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SIXTH YEAR. SPOKANE FALLS, WASHINGTON, THURSDAY MORNING, JULY 25, 1889. FIVE CENTS.

## THE CONVENTIONS.

### The Judicial Article Adopted by the Members of the Constitutional Convention.

### After Discussion the Convention Declines to Have Anything to do With Prohibition.

### Offering Amendments Appears to Be the Only Business on Hand --The Votes Cast.

OLYMPIA, Wash., July 24.—The convention met at 9 A. M., the president in the chair. Roll call showed all present except Dallam and Willison (on leave). Prayer by Rev. W. B. Lee of Olympia. The records were read and approved.

The president submitted a telegram from the American Sabbath Union, asking for a proposition in the constitution which shall prohibit Sunday labor, etc. It was signed by Elliott F. Shepard, president, and others. Referred to the committee on preamble and bill of rights.

Mr. Eshelman submitted petitions from C. H. Shank and others, and T. R. Gildea and others, asking for a prohibitory clause. Committee on miscellaneous subjects.

Mr. Dunbar presented petitions from Sol Smith and others of Klickitat county, protesting against the insertion in the constitution of any article against the incurring of municipal indebtedness for public purposes. Committee on state, county and municipal indebtedness.

THE JUDICIAL ARTICLE

was taken up for its third reading, and the president stated that the printed copies had only just been delivered, and that the clerk had not been able to compare it to see if it was correctly printed, but the convention preferred to take it up and follow the reading and make corrections as they went along.

Mr. Eldredge moved that the article lie on the table subject to the call of the convention. Lost.

The reading then proceeded and sundry corrections were made. Mr. Power addressed the chair, holding a paper in his hand. The president suspected that an amendment was coming and informed Mr. Power that the article was beyond amendment except by unanimous consent or suspension of the rules.

Mr. Eldredge said he had supposed the article yet open to amendment.

HE WANTED INFORMATION

He lived in a district composed of three counties, with a district court in each. Were these courts to keep on or only hold one court in the whole district?

Mr. Turner said these courts would go on in all three counties. Mr. Turner suggested an amendment in section 19, but met some suggestion from the chair about unanimous consent or suspension.

Mr. Power said he should object unless his amendment could also be received.

The president said he must take his chances, as he could not make any bargains.

Mr. Power objected, but the convention suspended the rules in Mr. Turner's favor.

Mr. Turner moved to amend section 10 by adding to the clause, "Provided that such jurisdiction granted by the legislature (to justices of the peace) shall [illegible] trench upon the jurisdiction of [illegible] ...sion prevailed.

Mr. Power moved to recommit this article to the committee with instructions to so report that the probate court system may not be merged in the superior court. This motion was in order, and Mr. Power argued that to give up these probate courts would work great hardship, especially in the rural districts, and no more unpopular clause could be put into the constitution.

J. Z. Moore asked if the court commissioners could not do all necessary work of a probate character.

Mr. Power thought not, inasmuch as the commissioners' decisions must be reviewed by the judge.

Mr. Goodman thought that the probate judges should serve out their present terms, but the schedule committee or committee on miscellaneous subjects would attend to that. He was therefore opposed to the reference.

Mr. Powers' motion failed.

Mr. Weisenburger offered an amendment, but the convention would not suspend the rules to let it in.

Mr. Shoudy offered another amendment but ran up against the same obstacle.

Mr. Buchanan asked if the prohibition of fees or

PERQUISITES OF OFFICE

would not have the effect of rendering constables, sheriffs, etc., less effective and diligent in executing their duties, but all the information that was forthcoming on this subject was a suggestion from Mr. Dyer that these were "judicial" officers.

The roll was called and the article finally adopted, all the delegates voting aye except Buchanan, Eldredge, Gowey, Newton, Stevenson and Sudksdorf, who voted no, and Dallam and Willison, who were absent. Ayes 67, noes 6, absent 2.

Before the vote was declared Mr. Griffitts asked if the prohibition of "perquisites of office" could be construed so as to include "salaries."

Mr. Turner thought not, but that the committee on revision would attend to that.

The president then declared that a majority of all the delegates elected having voted aye, the article was agreed to. It was then referred to the committee on revision for adjustment and enrollment.

The special order of the day, viz: The reports on prohibition from the committee on miscellaneous subjects, then came up.

Mr. Dickey renewed his motion that a minority report recommending that a separate submission of an article providing for constitutional prohibition be adopted.

Mr. Sharpstein said the petitions all asked for the placing of an article on prohibition in the body of the constitution. The majority of the committee was opposed to that, and so reported, but the minority had started out with

A SORT OF SIDE SHOW

without answering the petitions, so he moved to amend by substituting "majority report" for "minority report."

Mr. Comegys took the same view. The minority report was not responsive to petitions. Many of the petitioners did not want a separate article. He thought the committee would be willing to bring in a separate article in due time but that now the question is on putting it in the constitution itself.

Mr. Dickey said the committee representing the prohibitionists had accepted this minority report as an answer to their actions and he thought it eminently proper to act upon it now and in this form.

J. M. Reed, who signed with Mr. Dickey the minority report, would have a preference to see this whole matter lie until all the petitions, etc., had been received, but he considered that the committee had the whole subject and not a part of it before them. They did not propose to give the petitioners all they asked, but to give the people a chance to say how much they were willing to give them. He thought this was the shortest way to bring the matter up and settle it.

Mr. Buchanan was in favor of submitting a separate article on prohibition as much as any man in the convention or out of it, but that was not what the petitioners asked, and the committee did not propose to give them anything they did not ask for.

Mr. Lillis was in a similar state of mind, and thought it an injustice to the convention to take up this minority report which proposed a question which had never been considered in the committee.

McElroy favored the majority report, but thought it unnecessary to go over all the ground of arguments again.

Mr. Warner thought that everybody would be satisfied to let the committee have it again, and so moved to refer.

Mr. Griffitts hoped not just yet. All that was wanted now was to settle the question of whether the convention wanted to put such an article in the body of the constitution or not. That could be settled right now, and he hoped it would be.

