SLOW PROGRESS.

Division of Counties a Heated Discussion Prevailed In the Convention.

Mr. Stiles Uses Some Very Plain Language to the Members.

The Minority Report On Municipal Indebtedness--Delegates Out of Humor.

[SPECIAL TELEGRAM TO THE REVIEW.]

OLYMPIA, W. T., August 25.—The convention met at 9 A. M., the president in the chair. After prayer by Rev. Mr. Lee of Olympia the roll was called wih all present except Gowey and Turner, and those were excused. The records were read, corrected and approved.

The president submitted a telegram in behalf of the Seattle board of trade indorsing the memorial of the Olympia chamber of commerce relative to corporations and signed by Bailey, Gatzert and George D. Adair. Referred to the committee on corporations. Also a telegram from Dr. H. T. Turner of Walla Walla, suggesting an article to provide that each county provide labor for its own convicts and highways if possible. Committee on organizations.

Mr. Van Name, by request, submitted memorial

AGAINST WOMAN SUFFRAGE

quoted from Goldwin Smith as published in the Oregonian of February 8, 1889.

The president referred it in the usual course to the committee on elections.

Mr. Sharpstein declared that it was not worthy of reference to any committee, and moved that it be laid on the table. So voted.

Mr. Newton presented a petition of District Assembly No. 115 of Seattle, asking a place in the constitution for provisions for secret ballots for elective officers, minority representation, submission of laws to the popular vote upon a two-third vote of the legislature, municipalities to own public industries and conveyances, equal taxation of used and unused land, reservation of tide lands, etc., by the state forever, no detective agencies, the people to peacably assemble and petition for a redress of grievances, annual sessions of the legislature and an expeditious method of amending the constitution. The clerk was ordered to refer these several requests to the proper committees.

Mr. Kinnear said the majority report of the corporations committee was ready and that the minority report was nearly so.

Mr. Browne submitted the report of the committee on state, county and municipal indebtedness, recommending the following article, which was ordered laid over and printed under the rule:

SECTION 1. The state may provide for taxation to meet deficits or failures in the revenues or for extraordinary expenses not provided for, and may contract debts, but such debts, direct and contingent, singly or in the aggregate, shall not at any time exceed $400,000, and the moneys arising from the loans creating such debts shall be applied to the purpose for which they were obtained, or to repay the debt so contracted and to no other purpose whatever.

SEC. 2. In addition to the above limited power to contract debts, the state may contract debts to repel invasion, suppress insurrection or to defend the state in war, but the money arising from the contracting of such debts shall be applied to the purpose for which it was raised and to no other purpose whatever.

SEC. 3. Except the debts specified in sections 1 and 2 of this article no debts shall hereafter be contracted by or on behalf of this state unless such debt shall be authorized by law for some single work or object to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the payment of interest on such debt as it falls due, and also to pay and discharge the principal of such debt within twenty years from the time of contracting thereof. No such law shall take effect until it shall at a general election have been submitted to the people and have received a majority of all the votes cast for and against it at such election, and all moneys raised by authority of such law shall be applied only to the specific object therein stated or to the payment of debt thereby created, and such law shall be published in at least one newspaper in each county, if one be published therein, throughout the state for three months next preceding the election at which it is submitted to the people. The legislature may at any time of approval of such law by the people, if no debt shall have been contracted in pursuance thereof, repeal the same and may at any time by law forbid the contracting of any further debt or liability under such law, but the tax imposed by such act in proportion to the debt and liability which may have been contracted in pursuance of such law shall remain in force and be irrepeable and be annually collected until the principal thereof shall have made provision as hereinbefore specified to pay and discharge the interest and principal of the debt and liability therein created.

SEC. 4. No moneys shall ever be paid out of the treasury of this state, or any of its funds, or any of the funds under its managements, except in pursuance of an appropriation by law, nor unless such payment be made within two years next after the passage of such appropriation or act, and every such law making a new appropriation or continuing or reviving an appropriation, shall distinctly specify the sum appropriated and the object to which it is to be applied, and it shall not be sufficient for such law to refer to any other law to fix such sum.

SEC. 5. The credit of the state shall not in any manner be given or loaned to, or in aid of, any individual, association, company or corporation.

SEC. 6. No county, city, town, school district or other municipal corporation shall become indebted in any manner or for any purpose exceeding one per centum of the taxable property in such county, city, town, school district or other municipal corporation, without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed 5 per centum on the value of the taxable property therein, to be ascertained by last assessment for state and county purposes, previous to incurring such indebtedness. Provided, that no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly county, city, school district, or other municipal purposes. Provided, further, that any city or town with such assent, may be allowed to become indebted to a larger amount, but not exceeding 5 per centum additional, for supplying such city or town with water, artificial light and sewers, when works for supplying such water, light and sewers shall be owned and controlled by the municipality.

