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with Analytical Index

by

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amended so as to read as follows: When a proposition has been referred to a standing committee a report shall be made thereon as soon as convenient. In case of unnecessary delay on the part of the committee the Convention may require a report to be made within any stated time.

Mr. E. H. Sullivan introduced the following resolutions and gave notice that he would call them up tomorrow. Resolved that Rule No. 36 of this Convention be stricken out. Resolved that Rule No. 7 of this Convention be stricken out.

Mr. P. C. Sullivan moved to have the Sergeant-at-Arms empowered to employ a Janitor and the compensation be fixed by the Convention.

Mr. Griffitts rose to a point of order that the Convention had already fixed the officers of the Convention. Overruled by the chair. The motion on being put was lost.

On motion of Mr. Dyer, the Convention adjourned at 4:20 p.m. to 1:30 p.m., July 12th.

July 12th, 1889

The Convention was called to order by the President at 1:30 p.m. Prayer by the Chaplain. On a call of the roll all members present but Mr. Travis, and Mr. Fay on leave. Minutes read and approved.

Mr. Hoyt presented a petition favoring women's suffrage signed by P. G. Hendricks and five hundred ninety-four other men, and four hundred fourteen women, and same was read and referred to the Committee on Elections and Elective Rights.

Mr. Dunbar presented a petition on the liquor traffic signed by William Wilkes and others which was read and referred to the Committee on Miscellaneous Subjects, Schedule and Future Amendments.

[Mr. Dunbar presented a petition on the liquor traffic signed by William Wilkes and others and was read and referred to the Committee on Miscellaneous Subjects, Schedule and Future Amendments.] *

* Stricken in journal.
A treatise on state constitutions was read which had been received by mail and referred to the Committee on Revision, Adjustment and Enrollment.

Mr. Burk presented a petition relating to oysters and oyster beds signed by D. D. Rhodes and others and same was read and referred to the Committee on State and Granted Lands.

Mr. Joy presented a petition relating to women's suffrage, signed by William West, and others and same read and referred to the Committee on Election and Elective Rights.

Mr. Power from the Committee on Printing, Mileage and Contingent Expenses presented the following majority report of said committee.

To the Constitutional Convention.

Your Committee on Printing to whom was referred the proposition of Mr. W. D. Knight to do the printing for the Convention have had the same under consideration and would respectfully report as follows: That the Secretary of the Territory in accordance with the laws, rules and regulations appertaining to legislative printing and specific instructions from the Treasury Department at Washington has already arranged with Mr. Thomas H. Cavanaugh to do such printing as may be necessary for the Convention and that in our judgment it is inexpedient to change printers at this junction, even should we have the power to do so, which your committee greatly doubt. It should be borne in mind that this Convention is a creature of the law and is governed by the authority which has called it into existence. This authority has spoken on the matter referred to, and this Convention cannot with propriety disregard it.

Very respectfully submitted,

JAMES POWER, Chairman
H. M. LILLIS
FRANK M. DALLAM
O. H. JOY
H. CLOTHIER

Mr. Suksdorf from same committee presents the following minority report to the President and members of the Convention. Gentlemen:

Your Committee on Printing, etc. to whom was referred the proposal of Mr. W. D. Knight for the printing of this Convention.
having considered the matter and being unable to agree would respectfully submit the following minority report.

I

The Comptroller of the Treasury rules that the Treasury Department has full control over the disbursements of the appropriations made by Congress to defray the expenses of this Convention.

II

That acting under specific instructions from said department, the Honorable Secretary of the Territory has awarded the printing of this Convention to Mr. T. H. Cavanaugh and that as disbursing agent of the Treasury he will not recognize any other person as printer of this Convention.

III

The proposal of Mr. Knight, as we understand from practical printers, is considerably below the cost, about forty-fifty per cent of the printing as done under the rules and regulations of the government.

IV

We are in doubt as to the authority of this Convention to arrange for its own printing and believe that if the Convention does let its own printing either the Federal or State Government will have to make an appropriation to pay for it.

V

Under the circumstances we do not feel justified in recommending either the acceptance or rejection of Mr. Knight’s proposal. If, however, the Convention does express the desire to arrange for its own printing, then your committee should be authorized to receive bids and let the contract to the lowest bidders.

Respectfully submitted,

H. F. SUKSDORF
J. F. VAN NAME

Mr. Griffitts moved that the two reports together with the proposition be referred to the Committee on Judicial Department. Carried.

Mr. Dunbar from the Committee on State, School and Granted Lands, submits to the Convention a proposition by Mr. Eshelman on eminent domain and asks to have it referred and it was ordered
that the first and second sections be referred to the Committee on Harbors, Tidewater, and Navigable Streams and the third section to State, School and Granted Lands.

The following propositions were then submitted in the order following.

Proposition by Mr. Jones of Jefferson, Fifth District
The Legislature shall not grant divorces.
Read a second time and referred to the Committee on Preamble and Bill of Rights.

Presented by Mr. Joy, Lewis County
Suggested Constitutional Provision concerning appointment to Civil Service.

Article

Section. The Legislature shall make provision in conformity with this Constitution for ascertaining the qualifications of those desiring places or employment in the public service, but shall not establish any religious or political test for office or public employment.

Read a second time and referred to the Committee on Miscellaneous Subjects, Schedule and Future Amendment.

Proposition by Mr. Griffitts, Third District
Day's Work

Section 1. That eight hours shall constitute a day's work on all state, county, municipal, or other public works, and in mines or other employments where labor is performed underground.

Section 2. The Legislature shall enforce this clause by appropriate legislation.

Read a second time and referred to the Committee on Mines and Mining.

Proposition by Mr. Griffitts, Third District
Mines and Mining

Article

Section. The Legislature of this state shall by suitable enactments require all such appliances and means to be provided and used as may be necessary to secure as far as possible the lives,
health and safety of all persons to be employed in any mine or mines in this state. And to that end shall provide for an Inspector of Mines, who, before entering upon the duties of his office shall pass a satisfactory examination as to his duties, before a board of five examiners, appointed by the Governor and paid by the state, three of whom shall be practical miners and two civil engineers. And shall further provide for an examination by such Inspector of Mines of the employees therein as to their competency and experience in such employment. And a failure on the part of owners or operators of any mine or mines to observe the provisions of this article, or any law passed in pursuance thereof, shall be negligence *per se* and such owner or operator shall be liable in damages to all persons injured thereby, which damage shall be a lien upon the mine wherein such person is injured. And the Legislature shall moreover enforce its enactments under this article by adequate pains and penalties.

Read a second time and referred to the Committee on Mines and Mining.

**Proposition by Mr. Kinnear**

To provide a house for honorably discharged Union soldiers, sailors and mariners, and members of the state militia disabled in the line of duty.

Section 1. That the Legislature shall provide by law for maintenance and efficiency of a soldiers' home for honorably discharged Union soldiers and marines of the late war of the Rebellion of 1861-5, who shall be bona fide citizens and residents of this state. Provided that members of the State Militia disabled in the line of duty shall be admitted to the benefits of such home.

Read second time and referred to the Committee on Military Affairs.

**Proposition by D. Buchanan**

**Judicial Department**

Section. The Supreme Court shall consist of a Supreme Judge and two Associate Justices whose terms of office shall be six years alternately. They shall be nominated by the Governor and with the approval of two-thirds of the Senators voting therein shall be appointed to the said offices.

At the first meeting of the Legislature had by virtue of this Constitution, the Governor shall nominate a Chief Justice to the
long term of six years, one Associate Justice to the second term of four years and one Associate Justice to the short term of two years. Provided that when the population of the state attain to the number of one million inhabitants the Legislature shall provide by law for the increase of the number of the members of said court to one Chief Justice and four Associate Justices whose term of office thereafter shall be ten years one of whom shall retire every two years alternately.

Read second time and referred to Committee on Judicial Department.

Proposition relative to Banking Institutions
By Mr. Dyer

Section. It shall be a crime the nature and punishment of which shall be prescribed by law for any president, director, manager, cashier or other officer of any banking institution to assent to the reception of deposits or the creation of debts by such banking institution after he shall have had knowledge of the fact that it is insolvent or in failing circumstances and any such officer, agent or manager shall be individually responsible for such deposits so received and all such debts so created with his assent.

TRUSTEN P. DYER, King County

Read a second time and referred to Committee on Corporations Other Than Municipal.

Proposition on Elections
By J. T. Eshelman

Resolved, that it is competent for this Convention, in addition to submitting for ratification or rejection a Constitution it may draft, to submit separate propositions to be inserted therein, provided a majority of the electors of this territory so decide by their votes at the election to be held for the ratification of this Constitution.

Read a second time and referred to the Committee on Judicial Department.

Article pertaining to the Protection of Life
By Mr. Lillis

Resolved, that the legislative assembly shall enact such laws and make such provision for their enforcement as shall compel
individuals, companies and corporations engaged in mining, manufacture and construction to take such precaution in the arrangement and adjustment of their machinery and apparatus as is necessary to the protection of life.

Read a second time and referred to the Committee on Corporations Other Than Municipal.

Relating to Elective Rights
By Mr. Prosser

Section. The Legislature may provide by law that any woman of the age of twenty-one years and upwards may vote at any election held for the purpose of choosing any officers of schools or upon any measure relating to schools, and may also provide that any woman may be eligible to hold any office pertaining solely to the management of schools.

Read a second time and referred to the Committee on Elections and Elective Rights.

