowey, Gray, Griffitts, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Joy, Kinnear, Lillis, Lindsley, Manly, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, Tibbetts, Travis, Turner, Weir, Weisenburger, West, Willison, Winsor, Mr. President. The following no: Stevenson, Van Name, Warner, Berry. Not voting: P. C. Sullivan, Kellogg. On leave: Hungate and Neace, and a majority of all the members voting in the affirmative the article was agreed to and referred back to the Committee on Revision [., Adjustment and Enrollment].

Mr. Power moved to take up the article validating the patent. Mr. P. C. Sullivan moved to amend by inserting "tidelands." Lost.

Mr. Power's motion was lost. The article on titles to shore lands was read and the question was upon passing the article to a third reading.

The ayes and noes were demanded and ordered. The following thirty-five members voted aye: Berry, Blalock, Browne, Buchanan, Clothier, Coey, Comegys, Dallam, Durie, Dyer, Eshelman, Godman, Gowey, Gray, Griffitts, Hicks, Jeffs, McCroskey, McDonald, McElroy, Mires, J. Z. Moore, R. S. More, Newton, J. M. Reed, Schooley, Sharpstein, Shoudy, Sturdevant, Suksdorf, Travis, Turner, Van Name, Warner, Mr. President.

The following thirty-six no: Allen, Bowen, Burk, Cosgrove, Crowley, Dickey, Dunbar, Eldridge, Fairweather, Fay, Glascock, Hayton, Henry, Jamieson, Jones, Joy, Kinnear, Lillis, Lindsley, Manly, McReavey, Minor, Morgans, Prosser, T. M. Reed, Sohns,

The article on confirming patents [was read] and the question then was upon passing the article to a third reading.

The ayes and noes were demanded and ordered and the following forty-two members voted aye: Allen, Blalock, Bowen, Burk, Clothier, Cosgrove, Dallam, Dickey, Dunbar, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gowey, Hayton, Henry, Jeffs, Jones, Joy, Kinnear, Lindsley, McElroy, McReavey, Minor, R. S. More, Morgans, Power, Prosser, T. M. Reed, Schooley, Sohns, Stevenson, Stiles, Tibbetts, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

The following twenty-nine no: Berry, Browne, Buchanan, Coey, Comegys, Crowley, Durie, Godman, Gray, Griffitts, Hicks, Jamieson, Lillis, Manly, McCroskey, McDonald, Mires, J. Z. Moore, J. M. Reed, Sharpstein, Shoudy, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Travis, Turner, Van Name, Warner. Not voting: Newton, Kellogg. On leave: Hungate, Neace. And it was so ordered. And the question then was shall the article be engrossed and considered read a third time.

Pending which Mr. Bowen moved it be indefinitely postponed, and the ayes and noes were demanded and ordered. The roll was called and the following fifteen members voted aye: Allen, Bowen, Burk, Dickey, Eldridge, Hayton, Jamieson, Jones, Joy, Lillis, McReavey, Minor, Morgans, Stevenson, Willison. And the following fifty-three voted no: Berry, Blalock, Browne, Buchanan, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dunbar, Durie, Dyer, Eshelman, Fairweather, Fay, Glascock, Godman, Gowey, Gray, Griffitts, Jeffs, Kinnear, Lindsley, McCroskey, McDonald, McElroy, Mires, J. Z. Moore, R. S. More, Newton, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Stiles, Sturdevant, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Weir, Weisenburger, West, Winsor, Mr. President. Not voting: Kellogg, Manly, Power, Sohns, Suksdorf. On leave: Hungate and Neace. And the motion was lost.

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

The question then was upon agreeing to the article. The roll was called and the following forty-one members voted aye: Allen, Blalock, Bowen, Burk, Dallam, Dickey, Dunbar, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gowey, Hayton, Henry, Jeffs, Jones, Joy, Kinneal, Lillis, Lindley, Manly, McElroy, McReavey, Minor, Morgans, Power, Prosser, T. M. Reed, Schooley, Sohns, Stevenson, Stiles, Tibbetts, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

The following thirty no: Berry, Browne, Buchanan, Coey, Comegys, Cosgrove, Crowley, Durie, Godman, Gray, Griffitts, Hicks, Jamieson, McCroskey, McDonald, Mires, J. Z. Moore, R. S. More, Newton, J. M. Reed, Sharpstein, Shoudy, Sturdevant, Suks­dorf, E. H. Sullivan, P. C. Sullivan, Travis, Turner, Van Name, Warner. Not voting: Clothier, Kellogg. On leave: Hungate and Neace. And a majority of all the members voting in the affirmative, the article was agreed to and referred to the Committee on Re­vision [, Adjustment and Enrollment] for revision and adjustment.