SEC. 7. No county shall hereafter give or loan its money, property or credit to or in aid of any individual company, corporation or association unless two-thirds of the property tax payers thereof, being legal electors therein and voting thereon, vote therefor at an election held for such purpose, and in no case shall the sum so voted exceed in the aggregate 4 per centum of its assessed valuation for county and state purposes as shown by its assessment next preceding such election.

The legislature shall enact the necessary laws to carry out the provisions of this article. Respectfully submitted,

N. G. BLALOCK, Secretary
R. F. STURDEVANT,
T. M. REED,
C. T. FAY,
DAVID E. DURIE.

We concur in the foregoing report except as to section 7, and as to that section we recommend the same be stricken out and instead thereof the following be inserted:

SEC. 7. No county, city, town or other municipal corporations shall hereafter give any money or property or loan its money or credit to or in aid of any individual association, company or corporation or become directly or indirectly the owner of stock in or bonds of any association, company or corporation.

J. J. BROWNE, Chairman.
JAMES HUNGATE,
CHAS. P. COEY,
H. W. FAIRWEATHER.

DECLARATION OF RIGHTS.

The Committee on Preamble and Bill of Rights Reports.

Mr. Warner submitted the report of the committee on preamble and bill of rights, recommending the following, which was laid over and printed:

Preamble: We, the people of the State of Washington, to preserve our rights, do order this constitution:

ARTICLE I.

SECTION 1. All political power resides with the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.

SEC. 2. The constitution of the United States is the supreme law of the land.

SEC. 3. No person shall be deprived of life, liberty or property without due process of law.

SEC. 4. The right of petition and of the people to peacably assemble for the common good shall never be abridged.

SEC. 5. Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right.

SEC. . The mode of administering an oath or affirming shall be such as may be most consistent with and binding upon the conscience of the person to whom such oath or affirmation may be administered.

SEC. 7. No person shall be disturbed in his private affairs, or his home invaded, without authority of law.

SEC. 8. No law granting irrevocably any privilege, franchise or immunity shall be passed by the legislature.

SEC. 9. No person shall be compelled in any criminal case to give evidence against himself or be twice put in jeopardy for the same offense.

SEC. 10. Justice in all cases shall be administered openly, and without unnecessary delay.

SEC. 11. Absolute freedom of conscience in all matters of religious sentiment, belief and worship shall be granted to every individual, and no one shall be molested or disturbed in person, or property on account of religion, but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for or applied to any religious worship, exercise or instruction or the support of any religious establishment. No religious qualification shall be required for any public office, or employment, nor shall any person be incompetent as a witness or juror in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony.

SEC. 12. No laws shall be passed granting to any citizen, or class of citizens, or corporations, other than municipal, privileges or immunities which, upon the same terms, shall not equally belong to all citizens or corporations.

SEC. 13. The privilege of the writ of habeas corpus shall not be suspended, unless in case of rebellion, invasion, or when the public safety requires it.

SEC. 14. Excessive bail shall not be required, excessive fines imposed, nor cruel punishment inflicted.

SEC. 15. No conviction shall work corruption of blood or forfeiture of estate.

SEC. 15. Private property shall not be taken for private use except for private ways of necessity. No private property shall be taken or damaged for public or private use without just compensation having been first made or paid into court, for the owner, and no right of way shall be appropriated to the use of any corporation or other municipal use until full compensation therefor be first made in money or ascertained and paid into the court for the owner, irrespective of any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived as in other civil cases in courts of record, as shall be prescribed by law.

SEC. 17. There shall be no imprisonment for debt except in cases of absconding debtors.

SEC. 18. The military shall be in strict subordination to the civil power.

SEC. 19.—No power of suspending shall be exercised except by the legislature or its authority.

SEC. 20. All elections shall be free and equal.

SEC. 21. All prisoners shall be bailable by sufficient sureties, except for capital offences, when the proof is evident or the presumption great.

SEC. 22. The right of trial by jury shall remain inviolate, but the legislature may provide for a jury of any number less than twelve in courts not of record, and the verdict of nine jurors in civil cases shall be the verdict of the jury, provided that the jury in civil cases may be waived by the consent of the parties interested.

SEC. 23. In criminal prosecutions the accused shall have the right to appear and defend in person, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to meet the witnesses against him face to face, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy trial by an impartial jury of the county in which the offence is alleged to have been committed, and the right to appeal all cases; and in no instance shall any accused person, before final judgment, be compelled to advance money to secure the rights herein guaranteed.

SEC. 24. No bill of attainder, ex post facto law or law imparing the obligation of contracts shall ever be passed.

SEC. 25. The right of the individual citizen to bear arms in defence of self or state shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize and maintain or employ an armed body of men.