Mr. Sullivan of Whitman thought it was

SIMPLY A MISUNDERSTANDING

on the part of some of the committee of their duties in this particular. He was opposed to prohibition entirely, but was willing to let the people vote on it.

Mr. Comegys would not agree to this reference back again, because, as a member of that committee, he should consider such a vote as equivalent to saying that the majority of the committee did not understand their duty. He was willing to submit a separate article, but wanted a vote as to whether the convention wanted an article in the constitution or not.

Mr. Browne favored the reference on the ground of new facts before the committee since these reports were made.

Mr. Cosgrove thought this was an attempt to support the dignity of the committee rather than getting down to business. He favored sending the subject back to the committee for a report on the whole subject, and if the committee believed in submitting this question separately, let them say so after considering the whole subject.

J. M. Reed favored taking both reports back. The minority report had not much dignity connected with it, perhaps, but the signers of it were as much entitled to maintain their dignity as the majority.

Mr. Sturdevant was willing to go directly to the point without tecnicalities and adopting the minority report and sending the subject to the people.

Mr Godman said he was

TIRED OF HEARING MOTIONS

to adjourn or recount or something of that sort just as they reached a point where something definite could be done. These two reports were not inconsistent. The majority report is not in favor of putting prohibition in the constitution, neither is the minority, so they agree on that. But the minority go a little further and recommend submitting a separate article. We are told that the whole committee would do that if it was returned to them, so why not waive technicalities and do something while we have the matter before us.

J. Z. Moore moved the previous question and it was ordered.

The motion of Mr. Warner to refer back was lost; ayes 29, noes 39.

The motion of Mr. Sharpstein to adopt the majority report was carried.

Mr. Dickey moved that the minority report also be adopted. Ruled out of order.

J. M. Reed moved that the recommendation of the minority report be adopted.

Mr. Dickey asked for an appeal to the house on his motion. The president stated that it could not be entertained in that form, but waiving technicalties, he would ask the convention if it was willing to take this subject any further.

Mr. Griffitts claimed that by adopting the majority report the special order of the day was [illegible]sposed of, and further consideration [illegible] in the nature of a suspension of th[illegible]es. [illegible] declined to agree [illegible] opinion of the convention. The convention being asked voted decidedly that it did not want to do anything more with the subject at this time. The convention has therefore up to date declined to have anything to do with prohibition in the constitution. The report of the committee on county, city and township organization was taken up.

On motion of Mr. Stiles, the chairman of that committee, the convention went into committee of the whole to consider the report. The president said he had selected a chairman, but he believed that the gentleman had suspected what was in store for him and

HAD DISAPPEARED

so he asked Mr. Griffitts to take the chair. But Mr. Griffitts with his blandest and most expansive smile, claimed exemption on the ground that he was a member of that committee. He was excused. The president then called Mr. Dunbar to the chair, and the committee of the whole proceeded to business. The report was first read in full.

SECTION 1 was read and adopted. It recognizes existing county boundaries.

"SEC. 2, prohibiting the removal of a county seat except upon a majority vote, such question to be submitted not oftener than once in four years, was read.

Mr. Glascock moved to amend by substituting "a two-thirds vote" for "a majority vote."

Mr. Power hoped not. Centers of population were shifting, and a two-thirds vote was almost prohibitory.

J. Z. Moore thought on the first reading that a majority vote of all the qualified electors of the county was necessary, but upon the suggestion of the chair he saw that only a majority of those voting on the proposition was necessary; but still he thought the section right as it stood, and that a majority vote was sufficient.

Mr. Kinnear favored the amendment and thought a two-third vote should be required.

Mr. Warner supported it also.

Mr. Comegys wanted to know why majorities should not be allowed to rule, and by what right this convention was to take away the right of the majority to say where they wanted to have their county seat.

Mr. Stiles said that the committee had discussed this point a good deal, but had finally decided that a majority vote was sufficient, inasmuch as this was only a restriction on the legislature. The section only said that the legislature shall not change a county seat unless at least a majority vote of the electors agree to it. The legislature may require two-thirds or three-quarters of the electors to agree if it chooses, but this convention is to merely say that unless at least one-half the electors do agree, the legislature cannot act. He thought this provision ample to protect everybody.

Mr. Sullivan of Tacoma favored the amendment and his position was, he said, only

INTENSIFIED BY THE REMARKS

of the last speaker. Members of the legislature were elected merely for their fitness to make laws and not to change county seats, and he did not want to see a legislature elected on a county seat issue.

T. M. Reed opposed the amendment and believed a majority of the people knew how to manage their own business. A two-third vote was practically prohibitive in this matter, and on general principles he did not believe in any arrangement which allowed two men to run three men.

Mr. Griffitts favored the committee's report and opposed the amendment. He asked the members to recollect that all powers not prohibited to the legislature could be exercised by it, and that this section proposed only to restrict them to the extent of saying only unless a majority of the electors acquiese can it change a county seat. That was as far as he was willing to go in restricting the legislature. The section does not say that when a majority of the electors so vote a county seat shall be changed, but only that until the majority do so vote, the legislature cannot change it. He favored the majority rule in local committees, and in this particular matter he thought ample safeguards were provided for everybody.

Mr. Dyer thought that one man—that is, a majority of one—should not be allowed to change a county-seat and sacrifice property and inconvenience a great many people. At least two-thirds should be required for such a purpose.

Mr. Turner did not think the question of one-half or two-thirds was involved in this proposition. This section was

NOT A GRANT OF POWER,

but merely a limitation upon the legislature. A very proper limitation, as he believed, and going as far as the constitution ought to go in restricting the legislature.

Mr. Reed of Olympia joined with Messrs. Stiles and Turner in opposing the amendment. The amendment failed—ayes 30, noes 35.

Mr. Warner moved to strike out the whole section. Lost by a very decided vote.

Mr. Browne wished to amend by providing that no special law shall be enacted on this subject, but was informed this would be provided for later on.

Mr. Dyer moved to strike out "majority" and insert "three-fifths," but on this proposition there were ayes 32, noes 35, and it was lost.

Mr. Weisenburger moved to strike out "four years" and substitute "ten years." Lost. The section was adopted without amendment.