Proposition Relating to School Lands
By Mr. Prosser

The Sections sixteen and thirty-six in each township of the State of Washington are the property of the state received from the government of the United States for the support of the common schools in the State of Washington and the said lands shall never be sold or donated to any person or corporation for any purpose whatever, but timber or other perishable property may be sold upon such terms and conditions as the Legislature may prescribe, and the proceeds thereof shall be placed in the common school fund of the state. School lands as herein specified may be leased upon such terms as the Legislature may prescribe and the proceeds thereof shall be placed in the common school fund of the state for the use and benefit of all children thereof.

Read second time and referred to the Committee on State, School and Granted Lands.

Mines and Mining
Proposition by W. L. Newton, Twenty-First District

Section 1. A Superintendent of Mines and Mining shall be elected by the qualified electors of the state at the regular gubernatorial election, whose salary shall be fixed by law, and whose
term of office shall be the same as that of the Governor. He shall be a qualified elector, a practical miner of at least five years experience, two of which shall have been in this state, and possessed of a thorough knowledge of mining engineering ventilation and the methods and appliances for underground mining with safety to the miners and other employees. He shall have the supervision of the management of the mines in this state so far as relate to their regulations in regard to the security against accidents and the health and safety of the employees.

Section 2. The state shall be divided into at least three mining districts for each of which shall be appointed an Inspector of Mines, each of whom shall be a qualified elector and shall have had practical experience as a miner of at least four years in underground mining, two of which shall have been in this state, and shall have the supervision of the mines in his district as to machinery used, ventilation of the mines and methods of working, with power to close any mine whose managers refuse to comply with the laws that are in force or may be enacted, for the management of the mines. Each Inspector shall make quarterly reports to the Superintendent of Mines as to the output of the mines, the management, the accidents to men in the mines, their causes, and recommend such changes in machinery and management as will furnish better security for the health and safety of life and limb to the employees.

Section 3. Each Inspector of Mines shall be required to appoint a Board of Inspection of three persons for the examination of persons employed as underground miners, two of such examiners to be appointed by him from a list of practical miners employed in his district and selected by them, and the third a qualified mining engineer, who shall serve for a term of one year and until their successors are elected and qualified, they shall divide the miners into two classes skilled and unskilled and no miner shall be employed in any capacity requiring skill and judgment until he has been approved by said examiners as a skilled miner and so enrolled. The Legislature shall pass laws for the enforcement of this provision, providing for punishment by fine and imprisonment or forfeiture of corporate property of any individual officer or corporation violating the provisions of this section.

Section 4. It shall not be lawful for any owner or manager to exact as a day's labor from any miner employed in underground
mines more than eight hours a day nor to employ in such underground mines any person under the age of sixteen years.

Section 5. The Legislature shall pass laws requiring mines to be properly ventilated, timbered and to be equipped with the latest approved appliances for the safety of the employees, and to prevent accidents in the mines.

Section 6. Boards of Arbitration shall be appointed for the adjustment of scales, of prices, for labor in underground mines, or other difference between employers and employees, which board shall be composed of the Superintendent of Mining, one person selected by the employer or manager of the mine and one to be selected by the employee or employees interested and their decision shall be final except in cases of injury to employees or damages in case of the death of employees from accident in the mines.

Section 7. The Legislature shall have power to enforce this article by appropriate legislation.

Read a second time and referred to the Committee on Mines and Mining.

Proposition on Sumptuary Laws
By Mr. Hicks

The Legislature shall be expressly prohibited from enacting special and sumptuary laws.

Read a second time and referred to the Committee on Legislative Department.

Proposition on School Lands
By Mr. Hicks

The school lands of the state may be sold to constitute a perpetual fund in trust for the benefit of the public schools of the state, the interest only therefrom being applicable to the maintenance of said schools, provided no more than one-fourth of any one section thereof shall be sold within five years, one-half within ten years and no more than three-fourths within fifteen years from the time the state comes into possession thereof, and provided further that the portion selected for sale shall be the most valuable and properly subdivided so as to secure the highest price therefor.

Read a second time and referred to the Committee on State, School and Granted Lands.
Shore Lands
By Mr. Weir

Section. The State of Washington owns all shore lands commonly called tidelands within the boundary thereof by virtue of its sovereignty.

Section. Discretionary power to sell, lease, manage and control shore lands belonging to the state shall be vested in the Board of State Land Commissioners under such legislative restrictions as to values, terms, etc., as may be hereafter enacted. Provided that the right of the public to free use of highways across such shore lands at the termination of streets, alleys, and public roads shall never be obstructed. Provided further that any person occupying shore land with permanent improvements in actual use and necessity for commerce, trade or business, such land having been so occupied prior to the first day of January, 1889, and being other than the extension of any street, alley or other public highway shall have the prior right to purchase the shore land so used and occupied or so much thereof as may be necessary for the purposes of such improvements buildings or wharves at a valuation or appraisement to be fixed by the Board of Land Commissioners, such valuation to be fixed without regard to the value of any improvements of structures occupying the land so appraised, such prior right to cover a limited period to be fixed by law.

Provided further that in all sales of shore lands other than lands occupied by permanent improvements as herein designated, the owner of abutting land extending to the government meander line shall have prior right limited by law to purchase such shore land as may be immediately in front of the abutting land so owned. Such prior right, however, shall not conflict with the rights secured to persons occupying shore lands with improvements as hereinbefore described. The Legislature shall enact such laws as will properly interpret and enforce the provisions of this article.

Read a second time and referred to the Committee on State, School and Granted Lands and he gives notice that he will want to discuss the same at some future day.

Mr. E. H. Sullivan called up the resolutions offered yesterday as to Rules 36 and 37 and moves their adoption.

Mr. Reed moved that Rule 7 be stricken out.
Mr. Griffitts moved that the [sic] be referred to the Committee on Rules and Order of Business.

Mr. Buchanan moves to amend by excluding Rule 42.

Mr. Gowey presented the following resolution and moves that it be referred to the Committee on Rules and Order of Business. Rule 42 amended by striking out the words "is referred as directed in Article 36," and insert the words "is reported from a committee of this Convention." It was so ordered.

Mr. Dyer called up a resolution introduced yesterday relating to propositions and articles. And moved its adoption. Carried.

Mr. J. Z. Moore called up his resolution introduced yesterday changing the hour of meeting.

Mr. Griffitts asked indefinite leave for Mr. Stevenson on account of sickness in his family. Which was granted.

On a vote on Mr. Moore's resolution it was carried.

Mr. Stiles presented the following and asks that it be referred to the Committee on Rules and Order of Business and it was so done.

By Mr. Stiles. Rule........ Any member of the Convention may present to the Convention the draft of a proposed article or section of the Constitution which shall be read and referred to the appropriate committees and may or may not be reported upon by the committees. The reports of standing committees containing proposed articles or sections of the Constitution shall be read once for the information of the Convention and then printed and laid upon the desks of members before further action.

Mr. Suksdorf presented the following resolution and moved its adoption. Resolved, that the Chief Clerk procure from the County Auditors of the different counties the result of the census of population by counties and of the minor political divisions as far as obtainable. Division called for. Lost.

Mr. Minor moved that propositions be not printed unless ordered by the Convention. Mr. Godman moves to amend by adding "all pending propositions." Mr. Henry raised a point of order that no rule could be suspended except by a two-thirds vote. Point of order sustained.
Mr. E. H. Sullivan moved to suspend Rule 42 until the standing Committee on Rules report on questions submitted today. Referred to Committee on Rules. Carried.

Mr. C. B. Eaton was then sworn as official Stenographer. And at 3:07 p.m. moved to adjourn to 9 a.m., July 13th, 1889. Carried.

July 13th, 1889

The 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 Mr. Clothier, Mr. Fay, Mr. Manly and Mr. Stevenson (on indefinite leave). Minutes read and approved.

Mr. Prosser from the Committee on Rules and Order of Business makes the following report.

To the President of the Constitutional Convention.

Your Committee on Rules and Order of Business, to whom were referred certain motions and resolutions affecting Rules 7, 36, and 42 of the Convention respectfully submit the following report, viz:

1. We recommend that the following rule be substituted for Rule 7, to wit: Standing committees shall report on all articles or propositions submitted to the Convention by members, and referred to them, at or before the time of making their final report, but they may do so merely by referring to the title of the same.

2. We recommend the following rule be substituted for Rule 36, to wit: Any member of the Convention may submit to the Convention the draft of a proposed article or section of the Constitution which shall be read and referred to the appropriate committee without debate. The first reading of an article or section reported by a standing committee shall be for information only and shall be an entire reading. The article or section shall then be read the second time by title and be printed and laid upon the desks of members before further action thereon.

3. We recommend that the following be substituted for Rule 42, to wit:

Journal Entries

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No article or section proposed by a member shall be spread upon the journal of the Convention until the same shall have been reported by a standing committee for the consideration of the Convention.

And your committee further beg leave to report that in the opinion of your committee greater certainty will be secured in the interpretation of Rules 51 and 53 by the amendment of Rule 53 by adding on to the end of line 4 after the word "present" the words "except as provided in Rule 51" and your committee recommend that said amendment be made.

All of which is respectfully submitted.

Olympia, July 12th, 1889.

C. L. STILES,
Secretary

WILLIAM F. PROSSER,
Chairman

JAMES POWER
ARNOLD J. WEST
S. G. COSCROVE
LOUIS SOHNS
T. M. REED
T. C. GRIFFITTS
C. H. WARNER

Mr. Griffitts moved its adoption. Mr. Moore moved to amend "that the consideration of the report lie over until Monday." Carried. Mr. Buchanan moved that the amended rules as amended be printed and laid on the desks of the members and was ruled out of order.