SEC. 26. Offences heretofore required to be prosecuted by indictment may be prosecuted by information or by indictment as shall be prescribed by law.

SEC. 27. The grand jury shall consist of seven men, any five of whom concurring may find an indictment. No grand jury shall be drawn or summoned in any county except the superior judge thereof shall so order.

SEC. 28. Treason against the state shall consist only in levying war against or adhering to its enemies, or in giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or confession in open court.

SEC. 29. No hereditary emoluments, privileges or powers shall be granted or conferred in this state.

SEC. 30. The provisions of this constitution are mandatory unless, by express words, they are declared to be otherwise.

SEC. 21. The enumeration in this constitution of certain rights shall not be construed to deny others retained by the people.

MISCELLANEOUS.

Motions Made and Rejected by the Delegates.

Mr. Griffitts gave notice of his intention to move a reconsideration of yesterday's vote whereby a three-fifths vote is to be required in the removal of county seats.

On Mr. Minor's request the committee on revision and adjustment was authorized to employ a clerk.

Mr. Gowey presented eleven petitions from as many different churches, all from Seattle with one exception, for the exemption of church property from taxation. Referred to the committee on taxation.

Mr. Dickey asked a suspension of rules to introduce a resolution providing for submission to the people of a separate clause on prohibition, but the convention declined to suspend the rules.

Mr. Eldredge presumed this proposition would lie over as usual until tomorrow.

The Chair—No, this is not a regular proposition; only a resolution, which is not now before the house.

Mr. Dyer—I move its reference to the committee on miscellaneous subjects.

The Chair—There is nothing before the house to refer.

ABOUT COUNTIES.

Mr. Sullivan of Whitman Expresses His Opinion.

The report of the committee on counties was taken up.

Mr. Kinnear moved to amend section 3 by striking 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," and argued briefly in favor of leaving this matter to the legislature without any restrictions.

Mr. Weir opposed such action.

Mr. Durie believed the whole of the county to be affected should have a voice and not merely the portion to be stricken off. He therefore favored the amendment.

Mr. Comegys could not see the justice of giving the whole county a voice. That would be like

A PARTNERSHIP OF THREE,

where one wanted to get out and couldn't until the other two were willing to let him.

Mr. Sullivan of Tacoma thought it perfectly safe to leave the section just as it stood, where it both confers a right on parties and establishes a restriction in legislation.

Mr. Minor said he was convinced that this provision was inserted in the middle of this section, out of sight as far as possible, either by some mistake or else for a vicious or selfish purpose. It was a new thing to put into a state constitution and he thought he could see the reasons for attempting to get it quietly in there. He had the honor to represent in part a community which had not long since had occasion to

BOW ITS HEAD IN GRATITUDE

to another section of the territory, but to now thought he saw a purpose in their action. Not, perhaps, on the part of all of them, for there were noble, generous men among them, but still he thought he could see that in sending their flour and provisions some of them at least had a purpose. That, like a physician, they had to use with chloroform only to dismember us.

Mr. Sullivan of Whitman said that but for the speech of the gentleman from King (Mr. Minor) he should have said nothing. That gentleman is entirely mistaken as to what other state constitutions provide. In fact, there are only three constitutions in this country but what have just this provision in them. This shows that there was no vicious purpose, as charged by the last speaker.

I think this amendment amounts to very little any way, but if I had been ever so much inclined to vote for it, I would not after the speech and statements of the gentleman (Minor). (Applause, which was vigorously repressed by the president's gavel). While have a tongue that can speak I will not sit silent and hear a committee to which I belong or friends with whom I am acting so impunged.

Mr. Minor—Did not the gentleman himself in the committee offer this section?

Mr. Sullivan explained in detail how this matter had come up in the committee, and said he had consented to it because he considered it a just limitation and one that would

PREVENT LEGISLATIVE JOBBERY

—a simple restriction on the legislature. That they shall not take away a portion of a county unless the majority of the voters in the territory affected shall ask for it. If there is any viciousness in the question, it is with the other side, who wish to leave the matter so that it will be possible for the legislature to be worked in private interests without notice even to the parties directly interested.

Mr. Stiles certainly hoped yesterday that the gentlemen had understood this very simple clause, which was taken from the California constitution. As to the remarks that have been made here I am not going to allow myself to get out of temper at any animadversions on myself personally. If there was any one member of this convention whom I expected a cool, deliberate consideration of this matter it was the gentleman from King (Minor), but I propose to dismiss him and this matter by saying that I believe that before night he will be

READY TO APOLOGIZE,

at least to his own conscience, for the insinuations he has made here, and so I leave the mantle of charity to cover his remarks. As to this proposed amendment I will say that I have never seen such wilful, blind, obstinate misconstruction as has been exhibited on this matter both to-day and yesterday. It was inspired by selfishness itself, and dare not show itself otherwise than as a selfish proposition. This clause is not in any sense whatever special legislation. Nothing more general in its character could be devised. It merely says to the legislature, "You shall not cut off any county whatever unless they want to be cut off."