Section 3 was read providing for the establishment of new counties. But not if an old county was reduced below 4000 in population, nor unless the proposed new county has at least 2000.

Mr. Sullivan of Tacoma wished to amend by requiring a two-third vote of the electors before a new county could be formed.

Mr. Stiles said this restriction would indefinitely postpone the establishment of new counties, and some of the present counties were at least a hundred miles square, and we expected to create new counties in such territory. But if a two-thirds vote was required they would practically never be divided. The amendment failed.

Mr. Sohns moved to amend by requiring that before any territory be stricken off from a county for the purpose of forming a new county, a majority of the voters of the whole county shall vote for it. The committee report only requires a majority of the voters in the territory to be stricken off.

Mr. Durie offered a substitute more fully setting forth the same idea, which Mr. Sohns accepted.

Mr. Durie opposed the idea of allowing a small portion of the inhabitants on the border of a county to vote themselves out of the county. The whole county should say when it was desirable to be dismembered.

Mr. Stiles reiterated the explanation that this was not a grant of power but merely a limitation upon the legislature. No county can vote to change itself; all that is here provided by the committee is that the legislature shall not arbitrarily cut off any portion of a county, unless the people in that portion

SAY THEY WANT TO GO

The alarm which seems to be excited is entirely groundless. The committee simply recommend home rule. The amendment failed.

Mr. Sudksdorf moved to amend by striking out the provision that any distribution of county indebtedness upon a division of territory shall not affect the rights of creditors, and thought this proviso and the one preceding it (which provides that no liability for old county buildings shall be carried over to the new county), were contradictory.

Mr. Stiles explained that when a county has become indebted nothing can discharge that indebtedness from the whole area of that county. A settlement between the two portions of the county was provided for, and then these provisions were added to prevent any possible misconceptions and keep the credit of the counties as high as possible.

Mr. Griffitts further explained in the same line and opposed the amendment. The amendment failed.

Mr. Turner moved to strike out the words "there shall be no territory stricken from any county unless a majority of the voters living in such territory shall petition for such division." Mr. Turner said if this power of creating new counties was to be left to the legislature then this plan of voting was nugatory, for if the legislature chooses to say that a majority of the voters desire it and so enact it, who can go behind that action, and how can the legislature find out accurately who wants a division? His own idea was that the legislature ought to be divided or a new city or municipality established. It might be that the committee on legislature would present some more detailed scheme on this subject, but he opposed committing the convention to any such course of action in advance or any discussion of its merits.

Mr. Kinnear heartily supported the position of the last speaker.

Mr. Sullivan of Whitman opposed the amendment. The section as it stands is simply a restriction upon the legislature, and the legislature ought not to act unless the people want them.

Mr. Godman favored the idea

CONSULTING THE PEOPLE

before the legislature exercised any power of dividing a county, and opposed Mr. Turner's amendment.

Mr. Comegys thought the legislative committee would attend to the matter later on, and he should favor the amendment.

Mr. Griffitts said that a limitation of this kind was not expected to be self acting. It simply said that the legislature should not commence action in any such matter, except upon the desire of a majority of the people to be affected. This commits the convention to nothing else but that, and it is highly proper that such a limitation should be made.

Mr. Turner asked how the legislature was to find out whether a majority had voted for it?

Mr. Griffitts said that was merely a question of mathematics.

Mr. Turner's amendment was lost—ayes 20, noes not counted.

Mr. Warner moved to amend by requiring that 8000 population shall be left in any old county instead of 4000 as recommended by the committee, and instanced a number of possibilities that might happen that would be unjust.

Mr. Stiles said that we should not imagine vain things; that these direful things were very unlikely to happen; some reasonable limitations were necessary, but not too many details. The amendment was lost.

Mr. Prosser wished a limitation in the area of new counties to no less an area than 400 square miles as a proper restriction. Lost.

Section 3 was adopted.

On motion of Mr. Weir the committee rose to report progress and ask leave to sit again. The president resumed the chair. Mr. Dunbar reported that the committee of the whole had considered the article referred to them, had made progress and asked leave to sit again. Granted.

Mr. Turner asked leave of absence for to-day and to-morrow. Granted.

Mr. Dyer moved to take a recess until 2 o'clock. Mr. Fay suggested 1:30, which suggestion was adopted, and the convention was declared adjourned to 1:30 P. M.

### Afternoon Session.

The convention reassembled at 1:30 P. M., the president in the chair. The roll was called, all being present save Messrs. Dallam, Allen and Turner. On request of Mr. Dunbar, Mr. Allen was excused for the remainder of the day. On motion of Mr. Dunbar the convention went into committee of the whole for further consideration of the report of the committee on counties and corporations. Mr. Dunbar in the chair.

Section 4, authorizing the legislature to establish systems of county and township organizations, was read.

Mr. Sudksdorf asked the meaning of the term "township government" as used in this section.

Mr. Stiles explained that it referred to a system of government and not to county lines.

Mr. Browne moved to amend by striking out all of the section so as to leave the section read, "The legislature shall establish a system of county government which shall be uniform throughout the state, and by general laws shall provide for township organization." This would strike out all the provisions for the electors of any county having a voice in such establishments. Mr. Browne explained his object to be to leave the matter wholly in the hands of the legislature instead of having the voters in any county having anything to say about it. He desired to have a uniform system throughout the state, and looked to the legislature to establish it by providing for a township system.

Mr. Reed of Olympia, preferred the township system wherever practicable, but he thought it would involve the state in complications wherever a township lay partly in one and partly in another county.

Mr. Browne said the general law enacted by the legislature would provide for all that.

Mr. Sturdevant was familiar with the township system of Wisconsin, and said that it was not necessarily a township of land, but was a political designation for subdivisions made by the county commissioners. He favored this system.

Mr. Godman favored the section as the committee reported it. It simply gave the legislature power to enact

A GENERAL LAW,

under which the people could do something if they wanted to do it, but were not compelled to do it unless they did want to.

Mr. Stiles, answering the argument of Mr. Moore on the amendment, said if this amendment was adopted there would either be no township governments for a long while or else there would be townships which would be oppressive. The committees' report was a step in the line of self government.

