

Section 31. A frequent recurrence to fundamental principles is essential to the security of individual right and the perpetuity of free government.

Section 32. No standing army shall be kept up by the state in time of peace, and no soldier shall in time of peace be quartered in any house without the consent of the owner, nor in time of war, except in the manner prescribed by law.

At 4:20 p.m. the Convention adjourned till August 7th, 1889, at 9 a.m.

August 7th, 1889

The Convention was called to order at 9 o'clock by President Hoyt. Prayer by the Rev. Mr. Buck.

At roll call all answered except Messrs. Allen, Browne and Dallam on leave and Messrs. Fairweather, Gowey, Henry, Jeffs, Mires, Power, Stiles and Turner. Messrs. Fairweather, Gowey, Mires, Henry, Turner, Stiles, Power afterward took their seats.

The Convention proceeded to consider the reports of the Committee on Miscellaneous Subjects, Schedule and Future Amendments.

Mr. Jones moved to insert after the word "published" in line eleven the words "for at least six months next preceding the election." Mr. J. Z. Moore moved to strike out "six" and insert "three." Carried and the motion as amended was adopted.

Mr. Berry moved to strike out "some weekly" in line eleven and insert the words "the official." Lost.

Mr. Schooley offered the following. But no amendment or amendments shall be submitted oftener than once in five years. Lost.

Mr. J. Z. Moore moved to strike out "weekly" in line eleven of Section 1. Lost.

Mr. Buchanan moved to adopt the minority report. Lost.

Mr. Jones offered the following substitute for Section 2 of the majority report.

At the general election to be held in the year one thousand eight hundred and, and in each twentieth year there-

after, the question "Shall there be a Convention to revise, alter or amend the Constitution" shall be submitted to the electors of the state, and in case of majority of all the electors voting at such election decide in favor of a Convention, the Legislature at its next session shall provide by law for the election of delegates and the assembling of such Convention as is provided by law, but no amendment of this Constitution agreed upon by any Convention assembled in pursuance of this article shall take effect until the same shall have been submitted to the electors of the state, and adopted by a majority of those voting thereon. Lost.

Mr. Weir moved to insert words "daily or" in front of the words "weekly" in line eleven. Lost.

Mr. Dyer moved to insert the words "at least once weekly" after word "published" in line eleven. Lost.

On motion of Mr. Griffiths the rules were suspended, the article considered engrossed and put upon its final passage.

The question being shall the article pass as amended, the ayes and noes were called for and the following sixty-six members voted aye: Berry, Blalock, Bowen, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Godman, Gowey, Gray, Griffiths, Hayton, Henry, Hicks, Hungate, Jamieson, Joy, Kellogg, Kinnear, Lillis, Lindsley, Manly, McCroskey, McDonald, McElroy, McReavey, Minor, J. Z. Moore, R. S. More, Morgans, Neace, Newton, Power, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Weir, Weisenburger, West, Willison, Winsor, Mr. President. The following one member voted no: Jones. Absent and not voting: Allen, Browne, Dallam, Jeffs, Mires, Prosser, J. M. Reed, Stiles. So the article was passed and was declared part of the Constitution of the State of Washington as follows.

Amendments

Section 1. Any amendment or amendments to this Constitution may be proposed in either branch of the Legislature; and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and noes

thereon, and be submitted to the qualified electors of the state for their approval at the next general election, and if the people shall approve and ratify such amendment or amendments, by a majority of the electors voting thereon, the same shall become part of this Constitution, and proclamation thereof shall be made by the Governor. Provided, that if more than one amendment be submitted, they shall be submitted in such manner that the people may vote for or against such amendment separately. The Legislature shall also cause the amendments that are to be submitted to the people to be [submitted]* published for at least three months next preceding the election in some weekly newspaper in every county where such newspaper is published throughout the state.

Section 2. Whenever two-thirds of the members elected to each branch of the Legislature shall deem it necessary to call a Convention to revise or amend this Constitution, they shall recommend to the electors to vote at the next general election for or against a convention, and if a majority of all the electors voting at said election shall have voted for a Convention, the Legislature shall at the next session provide by law for calling the same; and such Convention shall consist of a number of members, not less than that of the most numerous branch of the Legislature.