Mr. Griffitts said that so far as he was concerned the remarks of the gentleman (Minor) didn't trouble him a bit. In fact, he felt proud of being termed the lieutenant of so able a champion as the one he was serving under (Stiles). But he would say that in all the meetings of this convention, although this struggle about some little strip of land between King and Pierce counties has been well known among the delegates, the chairman (Stiles) never by word or act or insinuation allowed a single member to even know from him that any such struggle existed. As to the very feeling remarks by the gentleman from King county (Minor), he felt as much sympathy for the sufferings of the city of Seattle as anybody, but he thought the remarks of that gentleman (Minor) were

IN VERY BAD TASTE

and should never have been uttered on this floor, because they gave ground to others to charge him with error, or else a vicious or ambitious purpose. He thought that when this matter had been adopted by the committee of the whole and then the convention had adopted all the amendments of that committee, it was time to make some progress and not be obliged to go all over these debates again. As to the clause which the other side proposes to strike out, if they were allowed to prevail it would leave an untrammeled power in the legislature to slice up a county any way it pleases. How can we be charged with a selfish and ambitious purpose when all we propose is to restrict the legislature so that when I go to bed in Spokane county I may wake up in the same county; so that the wholesale slicing up of counties cannot go on at the direction of any unprincipled or selfish parties without even notice to the parties residing on the territory?

Mr. Sohns favored the amendment.

Mr. Buchanan could not see any danger in leaving the section just as it stood. It simply restricted the legislature from dismembering a county without its consent. He was sorry to see this exhibition of jealousy between King and Pierce counties, and thought they had better leave that and attend to the fair meaning of the section, which was general in its terms and had no special application to either King or Pierce county. Mr. Sohns was wrong in thinking that this clause gave any power to the people to detach themselves from a county. All they could ever do was to petition the legislature.

Mr. Reed of Whitman moved the previous question, upon which motion Mr. Durie asked for the ayes and noes, and his request was supported by the necessary number. The previous question was put, and the main question ordered by the following vote:

Ayes—Messrs. Allen, Berry, Blalock, Bowen, Burk, Comegys, Crowley, Dallam, Dickey, Durie, Dyer, Eldredge, Griffitts, Henry, Hicks, Hungate, Jamison, Kellogg, Lindsley, Manley, McDonald, McReavy, R. S. Moore, Mace, Newton, J. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevens, Sturdevant, Stiles, Sudksdorf, P. C. Sullivan, E. H. Sullivan, Travis, Van Name, Weisenberger, West, Willison, Winsor—42.

Noes—Messrs. Browne, Buchanan, Clothier, Coey, Glascock, Godman, Gowey, Hayton, Jones, Kinnear, Lillis, McElroy, McEfroy, Minor, Moore, J. Z., Morgans, Power, Prosser, Reed T. M., Tibbetts, Warner, Weir, Mr. President.—23.

Absent—Messrs. Cosgrove, Dunbar, Eshelman, Fairweather, Fay, Gray, Jeffs, Joy, Mires, Turner.—10.

The question being then upon Mr. Kinnear's motion to strike out, Mr. Stevenson moved a call of the house but was denied by the chair on the ground that after the previous question had been ordered on any one motion to adjourn and one motion to lay on the table was in order.

The roll was then called on Mr. Kinnear's motion to strike out which was lost by about 3 to 1.

J. Z. Moore moved to amend section 3 by adding to the clause which the convention had just refused to strike out these words: "And then only under such other conditions as shall be prescribed by a general law applicable to the whole state."

Mr. Stiles seconded the motion. He believed that the legislative committee would give them a provision to cover this, but even while believing this he was entirely willing to show his good faith by letting this amendment be made right here.

Mr. Griffitts expressed a similar view, and then the amendment was adopted.

On Mr. Godman's motion an amendment was made in the interest of the English language.

Mr. Weir moved to reduce the size of cities which could make their own charters from 25,000 to 10,000. Lost.

Mr. Kinnear moved to further amend section 3 in the clause which he had just failed to have stricken out as printed above by changing the word "majority" to "two-thirds."

Mr. Warner moved to further amend by making it three-fifths, and on the proposition the ayes and noes were ordered, resulting in a failure by a vote of ayes 25, noes 44.

The question recurred on Mr. Kinnear's motion to make it two-thirds, and this was lost by more than two to one on a call of the roll.

Mr. Tibbitts moved to strike out the remainder of section 3, beginning with and including the clause which Mr. Kinnear had failed to have stricken out. Lost.

Mr. Reed of Olympia moved to fix the size of cities which are to be allowed to make their own charters at 12,000 instead of 25,000.

