

permanently organized. Point of order overruled by the chair. Appeal taken by Mr. Henry. Appeal sustained.

J. F. Gowey moved to adjourn till 10 a.m. tomorrow. D. Buchanan moved to amend by substituting 9 a.m. Amendment defeated.

Mr. Buchanan called for the appointment of the Committee on Credentials. Whereupon the chair appointed T. M. Reed, T. C. Griffiths, A. Mires, S. H. Manly and C. H. Warner.

The motion to adjourn till 10 a.m. tomorrow carried.

ALLEN WEIR  
*Temporary Secretary*

### Second Day

Capitol Building, July 5th, 1889. The Convention met at 10 a.m. Temporary Chairman J. Z. Moore in the chair. All the members of the Convention answered to their names, except A. Schooley, H. Clothier, George H. Jones and Francis Henry; the latter afterwards reported present. On motion the minutes were read and amended and adopted as amended. A recess was then taken to enable the Committee on Credentials to report. The Convention was again called to order at 10:35 a.m. T. M. Reed, Chairman of the Committee on Credentials, proceeded to read the report as follows:

To the Chairman of the Constitutional }  
Convention of Washington Territory }

Your Committee on Credentials respectfully reports that it has performed the duty assigned it and find the following named gentlemen present and duly qualified and entitled to membership in this Convention from Districts designated as follows:

From the First District the only credentials presented to your committee for the third member from such district is a certificate of the Auditor of Stevens County, being the senior county of such district, by W. W. Waltman showing him to have received the highest number of votes in said district and entitled to membership in this Convention. No other credentials whatever were

presented to the committee by any person claiming such place and no contest exists therefor. Your committee therefore recommends that Mr. W. W. Waltman be admitted as a member of this Convention from the First District.

We have no credentials presented by any person from the Seventeenth District except those of Mr. Thomas Hayton as shown in the following list all of which is respectfully submitted.