Section 3. Any Constitution adopted by such Convention shall have no validity until it has been submitted to, and adopted by, the people.

On motion the Convention then went into committee of the whole to consider the article on revenue and taxation with Mr. Turner in the chair. At 12 noon the committee rose and the President resumed the chair.

The Committee reported that they had had under consideration the article on revenue and taxation, had made progress, but come to no resolution thereon and asked leave to sit again. Leave was granted. On motion of Mr. Bowen, the Convention took a recess until 2 p.m.

Afternoon Session

Convention called to order at 2 p.m. by President Hoyt. A quorum present. President Hoyt submitted a communication from the Board of Trade of Colfax protesting against adoption of Section

* Stricken in journal.

3 of article upon formation of counties, cities and other municipal corporations. Read and laid on the table.

Mr. Minor offered following and asked unanimous consent to its adoption.

Mr. Godman from Committee on Homestead and Exemption submitted the following which was read first and second time and ordered printed as follows.

In the Convention

Committee on Homestead and Property Exemptions

Mr. President and Members of the Convention:

Your Committee on Homesteads and Property Exemptions report the following article on the subject and recommend its adoption.

Article

Section 1. The Legislature shall protect by law from forced sale a certain portion of the homestead and other property of all heads of families.

Respectfully submitted,
M. M. GODMAN, *Chairman*
GEO. H. JONES
HENRY WINSOR

Mr. Comegys from the Committee on Federal Relations, Boundaries and Immigration submitted the following report which was read first and second time and ordered printed as follows.

In the Convention

Committee on Federal Relations, Boundaries and Immigration

Article

Mr. President and Members of the Convention:

Your Committee on Federal Relations, Boundaries and Immigration have had under consideration the question of boundaries of the State of Washington [and] recommend the following.

GEO. COMEGYS,
Chairman
D. BUCHANAN
JOHN MCREAVEY
ARNOLD J. WEST
MATT J. MCELROY

The boundaries of the State of Washington shall be as follows: Beginning at a point one marine league due west of and opposite the middle of the north ship channel of the Columbia River, thence running easterly to and up the middle channel of said river and where it is divided by islands up the middle of the widest channel thereof to where the forty-sixth parallel of north latitude crosses said river, near the mouth of the Walla Walla River, thence east on said forty-sixth parallel of latitude to the middle of the main channel of the Shoshone or Snake River; thence follow down the middle of the main channel of Snake River to a point opposite the mouth of the Kooskooski or Clearwater River: thence due north to the forty-ninth parallel of north latitude, thence west along said forty-ninth parallel of north latitude to the middle of the channel which separates Vancouver's Island from the continent, that is to say to a point in longitude 123 degrees 19 minutes and 15 seconds west, thence following the boundary line between the United States and British possessions through the channel which separates Vancouver's Island from the continent to the termination of the boundary line between the United States and British possessions at a point in the Pacific Ocean equidistant between Bonilla Point on Vancouver's Island and Tatoosh Island lighthouse, thence running in a southerly course and parallel with the coast line, keeping one marine league off shore to place of beginning.

Mr. Blalock from Committee on Education and Educational Institutions submitted the following report which was read first and second time and ordered printed as follows.

In the Convention

Committee on Education and Educational Institutions

Mr. President and Members of the Convention:

Your Committee on Education and Educational Institutions respectfully submit the following article and recommend its adoption.

Article

Section 1. It is the paramount duty of the state to make ample provision for the education of all children residing within its borders without distinction or preference on account of race, color, caste or sex.

Section 2. The Legislature shall provide for a general and

uniform system of public schools. The public school system shall include common schools and such high schools, normal schools, and technical schools as may hereafter be established. But the entire revenue derived from the state school fund, and the state school tax shall be exclusively applied to the support of the common schools.