The following propositions were then submitted in the following order and read a first and second time.

Proposition by Mr. Durie, relating to the grant of certain tidelands to the Seattle and Walla Walla Railway which he requests to be referred to the Committee on Miscellaneous, etc.

Article

Section. No part of the Constitution shall be so construed as to validate a certain act of the Legislature of Washington Territory of the session of 1873, entitled an act to confirm the grant
of certain lands by the City of Seattle to the Seattle and Walla Walla Railway.

Referred to the Committee on State, School and Granted Lands.

Proposition submitted by Mr. Durie, who asks that the same be referred to Committee on Miscellaneous Subjects.

On the Division of Counties and Removal of County Seats

Article

Section. No county shall be divided or have any part stricken therefrom, without submitting the question to a vote of the qualified electors of the county. Nor unless a majority of those voting on the question shall vote for the same.

Section. No county seat shall be removed until a majority of the qualified electors of the county, voting on the question, shall vote for the same.

Referred to the Committee on County, City and Township Organization.

Irrigation

Proposition by A. Mires

Article

Section. That the water of every natural stream not heretofore appropriated within the State of Washington is hereby declared to be the property of the public and the same is dedicated to the use of the people of the state subject to appropriation as hereafter provided.

Section. The right to divert the unappropriated waters of any natural stream to beneficial uses shall never be denied. Priority of appropriation shall give the better right as between those using the water for the same purpose; but when the waters of any natural stream are not sufficient for the service of all those desiring the use of the same, those using the water for domestic purposes shall have the preference over those claiming for any other purpose, and those using the water for agricultural purposes shall have preference over those using the same for manufacturing purposes.
Section. All persons and corporations shall have the right of way across public private and corporate lands for construction of ditches, canals and flumes for the purpose of conveying water for domestic purposes, for the irrigation of agricultural lands and for mining and manufacturing purposes and for drainage upon payment of just compensation.

Referred to the Committee on Water and Water Rights.

Proposition by Mr. Dyer of King County

Section. That no person elected or appointed to any office or employment of trust or profit under the laws of this state or any ordinance of any municipality in this state shall hold such office without personally devoting his time to the performance of the duties to the same belonging.

Referred to the Committee on Miscellaneous Subjects, Schedule and Future Amendments.

By Mr. Dyer of King County

That no child under fourteen years of age shall be employed by any corporation or person in mines, manufacturies or any other business endangering health or life.

Referred to the Committee on Mines and Mining.

Proposition in reference to Veto Power

By Mr. Power

Section. The Governor shall have no veto power, but bills of the Legislature shall become a law when passed by both houses and duly attested by the President of the Senate and Speaker of the House.

Referred to the Committee on Executive Department and Pardoning Power.

Proposition Requiring the Legislature to Pass Laws for the Official Scaling of Logs Power of Skagit

Section. The Legislature shall pass suitable laws requiring the scaling of logs, with the view of determining the quantity in the purchase and sale thereof.

Referred to the Committee on Miscellaneous Subjects, Schedule and Future Amendments.
The Legislature

Proposition submitted by Albert Schooley, Snohomish

Article

Section. The state shall be divided into fifty senatorial districts of compact and continuous territory as nearly equal in population as may be, and each district shall be entitled to elect one Senator. Each county containing one or more ratios of population shall be entitled to one Senator for each ratio, and to an additional Senator for a surplus of population exceeding three-fifths of a ratio, but no county shall form a separate district unless it shall contain four-fifths of a ratio except when the adjoining counties are each entitled to one or more Senators, when such a county may be assigned a Senator on less than four-fifths and exceeding one-half of a ratio and no county shall be divided unless entitled to two or more Senators.

No city or county shall be entitled to separate representation exceeding one-sixth of the whole number of Senators. No ward or township shall be divided in the formation of a district. The Senatorial ratio shall be ascertained by dividing the whole population of the state by the number fifty.

Section. The members of the House of Representatives shall be appointed among the several counties, on a ratio obtained by dividing the population of the state as ascertained by the most recent United States census by one hundred. Providing that after the year 1920 the ratio shall be ascertained by using the division one hundred and fifty instead of one hundred. Every county containing less than five ratios shall have one Representative for every four ratios, and additional Representative when the surplus exceeds half a ratio, but each county shall have at least one Representative. Every county containing five ratios or more shall have one Representative for every full ratio. Every city containing a population equal to a ratio shall elect separately its proportion of the Representatives allotted to the county in which it is located. Every city entitled to more than four representatives and every county which may have over one hundred thousand inhabitants shall be divided into districts of compact and contiguous territory, each district to elect its proportion of representatives according to its population but no district shall elect more than four representatives.
Referred to the Committee on Legislative Department.

Proposition on Coal Mines
By Kinnear of King

Section. The owner or operator of any coal mine shall have the right to connect with any railroad near the same and to have his coal transported over such railroad at reasonable rates and upon equal terms with the owners of other mines.

Referred to the Committee on Mines and Mining.

Proposition by Jones of Jefferson
Exemption of Property of Municipal Corporations from Execution.

Section. The real and personal property of municipal corporations shall not be subject to execution or lien.

Referred to Committee on Legislative Department.

Proposition on Executive Department.
By Mr. Weir

Section 1. The executive department shall consist of a Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, Attorney General, Superintendent of Public Instruction and Commissioner of Public Lands who shall be chosen by the electors of the state at the time and place of voting for the members of legislative assembly.

Section 2. The Governor, Secretary of State, Treasurer, Auditor and Attorney General shall hold their office for four years; their terms of office shall, except as otherwise provided in this Constitution, commence on the third Monday of January next after their election and continue until their successors are elected and qualified. The Lieutenant Governor, Superintendent of Public Instruction and Commissioner of Public Lands shall hold their office for two years respectively or until their successors are elected and qualified.

Section 3. The returns of every election for the officers named in the foregoing section shall be sealed up and transmitted to the seat of government by the retiring officers, directed to the Secretary of State, who shall deliver the same to the Speaker of the House of Representatives at the first meeting of the House thereafter, when he shall open, publish and declare the result there-
of in the presence of a majority of the members of both houses. The person having the highest number of votes shall be declared duly elected, and a certificate thereof shall be given to such person, signed by the presiding officers of both houses, but if any two or more shall be highest and equal in votes for the same office, one of them shall be chosen by the joint vote of both houses.

Contested elections for Governor shall be determined by the legislative assembly in such manner as shall be determined by law.

In case time of the regular meeting of the legislature shall be changed by law, the terms of office of the Governor, Secretary of State, Treasurer, Auditor, and Attorney General shall thereafter commence on the first Monday after the day fixed for such regular meeting.

Section 4. The supreme executive authority shall be vested in the Governor. He may require information in writing from the officers in the executive department upon any subject relating to the duties of their respective offices and shall see that the laws are faithfully executed.

Section 5. He shall communicate at every session by message to the general assembly the condition of the affairs of the state, and recommend such measures as he shall deem expedient for their action.

Section 6. He may on extraordinary occasions convene the legislature by proclamation, and shall state to both Houses, when assembled, the purposes for which they are convened.

Section 7. In case of disagreement between the two houses in respect to the time of adjournment, he shall have power to adjourn the Legislature to such time as he may think proper, but not the regular meetings thereof.

Section 8. He shall be commander-in-chief of the military in the state, except when they shall be called into the service of the United States.

Section 9. The pardoning power shall be vested in the Governor under such regulations and restrictions as may be prescribed by law.

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

Section 11. The Governor shall transact all necessary business with the officers of government and may require information in writing from the administrative and military officers upon any subject relating to the duties of their respective offices.

Section 12. He shall have power to remit fines and forfeitures, under such regulations as may be prescribed by law; and he shall report to the Legislature at its next meeting each case of reprieve, commutation or pardon granted, and the reasons for granting the same; and also the names of all persons in whose favor remission of fines and forfeitures shall have been made, and the several amounts remitted, and the reasons of the remission.

Section 13. Every act which shall have passed the legislative assembly shall be before it becomes a law presented to the Governor. If he approves he shall sign it, but if not he shall return it with his objections to that house in which it shall have originated, which house shall enter the objections at large upon the journal and proceed to reconsider. If after such reconsideration two-thirds of the members present shall agree to pass the bill, it shall be sent together with the objections to the other house by which it shall likewise be reconsidered and if approved by two-thirds of the members present it shall become a law; but in all cases the vote of both houses shall be determined by the yeas and nays and the names of the members voting for or against, the bill shall be entered upon the journal of each house respectively. If any bill shall not be returned by the Governor within five days, Sundays excepted, after it shall be presented to him, it shall be a law without his signature unless the general adjournment shall prevent its return, in which case it shall be a law unless the Governor within ten days next after the adjournment, Sundays excepted, shall file such bill with his objections thereto in the office of the Secretary of State who shall lay the same before the legislative assembly at its next session in like manner as if it had been returned by the Governor.

If any bill presented to the Governor contains several items of appropriation of money he may object to one or more items
while approving other portions of the bill; in such case he shall append to the bill at the time of signing it a statement of the items to which he objects and the reasons therefor and the appropriation so objected to shall not take effect unless passed over the Governor's objection as hereinbefore provided.