Mr. Browne moved to amend by making it 5,000, and argued in favor of the smaller number.

Mr. Griffitts favored this amendment, and it prevailed by ayes 30, noes 27.

The question being on Mr. Reed's motion as thus amended roll was again called and prevailed by a vote of ayes 40, noes 31.

Mr. Jones proposed to revive the old question of yesterday about sheriffs being salaried or feed officers by proposing to amend by inserting the words, "sheriffs and recorders."

Mr. Griffitts raised a point of order that this question had already been voted on both in committee of the whole and in convention and could not again be raised without a motion to reconsider.

The chair was inclined to overrule the point on the ground that the additional words, "recorders" made it a different motion.

Mr. Griffitts claimed that the motion was separable and made his point of order on the word "sheriff" alone.

The chair sustained the point of order.

Mr. Stiles said he believed the most serious mistake the convention had made in dealing with this report was to reduce the figure from 25,000 to 5,000. The true theory is that large cities have necessities and questions to decide upon which small cities do not.

Mr. Moore was opposed to any special legislation on this or any other subject. He preferred to leave all this matter to the legislature, and would like to vote to strike out this whole busines.

Mr. Warner's motion failed.

Mr. Henry moved to strike out all of section 10, which related to this matter of allowing cities of any size to make their own charters.

Mr. Durie moved to adjourn to 1:30.

Mr. Kinnear suggested 2.

Mr. Durie accepted 2, and the convention adjourned until 2.

AFTERNOON SESSION.

Mr. Minor Apologizes and Harmony is Restored.

The convention met at 2 o'clock.

Mr. Power asked unanimous consent to extend the privilege of the floor to Dr. Calhoun of Skagit county.

Mr. Minor rose to a question of privilege. It had come to him that some members conceived that in the debate this morning he had imputed unworthy motives to the members. In regard to the chairman of the committee on counties (Stiles) he had the highest regard for his intellectual capacity and for his general worth and honesty of purpose. He wished to extend the same expressions of opinion to his genial lieutenant (Griffitts). If any reflections contrary to such an opinion had ensued in his remarks of this morning he wished to withdraw them. He had also made an error in stating that no other state constitution had such a provision. Maryland had such a one, and Arkansas has something about the formation of new counties.

Mr. Griffitts moved to amend section 10 by inserting all that portion which was stricken out relative to allowing cities to make their own charter. That portion as reported by the committee allowed such privilege to cities of 25,000 and upwards.

Various amendments were offered, debated and lost until finally the figure was reduced to 5000, and then the whole was struck out. Now Mr. Griffitts moved to reinstate the whole with the figure fixed at 20,000. Adopted without debate—ayes 38, noes 24.

Mr. Moore moved that the rules be suspended and the article considered as engrossed and put on its final passage. Agreed to.

Mr. Weir moved to go into committee of the whole to consider the report of the committee on executive department.

Messrs. Dunbar, Griffitts and Sullivan of Whitman, opposed this as a waste of time after the experience of the convention on the last article under consideration.

Mr. Dunbar said it was time wasted, and Mr. Griffitts called it foolishness and boys' play.

The convention declined to go into committee of the whole.

EXECUTIVE DEPARTMENT.

Many Members Decline the Honor of Presiding.

Mr. Griffitts called up the regular order, which was the report of the committee on executive department.

The president availed himself of his privilege and called Mr. Minor of King county to the chair. The report and article were read in full.

Mr. Stiles moved to go into a committee of the whole on this article.

Mr. Moore objected. That motion had already been put and lost.

The chair ruled that the reading of the report was sufficient intervening business to allow that motion to come up again.

Mr. Stiles said there were several things to think of. If this was discussed in the convention motions to adjourn, to call the roll and other dilatory motions would be in order and the convention was likely to make much less real progress.

The convention went into committee of the whole by ayes 33, noes 25.

The chair (Mr. Minor) called upon Mr. Stiles to take the chair.

Mr. Stiles said he was tired out and really not fit for that duty.

Mr. Crowley was called upon, but asked to be excused.

Mr. Griffitts was named, but he had slipped over the door sill and was

NOT IN THE ROOM,

though his smiling countenance was very visible watching the proceedings.

Mr. Godman said he never had any experience in presiding and asked to be excused when the chair kindly proposed to elevate him behind the desks.

Mr. Gowey slipped out of the task also on a simple request to be excused.

Mr. Reed of Olympia did not have the terrors of the exalted position so very much before his eyes and accepted Mr. Minor's invitation to preside.

The article was taken up and on motion of Mr. Eldredge the rule requiring the reading again in full was suspended.

Section 1 reads as follows: "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 severally chosen by the qualified electors of the state at the same time and place of voting for the members of the legislative assembly."

Mr. Sharpstein moved an amendment striking out lieutenant-governor and commissioner of public lands.