T. M. REED

*Chairman*

THOMAS C. GRIFFITTS

*Secretary*

C. H. WARNER

A. MIRES

S. H. MANLY

**First District:**

S. H. Manly

C. P. Coey

**Second District:**

Geo. Turner

J. Z. Moore

J. J. Browne

**Third District:**

T. C. Griffitts

H. F. Suksdorf

Hiram E. Allen

**Fourth District:**

H. W. Fairweather

Frank M. Dallam

B. B. Glascock

**Fifth District:**

John A. Shoudy

A. Mires

J. T. McDonald

**Sixth District:**

J. P. T. McCroskey

C. H. Warner

E. H. Sullivan

**Seventh District:**

John M. Reed

James Hungate

George Comegys

**Eighth District:**

D. Buchanan

S. G. Cosgrove

W. B. Gray

**Ninth District:**

M. M. Godman

Lewis Neace

R. F. Sturdevant

**Tenth District:**

D. J. Crowley

B. L. Sharpstein

N. G. Blalock

**Eleventh District:**

R. O. Dunbar

W. F. Prosser

J. T. Eshelman

**Twelfth District:**

G. H. Stevenson

Louis Sohns

A. A. Lindsley

**Thirteenth District:**

O. A. Bowen  
 J. A. Burk  
 J. F. Van Name

**Fourteenth District:**

Henry Winsor  
 John McReavey  
 A. J. West

**Fifteenth District:**

Allen Weir  
 Geo. H. Jones  
 H. C. Willison

**Sixteenth District:**

James Power  
 J. J. Weisenburger  
 Edward Eldridge

**Seventeenth District:**

Thomas Hayton

**Eighteenth District:**

J. C. Kellogg  
 S. A. Dickey  
 R. Jeffs

**Nineteenth District:**

T. P. Dyer  
 Thomas T. Minor  
 D. E. Durie

**Twentieth District:**

J. P. Hoyt  
 J. R. Kinnear  
 M. J. McElroy

**Twenty-first District:**

G. W. Tibbetts  
 Morgan Morgans  
 W. L. Newton

**Twenty-second District:**

P. C. Sullivan  
 T. L. Stiles  
 Gwin Hicks

**Twenty-third District:**

C. T. Fay  
 H. M. Lillis  
 R. S. More

**Twenty-fourth District:**

John F. Gowey  
 Thomas M. Reed  
 Francis Henry

**Twenty-fifth District:**

O. H. Joy  
 R. Jamieson  
 S. H. Berry

On motion the report was received. Mr. Geo. Turner moved adoption of all of the report except what refers to W. W. Waltman of the First District; the same to be referred to a special committee hereafter. T. C. Griffiths, member of Committee on Credentials explained the case. Gwin Hicks moved that the Hon. Secretary of Territory be requested to explain the reading of the case. Ruled out of order. T. M. Reed, Chairman of the Committee on Credentials further explained, and after further discussion John McReavey moved to amend the motion so as to adopt the report of the committee as a whole. T. L. Stiles moved to amend by adding a proviso so as to leave the Convention free to act hereafter in case a claimant should appear for Waltman's seat. Carried.

James Power moved to amend the amendment so as to admit H. Clothier and A. Schooley as members who were not present but whose certificates were in the hands of the Secretary of the Territory. Adopted. On motion to adopt the report as amended a division was called, resulting in the adoption of the report by forty-two to twenty-five.

C. H. Warner moved to proceed to the election of permanent officers of the Convention by ballot. The president pro tem called attention to the matter of administering the oath to the members. On motion of John F. Gowey, Chief Justice C. H. Hanford was invited to administer the oath of office to the members. The roll was called and the following named members were sworn in by the Chief Justice: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Godman, Gowey, Gray, Griffiths, Hayton, Henry, Hicks, Hoyt, Hungate, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, Manly, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Neace, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Sharpstein, Shoudy, Sohns, Stevenson, Stiles, Sturdevant, Suksdorf, E. H. Sullivan; P. C. Sullivan, Tibbetts, Turner, Van Name, Waltman, Warner, Weir, Weisenburger, West, Willison, Winsor.

C. H. Warner called for his motion to elect officers. J. R. Kinnear moved to amend by electing by roll call. Amendment lost. T. M. Reed raised point of order that electing by ballot in a representative body is unprecedented. Overruled. The motion to elect by ballot was adopted.

F. Henry moved to adjourn until 2 p.m. Lost.

Geo. Turner nominated for President John P. Hoyt of King County. T. C. Griffiths nominated for President C. H. Warner of Whitman County. J. A. Burk nominated for President S. G. Cosgrove of Garfield. D. E. Durie raised point of order that the nominations were closed before the last name was announced. Overruled. R. O. Dunbar and Geo. H. Jones were appointed tellers. The vote resulted as follows: Hoyt, forty; Warner, fifteen; Cosgrove, fifteen; scattering, three. John P. Hoyt was declared elected President of the Constitutional Convention of Washington Territory. C. H. Warner moved, and S. G. Cosgrove seconded it, that

the election of John P. Hoyt be made unanimous. Adopted. The chairman pro tem appointed Messrs. C. H. Warner, S. G. Cosgrove and A. A. Lindsley a committee to escort Judge Hoyt to the chair. Judge Hoyt made a brief speech of thanks.

John McReavey moved to adjourn until 2 p.m.

The following communication was ordered to be read by the President:

Olympia, July 4th, 1889.

To the Honorable President of the Constitutional Convention of the Territory of Washington

Sir: under instructions from the First Comptroller of Treasury of the United States, this office is authorized to pay from the appropriation providing for the expenses of the Constitutional Convention, Washington Territory, the number of officers and the same pay as are designated for the Territorial Council, or House during a session of the Legislature by the appropriation Act dated June 19th, 1878, viz:

One Chief Clerk	at \$6	per day
One Enrolling and Engrossing Clerk	at \$5	per day
One Sergeant-at-Arms and Doorkeeper	at \$5	per day
One Messenger	at \$4	per day
One Watchman	at \$4	per day
One Chaplain	at \$1.50	per day.

The accounts therefore are required to be properly certified by the President and Chief Clerk of the Convention, before they are forwarded to this office.

Very respectfully,

O. C. WHITE

*Secretary*

Mr. Govey moved authority to the President to express the sympathy of the Convention with the citizens of Ellensburg in their calamity by fire which had just been reported. Carried.

Adjourned until 2 p.m.

The following are the telegrams ordered spread on the record.