Section 14. When, during a recess of the legislative assembly, a vacancy shall happen in any office, the appointment to which is vested in the legislative assembly or when at any time a vacancy shall have occurred in any other state office, for the filling of which vacancy no provision is made elsewhere in this Constitution, the Governor shall fill such vacancy by appointment, which shall expire when a successor shall have been elected and qualified.

Section 15. He shall issue writs of election to fill such vacancies as may have occurred in the legislative assembly.

Section 16. All commissions shall issue in the name of the state, shall be signed by the Governor, sealed with the seal of the state, and attested by the Secretary of the State.

Section 17. The Lieutenant Governor shall be presiding officer of the State Senate and shall discharge such other duties as may be prescribed by law. He shall receive no salary except a per diem while engaged in official duty.

Section 18. The Secretary of State shall keep a fair record of the official acts of the legislative assembly and executive department of the state, and shall, when required, lay the same and all matters relative thereto before either branch of the legislative assembly, and shall perform other duties as shall be assigned him by law.

Section 19. There shall be a seal of state kept by the Secretary of State for official purposes, which shall be called "The seal of the State of Washington."

Section 20. The Treasurer shall perform such duties as shall be prescribed by law.

Section 21. The Auditor shall be auditor of public accounts, and shall have such power and perform such duties in connection therewith as may be prescribed by law.

Section 22. The Attorney General shall be the legal adviser
of the Governor, Secretary, Treasurer and Auditor and shall perform such other duties as may be prescribed by law.

Section 23. The Superintendent of Public Instruction shall have supervision over all matters pertaining to public schools and shall perform such specific duties as may be provided by law.

Section 24. The Commissioner of Public Lands shall be the executive head of the Board of Land Commissioners of which the Governor and Secretary of State shall be ex officio members. Said Board of Land Commissioners shall have the control and management of all public lands belonging to the state subject to the provisions of this Constitution and such laws as may be hereafter enacted by the Legislature. The Commissioners of Public Lands shall perform such specific duty as may be required by law.

Section 25. The Governor, Secretary of State, Treasurer, Auditor and Attorney General shall severally keep the public records, books and papers in any manner relating to their respective offices at the seat of government, at which place also the Secretary of State and Auditor shall reside.

Section 26. There shall be elected in each county by the qualified electors thereof at the time of holding general elections a County Clerk, Treasurer, Sheriff, Coroner and Surveyor who shall severally hold office for the term of two years.

Section 27. Such other county, township, precinct and city officers as may be necessary shall be elected or appointed in such manner and for such terms as may be prescribed by law.

Section 28. No person shall be elected or appointed to a county office who shall not be an elector of the county, and all county, township, precinct and city officers shall keep their respective offices at such places therein, and perform such duties as may be prescribed by law.

Section 29. Vacancies in county, township, precinct and city offices shall be filled in such manner as may be prescribed by law.

Read a second time and referred to the Committee on Executive Department and Pardoning Power.

Legislative Department

Section. Any person who shall give, demand, offer directly or indirectly any money, testimonial, privilege or personal advan-
tage or anything of value to any executive or judicial officer or member of the Legislature to influence him in the performance of any of his official or public duties shall be guilty of bribery and shall be punished in such manner as shall be provided by law.

The offense of corrupt solicitation of members of the Legislature or of public officers of the state for any municipal division thereof, and any effort towards solicitation of said members of the Legislature or officers to influence their official action shall be defined by law and shall be punished by fine and imprisonment. Any person may be compelled to testify in investigation or judicial proceedings against any person charged with having committed any offense of bribery or corrupt solicitation and shall not be permitted to withhold his testimony upon the ground that it may criminate himself, but said testimony shall not afterwards be used against him in any judicial proceeding except for bribery in giving such testimony, and any person convicted of either of the offenses aforesaid shall be disqualified from holding any office or position or office of trust or profit in this state.

Read a second time and referred to Committee on Legislative Department.

Proposition by Mr. Berry

State Senators shall be chosen for a term of six years, one-third of said body being elected every two years, except at the general election in October, 1889, when one-third of said Senators will be elected for a term of two years, one-third for a term of four years and one-third for a term of six years.

Referred to the Committee on Legislative Department.

Proposition by Mr. Berry

Section. No person convicted of the embezzlement or defalcation of public funds of the United States or of any state, or of any county or municipality therein shall ever be eligible to any office of honor, trust or profit under this state and the Legislature shall provide by law for the punishment of embezzlement or defalcation as a felony.

Referred to Committee on Legislative Department.

Proposition by T. M. Reed

Article

Section. The Governor shall receive an annual salary of five thousand dollars, the Secretary of State, Auditor, and Treasurer
and Attorney General shall each receive an annual salary of thirty-six hundred dollars. The Chief Justice of the Supreme Court shall receive an annual salary of five thousand dollars and each of the other Justices of the Supreme Court shall receive an annual salary of four thousand dollars. The Judges of the Superior Court shall each receive an annual salary to be fixed by the Legislature according to the services to be performed by each respectively and not in any case to exceed four thousand dollars. The compensation of other officers not otherwise fixed by this Constitution shall be regulated and established by law. All salaries shall be paid quarterly unless otherwise specially regulated by law.

Referred to the Committee on Legislative Department.

Minority Representation
By Mr. Hicks

Section 1. The House of Representatives shall consist of three times the number of the members of the Senate and the term of office shall be two years. Three Representatives shall be elected in each Senatorial district at the first general election held under this Constitution and every two years thereafter.

Section 2. In all elections of Representatives aforesaid each qualified voter may cast as many votes for one candidate as there are Representatives to be elected or may distribute the same or equal parts thereof among the candidates as he shall see fit, and the candidates highest in votes shall be declared elected.

Referred to the Committee on Legislative Department.

By Mr. Hicks

The fee in all tide and overflow lands by the state exists in the state by right of sovereignty and the Legislature is expressly prohibited from ever selling or disposing of the same to individuals or corporations other than municipal, but may lease them for a period not to exceed fifty years and in a quantity not to exceed one hundred forty acres, to one and the same individual or corporation other than municipal.

Referred to Committee on State, School and Granted Lands.

By Mr. Hicks

The military arm of the state shall be employed only in the presence of actual invasion or rebellion and at no time shall it be employed to do police duty.
The military shall at all times be subordinate to the civil powers and the writ of habeas corpus shall not be suspended except in cases of actual rebellion or invasion when the public safety requires it.

Referred to Committee on Military Affairs.

Proposition Relative to the School Fund

By Mr. Turner

Section 1. The fund for the support of public schools derived from the sale of school lands and from other sources shall be invested under rules to be prescribed by law, and the interest only shall be used in paying the cost of maintaining the public schools. Any deficit shall be supplied by taxation.

Section 2. The fund derived from the sale of school lands shall be augmented by all fines, forfeitures and by all unclaimed witness and jury fees and by all gifts and grants of property to the state, the use of which is not otherwise directed by the donor.

Read a second time and referred to the Committee on Educational Institutions.

Proposition

By Mr. Dyer (by request)

Section. There shall be chosen by the qualified electors of the state, at the times and places of choosing members of the Legislature, a Commissioner of Public Printing who shall hold his office for the term of two years.

Section. The powers and duties of the Public Printer shall be prescribed by law.

Read a second time and referred to the Committee on Printing, Mileage and Contingent Expenses.

Proposition

By Louis Sohns

Resolved, that the proceeds arising from the sale of school lands shall be loaned to the State of Washington and all municipal corporations created by the state, if so desired, for the purpose of funding the indebtedness of the same and for the erection of buildings and for such other improvements and purposes authorized by law on bonds running not less than fifteen nor more than twenty-eight.
five years bearing interest not less than four per cent, the interest to be paid annually.

Read a second time and referred to the Committee on State, School and Granted Lands.

Mr. J. Z. Moore offered the following resolution and moved its adoption.

School Lands

Resolved that the Committee on State, School and Granted Lands shall, for the information of this Convention, inquire and report not later than the filing of their final report, the history of school lands and how they have been disposed of in other states.

Mr. Dunbar moved its indefinite postponement. Carried.

Mr. T. M. Reed offered the following resolution and moved its adoption.

Resolved that the Sergeant-at-Arms be instructed to have printed five hundred copies of blank notices of the times and places of the meetings of standing committees and placed in the hands of the respective chairmen of said committees in relative proportion; and also that he provide a bulletin board to be placed in the lobby or entrance hall on which said notices may be posted. Carried.

Mr. J. Z. Moore offered the following resolution and moved its adoption.

Tidelands

Resolved that the committee having this subject in charge shall inquire and report for the information of the Convention what are "tidelands," what "mud flats" and what "marsh lands," and under what grants from the United States or other claim or claims they are held by individuals or corporations, the extent to which they are held or claimed and by whom, giving names and areas as far as possible; the character of the claims under which they are held and where any of said lands are claimed by occupancy merely, state the length of time of such occupancy, and all other information they may have or acquire on the subject. And for this purpose the said committee shall have power to send for persons and papers.

2. The said committee shall also ascertain and report how
such lands have been held and disposed of by other states, and if
the State of Washington shall hold these lands by a tenure differ­
et from that under which other states hold or have held such
lands, that shall report how and in what respects.

3. The object of this resolution is to obtain for the infor­
mation of the Convention as full and accurate information upon
all phases of this subject as the nature of it admits.

4. The committee shall report under this resolution at as
early a day as possible, not later than the making of its final
report.

Mr. Cosgrove moved to refer it to a special committee to
consist of Mr. Moore—Ruled out of order.

Mr. Godman moved to refer the same to the Committee on
Judicial Department.

