

At 5:30 the Convention resumed its session with the President in the chair. The Committee reported that they had had under consideration the report of the Committee on State, School and Granted Lands but had come to no resolution thereon.

Mr. P. C. Sullivan gave notice that he would on tomorrow or some subsequent time move to reconsider the vote by which the article on elections and elective rights was defeated.

Mr. Cosgrove moved to adjourn. And the ayes and noes were demanded and on a call of the roll the following forty-two members voted aye: Allen, Browne, Buchanan, Burk, Coey, Comegys, Cosgrove, Crowley, Dickey, Dunbar, Durie, Dyer, Eldridge, Gowey, Gray, Hayton, Henry, Hicks, Jamieson, Jones, Joy, Kellogg, McCroskey, McDonald, McElroy, Minor, Mires, Morgans, Power, Prosser, T. M. Reed, Shoudy, Sohns, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Weir, Weisenburger, Willison, Winsor.

The following twenty-seven members voted no: Berry, Blacklock, Bowen, Clothier, Dallam, Eshelman, Fairweather, Fay, Glascock, Griffithts, Jeffs, Kinnear, Manly, J. Z. Moore, R. S. More, J. M. Reed, Schooley, Sharpstein, Stevenson, Tibbetts, Travis, Turner, Van Name, Warner, West, Mr. President. Not voting: Stiles, Newton, Lindsley, Lillis, Godman. On leave, Hungate and Neace. And the motion prevailed and the Convention stood adjourned to August 15th, 1889, at 9 a.m.

August 15th, 1889

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

On a call of the roll all the members were present except Messrs. Eldridge, Fairweather, Gowey, Jones, McElroy, McReavey, Stiles and Turner, and Messrs. Hungate and Neace on leave.

Minutes read and approved.

The following members reported present: Messrs. Turner, Jones, Stiles, McElroy, Gowey, McReavey, Fairweather.

Mr. Prosser presented a memorial from Zeralda McCoy, a taxpaying woman, relative to equal suffrage. Read and referred to Committee on Elections and Elective Rights.

Mr. Joy (by request) presented a memorial from ninety-three voters of Buckley relative to same subject. Read and referred to Committee on Elections and Elective Rights.

Mr. Weir presented a petition relative to school lands, tide-lands, etc. signed by Louis Poole and many other citizens of Port Union. Ordered to lie on the table.

By the Clerk petition on same subject signed by J. Powell and many others. Read and ordered to lie on the table.

The President submitted a petition from citizens of Port Gamble on same subject. Read and ordered to lie on the table.

The article on harbors, tidewaters and navigable streams was then read a third time and passed to a final vote. And the question then was shall the Convention agree to the article as read and on a call of the roll the following forty-nine members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dickey, Durie, Dunbar, Dyer, Eshelman, Fay, Glascock, Griffiths, Hayton, Hicks, Jeffs, Joy, Kellogg, Kinnear, Lindsley, McCroskey, McElroy, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, Schooley, Shoudy, Sohns, Suksdorf, E. H. Sullivan, Travis, Turner, Van Name, Warner, Weir, Willison, Winsor, Mr. President.

The following twenty-one members voted no: Eldridge, Fairweather, Godman, Gowey, Gray, Henry, Jones, Lillis, Manly, McDonald, McReavey, Minor, Mires, T. M. Reed, Sharpstein, Stevenson, Stiles, P. C. Sullivan, Tibbetts, Weisenburger, West. Not voting: Dallam, Jamieson [and] Sturdevant. On leave, Hungate, [and] Neace. A majority of all the members of the Convention having voted in the affirmative the article was agreed to and ordered referred to the Committee on Revision, Adjustment and Enrollment as follows.

Article

Section 1. The Legislature shall provide for the appointment of a Commission whose duty it shall be to locate and establish harbor lines in the navigable waters of all harbors, rivers, estuaries, bays and inlets of this state wherever such navigable waters lie within or in front of the corporate limits of any city or within one mile thereof upon either side. The state shall never give, sell or lease to any private person, corporation or association any rights whatever in the waters beyond such harbor lines, nor shall any of the area lying between any harbor line and the line of ordinary high tide and within not less than fifty feet nor more than six hundred feet of such harbor line (as the Commission shall

determine) be sold or granted by the state, nor its right to control the same relinquished, but such area shall be forever reserved for landings, wharves, streets and other conveniences of navigation and commerce.

