

aye: Allen, Coey, Comegys, Dunbar, Eldridge, Eshelman, Fairweather, Gowey, Griffiths, Henry, Hicks, Kellogg, McDonald, Minor, Mires, Power, Prosser, Schooley, Sharpstein, Sohns, Stevenson, Stiles, Suksdorf, P. C. Sullivan, Tibbetts, Turner, Warner, West, Willison, Winsor, Mr. President. The following thirty-two members voted no: Berry, Blalock, Bowen, Buchanan, Burk, Clothier, Crowley, Dickey, Durie, Dyer, Fay, Godman, Hayton, Hungate, Jeffs, Jones, Joy, Kinnear, Lindsley, Manly, McCroskey, McElroy, J. Z. Moore, R. S. More, Neace, J. M. Reed, Shoudy, Sturdevant, E. H. Sullivan, Van Name, Weir, Weisenburger. Messrs. Dallam, Gray, Jamieson, McReavey and T. M. Reed not voting. Messrs. Browne, Cosgrove, Glascock, Lillis, Morgans, Newton and Travis absent on leave. Lost.

Mr. J. Z. Moore moved that the Convention now consider the article on Preamble and Bill of Rights. Mr. Dunbar demanded the ayes and noes. They were ordered and the following forty voted aye: Allen, Berry, Bowen, Buchanan, Burk, Clothier, Crowley, Dickey, Dunbar, Dyer, Eldridge, Fay, Godman, Hungate, Jeffs, Jones, Joy, Kellogg, Kinnear, Lindsley, Manly, McCroskey, McElroy, Minor, J. Z. Moore, R. S. More, Neace, Prosser, J. M. Reed, Sharpstein, Stevenson, Sturdevant, Stiles, E. H. Sullivan, P. C. Sullivan, Van Name, Weir, Weisenburger, West, Winsor. The following twenty-four members voted no: Blalock, Coey, Comegys, Dallam, Durie, Eshelman, Fairweather, Gowey, Griffiths, Hayton, Henry, Hicks, McDonald, Mires, Power, Schooley, Shoudy, Sohns, Suksdorf, Tibbetts, Turner, Warner, Willison, Mr. President. Messrs. Gray, Jamieson, McReavey and T. M. Reed not voting. Messrs. Browne, Cosgrove, Glascock, Lillis, Morgans, Newton, and Travis absent on leave. The motion was carried.

Mr. P. C. Sullivan moved to go into committee of the whole for the purpose of considering the report of the Committee on Preamble and Bill of Rights, pending which Mr. Schooley moved to adjourn (at 3:15 p.m.). Agreed to and the Convention stood adjourned until Monday, July 29th, 1889, at 9 a.m.

### July 29th, 1889

Convention called to order by the President at 9 a.m.

Prayer by the Rev. Mr. Lee.

On roll call all the members were present except Messrs. Berry,

Browne, Cosgrove, Dallam, Dyer, Lillis, McElroy, McReavey, Sturdevant, Weir, and Willison and Morgans on leave. Mr. Fairweather asked that Mr. Dallam be excused for the day. Granted. Mr. Jones asked indefinite leave for Mr. Willison. Granted. Mr. Travis asked indefinite leave for Mr. Berry. Granted. Mr. Lindsley asked leave of absence for the day for Mr. Lillis. Granted. Mr. Stevenson asked leave of absence for the day for Mr. McReavey. Granted. Mr. President asked indefinite leave of absence for Mr. Weir. Granted.

Minutes read and approved.

Mr. Dyer appeared and asked to be reported present. Granted.

Mr. Winsor presented a petition of C. F. Woodcock and one hundred twenty others as to women's suffrage. Referred to the Committee on Elections and Elective Rights.

Mr. Warner reported back from Committee on Preamble and Bill of Rights propositions on Sunday observance and asked that it be referred to the [Committee on] Legislative Department. So ordered.

Mr. Henry submitted a minority report from the Committee on Corporations Other Than Municipal. Read.

To the President and members of the Constitutional Convention of Washington:

The undersigned of the Committee on Corporations Other Than Municipal, having signed the majority report recommending the passage of the article on corporations reported by said Committee, makes this qualification to his approval thereof. I dissent from the recommendation of the [report]\* majority of said Committee in regard to Section 21, and recommend that it do not pass for the following reasons:

First: Because I believe that the creation of the Commission contemplated thereby with the extraordinary powers conferred upon it, to supervise and regulate the affairs of individuals or associations of individuals engaged in certain specified lines lawful business to the exclusion of others, is discriminating, arbitrary and unjust in the extreme, and in violation of the fundamental principles of free government.

Second: That the powers conferred upon said Commission,

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\* Stricken in journal.

to wit: "To exercise supervisory control over all railroads, canals and other transportation companies, associations and corporations and over all other common carriers and in the absence of legislation upon the subject to regulate fares and freights and prescribe and limit the charges therefor, to prevent abuses, discrimination and extortion by such companies, associations or corporations" is a delegation to one and the same person of all the power which the people in the formation of governments for themselves have jealously separated into three independent departments, as said section in its terms creates a board of three persons, a majority of whom can exercise legislative, judicial and executive powers, or who in other words can enact such rules or laws as they may deem necessary to regulate fares and freights, the charges therefor and to prevent abuses, discrimination and extortion therefor, sit as judges of the facts and of the laws thus enacted by themselves, and exercise the executive arm of the government in enforcing their decrees.