Mr. Griffitts moved to amend by striking out “State, School
and Granted Lands” and insert “Judicial Department.” Ruled out
of order.

Mr. Godman withdrew his motion. Mr. Griffitts renewed his
motion. Mr. Reed moved amendment to refer to a special commit­
tee to report next Monday. The President ruled that the house
was to refer, and could not be entertained as an amendment, and
pending the motion to refer it was moved by Mr. E. H. Sullivan
that the resolution lie on the table. Carried.

Mr. Dyer offered the following resolution and moved its adop­
tion. Resolved, that when the Convention adjourns, it be until Mon­
day, July 15th at 1:30 p.m. Lost.

Mr. Moore gave notice that he wished to discuss the matter
and have it lie over under the rules. Ruled out of order.

Mr. Buchanan offered the following resolution and moved its
adoption and that one hundred copies be printed. Resolved that
the report of the Committee on Rules be printed and laid on the
tables of members at our next session. Mr. Reed moved to amend
by making it three hundred and the resolution as amended carried.

Mr. Power from the Committee on Mileage, etc., made a re­
port on the mileage of members which, after discussion, was re­
ferred back to the Committee to be reported on Monday.
Mr. Turner moved that when this Convention adjourn, it adjourn to Monday at 1 p.m. Carried. On motion of Mr. Henry the Convention adjourned at 10:55 a.m. to July 15th at 1 p.m.

July 15th, 1889

The Convention was called to order by the President at 1 p.m. Prayer by the Rev. J. R. Chaplain [sic]. On roll call all the members of the Convention were present except Mr. McReavey, Mr. Jamieson, Mr. Dyer, Mr. Willison and Messrs. Fay and Stevenson on leave.

Mr. E. H. Sullivan asked indefinite leave for Mr. Jamieson. Granted. Mr. Jones asked that Mr. Willison be excused indefinitely. Granted. The President read a telegram from Mr. Dyer asking to be excused for the day. Granted.

The minutes were then read and approved.

A letter was then read from Francis Miner, of St. Louis, Mo., stating that he had mailed a pamphlet relating to the question of women's suffrage. The letter (and the pamphlet, when received) referred to the Committee on Elections and Elective Rights.

Mr. Turner, from the Committee on Judicial Department presented the following report: To the Honorable President and members of the Constitutional Convention. Your Committee on Judicial Department, to whom were referred the reports of the majority and minority of the Committee on Printing, etc., relative to the proposition of Mr. W. D. Knight to do the printing of the Convention, respectfully report that, in the opinion of the members of the committee, this Convention is without power to accept the proposition of Mr. Knight. It is provided by Section 20 of the Enabling Act, that the money appropriated by Congress for defraying the expenses of the Convention, which includes the expense of printing, shall be expended under the same rules and regulations as are now provided by law for the payment of the territorial Legislature. It is provided by Section 1940 of the Revised Statutes of the United States that the Governors and Secretaries of the several territories shall, in the disbursement of all moneys entrusted to them for defraying the expenses of the legislative assemblies, be governed solely by the instructions of the Secretary of the Treasury.

Acting under these laws and the directions laid down for his government by the Treasury Department, the Territorial Secre-
tary has already made provision to have the printing done. We need not speculate concerning the power of the Convention to have done printing in excess of that provided for it in the Enabling Act and the laws of Congress concerning the territories to which that act refers. There is no probability that the cost of the printing which the Convention will require will exceed the amount appropriated by Congress, and which as we have seen is to be expected by the Secretary of the Treasury. We respectfully recommend the adoption of the following resolution. Resolved, That this Convention has no power to contract for printing, the payment of which is provided for in the Act of Congress under which this Convention was organized.

All of which is respectfully submitted.

Olympia, W. T., July 15, 1889.

GEORGE TURNER, Chairman
J. R. KINNEAR
D. J. CROWLEY
R. F. STURDEVANT
A. MIRES
JOHN F. GOWEY
T. L. STILES
J. J. WEISENBURGER
GEORGE H. JONES
B. L. SHARPSTEIN

Mr. Bowen moved that it be received. Adopted.

Mr. T. M. Reed moved that it be adopted. It was so adopted.

Mr. Power from the Committee on Printing, Mileage and Contingent Expenses presented the following report (unanimous consent having been given) to the Constitutional Convention. Your Committee on Printing, Mileage and Contingent Expenses, to whom was re-committed the report of mileage, has had the same under consideration and herewith resubmits the mileage statement as agreed to.

Signed by J. Power, Chairman, Suksdorf, Secretary, Clothier, Dallam, Van Name, Lillis. Following is their statement of mileage.
MILEAGE — CONSTITUTIONAL CONVENTION

"According to the nearest usually-travelled route."

<table>
<thead>
<tr>
<th>Name</th>
<th>1. Location</th>
<th>Distance</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allen</td>
<td>Spokane Falls. NPRR to Tacoma.</td>
<td>132.30</td>
<td>882</td>
</tr>
<tr>
<td>Browne</td>
<td>Do. Do. Do.</td>
<td>132.30</td>
<td>882</td>
</tr>
<tr>
<td>Buchanan</td>
<td>5 ms from Ritzville. NPRR to Tacoma.</td>
<td>114.30</td>
<td>762</td>
</tr>
<tr>
<td>Blalock</td>
<td>Walla Walla. OR&amp;N Co. to Wallula.</td>
<td>101.10</td>
<td>674</td>
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<tr>
<td>Burk</td>
<td>Kalama. NPRR to Tenino.</td>
<td>24.60</td>
<td>164</td>
</tr>
<tr>
<td>Bowen</td>
<td>Skamokawa. Stmr to Kalama.</td>
<td>36.30</td>
<td>242</td>
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<tr>
<td>Berry</td>
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<td>62</td>
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<tr>
<td>Coey</td>
<td>Rockford Stage to Spokane Falls.</td>
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<tr>
<td>Comegys</td>
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<td>Davenport Cntl Wash. RR to Cheney.</td>
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<tr>
<td>Dyer</td>
<td>16. Seattle. Stmr to Olympia = 60</td>
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<td>Durie</td>
<td>17. Seattle. Stmr to Olympia = 60</td>
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<td>Eshelman</td>
<td>18. North Yakima. NPRR to Tacoma\textsuperscript{163} Stmr to Olympia\textsuperscript{36} = 199</td>
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<td>59.70</td>
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<td>Eldridge</td>
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<td>Fairweather</td>
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<td>Fay</td>
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<td>Griffiths</td>
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<td>Glascock</td>
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<td>Hungate</td>
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<tr>
<td>Location</td>
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<td>Distance to Olympia</td>
<td>Time</td>
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<td>Tenino</td>
<td>O&amp;CVRR to Olympia</td>
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<td>36</td>
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<td>48. Black Diamond. NPRR to Tacoma</td>
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<td>51. Olney. SL&amp;ERR to Seattle</td>
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<td>160</td>
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<td>NPRR to Tacoma</td>
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<tr>
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<td>Route Description</td>
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<td>Tacoma(^{270}) Stmr to Olympia(^{16}) = 375</td>
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<td>112.50</td>
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<td>Sohns</td>
<td>Vancouver. P&amp;VRR to Portland</td>
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<td>Tenino(^{106}) O&amp;CVRR to Olympia(^{16}) = 134</td>
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**TOTALS = $4,778.10**

31,854

Mr. Minor moved that it be received and adopted. Carried.
The following propositions were then received in the order following.

Proposition on School Lands

By Albert Schooley, Snohomish

Section. The school lands of the state shall be divided into two classes. The first class shall consist of lands chiefly valuable for the timber thereon or the merchantable stone therein or because of their nearness to some city or town that is principally valuable for residences, for manufacturing or commerce or for city or town uses and purposes. The second class shall consist of all the school lands fit for agricultural purposes.

Section. The Legislature shall make such rules and regulations and pass such laws for the disposition of the lands belonging to the first class as it may deem expedient, either at public sale after valuation by a Board of Appraisers, or on time, or the Legislature may provide for leasing the same for a term of years, not to exceed five, for such rental, stumpage or royalty as may be deemed most expedient. The lands of the second class shall be sold at a value to be fixed by appraisers, which value in no case shall be less than ten dollars per acre, and in such quantity to any one person as may be fixed by law. The sale shall be on credit with such part payment of the purchase price with such rate of interest for the remainder and such mortgage security and such restrictions in the deeds of conveyance as the Legislature may prescribe.

Section. The Legislature shall at its first session provide by law for the appointment in each county of a Board of Appraisers, to consist of not less than three suitable persons, to appraise the value of the school lands in such county and to return the same to the Superintendent of Common Schools. Said appraisers shall, in ascertaining the value of any tract or parcel of land, disregard any permanent improvement thereon. Said improvements shall be appraised separately. Said appraisers shall report to the Legislature a list of the lands which would sell for ten dollars or more per acre, and what lands it would be advisable to sell immediately. Until a sale is ordered the lease now subsisting shall continue.

Read a second time and referred to the Committee on State, School and Granted Lands.
Proposition Relating to Submitting Special and Local Laws to Voters for Approval or Rejection
By Mr. Joy, Lewis County

Article

Section. The Legislature shall provide by law for the submission of any special or local law to the qualified electors of any city or county affected thereby for their ratification or rejection.

Read a second time and referred to the Committee on Legislative Department.

Proposition
By Mr. Kinnear, King County

Section. The office of Public Printer shall be an elective office.

Read a second time and referred to the Committee on Printing, Mileage and Contingent Expenses.