Mr. Browne's amendment failed, and the section was adopted.

Section 5 authorizes the legislature to provide boards of county commissioners' sheriffs, clerks, treasurers, prosecuting attorneys, and such other officers as the public convenience shall require, to regulate compensation and prescribes the duties of such officers.

Mr. Stiles moved a verbal correction before the debate opened.

Mr. Eldredge asked for information regarding the duties and compensation of county clerks, and Mr. Stiles promptly furnished it.

Mr. Berry moved to include "register of deeds," and Mr. Sudksdorf moved to substitute by using the words "recorder of deeds and auditor."

Mr. Griffitts hoped that neither would prevail. The section provides for certain officers who are admitted to be necessary for county government, and then authorizes the legislature to provide as many more as are necessary from time to time. To make these amendments would be to compel all counties, large or small, to provide all the officers named, whether they needed them or not.

Mr. Browne said that without this last named amendment the county clerk would have the duties and salaries of recorder and auditor, and several more offices and salaries, which would give him a greater salary than all the supreme bench.

The chair asked for information as to whether the county clerk would be the recorder and auditor.

Mr. Browne said the object of the amendment was to be sure that no such result could be attained, to

PREVENT A LOT OF LOBBYING,

to prevent the legislature from appointing other officers than those named, and to prevent scheming on the part of county clerks who would be getting enormous salaries for a multiplicity of offices.

Mr. Cosgrove said the last argument was partly right and partly wrong. The county clerk would do the duties and receive the emoluments of several offices and get a large income in some counties, but in the small counties he couldn't make his board. He suggested a classification of the counties with salaries in proportion to the work, but had not considered the matter sufficiently to offer an amendment.

Mr. Bowen hailed from one of the smallest counties in the territory and he knew that unless several of these offices could be held by one person there would be no possibility of getting the duties of the offices performed by anybody. As to the immense salaries, the legislature has power to regulate the salaries.

Mr. Gowey favored the amendment, provided there should be a further amendment authorizing the legislature to consolidate these offices in certain counties.

Mr. Godman, said the legislature would have power under this very section, as the committee reported it, to provide just what the speaker wanted. Its hands would be left perfectly free to deal with the subject.

Mr. Kinnear thought the section could not be bettered by any amendment and that it made all needful provision for whatever county officers were desirable in each county.

Mr. Stiles thought it was not the province of the county commissioners to provide for any more officers than these named. If they are to be elected this fall, then the schedule committee will provide for them, if not, then the legislature will, in its first session, classify the counties and provide the officers, salaries, etc., as may be deemed needful.

Mr. Reed of Olympia, opposed the amendment.

Then both amendment and substitute were hopelessly lost.

Mr. Dickey moved to amend by adding "superintendent of schools," but this amendment suffered a prompt wreck.

Mr. Dyer asked if municipal elections had been provided for sufficiently.

Mr. Stiles said that the matter was treated later on in the report. The section was then adopted.

SEC. 6 allows the county commissioners to fill all vacancies in county offices.

Mr. Reed asked if this would include vacancies in the office of superior judge?

Mr. Stiles said the judicial article specially provided for vacancies in the superior judgeships.

Mr. Gowey moved to amend so that the county commissioners could only fill vacancies until the legislature met or the vacancies were otherwise filled by law, and argued that township trustees ought to control their own appointments. Lost without further debate, and then the section was adopted.

SEC. 7 says: "No county officer shall be eligible to hold his office for more than two terms in succession."

Mr. Sudksdorf moved to strike out the section. Lost.

Mr. Gowey moved to amend by restricting this provision to sheriffs and treasurers. Lost—ayes 30, noes 33.

Mr. Godman renewed the question of whether a superior court judge was a county officer.

Mr. Stiles said no; that his jurisdiction was co-extensive with the state. Section 7 was adopted.

Section 8 allows the legislature to fix the salaries of county officers, except that public administrators, surveyors and coroners may or may not be salaried officers.

Mr. Crowley proposed that sheriffs be added to the list of offisers who may or may not be salaried, and argued that salaried sheriffs would not be so efficient and prompt, and that it was almost impossible to establish a salary for such an officer or to anticipate the amount of work he would be called on to do. By this amendment the whole matter would be left in the hands of the legislature and not be beyond reach by being in the constitution.

Mr. Cosgrove argued briefly in the same line, and favored the amendment.

Mr. Reed objected to this line of argument because it inferred that an officer would not do the duties of his office without a bonus. Such an officer

HAD NO BUSINESS IN OFFICE

and would not be elected in any intelligent community. As to sheriffs not charging large fees, he had been ten years auditing sheriffs' accounts, and if there was any bigger leak in government finances or more improper charges and constructive fees than in the sheriff's office he was unaware of what it was, and if there was any officer who ought, above all others, to be a salaried officer, it should be the sheriff.

Mr. Stiles said he had expected this argument, because at first sight there seemed something in the argument. But the sheriff did not move quickly in any instance for his simple fee, but for his mileage, and that could be fixed by the legislature. The committee simply proposed to pay a salary to the sheriff for his personal services and to prevent constructive fees. He had lived under a system where the sheriff had been salaried and had seen the expense of the sheriff's office come down from $20,000 to $6000 without lack of efficiency in the office.

Mr. Godman favored fees for the sheriff. If the legislature was to provide mileage then that was a fee system over again in another form.

Mr. Stiles said this was for mileage actually paid out by the sheriff and the fees went to the county treasury.

Mr. Cosgrove asked if horses were to be furnished to a salaried sheriff.

Mr. Stiles—No more than railroads are furnished to them.

Mr. Cosgrove—Does not the sheriff have to pay his own deputies?

Mr. Stiles—As I understand it, the practice now is for the sheriff to take the fee and the deputy the mileage.

Mr. Sturdevant didn't believe a court would construe this section so as to allow any mileage to the sheriff or his deputies.