Mr. Griffitts moved to suspend the rules and consider the article submitted by Mr. Mires. So ordered.

Mr. Mires’ article, as follows, was then read.

Article

Section 1. The State of Washington asserts its ownership to the beds and shores of all navigable waters in the state, up to and including the line of ordinary high tide in waters where the tide
ebbs and flows, and up to and including the line of ordinary high water within the banks of all navigable rivers and lakes.

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.

The question then was upon agreeing to the article. The roll was called and the following fifty-six members voted aye: Allen, Berry, Blalock, Browne, Buchanan, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dunbar, Durie, Dyer, Eshelman, Fairweather, Fay, Glascock, Godman, Gowey, Gray, Griffitts, Hicks, Jamieson, Jeffs, Kinnear, Lillis, Lindsley, Manly, McCroskey, McDonald, McElroy, Minor, Mires, J. Z. Moore, R. S. More, Newton, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Weir, Weisenburger, Mr. President.

The following fifteen no: Bowen, Burk, Dickey, Eldridge, Griffitts, Henry, Jones, Joy, McReavey, Morgans, Sohns, Stevenson. Not voting: Kellogg, Power. On leave: Hungate, Neace, and a majority of all members voting in the affirmative, the article was agreed to and referred to the Committee on Revision [Adjustment and Enrollment] for revision and adjustment.

Mr. Turner moved that rules be suspended and the articles on confirming patents and tidelands be considered, finally agreed to and referred to the Committee on Revision [Adjustment and Enrollment] for enrollment.

The roll was called and the following fifty members voted aye: Berry, Blalock, Buchanan, Clothier, Coey, Cosgrove, Dallam, Dickey, Dunbar, Durie, Dyer, Eshelman, Fairweather, Fay, Glascock, Hayton, Henry, Hicks, Jamieson, Kinnear, Lindsley, Manly, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles, Sturdevant, Tibbetts, Travis, Turner, Weir, Weisenburger, West, Willison, Winsor, Mr. President. The following twenty-one no: Allen, Bowen, Browne, Burk, Comegys, Crowley, Eldridge, Godman, Gowey, Gray, Griffitts, Jones, Joy, Lillis, J. Z. Moore, Stevenson, Suksdorf, E. H. Sullivan, P. C. Sullivan, Van Name, Warner. Not voting: Jeffs, Kellogg. On leave: Hungate, Neace. And the rules were suspended
and the articles were so considered and referred to the Committee on Revision, Adjustment and Enrollment.

Mr. Prosser filed the following protest and it was ordered spread on the records.

Protest against the passage of the article providing for the sale of school lands of the State of Washington:

The undersigned respectfully, but earnestly enter their most solemn protest against the provision adopted by this Convention for the sale of the school lands of the state, for the following reasons, viz:

First. Because such sale is unnecessary. Ample funds for the present needs of the schools of the state can be obtained by the sale of timber, stone and other material from these lands and from the rental of such lots, blocks and other as any now be leased upon reasonable terms by the Legislature. If the limitation of five years in the enabling act is an obstacle to such lease there is no doubt but that Congress would make any change in such limitation, which might be petitioned for by the Legislature.

Second. Because such sale now or at any time in the near future, under any circumstances whatever, will be placing them in the market in competition with the cheap lands of the government and of the Northern Pacific Railroad Company and will therefore be sacrificed for much less than their actual value when the state shall become populous, thereby entailing a loss to the school fund of the state of many millions of dollars.

Third. Because the experience of all states having heretofore had grants of land for school purposes, has been that the Legislatures thereof have not been able to resist the combinations of influences brought to bear upon them by purchasers and speculators who desire that these lands might be sold, in order to promote selfish interests, and therefore believe it to be the bounden duty of this Convention to place a prohibition of the sale of these lands in the Constitution in order that they may be preserved for the use and maintenance of the common schools of the state for all time to come.