Section 2. The Legislature shall provide general laws for the leasing of the right to build and maintain wharves, docks and other structures upon the areas mentioned in Section 1 of this article, but no lease shall be made for any term longer than thirty years, or the Legislature may provide by general laws for the building and maintaining upon such area wharves, docks or other structures.

Section 3. Municipal corporations shall have the right to extend their streets over intervening tidelands to and across the area reserved as herein provided.

Mr. P. C. Sullivan moved that the vote by which the article on elections and elective rights failed to pass be now reconsidered.

The ayes and noes were demanded and ordered and on a call of the roll the following fifty members voted aye: Allen, Berry, Blalock, Bowen, Buchanan, Burk, Coey, Comegys, Cosgrove, Dickey, Dunbar, Dyer, Eshelman, Fairweather, Fay, Gowey, Hayton, Henry, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, Manly, McCroskey, McElroy, Minor, Mires, J. Z. Moore, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Shoudy, Sohns, Suksdorf, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Weir, Weisenburger, Willison, Winsor, Mr. President.

The following nineteen members voted no: Browne, Clothier, Crowley, Durie, Eldridge, Glascock, Godman, Gray, Griffiths, Hicks, Jeffs, McDonald, R. S. More, Schooley, Stevenson, Sturdevant, E. H. Sullivan, Warner, West. Not voting: Dallam, Jamieson, McReavey [and] Stiles. On leave: Hungate and Neace. The motion was carried.

The question then was on agreeing to the article, pending which Mr. J. Z. Moore moved the previous question. Lost.

Mr. Crowley moved that the vote by which a third reading of the article was defeated be reconsidered. The ayes and noes being demanded and ordered the following fifty-nine members voted aye: Allen, Berry, Blalock, Bowen, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dickey, Dunbar, Durie, Dyer, Eld-

ridge, Eshelman, Fay, Glascock, Godman, Gowey, Gray, Griffiths, Hayton, Henry, Hicks, Jeffs, Jones, Joy, Kellogg, Kinnear, McCroskey, McDonald, McElroy, McReavey, Minor, R. S. More, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, West, Willison, Winsor.

The following eleven members voted no: Browne, Fairweather, Lillis, Lindsley, Manly, Mires, J. Z. Moore, Morgans, Weir, Weisenburger, Mr. President. Not voting, Dallam, Jamieson, Stiles. On leave, Hungate and Neace. And the motion prevailed.

Mr. Crowley moved the following substitute for Section 9. The following article shall be submitted separately to the electors of the territory at the time of the election held for the adoption of the Constitution.

Separate Article

All persons, male and female, of the age of twenty-one years or over, possessing the following qualifications shall be entitled to vote at all elections.

The ballot of those voting in favor of the article shall read "For Woman Suffrage"; the ballots of those voting against the article shall read "Against Woman Suffrage." If at said election the number of ballots cast in favor of the adoption of said article exceeds those cast against its adoption, then said separate article shall become a part of the Constitution and shall be substituted for and take the place of the following sentence in the article on elections and elective rights: "All male persons of the age of twenty-one years or over possessing the following qualifications shall be entitled to vote at all elections."

Mr. Bowen moved the previous question. So ordered. The question then was on the adoption of Mr. Crowley's substitute. Mr. Eldridge moved to amend the substitute and it was adopted as follows. "In the event of the rejection of the separate article on Woman Suffrage, the Legislature may at any future general election submit the question to the qualified electors and if a majority of all the votes cast on that question shall be in favor of Woman Suffrage it shall then take effect and become the law."

Ayes and noes demanded and ordered and on a call of the roll

the following twenty-eight members voted aye: Allen, Blalock, Burk, Cosgrove, Crowley, Dickey, Dunbar, Durie, Eldridge, Eshelman, Fay, Gray, Jamieson, Joy, Kellogg, Kinnear, Manly, McCroskey, McReavey, Newton, J. M. Reed, Stevenson, Tibbetts, Warner, Weir, Willison, Winsor, Mr. President.