Third: That the effect of the same, whether it is enforced or not, will be to prevent the investment of capital in the development of the resources of the state, to paralyze the great enterprises of improvement which have already been commenced, and to prevent the inauguration of others now in contemplation, thus cutting off the hopes of competition against those who now have control of the carrying business, which I regard as the only practicable and sure remedy against every species of monopoly.

Respectfully submitted,  
 FRANCIS HENRY

And on the question shall the report lie on the table and be printed it was so ordered.

Mr. Tibbetts moved to authorize the Chief Clerk to employ an assistant to the Journal Clerk. Carried.

The question then was shall the article on Executive Department and Pardoning Power as now printed be adopted and upon its being read a third time and a clerical error corrected, a call of the roll was ordered. The following fifty-eight members voted aye: Allen, Blalock, Bowen, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dickey, Dunbar, Durie, Dyer, Eshelman, Fairweather, Fay, Glascock, Godman, Gowey, Gray, Griffiths, Hayton, Henry, Hicks, Hungate, Jamieson, Jeffs, Jones, Joy, Kellogg, Kin-

near, Lindsley, Manly, McCroskey, McDonald, Minor, Mires, J. Z. Moore, R. S. More, Newton, Power, Prosser, T. M. Reed, Schooley, Shoudy, Sohns, Sturdevant, Stiles, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Van Name, Winsor, Mr. President. The following eight members voted no: Eldridge, J. M. Reed, Sharpstein, Turner, Warner, Weisenburger, West. Mr. McElroy not voting and Messrs. Berry, Browne, Dallam, Lillis, McReavey, Morgans, Weir and Willison on leave of absence. The article was agreed to and referred to the Committee on Revision, Adjustment and Enrollment. (For article as agreed to on Executive Department and Pardoning Power see page 372.)

Messrs. Cosgrove, Dallam, Gowey and McElroy appeared and asked to be reported present. Granted.

The report of the Committee on Preamble and Bill of Rights was then taken up and Mr. Bowen moved that the Convention resolve itself into a committee of the whole for the purpose of considering the report of the Committee on Preamble and Bill of Rights. Carried.

At 9:50 the Convention went into committee of the whole for the consideration of the report with Mr. Stiles in the chair.

At 12 noon the committee of the whole having risen, the President resumed the chair and the committee reported that they had had under consideration the report of the Committee on Preamble and Bill of Rights, made progress but came to no resolution thereon and asked leave to sit again. Leave was granted.

Mr. Dunbar moved to adjourn. Lost. Mr. Griffiths moved to take a recess until 2 p.m. Agreed to.

At 2 p.m. Convention called to order by the President. Mr. President presented a communication from Ex Chief Justice Roger S. Greene in relation to tidelands. Read and referred to the Committee on State, School and Granted Lands.

Mr. Warner then moved that the Convention resolve itself into a committee of the whole for the purpose of further considering the report of the Committee on Preamble and Bill of Rights. Carried. At 2:10 p.m. the Convention went into committee of the whole for the purpose of considering the report with Mr. Stiles in the chair.

At 3:55 the committee rose and the President resumed the chair. The committee reported that they had had under consider-

ation the report of the Committee on Preamble and Bill of Rights, had made progress and recommended that the Preamble be referred back to the Committee on Preamble and Bill of Rights and asked leave to sit again. The report of the committee was adopted and the preamble ordered sent back to the committee and the committee granted leave to sit again.

The question then being upon the report of the Committee on State, County and Municipal Indebtedness it was ordered to informally pass that order.

Mr. E. H. Sullivan moved to proceed to the consideration of the report on military affairs. Carried. Mr. Bowen moved that the Convention resolve itself into a committee of the whole for the purpose of considering the report of the Committee on Military Affairs. Carried.

At 4 p.m. the Convention went into a committee of the whole for the purpose of considering the report with Mr. Henry in the chair. At 5:45 p.m. the committee rose and the President resumed the chair. The committee reported that they had had under consideration the report of the Committee on Military Affairs and had made progress but had come to no resolution thereon and asked leave to sit again. Leave was granted.

At 5:30 Mr. E. H. Sullivan moved to adjourn. Agreed to and the Convention stood adjourned to 9 a.m., July 30th, 1889.

### July 30th, 1889

Convention called to order by the President at 9 a.m.

On roll call all the members present except Messrs. Morgans and Willison on leave. Minutes read and approved.

Mr. Blalock presented a petition from J. E. Bingham and others relative to the practice of medicine. Read and referred to the Committee on State Medicine and Public Health.

Mr. Kinnear submitted a proposition relative to warehouses. Read and referred to the Committee on Agriculture, Manufactures, Fishing and Commerce.

Mr. Prosser moved that the Convention resolve itself into a committee of the whole for the purpose of further considering the report of the Committee on Military Affairs. Carried. At 9:15 the