Mr. Weir explained the right to have the motion divided and take the matter of lieutenant-governor first.

The chair so put it.

Messrs. Weir, Browne, Dyer, Buchanan, Gowey, Moore, Lillis and Cosgrove opposed the striking out, and favored having the lieutenant-governor.

Messrs. Dunbar, Godman, McElroy and Eshelman thought that the lieutenant-governor was a superfluity and favored striking him out.

The convention supported the committee's report by voting down the amendment—ayes 31, noes 38.

Mr. Mires offered a substitute for this section, leaving out the lieutenant-governor, commissioner of public lands and auditor, and authorizing the legislature to create any necessary offices in the future. Lost.

The second portion of Mr. Sharpstein's amendment, striking out the commissioner of public lands, was taken up.

Mr. Sharpstein thought too many officers were being provided for and that a board of commissioners could manage the matter.

Mr. Bowen strongly opposed the amendment and instanced the experiences of Michigan, with which he was familiar, in proving the necessity for such a commissioner.

Mr. Weir argued strongly for the necessity and profit to the state of such an officer.

Mr. Gowey proposed to make the secretary of state ex-officio commissioner of public lands.

Ruled out of order as not germane.

Mr. Buchanan submitted a substitute creating the lieutenant governor, treasurer, attorney-general, a board of commissioners of public lands like they had in Wisconsin.

Mr. Weir opposed this substitute, and called the attention of Mr. Buchanan to the fact that in Wisconsin that board was appointed simply to sell the lands and apply the proceeds. In this state the land will be so varied and its treatment by sale, lease, reservation and otherwise so varied that such a board will not work so well as a separate department with a responsible head.

Mr. Cosgrove thought this was one of the most important bureaus to be brought before the people, and it should have a responsible head, and not be made.

A SIDE SHOW

for some other officials. This was no place to exercise false economy.

Mr. Gowey opposed the substitute and thought too much prominence was being given to this subject. The legislature was the only power to say how and when and in what manner these lands should be disposed of. The secretary of state can easily take charge of this whole matter for a good many years.

Mr. Prosser opposed the substitute and concurred with Messrs. Bowen and Weir in all they had said regarding the importance of the land commissioner. Certainly $25,000,000 worth of land was involved and the state ought to have that amount of property well cared for and managed.

Mr. McElroy opposed the substitute, and favored Mr. Gowey's proposition. He didn't want these great tide lands interests given into the hands of any one man.

Mr. Godman couldn't comprehend the argument in favor of a land commissioner. He had no authority save as the legislature may provide him with it, and why not strike him out altogether unless the convention is ready to decide, as it ought to, what disposition should be made of these lands and leave to the legislature merely the duty of providing machinery to carry out the will of the convention.

Mr. Bowen favored an executive head to carry out the decisions of such board of commissioners as was provided, and proposed that the officers named in Mr. Buchanan's motion should be an advisory board.

The chair thought this was not in order, and Mr. Bowen withdrew it for the present.

Mr. Kinnear doubted if the secretary of state could properly perform these additional duties. As to the duties of the land commissioner there was no difficulty in the fact of leaving them to be established by the legislature.

Mr. Stiles didn't think this was the place to provide for boards. This simply enumerates the executive officers of the state. If there is any public officer who will earn his salary, it will be the land commissioner. He will have about 2,500,000 acres to look after.

Mr. Lillis figured up nearly $30,000,000 worth of state land besides as much more in tide lands, and thought there ought to be a commissioner to attend to all this.

Mr. Blalock favored the report of the committee without amendment.

Mr. Buchanan's substitute was put to a vote and Mr. Buchanan voted for it, but if anybody else did the reporter failed to hear it, and he was watching.

Mr. Gowey's proposition was put into the proper form of an amendment so as to lie before the convention.

Mr. Eldredge opposed creating a land commissioner before deciding upon the policy regarding the lands.

Mr. Weir opposed making the secretary of state ex-officio commissioner of public lands, nor was it necessary to prescribe every detail of an officer's duty before you decide to have such an officer.

Mr. Bowen told further about the system pursued in Michigan.

Mr. Gowey said the legislature would attend to details.

Mr. Gowey's amendment went down in a second, and Sharpstein's amendment then came up again, simply striking out the land commissioner, but that went the same way without further debate.

Mr. Miers moved to strike out the word "auditor"—ayes and 31 noes were counted, and the chair decided the motion lost.

Mr. Miers moved that the committee rise and report progress. Lost. Section 1 was adopted.

Section 2 provides that the governor shall hold his office four years.

Mr. Sharpstein moved to make it two years. Lost. Section 2 was adopted.

Section 3 provides four years for lieutenant-governor and two years for each of the others.

Mr. Crowley moved to amend by making all the terms four years. Adopted, and then the section was adopted.