Olympia, July 4th, 1889

Hon. F. B. Fancher

President North Dakota Constitutional Convention  
Bismarck, Dakota.

The Washington Constitutional Convention appreciates your patriotic greeting. We shall endeavor that [of] the four new stars emblazoned on our national flag, the one bearing the honored name of Washington shall not be less brilliant by reason of our labors. May the Dakotas fulfill all the bright expectations of their friends and wear the chaplet of citizenship with distinction and honor.

JAMES Z. MOORE

*President Pro Tem*

### Second Day Afternoon Session

Called to order. J. A. Shoudy of Kittitas County asked for leave of absence on account of the disastrous fire at Ellensburg. Granted. The chair stated next order of business to be election of a Chief Clerk. W. F. Prosser nominated John I. Booge of Spokane Falls. Geo. Comegys nominated W. A. Mears of Spokane Falls. N. G. Blalock nominated H. Kelling of Walla Walla. Result of vote: J. I. Booge, 37; W. A. Mears, 10; Kelling, 21; scattering, 2. John I. Booge was declared elected.

For Enrolling and Engrossing Clerk, James Power nominated Richard O. Welts of Skagit County, seconded by S. H. Manly. M. M. Godman raised a point of order on the ground that the Enabling Act does not specify what officers we shall have. Moved by M. M. Godman that we proceed to elect Sergeant-at-Arms. Lost. Proceeded to election of Enrolling and Engrossing Clerk. John McReavey nominated J. D. Hannegan. Result of vote: Richard O. Welts, 42; J. D. Hannegan, 25; scattering, 3. Richard O. Welts was declared elected.

For Sergeant-at-Arms and Doorkeeper, E. H. Sullivan nominated J. H. Leiter. A. J. West nominated F. Leavenworth. P. C. Sullivan of Pierce County seconded nomination of J. H. Leiter. Result of vote: J. H. Leiter, 47; Leavenworth, 17; scattering, 3. J. H. Leiter was declared elected.

For Messenger, John F. Gowey nominated H. D. Cowles. James Power seconded the nomination. R. O. Dunbar moved to suspend the rules and that H. D. Cowles be elected by acclamation. Carried.

For Watchman—M. M. Godman asked leave to introduce a resolution as follows, and moved its adoption. "Resolved: That the President appoint a committee of seven to report the designation and number of officers other than President, Secretary, Enrolling and Engrossing Clerk and Sergeant-at-Arms, as, in their opinion, are necessary for the transaction of the business of the Convention and the compensation to be paid to each where not fixed by law."

Geo. Turner rose to a point of order, that we proceed to elect officers under a former resolution. Mr. Burk moved to lay the resolution on the table. Geo. Turner's point of order submitted to the Convention and sustained. Mr. Burk nominated Levi Summers. L. H. Joy nominated Phelix Owen. Result of vote: Levi Summers, 32; Phelix Owen, 15; Bowen, 11; scattering, 7. Levi Summers was declared elected.

For Chaplain, A. A. Lindsley nominated Rev. J. R. Thompson. On motion of T. P. Dyer of King County order suspended and Rev. J. R. Thompson was declared elected Chaplain.

S. G. Cosgrove moved to declare the officers thus far elected to be the officers of this Convention. Carried. The following named officers were then sworn in: R. O. Welts, Enrolling and Engrossing Clerk; J. H. Leiter, Sergeant-at-Arms and Doorkeeper; H. D. Cowles, Messenger; Levi Summers, Watchman.

J. R. Kinnear of King County offered the following resolution which was on motion adopted unanimously by roll call. "Be it remembered that in the Convention of the representatives of Washington Territory chosen in pursuance of an act of Congress of the United States, entitled 'An act to provide for the division of Dakota into two states and to enable the people of North Dakota, South Dakota, Montana and Washington to form constitutions and state governments and to be admitted into the Union on an equal footing with the original states and to make donations of public lands to such states' approved February 22nd, 1889, and assembled at the seat of government of said Territory in pursuance of said Act on the fourth day of July A. D. 1889, after the organization of said Convention and before proceeding to other business it was on the fifth day of July, 1889, Resolved, That in pursuance

of the Enabling Act and in behalf of the people of Washington we, in Convention assembled, do adopt the Constitution of the United States."