WM. F. PROSSER
GEO. H. JONES
THOMAS C. GRIFFITTS
N. G. BLALOCK
Mr. Dunbar at 10:45 moved to take a recess for half an hour. Carried.

At 11:05 [sic] the Convention was called to order by the President.

Mr. Minor from the Committee on Revision [*, Adjustment and Enrollment] reported the articles on schedule, tidelands and confirming patents.

The article on schedule was then read and the question was upon a final agreement. The roll was called and the following sixty-nine members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Cosgrove, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glasscock, Godman, Gowey, Gray, Griffitts, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Joy, Kinnear, Lillis, Lindsley, Manly, McCroskey, McDonald, McElroy, 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, Tibbetts, Travis, Turner, Van Name, Warner, Weir, Weisenburger, West, Willison, Winsor, Mr. President. Not voting: Comegys, Crowley, Kellogg, P. C. Sullivan. On leave: Hungate, Neace. And a majority of all the members voting in the affirmative the article was finally agreed to and referred back to the Committee on Engrossment.

Mr. Godman filed the following protest: We hereby protest against the action of the Convention in passing the article disclaiming title to patented lands and desire this protest entered on record. We look upon it as hasty, injudicious action, more appropriately left to the Legislature.

THOMAS C. GRIFFITTS
M. M. GODMAN
S. H. BERRY
C. H. WARNER
J. T. MCDONALD
W. B. GRAY
J. J. TRAVIS
E. H. SULLIVAN
J. F. VAN NAME
JOHN M. REED
Mr. Prosser moved to adopt the following resolution: "Resolved, that the thanks of this Convention are due and hereby tendered to President John P. Hoyt, the Chief Clerk John I. Booge, the Reading Clerk, C. M. Barton, and other officers of this Convention for the able, efficient and faithful manner in which they have discharged their respective duties during the sessions of this Convention." And it was unanimously adopted.

Mr. Manley moved to adopt the following: "Resolved, that the thanks of this Convention be extended to the reporters who have so faithfully reported the proceedings." Unanimously adopted.

Mr. Turner moved that should the Convention adjourn before the Constitution is enrolled, that the Committee on Revision, Adjustment and Enrollment remain and see that it is finished properly. Carried.

Mr. Warner moved that upon the close of the present sitting it be to 5 p.m. Mr. Manly moved to take a recess until 8 p.m. Carried.

From page 282, left out by mistake.

Revenue and Taxation

Article VII

Section 1. All property in the state, not exempt under the laws of the United States, or under this Constitution, shall be taxed in proportion to its value, to be ascertained as provided by law.

The Legislature shall provide by law for an annual tax sufficient with other sources of revenue to defray the estimated ordinary expenses of the state for each fiscal year. And for the purpose of paying the state debt, if there be any, the Legislature shall provide for levying a tax annually, sufficient to pay the annual interest and principal of such debt within twenty years from the final passage of the law creating the debt.

Section 2. The Legislature shall provide by law a uniform and equal rate of assessment and taxation on all property in the state, according to its value in money, and shall prescribe such regulations by general law as shall secure a just valuation for taxation of all property, so that every person and corporation shall pay
a tax in proportion to the value of his, her or its property, provided, that a deduction of debts from credits may be authorized.

Section 2. [sec] Provided further that the property of the United States, and of the state, counties, school districts and other municipal corporations and such other property as the Legislature may by general laws provide, shall be exempt from taxation.

Section 3. The Legislature shall provide by general law for the assessing and levying of taxes on all corporation property as near as may be by the same methods as are provided for the assessing and levying of taxes on individual property.

Section 4. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the state shall be a party.

Section 5. No tax shall be levied except in pursuance of law, and every law imposing a tax shall state distinctly the object of the same to which only it shall be applied.

Section 6. All taxes levied and collected for state purposes shall be paid in money only into the state treasury.

Section 7. An accurate statement of the receipts and expenditures of the public moneys shall be published annually in such manner as the Legislature may provide.

Section 8. Whenever the expenses of any fiscal year shall exceed the income, the Legislature may provide for levying a tax for the ensuing fiscal year, sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of the ensuing fiscal year.

Section 9. The Legislature may vest the corporate authorities of cities, towns and villages with power to make local improvements by special assessment, or by special taxation of property benefitted.