Section 4 provides the method for

THE RETURNS OF ELECTION

of governor and lieutenant-governor, and that contested elections shall be decided by the legislature.

Mr. Stiles asked if the usual way of deciding in such contested elections was not through the courts.

Mr. Weir thought these particular cases of contested elections ought to be decided by the legislature.

Mr. Lillis moved to strike out the last sentence relative to the change of terms of office depending on the legislature. He thought the state officers should have a fixed date upon which to enter their terms of office.

Mr. Weir thought chaos would arrive along with the adoption of this amendment.

Mr. Godman couldn't see the chaos because all officers held until his successor was elected and qualified and the legislature could be convened at any time to count and declare the votes.

Mr. Weir, in explanation of his chaos, said all that had been considered in the committee, but they had thought there would be more harmony and consonance if the committee on schedules should fix the dates for starting all these terms.

Mr. Lillis' motion failed by ayes 18, noes 25.

Section 4 was adopted by a vote of ayes 34, noes 21.

Section 5 authorizes the governor to require information from the other officers and requires him to see that the laws are faithfully executed, and that was adopted.

Section 6 requires the governor to send an annual message to the legislature and that was adopted after changing the name of the "general assembly" to the "legislature" on motion of Mr. Dyer.

Section 7 authorizes the governor to convene the legislature in extraordinary session. Adopted.

Section 8 reads as follows: 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.

Mr. Griffitts moved to strike out this section, because it conferred

A DANGEROUS POWER

On the governor, which, in conjunction with the smaller branch of the legislature, would give him too much authority.

Mr. Buchanan wanted no Cromwells in this state and favored the motion.

A brief debate by Messrs. Weir, Durie, Godman, Dyer, Stiles, Dunbar and others followed, and section 8 was stricken out.

Section 9, making the governor commander-in-chief, was adopted.

Mr. Stiles moved that the committee rise and report progress—ayes 35, noes 31.

The committee rose and the president resumed the chair. Mr. Reed reported progress from the committee and asked leave to sit again, which was granted.

Mr. Dyer moved to adjourn.

Mr. Warner invited the convention to listen to an address this evening at Columbia hall by Hon. Sunset Cox.

The convention then adjourned to 9 A. M. Friday.

WORDS FROM WASHINGTON.

The Pension Office—Arms For Alaska --Chinese Servants.

WASHINGTON, July 24.—Civil Service Commissioner Roosevelt said to-day that charges have been brought against both the pension office and the sixth auditor's office that men have been discharged because they were democrats. He was not prepared to say that this was a violation of the law, but individually he thought it was a violation of the spirit of the law. He thought no one, unless he happened to be an active partisan, should be dismissed from the public service. He said the commission was going to look the matter up, not only now relating to the present but to the past.

The governor of Alaska has requested the officials of the war department to furnish the territory with 200 stand of arms with which to equip the territorial militia. There is no record of the existence of any militia organization in Alaska, but inasmuch as the war department will be secured against the loss of the arms they will probably be sent in compliance with the request.

Solicitor Hepburn, to whom the question was propounded, is of the opinion that there is nothing in the Chinese exclusion act to prohibit the landing in the United States of Chinese who enlisted as servants on the United States naval vessels recently at Samoa, and whose service will terminate on the arrival of the vessels at San Francisco. The solicitor considers that these men are a part of the working outfit of the vessels, and are exempted from the operations of the exclusion act.

AN ABSCONDER.

After Ten Years He is Arrested in Chili, But Escapes.

NEW YORK, July 25.—The following dispatch reached police headquarters last night:

LIMA, July 24.—Inspector Byrnes, New York: Prisoner escaped at Iquique Friday. Re-arrest is impossible. Instruct the United States minister at Lima. REILLY.

The prisoner is William A. Bushnell, alias Gerald A. Hanson, the absconding bookkeeper of Outley, Dunham & Dunbard, who was arrested at Santiago, Chili, last December by Detective Reilly of this city, and who was on his way back here in Reilly's custody. Ten years ago he hypothecated securities valued at $50,000 belonging to the above named law firm and fled. Then under the name of Hanson he was appointed agent of the West Coast Telephone Company in Santiago, where he moved in the best society. He embezzled $10,000, but was so popular than no jury would convict him. It was then found that Bushnell and Hanson were one and the same person, and Inspector Byrnes had him arrested on the first charge. It was with great difficulty he was extradited.

A COMBINE.

The Strawboard Manufacturers Unite in a Huge Trust.

CHICAGO, July 25.—The strawboard makers of the country have united in one mammoth company or trust. R. E. Newcome of the Quincy, Ill., mill, acknowledges the existence of the trust, and says its name is "The American Strawboard Company." Twenty-six mills are embraced in the combination, located in various sections of the country. It also takes in the largest dealers in strawboard, who practically control the trade. Mr. Newcomb says the trust intends to conduct business so that the production shall not exceed the demand and will be satisfied with a fair profit.