Section 3. The principal of the common school fund shall remain permanent and irreducible. The said fund shall be derived from the following named sources, to wit: Appropriations and donations by the state to this fund; donations and bequests by individuals to the state or public for educational institutions; the proceeds of lands and other property which revert to the state by escheat and forfeiture; the proceeds of all property granted to the state when the purpose of the grant is not specified, or is uncertain; funds accumulated in the treasury of the state for the disbursement of which provision has not been made by law; the proceeds of the sale of timber, stone, mineral or other property from school and state lands; all moneys recovered from persons appropriating timber, stone, minerals or other property from school and state lands, and all moneys other than rental recovered from persons trespassing on said lands, five per centum of the proceeds of the sale of public lands lying within the state, which shall be sold by the United States subsequent to the admission of the state into the union as provided by Section 13 of the act of Congress enabling the admission of the state into the Union. The principal of all funds arising from the sale of lands and other property which have been, and thereafter may be granted to the state for the support of the common schools. The Legislature may make further provisions for enlarging said fund. The interest accruing on said fund together with all rentals and other revenues derived from school and state lands and properties mentioned in this section shall be exclusively applied to the current use of the common schools.

Section 4. All schools maintained or supported wholly or in part by the public funds shall be forever free from sectarian control or influence.

Section 5. All losses to the permanent common school or any state college or university fund, which shall have been occasioned by defalcation, mismanagement or fraud of the agent or officers controlling or managing the same, shall be audited by the proper

authorities of the state. The amount so audited shall be a permanent funded debt against the state in favor of the particular fund sustaining such loss, upon which not less than six per cent annual interest shall be paid. The amount of liability so created shall not be counted as a part of the indebtedness authorized and limited elsewhere in this Constitution.

N. G. BLALOCK, *Chairman*
S. A. DICKEY, *Secretary*
A. A. LINDSLEY
H. M. LILLIS
J. T. ESHELMAN
R. O. DUNBAR

Mr. Gowey at 2:10 p.m. moved to go into committee of the whole for the further consideration of the article on revenue and taxation with Mr. Turner in the chair. Carried.

At 4:20 the committee rose and the President resumed the chair and reported that they had had under consideration the article on revenue and taxation, had made several amendments thereto and asked the Convention to concur therein.

All the amendments except amendment to Section 4 were concurred in without division.

On the amendment to Section 4 the ayes and noes were demanded and ordered, and the following forty-two members voted aye: Blalock, Buchanan, Burk, Coey, Cosgrove, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fay, Glascock, Griffiths, Henry, Jamieson, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, McElroy, McReavey, Minor, J. Z. Moore, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Shoudy, Sohns, Stiles, Tibbetts, Weir, Weisenburger, West, Winsor.

The following twenty-three members voted no: Berry, Bowen, Clothier, Comegys, Crowley, Godman, Gowey, Gray, Hicks, Manly, McDonald, R. S. More, Neace, Sharpstein, Stevenson, Sturdevant, Suksdorf, E. H. Sullivan, Turner, Van Name, Warner, Willison, Mr. President. Absent and not voting: Allen, Browne, Dallam, Fairweather, Hayton, Hungate, Jeffs, Mires, P. C. Sullivan, Travis. So the amendment was adopted.

Mr. J. Z. Moore moved to amend Section 4 by inserting after the word "property" and the words "and exclusively for charitable or religious purposes." Lost.

Mr. West offered the following amendment to the amendment: And five hundred dollars worth of household goods including tools and provisions of each householder. Lost.

Mr. Suksdorf offered the following additional section. Land and improvements thereon shall be separately assessed, cultivated and uncultivated land of the same quality and similarly situated, shall be assessed at the same value.

The ayes and noes were demanded and ordered and the following nineteen members voted aye: Berry, Blalock, Clothier, Cosgrove, Crowley, Eshelman, Glascock, Godman, Hayton, Hicks, Joy, Manly, McCrosky, J. M. Reed, Sharpstein, Suksdorf, Tibbetts, Warner, Weisenburger.