Mr. Griffitts thought if the gentlemen really understood the position of the committee, as explained by the chairman (Stiles), there would be no further disagreement. There was no question but that the free system was a vicious one, and ought to be done away with as far as possible. Now, the only question to decide here is whether the sheriff is to be exempted from this reform. The speaker had lived for years where the sheriff was a salaried official, and he was satisfied with that system. He had also practiced law here in Washington territory for five years where the sheriff had fees, and for limitless ingenuity in the charging of enormous and constructive fees he believed that official to be easily ahead of anything he ever heard of. He was the most mischievous official of them all in this respect, and should be the first to come under the reform. All that the chairman means by his statement relative to mileage is that the sheriff may receive reimbursement for actual outlay, but not receive mileage in any form to augment his income.

Mr Sullivan of Whitman thought the difficulty would be obviated by allowing the legislature to fix the mileage. It was very difficult to estimate in advance how far a sheriff was going to travel in any one year, and his salary must either be fixed at an enormous figure or else provide for his actual outlay for travel being returned to him.

Mr. Sturdevant was decidedly opposed to any such amendment. The chief objection here was that sheriffs charged constructive mileage. The effect of all this would be to leave him his fees and give him a salary besides.

Mr. Lillis said he would oppose the idea of a salaried sheriff if he was to be given mileage.

The amendment failed—ayes 25, noes 36, and the section was adopted.

Section 9 prohibits the exemption of any county or its inhabitants or its property from paying a fair share of taxes. Adopted without debate.

Section 10 reads as follows: "Corporations for municipal purposes shall not be created by special laws, but the legislature by general laws shall provide for the incorporation, organization, and classification, in proportion to population, of cities or towns, which laws may be altered, amended or repealed. Cities or towns heretofore organized or incorporated may become organized under such general laws whenever a majority of the electors voting at a general election shall so determine, and shall organize in conformity therewith; and cities or towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this constitution, shall be subject to and controlled by the general laws. Any city containing a population of 25,000 inhabitants or more shall be permitted to frame a charter for its own government consistent with and subject to the constitution and laws of this state, and for such purpose the legislative authority of such city may cause an election to be had, at which election there shall be chosen by the qualified electors of said city, fifteen freeholders thereof who shall have been residents of said city for a period of at least two years preceding their election and qualified electors, whose duty it shall be to convene within ten days after their election and prepare and propose a charter for such city. Such proposed charter shall be submitted to the qualified electors of said city, and if a majority of such qualified electors voting thereon ratify the same it shall become the charter of said city and shall become the organic law thereof and supercede any existing charter, including amendments thereto, and all special laws inconsistent with such charter. Said proposed charter shall be published in two daily newspapers published in said city for at least thirty days prior to the day of submitting the same to the electors for their approval as above provided. All elections in this section authorized shall only be had upon a notice, which notice shall specify the object of calling such election, and shall be given for at least ten days before the day of election in all election districts of said city. Said elections may be general or special elections, except as herein provided, and shall be governed by the law regulating and controlling general or special elections in said city. Such charter may be amended by proposals therefor submitted by the legislative authority of such city to the electors thereof at any general election, if notice of said submission be published as above specified, and ratified by two-thirds of the qualified electors voting thereon. In submitting any such charter or amendment thereto, any alternate article or proposition may be presented for the convenience of the voters and may be voted on separately without prejudice to the others.

Mr. Godman moved to amend by changing "twenty five" to "fifty" in the clause allowing cities to frame a charter. Lost in a half minute.

J. Z. Moore, at the request of Mr. Turner who was absent, moved to amend by inserting a clause authorizing the legislature by special act to extend the limits of cities by taking in compact and contiguous territory.

Mr. Sullivan of Whitman, opposed this, for it was simply

A QUESTION OF JOBBERY

in all these matters of special laws. If cities close together want to come together there can be a provision allowing the cities to disincorporate and come together again, either under general law or under this general authority, to form a charter for their own government. He disclaimed with some warmth against all special laws, and the special law under which the city of Colfax was existing to-day. It was all jobbery, and he would not have it any where at any price if he could help it.

Mr. Weisenburger favored the amendment because he thought he knew certain towns that ought to be enabled to get the benefit of it.

Mr. Stiles said he knew the case the gentleman referred to, and that it could be arranged perfectly well under a general law.

Mr. Sturdevant was opposed to any sort of proposition that would enable the big fish to swallow up the little ones. The amendment was lost.

Mr. Sullivan of Tacoma moved to take out the whole section after the first sentence. He mentioned various abuses which he claimed would arise, or were already in existence, if such provisions were allowed to go into the constitution, and wanted the whole matter left to the legislature.

Mr. Stiles could not see that this section was a bad one. The principal objection is to this matter of fifteen freeholders, but they are elected to simply prepare and submit a charter. If the people want it they will vote for it, if not they will say so, and that is the end of the charter and the fifteen freeholders.

Mr. Dyer opposed the amendment and favored the system presented by the section. He had lived all his life in St. Louis until he came to this territory, and this system worked well there. There were many things, such as police and sanitary regulations, which cities should have, but which the remainder of the county did not have.

Mr. Reed believed in the same argument.

Mr. Kinnear could not see any objection to letting cities of 25,000 change their own laws and not make them always come to a legislature, and oftentimes be defeated there by legislative combinations.

Mr. Durie felt the same way, and believed in local self government, instancing his own city of Seattle as a case where a new charter was badly needed, and ought to be allowed.

Mr. Hoyt moved to amend Mr. Sullivan's amendment (to strike out certain words) by changing those words so as to require only a majority instead of two-thirds of the electors to ratify such a proposed charter.

Mr. Browne thought that if this section was adopted there would be new charters sought after about every two years, at great expense in the payment of these various committees of fifteen. Leave it all to the legislature to provide by general law for all these cases, and to amend this law as often as appears needful.

Mr. Cosgrove asked what was before the committee.

The chair asked Mr. Hoyt what was the position of his amendment.

Mr. Hoyt said he didn't offer it as an amendment to Mr. Sullivan's amendment, but to perfect the section before it was stricken out.

Mr. Browne said Mr. Hoyt's motion was not in order until the motion to strike out had been put and decided.

Mr. Eldredge said if Mr. Hoyt's motion was rejected and Mr. Sullivan's motion was adopted the section was beyond the reach of amendment, and that the convention had the right to perfect it as far as was desirable, before voting on the question to strike out.

