

Mr. Godman moved to adjourn. Agreed to and Convention stood adjourned until July 23rd, 1889, at 9 a.m.

July 23rd, 1889

Convention called to order by the President at 9 a.m. Prayer by the Rev. Mr. Chaplain [sic]. On a call of the roll all members present except the following: Messrs. Berry, Clothier, Fairweather, Hicks, Jamieson, Manly, McElroy, McReavey and Willison. Messrs. Sohns and Winsor on leave.

Minutes read and approved.

Mr. Allen asked that leave be granted Mr. Hicks for the day. It was so ordered.

Mr. Sturdevant submitted a proposition (by request) relative to State Institutions & Public Buildings. Read and referred to the Committee on State Institutions and Public Buildings.

Mr. Turner moved that consideration of the judicial article be postponed until tomorrow morning. Carried.

Mr. Weir asked consent for the Committee on Federal Relations to report the order having been passed. Granted.

Mr. Weir submitted report of the Committee on Executive Department and Pardoning Power. Read second time by title. Ordered to lie over one day and be printed.

To the Hon. President and members of the
Constitutional Convention:

We your Committee on Executive Department and Pardoning Power have formulated the following article on Executive Department and respectfully recommend its adoption.

ALLEN WEIR,
Chairman
GWIN HICKS,
Secretary
HARRISON CLOTHIER
H. W. FAIRWEATHER

Article

Section 1. The executive department shall consist of a Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor,

Attorney General, Superintendent of Public Instruction and a Commissioner of Public Lands, who shall be severally chosen by the qualified electors of the state at the same time and place of voting for the members of the legislative assembly.

Section 2. The supreme executive power of this state shall be vested in the Governor, who shall hold his office for a term of four years, and until his successor is elected and qualified.

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

Section 4. The returns of every election for the Governor and Lieutenant Governor shall be sealed up and transmitted to the seat of government by the returning officers, directed to the Secretary of State, who shall deliver the same to the Speaker of the House of Representatives at the first meeting of the House thereafter, when he shall open, publish and declare the result thereof in the presence of a majority of the members of both houses. The person having the highest number of votes shall be declared duly elected, and a certificate thereof shall be given to such person signed by the presiding officers of both houses; but if any two or more shall be highest and equal in votes for the same office, one of them shall be chosen by the joint vote of both houses. Contested elections for Governor or Lieutenant Governor shall be decided by the legislative assembly in such manner as shall be determined by law. In case the time of the regular meeting of the Legislature shall be changed by law the term of office of the Governor, Secretary of State, Treasurer, Auditor and Attorney General, Superintendent of Public Instruction and Commissioner of Public Lands shall thereafter commence on the first Monday after the day fixed for such regular meeting.

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

Section 6. He shall communicate at every session by message to the general assembly the condition of the affairs of the state

and recommend such measures as he shall deem expedient for their action.

Section 7. He may on extraordinary occasions convene the Legislature by proclamation, and shall state to both houses when assembled the purposes for which they are convened.

Section 8. 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 beyond the regular meetings thereof.

Section 9. 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 10. The pardoning power shall be vested in the Governor under such regulations and restrictions as may be prescribed by law.

Section 11. In case of the removal, resignation, death or disability of the Governor, the duties of the office shall devolve upon the Lieutenant Governor, and in case of a vacancy in both the offices of Governor and Lieutenant Governor, the duties of Governor shall devolve upon the Secretary of State, who shall act as Governor until the disability be removed or a Governor be elected.

Section 12. The Governor shall have power to remit fines and forfeitures under such regulations as may be prescribed by law and he shall report to the Legislature at its next meeting each case of reprieve, commutation or pardon granted, and the reasons for granting the same and also 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 before it becomes a law be 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 become a law without his signature, unless the general adjournment shall prevent its return, in which case it shall become a law unless the Governor within ten days next after the adjournment, Sundays excepted, shall file such bill, with his objections thereto in the office of the Secretary of State, who shall lay the same before the legislative assembly at its next session in like manner as if it had been returned by the Governor. If any bill presented to the Governor contain several sections or items he may object to one or more sections or items while approving other portions of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the section or sections, item or items to which he objects and the reasons therefor and the section or sections, item or items so objected to shall not take effect unless passed over the Governor's objection as hereinbefore provided. The Governor shall not during his term of office be eligible to the office of United States Senator, nor be eligible to any other office during the term for which he shall have been elected.

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 elections to fill such vacancies as may have occurred in the legislative assembly.

Section 16. He shall receive an annual salary of four thousand dollars, which may be increased by law, but shall never exceed six thousand dollars per annum.