The following forty-five members voted no: Bowen, Buchanan, Burk, Coey, Comegys, Dickey, Dunbar, Durie, Dyer, Eldridge, Fay, Gowey, Gray, Griffiths, Henry, Jamieson, Jones, Kellogg, Kinnear, Lillis, Lindsley, McDonald, McElroy, McReavey, Minor, J. Z. Moore, R. S. More, Morgans, Neace, Power, Prosser, T. M. Reed, Schooley, Shoudy, Stevenson, Stiles, Sturdevant, E. H. Sullivan, Turner, Van Name, Weir, West, Willison, Winsor, Mr. President. Absent and not voting: Allen, Browne, Dallam, Fairweather, Hungate, Jeffs, Mires, Power, Stevenson [sic], P. C. Sullivan, Travis. So the amendment was not adopted.

Mr. Griffiths offered the following as an additional section.

Section. A mortgage, deed of trust, contract or other obligation by which a debt is secured, shall, for the purpose of assessment and taxation, be deemed and treated as an interest in the property affected thereby. Except as to railroad and other quasi public corporations, in case of debt so secured, the value of the property affected by such mortgage, deed of trust, contract or obligation, less the value of such security shall be assessed and taxed to the owner of the property, and the value of such security shall be assessed and taxed to the owner thereof in the county, city or district in which the property affected thereby is situated. The taxes so levied shall be a lien upon the property and security, and may be paid by either party to such security, if paid by the owner of the security, the tax so levied upon the property affected thereby shall become a part of the debt so secured, if the owner of the property shall pay the tax so levied upon such security, it shall constitute a payment thereon, and to the extent of such pay-

ment a full discharge thereof. Provided, that if any such security or indebtedness shall be paid by any such debtor or debtors, after assessment and before the tax levy, the amount of such levy may likewise be returned by such debtor or debtors, and shall be computed according to the tax levy for the preceding year.

The ayes and noes being ordered, the following twenty-three members voted aye: Berry, Clothier, Coey, Cosgrove, Dickey, Glascock, Godman, Griffiths, Jones, Joy, Lindsley, Manly, McCroskey, McDonald, R. S. More, J. M. Reed, Schooley, Stevenson, Turner, Van Name, Warner, Weisenburger, West.

The following forty-one members voted no: Blalock, Bowen, Buchanan, Burk, Comegys, Crowley, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fay, Gowey, Gray, Hayton, Henry, Hicks, Jamieson, Kinnear, Lillis, McElroy, McReavey, Minor, J. Z. Moore, Morgans, Neace, Power, Prosser, T. M. Reed, Sharpstein, Shoudy, Sohns, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, Tibbetts, Weir, Willison, Winsor, Mr. President. Absent and not voting: Allen, Browne, Dallam, Fairweather, Hungate, Jeffs, Kellogg, Mires, Newton, P. C. Sullivan, Travis. So the amendment was not adopted.

Mr. Comegys offered the following as a substitute for Section 4. The property of the United States and of the state, counties, school districts, and other municipal, corporations, places of burial not used or held for private or corporate profit, public libraries and institutions of purely public charity, shall be exempt from taxation. Personal property to any amount not exceeding in value five hundred dollars to the head of each family and actual places of worship not exceeding three thousand dollars in value may be exempted by the Legislature but such exemption shall be by general law only.

On this the ayes and noes were demanded and ordered and the following eighteen members voted aye: Comegys, Crowley, Gray, Hicks, Jamieson, Joy, Lindsley, Manly, McDonald, Neace, Stevenson, Sturdevant, Suksdorf, E. H. Sullivan, Turner, Van Name, Warner, Weisenburger.

The following forty-five members voted no: Berry, Blalock, Bowen, Buchanan, Burk, Clothier, Coey, Cosgrove, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fay, Glascock, Gowey, Griffiths, Hayton, Henry, Jones, Kinnear, Lillis, McCroskey, McElroy, McReavey, Minor, J. Z. Moore, R. S. More, Morgans, Power,

Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles, Tibbetts, Weir, West, Willison, Winsor, Mr. President. Absent and not voting: Allen, Browne, Dallam, Fairweather, Godman, Hungate, Jeffs, Kellogg, Mires, Newton, Travis, P. C. Sullivan. So the amendment was not adopted.