The chair took this view also, and declared Mr. Hoyt's motion to be first before the committee.

Mr. Stiles thought the section right as it stood, but Mr. Hoyt would not agree to vote for a section which required any more than a majority of the electors to ratify a charter. Mr. Hoyt's motion was adopted. The question recurred on Mr. Sullivan's motion to strike out all but the first sentence of the section.

Mr. Griffitts reviewed the arguments hitherto advanced and argued again in favor of allowing the people of a city to say what their charter should be. He would personally prefer to reduce the required number from 25,000 to 15,000 rather than raise it.

Mr. Cosgrove raised a point of order that a motion to strike out could only be amended by striking out more or striking out less. If the motion to strike out prevails, then it all goes, of course, but if it is lost all amendments made go with it.

The chair so understood it.

Mr. Hoyt objected to that, saying if the motion to strike out failed it still left his amendment standing, just as though it had been made before Mr. Sullivan's motion was offered.

The chair said he so understood it and so intended to state.

Mr. Browne moved to amend by striking out only all the section after the second sentence, beginning with the words: "Any city containing a population, etc,"

J. Z. Moore, acting under the ruling of the chair in Mr. Hoyt's case, submitted an independent proposition, changing 25,000 to 15,000.

Mr. Cosgrove asked if that was in order.

The chair said he should rule that it was, and the gentleman could appeal if he desired.

Mr. Cosgrove—The gentleman does not to desire. He only wants to know how to act in the future.

Mr. Moore said he doubted if there was a city in the territory that had 25,000 inhabitants, and so he wished to reduce the number. Lost.

Mr. Sullivan of Whitman hoped the section would stand as it was. A city of 25,000 people knew better what it wanted than any legislature could know. What does a legislator from Okanogan know of the needs of Seattle, he asked. He would be willing to make the number of inhabitants 20,000. There was

TOO MUCH LEGISLATION

anyhow. The greatest benefit to the state of Washington would be to wipe out the legislature for ten years.

Mr. Browne's amendment was lost. Mr. Sullivan's amendment met the same fate, but a little more pronounced, for not a single yea was heard. Section 10 was then adopted with the single amendment offered by Mr. Hoyt.

Section 11 (counties, cities, towns or townships to make and enforce police and sanitary regulations), have section 12, (the legislature to power to impose and collect taxes on all public or municipal corporations, but may vest that power in the corporations themselves), section 13 (private property not to be taken or sold for taxes except by ordinary process of law), section 14 (prohibiting the making of any profit out of public moneys by officers having charge of them), were successively adopted without debate or amendment.

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

Mr. Brown desired to know what would be understood by the word immediately.

Mr. Stiles said it meant "at the earliest possible time."

The section was then adopted.

On motion of Mr. Stiles the recommendation of the committee regarding the election, etc., of county clerks was ordered reported to the convention to be referred to the committee on schedules.

Mr. Kinnear wished to offer an amendment to section 3.

The chair thought that reconsideration would be necessary.

Mr. Cosgrove said that had not been the course pursued by the previous committee.

The chair thought the circumstances were not similar.

Mr. Mires moved that the article as a whole be adopted. So voted.

Mr. Griffitts asked if everybody was through, and Mr. Reed called attention to certain typographical errors, which were corrected.

Mr. Griffitts then moved that the committee rise and recommend the adoption of the article. So voted, and the committee rose. The president resumed the chair.

Mr. Dunbar reported, recommending concurrence in the amendments adopted by the committee of the whole and the adoption of the report as a whole. The first portion of the report relating to the amendments was adopted and the amendments were concurred in.

Mr. Crowley moved to amend section 8, repeating his amendment offered in committee of the whole regarding sheriff's fees, and asked to have the ayes and noes taken.

Mr. Dunbar briefly argued in favor of the amendment. Mr. Kinnear was in favor of the present officers finishing out their terms of office and taking their fees, but after that the salary system should go into effect.

Mr. Reed took the same view and reiterated in most positive terms his views and experience in the matter of

ILLEGAL SHERIFF'S FEES

and the extreme necessity of making the sheriff a salaried officer to prevent such illegal fees and such an unlawful drain on the public purse. As territorial auditor he had seen so much of this thing that he felt sure he was right in urging the abolishing of fees to sheriffs.

Messrs. Warner, Crowley, Power, Cosgrove, Buchanan, Sturdevant, Godman and Dunbar favored the amendment, and Messrs. Griffitts, Stiles and Dyer opposed it in a further debate on the subject lasting forty minutes more. The amendment failed by the following vote: Ayes—Messrs. Berry, Buchanan, Burk, Clothier, Cormegys, Cosgrove, Crowley, Dunbar, Eldredge, Godman, Gowey, Gray, Jeffs, Kellog, McReavy, Minor, Mires, Moore, J. Z., Morgans, Power, Prosser, Schooley, Sohns, Stevenson, Sturdevant, Sullivan, P. C., Tibbetts, Weir, Mr. President—29.

Noes—Messrs. Blalock, Bowen, Brown, Coey, Dickey, Durie, Dyer, Eshleman, Fay, Glascock, Griffitts, Hicks, Hungate, Joy, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, McElroy, Moore, R. S., Neace, Newton, Reed, T. M., Reid, J. M., Shoudy, Stiles, Sudksdorf, Sullivan, E. H., Travis, Vaname, Warner, Weisenburger, West, Willson, Winsor—36.

Absent—Messrs. Allen, Dallam, Fairweather, Hayton, Henry, Jamison, Jones, Manly, Sharpstein and Turner—10.

Mr. Glasscock moved to amend section 2 by requiring a two-third vote of the qualified electors to remove or recreate a county seat.

Mr. Dyer moved to further amend by making the figures three-fifths instead of two-thirds. Adopted by the following vote: Ayes—Messrs. Berry, Blalock, Browne, Buchanan, Clotheir, Coey, Cosgrove, Crowley, Dunbar, Durie, Dyer, Eshelman, Glasscock, Gowey, Gray, Hicks, Jamison, Kinnear, McCroskey, McDonald, McElroy, Minor, Moore, Morgans, Neace, Newton, Reed, T. M., Reed, J. M., Shoudy, Sohns, Sudksdorf, Sullivan, P. C., Sullivan, E. H., Tibbets, Warner, Weisenburger, Willison, Mr. President—38.