W. F. Prosser offered the following: "Resolved that a committee of five be appointed by the President to report to the Convention rules and order of business with a list of standing committees of the Convention and that this committee be requested to report tomorrow morning at 10 a.m." T. C. Griffiths moved the following as a substitute: "Resolved that a committee of seven be appointed by the President to report a body of rules for the government of this Convention and to facilitate its business." Substitute adopted.

T. P. Dyer offered the following which was adopted. "Resolved: That a committee of three be appointed by the President of this Convention, whose duty it shall be to confer with one or more reporters upon the subject of reporting the debates and proceedings of this body, said reporter or reporters engaging their services upon the faith of a further appropriation by either Congress or the territorial or state Legislature to liquidate said expenses, and reporting to this Convention the result of such conference."

C. A. Bowen introduced the following which was adopted. "Resolved: That the representatives of the press be invited to take seats within the bar, and that the Sergeant-at-Arms be instructed to provide suitable accommodations for the same."

J. Z. Moore submitted the following telegram from the Montana Constitutional Convention.

"Helena, Montana, July 5th, 1889

"Hon. J. Z. Moore: Montana, standing on the threshold of statehood, reciprocates your cordial greeting, and indulges the hope that the Constitution which you have met to form may be based upon the virtue and intelligence of the people, and, when so formed, that it may survive the years to come in all its vigor unimpaired until a hundred sovereign states shall have been erected into one confederacy, then to remain an indestructible and indissoluble Union.

"J. K. TOOLE,  
*President Pro Tem.*"



On motion of J. F. Gowey these telegrams and responses and those acted upon yesterday were ordered spread upon the records of the Convention.

E. H. Sullivan moved to have a committee of three be appointed to allot seats to members. D. Buchanan moved to amend by having members draw keys. Member from Klickitat moved amendment to amendment by permitting members to sit as at present located. On motion of John McReavey the whole matter was postponed indefinitely.

On motion of Geo. Turner the Convention proceeded to elect Reading Clerk and Page. T. L. Stiles nominated C. M. Barton for Reading Clerk. On motion of R. O. Dunbar, order of election suspended and C. M. Barton elected by acclamation. H. S. Manly nominated Willie Hagemeyer for Page. On motion of T. M. Reed the rules were suspended and Willie Hagemeyer was declared elected by acclamation. John F. Gowey nominated Master Thompson for other Page. On motion action postponed until tomorrow. C. M. Barton as Reading Clerk and Willie Hagemeyer as Page were sworn in.

The following communications from the Territorial Secretary were read and filed.

“Olympia, July 4th, 1889

“To the Honorable President of the Constitutional Convention of the Territory of Washington.

“Sir: I have the honor to inform you that under instructions from the First Comptroller Treasury of the United States, Thomas H. Cavanaugh has been designated as Public Printer for miscellaneous printing during the session of the Constitutional Convention for Washington Territory. The appropriation for printing being limited to \$3,750 no amount in excess of this can be paid for by this office. Very respectfully,

O. C. WHITE,  
*Secretary.*”

"Olympia, July 4th, 1889

"To the Honorable President of the Constitutional Convention of the Territory of Washington.

"Sir:

"I have the honor to transmit herewith enclosed copy of letter dated Washington D. C., April 19, 1889, from the First Comptroller Treasury of the United States relative to pay of members, etc., of the Constitutional Convention for the Territory of Washington. Very respectfully,

O. C. WHITE, *Esq.*  
*Secretary,*  
*Washington Territory."*

"Sir:

"I am in receipt of your letter of the 10th instant, in which you refer to the Act of Congress approved April [sic] 22, 1889, providing for the admission of Washington Territory; and you request full instructions in regard to the expenditure of the twenty thousand dollars appropriated for the expenses of holding the Convention. You desire to be specially informed as to the per diem to be allowed to members of the Convention and for stationery, printing, etc. You will observe by the twentieth section of the Act above referred to the sum of twenty thousand dollars, or so much thereof as may be necessary, is appropriated to defray the expenses of the Convention in your Territory as well as in each of the other Territories mentioned in said act. Said twenty thousand dollars in the language of the act is 'for the payment of the members thereof under the same rules and regulations and at the same rates as are now provided by law for payment of the territorial legislature'. In the third section of the act it is provided that the number of delegates to each of the said Conventions shall be seventy-five. I find, upon an examination, that the number of delegates to the Conventions largely exceeds the numbers of the legislatures—nearly twice as many. The ordinary appropriation for the expenses of a session of the legislature is about twenty thousand dollars.