Section 17. All commissions shall issue in the name of the state, shall be signed by the Governor, sealed with the seal of the state, and attested by the Secretary of State. Any Governor of

this state who asks, receives or agrees to receive any bribe upon any understanding that his official opinion, judgment or action shall be influenced thereby, or who gives or offers or promises his official influence in consideration that any member of the Legislature shall give his official vote or influence on any particular side of any question or matter upon which he may be required to act in his official capacity, or who menaces any member by the threatened use of his veto power, or who offers or promises any member that he, said Governor, will appoint any particular person or persons to any office created or thereafter to be created, in consideration that any member shall give his official vote or influence on any matter pending or thereafter to be introduced into either house of said Legislature, or who threatens any member that he, said Governor, will remove any person or persons from office or position with the intent to in any manner influence the official action of said member, shall be punished in the manner now or that may hereafter be provided by law, and upon conviction thereof, shall forfeit all right to hold or exercise any office of trust or honor in this state.

Section 18. The Lieutenant Governor shall be presiding officer of the state Senate, and shall discharge such other duties as may be prescribed by law. He shall receive an annual salary of fifteen hundred dollars which may be increased by the Legislature, but shall never exceed three thousand dollars per annum.

Section 19. 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 such other duties as shall be assigned him by law. He shall receive an annual salary of twenty-five hundred dollars which may be increased by the Legislature [but] which shall never exceed three thousand dollars per annum.

Section 20. 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 21. The Treasurer shall perform such duties as shall be prescribed by law. He shall receive an annual salary of twenty-five hundred dollars which may be increased by the Legislature, but shall never exceed four thousand dollars per annum.

Section 22. The Auditor shall be auditor of public accounts and shall have such powers and perform such duties in connection therewith as may be prescribed by law. He shall receive an annual salary of two thousand dollars which may be increased by the Legislature, but shall never exceed three thousand dollars per annum.

Section 23. The Attorney General shall be the legal adviser of the state officers and shall perform such other duties as may be prescribed by law. He shall receive an annual salary of two thousand dollars which may be increased by the Legislature, but shall never exceed thirty-five hundred dollars per annum.

Section 24. The Superintendent of Public Instruction shall have supervision over all matters pertaining to public schools and shall perform such specific duties as may be prescribed by law. He shall receive an annual salary of eighteen hundred dollars which may be increased by law, but shall never exceed twenty-five hundred dollars per annum.

Section 25. The Commissioner of Public Lands shall perform such duties and receive such compensation as the Legislature may direct.

Section 26. 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, Treasurer and Auditor shall reside.

Section 27. No person except a citizen of the United States, and a resident of the state or territory at least two years, shall be eligible to hold any state office. No person shall be eligible to hold the office of Governor or Lieutenant Governor unless he be at least thirty-five years old, and shall have resided in the state or territory at least five years last preceding his election to such office. No person shall be eligible to hold the office of state Treasurer more than two consecutive terms. The compensation of state officers shall not be increased or diminished during the term for which they shall have been elected.

The report of the Committee on Federal Relations, Boundaries and Immigration was then taken up and read and the clerk was

ordered to strike out "third" in sixth line and insert "eighth," which was done. Lost.

The question then was the adoption of the article and Mr. Stiles moved the following amendment: "And provided that whenever the United States shall cease to own any of the lands hereinabove provided for, the provisions of this article shall thereafter no longer apply to such lands." Mr. J. Z. Moore moved an amendment to the amendment to strike out "now" in third line and insert from "time to time." Ruled out of order.

Mr. Turner gave notice that he would at the proper time move an important amendment. Mr. Comegys moved that the article and the amendments lay on the table and it was so ordered.

Mr. P. C. Sullivan moved that Mr. Henry D. Blackwell be invited to address the members of this Convention at Tacoma Hall on Thursday evening next. Mr. Power moved to amend by inserting the Convention Hall instead of Tacoma Hall.

Mr. Buchanan moved to indefinitely postpone. Mr. Suksdorf moved to adjourn. Lost.

Mr. Sullivan then withdrew his motion, the other movers consenting, and stated to the members of the Convention that he had been requested to say that Mr. Henry D. Blackwell extended them an invitation to attend a lecture to be given by him on the subject of women's suffrage on Thursday evening next at the Tacoma Hall.

Mr. Shoudy at 10:25 a.m. moved to adjourn. Agreed to and the Convention stood adjourned to July 24, 1889, at 9 a.m.

July 24th, 1889

Convention called to order by the President at 9 a.m. Prayer by the Rev. Mr. Lee. On roll call all the members were present except Mr. Dallam and Mr. Willison on leave. Mr. Fairweather asked that Mr. Dallam be excused for the day. Granted. Minutes read and approved.

The President submitted a telegram from the American Sabbath Union of New York City relating to the observance of the Sabbath. Signed by Elliott Shepard and others. Read and referred to the Committee on Preamble and Bill of Rights.