Noes—Messrs. Bowen, Burk, Comegys, Dickey, Eldredge, Fay, Griffitts, Hungate, Jeffs, Joy, Kellogg, Lillis, Lindsley, McReavy, Myers, Moore, J. Z., Power, Prosser, Schooley, Stevenson, Sturdevant, Stiles, Travis, Van Name, Weir, West, Winsor—26.

Absent—Messrs. Allen, Fairweather, Hayton, Henry, Jones, Manly, Sharpstein, Turner—10.

Mr. McReavey moved a call of the house. The chair decided the motion lost, and, on several voices calling "division," ruled that the demand was not made quick enough though it was about an even question whether the calls did not come simultaneously with the chair's announcement of the vote.

J. Z. Moore moved to adjourn. Lost.

Mr. Griffitts moved a call of the house. Los- on a rising vote, the figures not being announced from the chair.

Mr. Sohns moved the previous question on Mr. Glascock's motion as amended to three-fifths by Mr. Dyer and the motion prevailed.

Mr. Mires moved to adjourn. Lost.

J. Z. Moore moved to lay on the table. Lost.

Mr. Mires—I move we adjourn.

The Chair—The motion is out of order. Only one motion to adjourn being allowable after the previous question is ordered, and that already has been done.

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

Mr. Griffitts—We are not voting right. Rule 46 provides that the clerk shall call the names of the members. The Cheir—That is after a call has been ordered. Not on the motion to order a call. (Laughter on Mr. Griffits).

The roll was called on Mr. Glascock's motion as amended to read three-fifths by Mr. Dyer's motion, resulting in the adoption of the amendment by the following vote: Ayes—Messrs. Blalock, Browne, Buchanan, Clothier, Coey, Cosgrove, Crowley, Dunbar, Durie, Dyer, Eldredge, Eshelman, Glascock, Godman, Gowey, Gray, Griffitts, Hayton, Hicks, Jamison, Kellogg, Kinnear, McCroskey, McDonald, McElroy, Minor, Mires, Moore, Morgans, Neace, Newton, Reed T. M., Shoudy, Sohns, Sudksdorf, Sullivan P. C., Sullivan E. H., Tibbets, Warner, Weisenburger, Willison—42.

Noes—Messrs. Berry, Bowen, Burk, Comegys, Dickey, Fay, Hungate, Jeffs, Joy, Lilles, Lindsley, McReav Moore, J. Z., Power, Prosser, Reed, J. M., Schooley, Stevenson, Sturdveant, Stiles, Travis, Van Name, Weir, West, Winsor, president—25.

Absent—Messrs. Allen, Dallam, Fairweather, Henry, Jones, Manley, Sharpstein, Turner—8.

Before the announcement of the vote McReary asked to change his vote from "No" to "Aye" and leave was granted.

Mr. Kinnear rose to propose an amendment.

Mr. McReavy wanted to say something about the voting but the chair said he could not have two of them talking at once, and recognized Mr. Kinnear, who sent up an amendment to the desk.

Mr. Comegys moved to adjourn. Carried—ayes 33, noes 25, and at 5:30 the convention stood adjourned to Thursday at 9 A. M.

OLYMPIA, Wash., July 23.—The convention met at 9 o'clock, the president in the chair. After prayer by Rev. R. A. Chaplain of Olympia, the chair declared all present save as excused. On request of Mr. Allen, leave for the day was granted to Mr. Hicks. The records were read, corrected and approved.

Mr. Sturdevant, by request, presented a proposition providing that penal and charitable institutions shall be

FOSTERED BY THE STATE

and the regents thereof appointed by the governor. Also providing that the state capital shall be at Olympia, and that a new state house and other necessary buildings shall be there provided, as soon as practicable, after the first meeting of the legislature. Referred to the committeee on state institutions.

On motion of Mr. Turner, the judicial article was further postponed until 10 A. M. Wednesday, the copies not having come up from the printer.

Mr. Weir made a report from the committee on executive department and pardoning power, recommending an article for the constitution, as follows:

EXECUTIVE DEPARTMENT.

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 members of the legislative assembly.

SEC. 2. The supreme executive power of this state shall be vested in the governor, who shall hold his office for the term of four years.

SEC. 3. The lieutenant-governor shall hold his office 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.

SEC. 4. The returns of ever 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 presence of a majority of the members of both houses. The person having the highest number of votes shall be declared duly elected, and certificate thereof shall be given to such person, signed by the presiding officers of both houses; but if any two or more shall be the highest and equal in the number of votes for the same office, one of them shall be chosen by a 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 terms of office of governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instructions and commissioner of public lands shall thereafter commence on the first Monday after the day fixed for such regular meeting.

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

SEC. 6. He shall communicate at every session by message to the general assembly the condition of affairs of the state, and recommend such matters as he shall deem expedient for their action.

SEC. 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.

SEC. 8. In cases 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.

SEC. 9. He shall be commander-in-chief of the military in the state, except when they shall be called into the ser-

SEC. 10. The pardoning power shall be vested in the governor, under such regulations and restrictions as may be prescribed by law.

SEC. 11. In case of 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 elected.

SEC. 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 the remission of fines and forfeitures shall have been made, and the several amounts remitted and the reasons of the remission.

SEC. 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 objection, to that house in which it shall have originated, which house shall enter the objections at large upon the journal and proceed to reconsider. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present it shall become a law; but in all such cases the vote of both houses shall be determined by yeas and nays, and the names of members voting for or against a 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 a general adjournment shall prevent its return, in which case it shall become a law, unless the governor within ten days next after 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, id like manner as if it had been returnen by the governor. If any bill presented to the governor contains 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 for the office of United States senator nor be elegible to any other office, during the term for which he shall have been elected.

SEC. 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.

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

SEC. 16. He shall receive an annual salary of $4000, which may be increased by law, but shall never exceed $6000 per annum.