"In my opinion Congress did not fully consider the amount which would be necessary for the expenses of the

Convention; but be that as it may, you are not authorized to expend for said expenses more than the amount appropriated; and I suggest that the incidental expenses be first provided for, the mileage of members then paid and the remainder be applied to the payment of members. The amount of the per diem, of course, would depend on the length of the session. If that be short, the rate per day might be as much as members of the legislature receive, while in no case should it exceed that amount. I suggest that if under this ruling the members of the Convention should not receive all to which they think they are properly entitled, they must look to the territorial fund for whatever additional compensation they may expect. Respectfully Yours,

M. J. DURHAM,  
*Comptroller."*

The following committees were announced by the President. On rules, etc.: W. F. Prosser, T. C. Griffiths, C. H. Warner, James Power, S. G. Cosgrove, [D. J. Crowley, T. L. Stiles, L. Sohns, T. M. Reed, D. E. Durie, Walter W. Waltman, A. J. West]†. On reporting proceeding: T. P. Dyer, N. G. Blalock, A. A. Lindsley. James Power moved to refer [(the latter)]\* to [the]\* Committee [on Rules]\* already named. Carried. John F. Gowey moved to increase number of Committee on Rules to thirteen. Carried. On motion of T. L. Stiles Committee instructed to report (partially at least) tomorrow a.m. on assembling of Convention. E. Eldridge moved that we adopt the rules of parliamentary practice in Jefferson's Manual until otherwise ordered. Lost. On motion of J. Z. Moore Convention took a recess of ten minutes.

Convention reconvened. Chairman announced the following additional names for the Committee on Rules, etc.: D. J. Crowley of Walla Walla, T. L. Stiles of Pierce, D. E. Durie of King, A. Weir of Jefferson, A. J. West of Chehalis, and W. W. Waltman of Stevens.

T. C. Griffiths offered the following. "Resolved, That until further ordered, the hours of the session of this Convention be fixed as follows, to wit: Commencing at 10 a.m. and adjourn at 12 noon, commence at 2 p.m. and adjourn at 5 p.m." C. H. Warner moved

† Correction made in journal.

\* Stricken in journal.

to strike out all after the words "10 a.m." Carried. D. Buchanan moved to further amend by changing to 9 a.m. D. J. Crowley moved to adjourn. A. A. Lindsley moved that when the Convention adjourns it adjourn until 10 a.m. tomorrow. Carried. On motion of J. R. Kinnear the resolution as to time of session was indefinitely postponed. On motion of J. F. Gowey, adjourned.

ALLEN WEIR  
*Secretary Pro Tem*

### Third Day

#### A. M. Session (Saturday, July 6th)

At roll call all the members responded to their names except Messrs. Durie, Schooley and Shoudy. Prayer by Chaplain Thompson. Mr. James Power presented the credentials of H. Clothier of Skagit County; he was sworn in by the President. The minutes of the second day's session were read and approved.

Mr. Power offered a resolution as follows: "Resolved, that the thanks of this Convention are due and are hereby tendered to Hon. J. Z. Moore and Hon. Allen Weir for the very able and efficient manner in which they respectfully performed the duties of Temporary President and Secretary of this Convention. Also to the Governor, Chief Justice and the Hon. Secretary of the Territory." Adopted.

Mr. Allen Weir offered the following. "Resolved, that this Convention now proceed to elect a Journal Clerk and a Door-keeper." Amended to include a Page, and on motion of Mr. Gowey referred to the committee of thirteen on Rules and Order of Business.

Mr. Prosser from the Committee on Rules and Order of Business reported as follows:

To the Honorable President of the Convention: Pursuant to instructions your Committee on Rules and Order of Business respectfully submits the following as the standing committees of the Convention, to be composed of the number of members designated.

- |                                 |           |
|---------------------------------|-----------|
| 1. Preamble and Bill of Rights  | 7 Members |
| 2. Election and Election Rights | 7 Members |
| 3. Legislative Department       | 9 Members |