Mr. T. M. Reed offered the following as a substitute for Section 4.

Section 4. The property of the United States and of the state, counties, school districts and other municipal corporations shall be exempt from taxation, and such other property as may be used exclusively for actual places of religious worship, places of burial not used or held for private or corporate profit and institutions of purely public charity, public libraries and personal property to any amount not exceeding in value two hundred dollars to the head of each family, may be exempted from taxation by the Legislature, but such exemption shall be only by general laws.

The ayes and noes were demanded and ordered and the following twenty-seven members voted aye: Blalock, Bowen, Buchanan, Cosgrove, Dickey, Dyer, Eshelman, Glascock, Gowey, Hayton, Joy, Kinnear, Lindsley, McCroskey, Minor, J. Z. Moore, Morgans, Prosser, J. M. Reed, T. M. Reed, Sohns, Stevenson, Suksdorf, Tibbetts, Turner, Weisenburger, Mr. President.

The following thirty-two members voted no: Burk, Clothier, Coey, Comegys, Dunbar, Durie, Eldridge, Fay, Gray, Griffiths, Henry, Hicks, Jamieson, Jones, Lillis, McDonald, McElroy, McReavey, R. S. More, Neace, Power, Schooley, Sharpstein, Shoudy, Stiles, E. H. Sullivan, Van Name, Warner, Weir, West, Willison, Winsor. Absent and not voting: Allen, Browne, Crowley, Dallam, Fairweather, Godman, Hungate, Jeffs, Kellogg, Mires, Newton, P. C. Sullivan, Travis. So the amendment was not adopted.

Mr. Schooley moved to insert after "property" all the words "all places of purely public charity." Lost.

Mr. Weisenburger offered the following amendment: Strike from Section 1 the words "under this Constitution" and insert "of this state." Lost.

Mr. Weir moved to suspend the rules, consider the article engrossed and put it upon its final passage. Carried.

The article was then read a third time. The question being shall the article pass, the ayes and noes were demanded and ordered and the following forty-one members voted aye: Blalock, Bowen, Buchanan, Burk, Clothier, Coey, Cosgrove, Dickey, Dunbar, Durie, Dyer, Eshelman, Fay, Glascock, Gowey, Griffiths, Hayton, Henry, Jamieson, Jones, Joy, Kinnear, Lindsley, McCroskey, McElroy, McReavey, J. Z. Moore, R. S. More, Morgans, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Shoudy, Sohns, Stiles, Tibbetts, Weir, Winsor, Mr. President.

The following seventeen members voted no: Comegys, Crowley, Eldridge, Godman, Hicks, Minor, Sharpstein, Stevenson, Sturdevant, Suksdorf, E. H. Sullivan, Turner, Van Name, Warner, Weisenburger, West, Willison. Absent and not voting: Allen, Browne, Berry, Dallam, Fairweather, Gray, Hungate, Kellogg, Lillis, Manly, McDonald, Mires, Neace, Newton, P. C. Sullivan, Travis. So the article passed and was declared to be part of the Constitution of the State of Washington.

For article on revenue and taxation see page 459 (omitted by mistake).

Mr. Turner was granted leave for the balance of the week.

At 5:15 p.m. Mr. Jones moved to adjourn. Agreed to and the Convention adjourned till August 8th, 1889, at 9 a.m.

August 8th, 1889

The Convention was called to order at 9 a.m. by President Hoyt. In the absence of the Chaplain prayer was dispensed with.

On roll call all answered to their names except Messrs. Allen, Browne, Dallam and Turner on leave and Messrs. Fairweather, Henry, Jeffs, Stiles and Travis. Messrs. Stiles, Henry, Fairweather [and] Turner afterwards took their seats.

The minutes of previous day were read, amended and approved. The President submitted a communication from Allen C. Mason and others in relation to tidelands. Ordered to lie on the table.

Also a communication from C. D. Potter of Adams Center, N. Y., relative to Sunday Law. Referred to Committee on Miscellaneous Subjects, Schedule and Future Amendments.