Proposition Relating to Armed Detectives
By Mr. Kinnear, King County

Section. It shall be unlawful for any person or persons or incorporated company to import armed bodies of detectives into this state to be used therein for any purpose.

Read a second time and referred to the Committee on Legislative Department.

Mr. Prosser moved that the report of the Committee on Rules and Order of Business, which was laid over from Saturday, be now taken up. Mr. Buchanan moved to postpone the matter until tomorrow. It was so ordered.

Mr. Comegys offered the following resolution and moved its adoption. “Resolved, that the Committee on Federal Relations, Boundaries and Immigration be, and is hereby authorized to telegraph the Secretary of the Interior for information as to the definite boundaries of the territory of Washington,” and on a division of the house it was carried.

Mr. Griffitts asked information as to the resolution introduced by Mr. J. Z. Moore on yesterday. The President stated that it having been laid on the table by vote it would require a motion to take it from the table. Mr. Griffitts then moved that the reso-
olution be taken from the table. A division of the house was called for and it was carried.

At the request of Mr. T. M. Reed, the President stated that the pending question was “upon the motion of Mr. Reed to refer to a special committee of five members to be appointed by the chair.” Mr. J. Z. Moore demanded the ayes and noes. They were so ordered. Pending debate Mr. Griffitts stated that Mr. Reed had withdrawn the motion. The President stated that the motion could not be withdrawn except by consent of the Convention. Objection being called for and none appearing, the President stated that the motion was withdrawn and that the question before the house was on the amendment to strike out the words, “State, School and Granted Lands” and insert “Judicial Department.” Mr. Mires moved the previous question. It was carried and on a vote as to “shall the main question be now put,” it was adopted. Mr. J. Z. Moore demanded the ayes and noes. They were so ordered and the following thirty-seven members voted aye: Browne, Buchanan, Clothier, Coey, Comegys, Cosgrove, Dallam, Dunbar, Eshelman, Eldridge, Fairweather, Glascock, Godman, Gray, Griffitts, Hayton, Hicks, Hungate, Jeffs, Joy, Kellogg, Lindsley, Manly, McCroskey, McDonald, Mires, R. S. More, J. Z. Moore, Morgans, Neace, J. M. Reed, T. M. Reed, Schooley, Sturdevant, Tibbetts, Travis, and Warner.

And the following thirty-two members voted no: Allen, Berry, Blalock, Bowen, Burk, Crowley, Dickey, Durie, Gowey, Henry, Jones, Kinnear, Lillis, McElroy, Minor, Newton, Power, Prosser, Sharpstein, Shoudy, Sohns, Stiles, Suksdorf, E. H. Sullivan, P. C. Sullivan, Turner, Van Name, Weir, Weisenburger, West, Winsor, Mr. President and the motion was carried.

A vote then being ordered on the adoption of the resolution as amended, the ayes and noes were demanded and ordered and the following thirty-one members voted aye: Browne, Buchanan, Clothier, Coey, Comegys, Dallam, Eldridge, Fairweather, Glascock, Godman, Gray, Griffitts, Hicks, Hungate, Jeffs, Lindsley, Manly, McCroskey, McDonald, Mires, J. Z. Moore, Morgans, Neace, J. M. Reed, Schooley, Shoudy, Suksdorf, Travis, Turner, Warner and Weisenburger.

The following thirty-seven members voted no: Allen, Blalock, Bowen, Burk, Cosgrove, Crowley, Dickey, Dunbar, Durie, Eshelman, Gowey, Hayton, Henry, Jones, Joy, Kellogg, Kinnear, Lillis,
McElroy, Minor, R. S. More, Newton, Power, Prosser, T. M. Reed, Sharpstein, Sohns, Sturdevant, Stiles, E. H. Sullivan, P. C. Sullivan, Tibbetts, Van Name, Weir, West, Winsor and Mr. President and the motion was lost.

Mr. T. M. Reed moved to adjourn but gave way to Mr. Turner from the Committee on Judicial Department who asked unanimous consent to make the following report. The same was granted.

To the Honorable the President and members of the Constitutional Convention: Your Committee on the Judicial Department, to whom was referred the resolution introduced by Mr. Eshelman, of which the following is a copy: "Resolved, that it is competent for this Convention, in addition to submitting for ratification or rejection the Constitution it may draft, to submit separate propositions to be inserted therein, provided a majority of the electors of this territory so decide by their votes at the election to be held for the ratification of the Constitution," respectfully report that in the opinion of the members of the committee the said resolution correctly states the law concerning the power of the Convention in the matter of separate articles.

Your committee has no recommendation to make concerning the passage of the resolution, which resolution is herewith returned to the Convention.

Respectfully submitted,

GEORGE TURNER, Chairman
J. R. KINNEAR
R. O. DUNBAR
M. M. GODMAN
B. L. SHARPSTEIN
THOMAS C. GRIFFITTS
A. MIRES
D. J. CROWLEY
T. L. STILES
GEO. H. JONES
R. F. STURDEVANT
JOHN F. GOWEY
J. J. WEISENBURGER

Mr. Shoudy moved the report be received and adopted. It was so ordered. Mr. T. M. Reed moved (at 2:45 p.m.) to adjourn to 9 a.m. Adopted.
Olympia, July 16th, 1889

The Convention was called to order by the President at 9 a.m. Prayer by the Chaplain. On roll call all members were present except Messrs. Fay, Jamieson, Stevenson, Willison (on leave). Mr. J. Z. Moore rose to a question of privilege and asked to have read an article in a newspaper, which was done. Mr. Moore then made a personal statement to the Convention.

Mr. Durie presented the memorial from the Common Council of the City of Seattle relative to bonding the City of Seattle for water, sewerage and other purposes. Referred to Committee on State, County and Municipal Indebtedness. Mr. Cosgrove, by request, presented a memorial on agricultural education. Referred to Committee on Education and Educational Institutions.

Mr. Turner from Committee on Judicial Department submitted the following report, embracing an article prepared by said committee on judiciary.

To the Honorable the President and members of the Constitutional Convention.

Your Committee on Judicial Department respectfully reports the article hereto attached, designated Judicial Department, consisting of twenty-eight sections, as establishing the judicial system which it deems most suitable for the needs of the people of the State of Washington, and respectfully recommends the adoption by this Convention of each of the sections contained in said article and the incorporation of the same in the Constitution to be submitted to the people to be voted for as the Constitution of the State of Washington.

Article

Judicial Department

Section 1. The judicial power of the state shall be vested in a Supreme Court, Superior Courts, Justices of the Peace and such inferior courts as the Legislature may provide.

Section 2. The Supreme Court shall consist of three judges, a majority of whom shall be necessary to form a quorum and pronounce a decision. The said Court shall always be open for the transaction of business, except on non-judicial days. In determination of causes all decisions of the court shall be given in writing
and the grounds of the decision shall be stated. The Legislature may increase the number of judges of the Supreme Court from time to time.

Section 3. The judges of the Supreme Court shall be elected by the qualified electors of the state at large at the general state election at the time and places at which state officers are elected. The judges elected at the first election under the Constitution shall be classified by lot, so that one shall hold his office for the term of three years, one for the term of five years, and one for the term of seven years. The lot shall be drawn by the judges, who shall for that purpose assemble at the seat of government, and they shall cause the result thereof to be certified to the Secretary of the State and filed in his office. The judge having the shortest term to serve, not holding his office by appointment or election to fill vacancy, shall be the Chief Justice and shall preside at all sessions of the Supreme Court, and in case of his absence the judge having in like manner the next shortest term to serve shall preside in his stead. After the first election the term of each judge elected shall be six years from and after the first Monday in January, next succeeding his election. If a vacancy occur in the office of judge of the Supreme Court, the Governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall take place at the next succeeding general election, and the judge so elected shall hold the office for the remainder of the unexpired term. The first election of judges of the Supreme Court shall be at the first general election which shall be held under this Constitution.

Section 4. The Supreme Court shall have original jurisdiction in habeas corpus and quo warranto and mandamus as to all state officers, and appellate jurisdiction in all other cases except its appellate jurisdiction, shall not extend to civil actions at law for the recovery of money or personal property when the original amount in controversy or the value of the property does not exceed the sum of two hundred dollars, unless the action involves the legality of a tax, impost, assessment, toll, municipal fine or the validity of a statute. The Supreme Court shall also have power to issue writs of mandamus, review, prohibition, habeas corpus, certiorari and all other writs necessary and proper to the complete exercise of its appellate and revisory jurisdiction. Each of the judges shall have power to issue writs of habeas corpus to any
part of the state upon petition by or on behalf of any person held
in actual custody, and may make such writs returnable before
himself or before the Supreme Court or before any Superior Court
of the state or any judge thereof.