Arraigned for Trial.

CHICAGO, July 25.—Daniel Coughlan, P. O'Sullivan, J. F. Beggs, John Kunze and Frank Woodruff were arraigned before Judge Horton this afternoon. In answer to the question, all the prisoners with the exception of Coughlan said they were ready for trial. Coughlan said he wished to see his attorney before answering. The matter was continued until to-morrow morning, when the prisoners' attorneys will be in court.

Strikers in Germany.

BERLIN, July 25.—The trial of the strikers arrested at Breslaw resulted in the conviction of thirty-two. Henkie, the ringleader, was sentenced to seven years penal servitude and to be deprived of civil rights for seven years. Nine were sentenced to terms ranging from eighteen months to five years at hard labor. Twenty-two were sentenced to from one year to four years without hard labor.

Mrs. Herron Safe.

WASHINGTON, July 25.—In response to a telegram, Tuesday, respecting the case of Mrs. Herron, reported under sentence of death in Corea for preaching the doctrine of Christianity, the acting secretary of state this morning received the following from Minister Dinsmore:

SEOUL, Corea, July 24.—The report concerning Mrs. Herron is wholly without foundation. DINSMORE.

For the Relief of Soldiers.

WASHINGTON, July 25.—A knapsack by which the weight of the burden carried transferred to the hips from the shoulders, has been under trial for some time by the authorities at the war department. So favorable have been the reports received that the ordnance bureau has been ordered to manufacture 2000 for use in the army.

PACIFIC NEWS.

The Leader of a Band Court-Martialed For Disobeying Orders.

Lightning In Butte Kills One Man and Seriously Wounds Several Others.

Fire at Colfax Destroys a Packing-House--The Salmon Run--Other Items.

[SPECIAL TELEGRAM TO THE REVIEW.]

SAN FRANCISCO, July 25.—The court-martial case of Isaac C. Coggin, member of the Second Regiment band, N. G. C., who has been on trial for disobeying orders in refusing to report for duty on July 4, has concluded its labors, and the sentence in the case is that Coggin shall pay a fine of $50 and be dishonorably discharged from the service. In the Fourth of July celebration only non-union bands were employed, the celebration committee claiming that it was necessary to save expense. The Musical Union of the city then ordered all its members not to participate in the parade. Coggin is a member of the union and also leader of the Second Regiment band, and he elected to obey the union instead of the regiment when ordered by the latter to parade. This is regarded as a test case for other members who disobeyed orders.

The annual report of the assessors, submitted to-day, shows that the value of personal property in this city to be $65,000,000, an increase over last year of over $3,000,000. The value of real estate is $200,800,000, an increase over last year of over $29,000,000.

The examination of Mrs. Perry, Florence Blythe's grandmother, was resumed at the trial of the Blythe case today. A number of letters, which passed between Blythe and the Perrys, chiefly in reference to Florence's welfare, were identified.

From a private dispatch received this afternoon dated at Paw Paw, Mich., it is stated that at a meeting of the executive committee of the National Grange association to-day, it was unanimously voted to hold their next annual session at Sacramento, Cal., to commence November 18. Arrangements will be made by the state grange society and the California state board of trade to entertain the visitors.

A LIGHTNING STROKE.

A Railroad Man Killed and Several Injured in Butte.

[SPECIAL TELEGRAM TO THE REVIEW.]

BUTTE, Mont., July 25.—John Moriarty, section foreman on the Montana Central railroad, while at work on his section five miles from Elk Park station, was struck by lightning to-day and instantly killed. He had a spike maul in his hands and was standing about ten feet from his men when the stroke descended. All of the men, five in number, were severely shocked, one or two being thrown violently to the ground and rendered insensible but soon recovered. Moriarty was struck near the heart. The electrical current followed down his body and tore his shoes and stockings into shreds. His watch chain was burned in two and the cases of his watch melted.

FIRE AT COLFAX.

The Colfax Packing-House Almost Totally Destroyed.

[SPECIAL TELEGRAM TO THE REVIEW.]

COLFAX, July 25.—The handsome brick packing-house of the Colfax Packing Company was almost totally destroyed by fire at eleven o'clock last night. In the building were 7000 pounds of bacon. The brick walls remain intact. It is not known how the fire started, but was either incendiary or caught from stock and perhaps tramps on the train committed the deed and threw the bodies off in order to allay suspicion. The bodies were found close together between the tracks of the Baltimore & Ohio and Lake Shore railways.

The Chinese Can Go Through.

WASHINGTON, July 25.—The treasury department has acquiesced in the opinion of the attorney general that Chinese can pass through American territory to foreign ports, and the practice of the department, which has been exactly the rever