For all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes, and such taxes shall be uniform in respect to persons and property within the jurisdiction of the body levying the same.
Olympia, August (22), 1889

John I. Booge Esq.
Chief Clerk
Constitutional Convention

I hereby certify that Miss Lillie Brown served as clerk of Committee on Election and Elective Rights from July 11th, 1889, to the day of adjournment.

P. C. SULLIVAN
Chairman of Committee on Election and Elective Rights

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Olympia, August (22), 1889

John I. Booge Esq.
Chief Clerk
Constitutional Convention

I hereby certify that James D. Hannegan served as clerk of Committee on Engrossment from July 11th, 1889, to and including the day of adjournment.

JOHN A. SHOUDY
Chairman of Committee on Engrossment

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Olympia, August (22), 1889

John I. Booge Esq.
Chief Clerk
Constitutional Convention

I hereby certify that Miss May Sylvester served as clerk of Committee on Judicial Department from the 10th day of July, 1889, to the adjournment.

GEORGE TURNER
Chairman of Committee on Judicial Dept.
Olympia, August (22), 1889

John I. Booge Esq.
Chief Clerk
Constitutional Convention

I hereby certify that O. C. Pratt served as clerk of Committee on Apportionment and Representation from July 10th, 1889, to the day of adjournment.

S. J. Crowley
Chairman of Committee on Apportionment and Representation

Olympia, August (22), 1889

John I. Booge Esq.
Chief Clerk
Constitutional Convention

I hereby certify that Robert Black has served as clerk of Committee on State, School and Granted Lands from the 11th day of July, 1889, to the day of adjournment.

R. O. Dunbar
Chairman of Committee on State, School and Granted Lands

From page 451, left out by mistake.

Cession of Jurisdiction

Article XXV

Section 1. The consent of the State of Washington is hereby given to the exercise, by the Congress of the United States, of exclusive legislation on all cases whatsoever over such tracts or parcels of land as are now held or reserved by the government of the United States for the purpose of erecting or maintaining thereon forts, magazines, arsenals, dockyards, lighthouses and other needful buildings, in accordance with the provisions of the 17th paragraph of the eighth section of the first article of the Constitution of the United States, so long as the same shall be so held and reserved by the United States. Provided, that a sufficient
description by metes and bounds and an accurate plat or map of such tract or parcel of land be filed in the proper office of record in the county in which the same is situated, together with copies of the orders, deeds, patents or other evidence in writing of the title of the United States; and provided that all civil process issued from the courts of this state, and such criminal process as may issue under the authority of this state, against any person charged with crime in cases arising outside of such reservations, may be served and executed thereon, in the same mode and manner, and by the same officers, as if the consent herein given had not been made.

The Convention was called to order at 8 p.m. by the President. Mr. Weir introduced the following resolution and moved its adoption.

"Resolved, that when this Convention adjourn 'sine die' that the Chief Clerk be and he is hereby instructed to place the Journal and all uncopied minutes together with a copy of the Constitution in the hands of Messrs. T. M. Reed, John F. Gowey, and Francis Henry, the members from Thurston County, and that the Journal Clerk and Robert Black be instructed to copy all minutes, and the Constitution in the Journal under their supervision, and when so done, that the Journal and all papers be by Messrs. Reed, Gowey, and Henry delivered to Hon. O. C. White, Secretary of the Territory." It was adopted.

The Committee on Revision [, Adjustment] and Enrollment, reported the entire Constitution, and the article to be reported submitted as correctly enrolled, and thereupon the same was duly certified, and signed by the following named members of the Convention.

John P. Hoyt
President.


Mr. Cosgrove moved that the Convention finally adjourn "Sine Die" at 9:30 p.m. Carried.

Mr. Turner introduced the following resolution and moved its adoption. It was unanimously adopted.

"Resolved, that the thanks of the Convention be, and the same hereby are tendered to the citizens of the city of Olympia for the generous hospitality with which they have entertained the members and officers, during the sitting of the Convention.

"Resolved, that a vote of thanks be and is hereby tendered to Delegate Henry, as the author of 'Old Settler' and to Ross G. O'Brien, for the pleasant manner in which he entertained this Convention at this time by singing 'The Old Settler'.” And it was unanimously adopted.

At 9:30 p.m. the President declared the Convention assembled, adjourned "Sine Die."