Section 5. There shall be in each of the organized counties
of this state a Superior Court for which at least one judge shall
be elected by the qualified electors of the county at the general
state election. Provided, that until otherwise provided by the Legis-
lature, one judge only shall be elected for the counties of Spokane
and Stevens; one judge for the county of Whitman; one judge
for the counties of Lincoln, Okanogan, Douglas and Adams; one
judge for the counties of Walla Walla and Franklin; one judge
for the counties of Columbia, Garfield and Asotin; one judge for
the counties of Kittitas, Yakima and Kittitas; one judge for the
counties of Clark, Skamania, Pacific, Cowlitz and Wahkiakum;
one judge for the counties of Thurston, Chehalis, Mason and Lewis;
one judge for the county of Pierce; one judge for the county of
King; one judge for the counties of Jefferson, Clallam, Island
and San Juan; one judge for the counties of Whatcom, Skagit,
Kitsap and Snohomish. In any county where there shall be more
than one superior judge, there may be as many sessions of the
Superior Court at the same time as there are judges thereof; and
whenever the Governor shall direct a superior judge to hold court
in any county other than that for which he has been elected there
may be as many sessions of the Superior Court in said county at
the same time as there are judges either elected therein or assigned
to duty therein by the Governor, and the business of the court
shall be so distributed and assigned by law, or, in the absence of
legislation therefor, by such rules and order of court as shall
best promote and secure the convenient and expeditious transaction
thereof. The judgments, decrees, orders and proceeding of any
session of the Superior Court held by any one or more of the
judges of such court shall be equally effectual as if all the judges
of said court presided at such session. The first superior judges
elected under this Constitution shall hold their offices for the pe-
riod of three years, and until their successors shall be elected and
qualified, and thereafter the term of office of all superior judges
in this state shall be six years from the first Monday in January
next succeeding their election and until their successors are elected
and qualified. The first election of judges of the Superior Court
shall be at the first general election held under this Constitution.
If a vacancy occurs in the office of judge of the Superior Court, the Governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall be at the next succeeding general election, and the judges so elected shall hold office for the remainder of the unexpired term.

Section 6. The Superior Court shall have original jurisdiction in all cases in equity, and in all cases at law which involve the title or possession of real property, or the legality of any tax, impost, assessment, toll or municipal fine, and all other cases in which the demand, exclusive of interest, or the value of the property in controversy, amounts to one hundred dollars, and in all original cases amounting to felony, and in all cases of misdemeanor not otherwise provided for; of actions of forcible entry and detainer; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate; of divorce and for annulment of marriage; and of such special cases and proceedings as are not otherwise provided for. The Superior Court shall also have original jurisdiction in all cases and of all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court; and said Court shall have the power of naturalization, and to issue papers therefor. They shall have such appellate jurisdiction in cases arising in justice and other inferior courts in their respective counties as may be prescribed by law. They shall be always open except on nonjudicial days, and their process shall extend to all parts of the state. Said courts and their judges shall have power to issue writs of mandamus, quo warranto, review, certiorari, prohibition, and writs of habeas corpus on petition by or on behalf of any person in actual custody in their respective counties. Injunctions and writs of prohibition and of habeas corpus may be issued and served on legal holidays and nonjudicial days.

Section 7. The judge of any Superior Court may hold a Superior Court in any county at the request of the judge of the Superior Court thereof, and upon the request of the Governor it shall be his duty to do so. A case in the Superior Court may be tried by a judge pro tempore, who must be a member of the bar, agreed upon in writing by the parties litigant, or their attorneys of record, approved by the court and sworn to try the case.

Section 8. Any judicial officer who shall absent himself from the state for more than sixty consecutive days shall be deemed
to have forfeited his office, provided that in cases of extreme necessity the Governor may extend the leave of absence such time as the necessity thereof shall exist.

Section 9. Any judge of the Supreme Court, or judge of the Superior Court or prosecuting attorney may be removed from office by a joint resolution of the Legislature in which three-fourths of the members elected to each house shall concur, for incompetency, corruption, malfeasance or delinquency in office or other sufficient causes stated in such resolution. Such resolution shall be entered at length on the journal of both houses, and on the question of removal of ayes and noes shall also be entered on the journal.

Section 10. The Legislature shall determine the number of justices of the peace to be elected in incorporated cities or towns and in precincts, and shall prescribe by law the powers, duties and jurisdiction of justices of the peace; provided, that such jurisdiction granted by the Legislature shall not trench upon the jurisdiction of Superior, or other courts of record. In incorporated cities or towns having more than five thousand inhabitants, the justices of the peace shall receive such salary as may be provided by law, and shall receive no fees for their own use.

Section 11. The Supreme Court and the Superior Courts shall be courts of record and the Legislature shall have power to provide that any of the courts of this state, excepting justices of the peace, shall be courts of record.

Section 12. The Legislature shall prescribe by law the jurisdiction and powers of any of the inferior courts which may be established in pursuance of this Constitution.

Section 13. No judicial officer, except court commissioners and unsalaried justices of the peace, shall receive to his own use any fees or perquisites of office. The judges of the Supreme Court and judges of the Superior Courts shall severally, at stated times during their continuance in office, receive for their services the salaries prescribed by law therefor, which shall not be increased after their election, nor during the term for which they shall have been elected. The salaries of the judges of the Supreme Court shall be paid by the state. One-half the salary of each of the Superior Court judges shall be paid by the state, the other one-half by the county or counties for which he is elected. In cases where a judge is provided for more than one county, that
portion of his salary which is to be paid by the counties shall be apportioned between or among them according to the assessed value of their taxable property, to be determined by the assessment next preceding the time for which such salary is to be paid.

Section 14. Each of the judges of the Supreme Court shall receive an annual salary of five thousand dollars; each of the Superior Court judges shall receive an annual salary of three thousand six hundred dollars, which said salaries shall be payable quarterly. The Legislature may increase the salaries of the judges herein provided.

Section 15. The judges of the Supreme Court and the judges of the Superior Court shall be ineligible to any other office or public employment than a judicial office or employment during the term for which they shall have been elected.

Section 16. Judges shall not charge juries with respect to matters of fact, nor comment thereon, but shall declare the law.

Section 17. No person shall be eligible to the office of judge of the Supreme Court or judge of a Superior Court, unless he shall have been admitted to practice in the courts of record of this state or of the territory of Washington.

Section 18. The judges of the Supreme Court shall appoint a reporter for the decisions of that court, who shall be removable at their pleasure. He shall receive such annual salary as shall be prescribed by law.

Section 19. No judge of a court of record shall practice law in any court of this state during his continuance in office.

Section 20. Every cause submitted to a judge of a Superior Court for his decision shall be decided by him within ninety days from the submission thereof, Provided that if, within said period of ninety days, a rehearing shall have been ordered, then the period within which he is to decide shall commence at the time the cause is submitted upon such a hearing.

Section 21. The Legislature shall provide for the speedy publication of opinions of the Supreme Court, and all opinions shall be free for publication by any person.

Section 22. The judges of the Supreme Court shall appoint
a clerk of that court who shall be removable at their pleasure, but the Legislature may provide for the election of the clerk of the Supreme Court and prescribe the term of his office. The clerk of the Supreme Court shall receive such compensation as shall be provided by law.

Section 23. In any case in the Supreme Court in which a judge is disqualified, the remaining judges shall choose some disinterested member of the Supreme Court bar to participate with them in the hearing and decision of the case, who shall be sworn to try and decide the case according to law, and the decision rendered by the court thus constituted shall stand as other decisions in said court.

Section 24. There may be appointed in each county by the judge of the Superior Court having jurisdiction therein, one or more court commissioners, not exceeding three in number, who shall have authority to perform like duties as a judge of the Superior Court at chambers subject to revision by such judge, to take depositions and to perform such other business connected with the administration of justice as may be prescribed by law.

Section 25. The judges of the Superior Courts shall, from time to time, establish uniform rules for the government of the Superior Courts.

Section 26. The County Clerk, shall be, by virtue of his office, clerk of the Superior Court.

Section 27. The style of all process shall be "the State of Washington" and all prosecutions shall be conducted in its name and by its authority.

Section 28. Every judge of the Supreme Court and every judge of a Superior Court shall, before entering upon the duties of his office, take and subscribe an oath that he will support the Constitution of the United States and the Constitution of the State of Washington, and will faithfully and impartially discharge the duties of judge to the best of his ability, which oath shall be filed in the office of the Secretary of State.

We considered the proposition introduced by Mr. Buchanan, of Adams County, providing for the Supreme Court to be appointed
by the Governor, but think it most in accord with the genius of our institutions that these offices should be made elective.

Respectfully submitted,
GEORGE TURNER, Chairman
GEORGE H. JONES
B. L. SHARPSTEIN
J. J. WEISENBURGER

Olympia, W.T., July 16, 1889.

We concur in the foregoing report of the majority of the committee on Judicial Department with following exception; that the Supreme Court provided for in Section 2 be composed of five instead of three judges and that said section be so amended.

THOMAS C. GRIFFITTS
D. J. CROWLEY
R. F. STURDEVANT
T. L. STILES
R. O. DUNBAR
JOHN F. GOWEY

Olympia, W.T., July 16, 1889.

We concur in the foregoing report of the majority of the Committee, except we recommend that Section 5 be amended so as to make the term of offices of Superior Judges four years instead of six as such section now stands.

A. MIRES
THOMAS C. GRIFFITTS
T. L. STILES
M. M. GODMAN
J. R. KINNEAR

Olympia, W.T., July 16, 1889.

Mr. Henry asked to be excused for the day. Granted.

Report of Committee on Judicial Department received and read. Ordered printed and to lie over one day. Mr. Prosser moved to print three hundred copies. Mr. Power moved to amend by printing five hundred copies. Lost. Mr. Prosser's motion was then adopted.

The following propositions were then submitted. Read, and a second time by title.

Proposed cession to U.S. of Jurisdiction over Military and
Naval Reservations. By Mr. Jones (by request). Referred to Committee on Federal Relations, Boundaries and Immigration.

Proposition Relative to Education. By Mr. Suksdorf. Referred to Committee on Education and Educational Institutions.

Proposition Relative to State Roads. By Mr. Suksdorf. Referred to Committee on Miscellaneous Subjects, etc.