SEC. 17. All commissions shall issue in the name of the state and 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, the 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, the said governor, will remove any person or persons from any office or position with 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 the state

SEC. 18. The lieutenant-governor shall be the presiding officer of the state senate and shall discharge such other duties as may be prescribed by law. He shall receive a salary of $1500, which may be increased by the legislature but shall never exceed $3000 per annum.

SEC. 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 $2500, which may be increased by the legislature, but shall never exceed $3000 per year.

SEC. 20. There shall be a seal of the state kept by the secretary of state for official purposes, which shall be called "the seal of the state of Washington."

SEC. 21. The treasurer shall perform such duties as shall be prescribed by law. He shall receive an annual salary of $2500, which may be increased by the legislature, but shall never exceed $4000 per annum.

SEC. 22. The auditor shall be the auditor of public accounts, and shall have such powers and perform such dutiss in connection therewith as may be prescribed by law. He shall receive an annual salary of $2000, which may be increased by the legislature, but shall never exceed $3000 per annum.

SEC. 23. The attorney-general shall be the legal adviser of state officers, and shall perform such other duties as may be prescribed by law. He shall receive an annual salary of $2000, which may be increased by the legislature, but shall never exceed $3500 per annum.

SEC. 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 $1800, which may be increased by law, but shall never exceed $2500 per annum.

SEC. 25. The commissioner of public lands shall perform such duties and receive such compensation as the legislature may direct.

SEC. 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 the government, at which place the treasurer shall reside.

SEC. 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 or hold any state office. No person shall be eligible to hold the office of governor or lieutenant-governor unless he be at least 35 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 nor diminished during the term for which they shall have been elected.

The report of the committee on federal relations, etc., was taken up and read. It cedes

EXCLUSIVE JURISDICTION

to the United States over such tracts or parcels of land as are now held or reserved by the government of the United States for the purpose of erecting and maintaining thereon forts, magazines, arsenals, dockyards, lighthouses and other needful buildings, provided that sufficient descriptions of each of such tracts are filed in the county records and that all civil and criminal process of the state be executed in such tracts, the same as in other parts of the state.

Mr. Eldredge asked if future tracts taken by the government should be included.

Mr. Jones said he had introduced that article at the request of the treasury department, which prepared the article.

Mr. Godman thought there was some ambiguity in the language, as to the purpose for which these reservations were to be held.

Mr. Jones explained in detail, saying there had been many reservations made on Puget Sound, only a few of which were really useful and would be speedily fortified, while the remainder would soon be

THROWN OPEN TO SETTLEMENT.

The object in asking this convention to cede such jurisdiction instead of waiting for a session of the legislature was to gain time and get such reservations in shape for fortification as soon as possible. He could see no possble objection to placing this article in the constitution. The reason there are so few precedents for such articles in state constitutions is that government lands have generally been selected after such constitutions have been made.

Mr. Godman's point was that if the state gave away any land to the government for any of these purposes, and the government afterwards abandons any of such land, will the state be precluded from its title?

Mr. Stiles proposed to amend by providing that whenever the United States [illegible] visions of this article shall cease to apply.

Mr. Godman preferred to use the words "ceases to occupy, etc."

Messrs. Stiles, L. M. Reed, Jones, E. H. Sullivan, the president, J. Z. Moore, Cosgrove, Turner, Gowey, Dyer and Comegys briefly continued the discussion, after which, upon motion of Mr. Comegys, the subject was laid upon the table.

Mr. Sullivan of Tacoma moved that H. B. Blackwell be invited to address the members of the convention next Thursday evening on the subject of universal suffrage.

Mr. Turner was opposed to extending invitations to anybody to address the convention on any subject. (Voices, "So am I.")

Mr. Power moved that the address be in this hall.

Mr. Buchanan moved that further consideration be indefinitely postponed.

Mr. Eldredge hoped not; that this gentleman had addressed other conventions, and for the

HONOR OF WASHINGTON TERRITORY

he hoped he would be asked to address this convention.

Mr. Sullivan of Whitman opposed this, saying he would go personally to hear this gentleman lecture, but would not vote to invite such an address.

T. M. Reed opposed indefinite postponement as rather discourteous, but thought the question came up wrong end first; that this gentleman ought to invite the convention and not the convention invite him.

Mr. Warner was opposed yesterday to the invitation of Senator Stewart, but consent having been given he should now favor this one.

Mr. Sullivan of Tacoma said if there was anything wrong in the form of the invitation the fault was his and not Mr. Blackwell's.

Mr. Sudksdorf moved to adjourn. Lost.

Mr. Griffitts said the doors once opened there was no knowing where it would end. The convention had at least four weeks' work to do and no time to attend to any such people.

Mr. Turner said there was an error in regard to the matter of Senator Stewart's address. The convention merely invited him to occupy this hall to address the people of Olympia.

Mr. Cosgrove believed in saying no now as well as at any other time. The evenings were the only hourse left for committee work, and should not be taken up by such outside addresses.

Mr. Buchanan said the work of the convention was

A TAX ON HIS MENTAL POWERS.

and he did not wish to increase it by coming here to listen to any extra speeches.

Mr. Gowey disclaimed any discourtesy and intimated that Mr. Sullivan withdraw his motion and simply state that Mr. Blackwell was to lecture and invite the convention to be present.

Mr. Sullivan complied with the suggestion and withdrew his motion, saying that Mr. Blackwell would lecture in Tacoma hall in Olympia, on Thursday evening, and extended an invitation to the members of the convention to be present.

On motion of Mr. Shoudy, the convention adjourned to 9 A. M., Wednesday.

## CARTER OF MONTANA.

### While Going to Miles City He is Fired Upon by an Indian.

HELENA, July 23.—Delegate Carter stopped at Miles City yesterday on his return from the Cheyenne agency, and will arrive at Helena to-morrow. While on his way to Miles City, and yet on the reservation, he and Joe Scott, president of the Stock Growers' Association, were fired upon by a young buck Indian. They were riding between tall buttes, the trail of Indian wagons. The Indian crawled upon the top of a butte and fired at the party, the ball whizzing past Mr. Carter's head, but harming no one. The Indian then ran down the butte and got in among the other Indians in the wagons. There could be no object in his action other than pure Indian devilishness.