Proposition Relative to Secret Ballot. By Mr. Kinnear. Referred to Committee on Elections and Elective Rights.

In Regard to Holding Office by Appointment or Otherwise. By Mr. Dyer. Referred to Committee on Miscellaneous Subjects, etc.

Proposition on Secret Ballots. By Mr. Hicks. Referred to Committee on Elections and Elective Rights.

Proposition on Right to Bear Arms. By Mr. Hicks. Referred to Committee on Military Affairs.

Voting by Australian System. By Mr. Tibbetts. Referred to Committee on Elections and Elective Rights.

Relative to Time Within Which Action May Be Begun by States Against Persons. By Mr. Allen. Referred to Committee on Judicial Department.

Proposition Relative to Compensation of Public Officers by Salary and of Fees. By Mr. Allen. Referred to Committee on Judicial Department.

Relative to Qualification of Electors. By Mr. Allen. Referred to Committee on Elections and Elective Rights.

Proposition Relative to Alien Ownership of Land. By Mr. Weisenburger. Referred to Committee on State, School, and Granted Lands.

Proposition Relative to Military Affairs. By Mr. Berry. Referred to Committee on Military Affairs.

The report on rules taken up as the pending motion. On motion of Mr. Prosser, the same was adopted.

Report of Committee on Rules and Order of Business

Mr. President: Your Committee on Rules and Order of Busi-
ness, to whom were referred certain motions and resolutions affecting Rules 7, 36 and 42 of the Convention, respectfully submit the following report, viz:

1. We recommend that the following rule be substituted for Rule 7, to wit: "Standing committees shall report on all articles or propositions submitted to the Convention by members and referred to them at or before the time of making their final report, but they may do so merely by referring to the title of the same."

2. We recommend that the following rule be substituted for Rule 36, to wit: "Any member of the Convention may submit to the Convention the draft of a proposed article or section of the Constitution which shall be read and referred to the appropriate committee without debate. The first reading of an article or section reported by a standing committee shall be for information only, and shall be an entire reading. The article or section shall then be read the second time by title, and be printed and laid upon the desks of members before further action thereon."

3. We recommend that the following rule be substituted for Rule 42, to wit:

"Journal Entries"

"No article or section proposed by a member shall be spread upon the journal of the Convention until the same shall have been reported by a standing committee for the consideration of the Convention."

And your committee further beg leave to report that in the opinion of your committee greater certainty will be secured in the interpretation of Rules 51 and 53 by the amendment of Rule 53 by adding on to the end of line 4 after the word "present," the words "except as provided in Rule 51," and your committee recommend that the said amendment be made. All of which is respectfully submitted.

William F. Prosser, 
Chairman

James Power
S. G. Cosgrove

T. L. Stiles,
Secretary pro tem.

Louis Sohns
T. M. Reed
Thomas C. Griffetts
C. H. Warner

Olympia, W.T., July 12, 1889.
Mr. Moore from Committee on Legislative Department asked to be empowered to employ Mr. Pratt to prepare a report. Granted.

Mr. Dyer offered the following resolution. "Resolved, that Hon. L. B. Andrews of King County, a member of the Constitutional Convention of 1878 that met at Walla Walla, be invited to a seat within the bar." Adopted.

Mr. Mires, at 10:10, moved to adjourn. Agreed to, and the Convention stood adjourned to 9 a.m., July 17th, 1889.

Olympia, July 17th, 1889

The Convention was called to order by the President at 9 a.m. Prayer by the Chaplain. On roll call all the members were present except Mr. Jamieson (on leave).

J. Z. Moore asked unanimous consent to introduce the following resolution which was granted. "Resolved, that the floor of the Convention and same is now extended to the Hon. John B. Allen, our delegate-elect to Congress." It was amended so as to include Hon. E. P. Ferry, Hon. B. F. Dennison, Hon. Orange Jacobs and Hon. Eugene Semple, and they were invited to take seats within the bar. Adopted.

A memorial for Local Union No. 197 United Brotherhood of Carpenters and Joiners of America held at Tacoma, signed by Frank M. Castle, president, and George L. McMurphy, secretary, which had been received by mail, was presented by the President, ordered read and referred to the Committee on Elections and Elective Rights.

A letter from R. L. Carpenter, of Vashon, King County, W. T., was read and referred to the Committee on State, School and Granted Lands. A letter from Lucinda Hastings, C. C. Bartlett & Co. and others of Port Townsend was presented by Mr. Weir, read and referred to the Committee on State, School and Granted Lands. Mr. Weir (by request) presented an authority to Mr. Smith to present to the Convention the views of H. H. Tibballs Jr. and others of Port Townsend on tidelands. Read and referred to Committee on State, School, and Granted Lands.

Mr. Sharpstein from the Committee on Miscellaneous Subjects,
etc., presented a majority report, and Mr. Dickey, from the same committee, presented a minority report. They were read and ordered to lie over one day and be printed. Following are the reports.

In the Convention

Committee on Miscellaneous Subjects, Schedule and Future Amendments, Miscellaneous Department

Prohibiting the Manufacture and Sale of Alcoholic and Malt Liquors as a Beverage.

Majority Report

Mr. President and members of the Convention:

Your Committee on Miscellaneous Subjects, Schedule and Future Amendments, to whom were referred numerous petitions praying that a clause be placed in the Constitution prohibiting the manufacture and sale of alcoholic and malt liquors as a beverage, have had the same under consideration and respectfully report the same back to the Convention and recommend that the prayer thereof be not granted. Respectfully submitted,

B. L. Sharpstein,
Chairman

D. Buchanan
W. B. Gray
Matt. McElroy
George Comegys
H. M. Lillis

In the Convention

Committee on Miscellaneous Subjects, Schedule and Future Amendments, Miscellaneous Department

Prohibiting the Manufacture and Sale of Alcoholic and Malt Liquors as a Beverage.

Minority Report

Mr. President and members of the Convention:

We the undersigned members of the Committee on Miscellaneous Subjects, Schedule and Future Amendments beg leave to submit for your consideration the following minority report. Whereas certain petitions and memorials, from E. B. Sutton and others, representing many thousands of our citizens, praying for the insertion in the Constitution of the State of Washington, of a
clause forever prohibiting within the limits of the state the manufacture and sale of alcoholic and malt liquors as a beverage, have been referred to this committee for its decision thereon, therefore; believing that the voice of so large a number of our people should receive proper recognition, and realizing the fact that the right of the majority to rule is the underlying principle of free government, we recommend that the following separate proposition be submitted with the Constitution for ratification of the people, and be inserted therein, should the majority of the electors so decide. "It shall not be lawful for any individual, company or corporation within the limits of this state, to manufacture or cause to be manufactured, to sell, offer for sale or in any way dispose of any alcoholic, malt or spiritous liquors, except for medicinal or scientific purposes."

Respectfully submitted,

S. A. Dickey
John M. Reed

Mr. Dunbar sent up to the desk three propositions which he thought should be referred to other committees, and one by Mr. Durie on the divisions of counties was referred to the Committee on County, City and Township Organizations; one by Mr. Weisenburger on alien land owners was referred to the Committee on Legislative Department; and one by Mr. Griffitts on ownership of lands by aliens was referred to the Committee on Legislative Department. The following propositions were then submitted in the following order and read.

Relating to Corporations. By Mr. Browne. Referred to the Committee on Corporations Other Than Municipal.

Prohibiting Lotteries. By Mr. Dyer (by request). Referred to the Committee on Miscellaneous Subjects, etc.

Relating to Bribery of Officers. By Mr. Fairweather. Referred to Committee on Legislative Department.

Proposition Relative to the Right of a Citizen to Sue the State. By Mr. Stiles. Referred to Committee on Preamble and Bill of Rights.

Article on Registration. By Mr. J. M. Reed (by request). Referred to Committee on Elections and Elective Rights.
Mr. Turner moved that the Convention resolve itself into a committee of the whole for the purpose of considering the report of the Committee on Judicial Department and the article submitted with (by) [sic] the same. The motion prevailed. The Convention then went into a committee of the whole with Mr. Cosgrove in the chair.

The committee having risen, the President resumed the chair and the committee of the whole reported that they had had under consideration the report of the Judicial Department and that they had come to no resolution thereon and asked leave to sit again, which was granted.

Mr. Gowey moved to adjourn to 10 o'clock tomorrow morning. Mr. Dunbar moved to adjourn, but gave way to Mr. Crowley, who stated that he had been requested to present a memorial signed by A. M. Sweeney and Jennie M. Aukney and others of Walla Walla, relating to women's suffrage and asked leave to do the same. Leave was granted. The memorial was read and referred to the Committee on Elections and Elective Rights.

Mr. T. M. Reed offered the following resolution and moved its adoption. "Resolved, that unless otherwise ordered, three hundred copies of each article and section upon its second reading, as provided in Rule 36 shall be printed." Adopted.

Mr. Weir asked that the Committee on Executive Department and Pardoning Power be empowered to employ a clerk. Mr. Kinnear moved to amend by giving same authority to Committee on Corporations Other Than Municipal. Mr. Mires moved to lay the motion on the table. The motion prevailed. Mr. Kinnear moved that committees having no clerks have the work done by clerks of other committees under control of the Chief Clerk. Carried.

Mr. Gowey moved to adjourn to 9:30 a.m. tomorrow. Mr. J. Z. Moore moved to adjourn. Agreed to and at 10 a.m. the Convention stood adjourned to July 18th, 1889 at 9 a.m.