The following forty-three members voted no: Berry, Bowen, Browne, Buchanan, Clothier, Coey, Comegys, Dallam, Dyer, Fairweather, Glascock, Godman, Griffiths, Hayton, Henry, Hicks, Jeffs, Jones, Lillis, Lindsley, McDonald, McElroy, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Power, Prosser, T. M. Reed, Schooley, Shoudy, Sohns, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Travis, Turner, Van Name, Weisenburger, West. Not voting, Gowey, Sharpstein. On leave, Hungate, Neace, and the motion was lost.

Mr. Shoudy moved to add the following as a proviso to Section 1: "But after the year 1895 the following additional qualification in addition to above shall be required. No person shall be allowed to vote at any election or hold any office who cannot read and write in the English language." Lost.

Mr. Dyer moved that the rules be suspended, the article be considered engrossed and passed to third reading and it was so ordered.

The Article was then considered read a third time and the question then was upon agreeing to the article as read and on a call of the roll the following sixty-seven members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eshelman, Fairweather, Fay, Glascock, Godman, Gray, Griffiths, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, McDonald, McElroy, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Travis, Turner, Van Name, Warner, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

The following five members voted no: Clothier, Eldridge, Manly, McReavey, Tibbetts. Messrs. Gowey, Hungate and Neace not voting and a majority of all the members voting in the affirm-

ative the article was agreed to and ordered sent to the Committee on Revision, Adjustment and Enrollment.

Article

Elections and Elective Rights

Section 1. All male persons of the age of twenty-one years or over possessing the following qualifications shall be entitled to vote at all elections. They shall be citizens of the United States, provided that Indians not taxed shall never be allowed the elective franchise. Provided further that all male persons who at the time of the adoption of this Constitution are qualified electors of the territory shall be electors. They shall have lived in the state one year and in the county ninety days and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote.

Section 2. The Legislature may provide that there shall be no denial of the elective franchise at any school election on account of sex.

Section 3. All idiots, insane persons and persons convicted of infamous crimes, unless restored to their civil rights, are excluded from the elective franchise.

Section 4. For the purpose of voting and eligibility to office no person shall be deemed to have gained a residence by reason of his presence or lost it by reason of his absence while in the civil or military service of the state or of the United States, nor while a student at any institution of learning, nor while kept at public expense in any poorhouse or other asylum, nor while confined in public prison, nor while engaged in the navigation of the waters of this state or of the United States or of the high seas.

Section 5. Voters shall in all cases except treason, felony and breach of the peace be privileged from arrest during their attendance at elections and in going to and returning therefrom. No elector shall be required to do military duty on the day of any election except in time of war or public danger.

Section 6. All elections shall be by ballot. The Legislature shall provide for such method of voting as will secure to every elector absolute secrecy in preparing and depositing his ballot.

Section 7. The Legislature shall enact a registration law and

shall require a compliance with such law before any elector shall be allowed to vote, provided that this provision is not compulsory upon the Legislature except as to cities and towns having a population of over five hundred inhabitants. In all other cases the Legislature may or may not require registration as a prerequisite to the right to vote and the same system of registration need not be adopted for both classes.

Section 8. The first election of county and district officers not otherwise provided for in this Constitution shall be on the Tuesday next after the first Monday in November, 1890, and thereafter all elections for such officers shall be held biennially on the Tuesday next succeeding the first Monday in November.

The first election of all state officers not otherwise provided for in this Constitution after the election held for the adoption of this Constitution shall be on the Tuesday next after the first Monday in November, 1892, and the elections for such state officers shall be held in every fourth year thereafter on the Tuesday succeeding the first Monday in November.

Section 9. The following article shall be submitted separately to the electors of the territory at the time of the election held for the adoption of the Constitution.

Separate Article

All persons male and female of the age of twenty-one years or over possessing the following qualifications shall be entitled to vote at all elections.

The ballots of those voting in favor of the article shall read "For Woman Suffrage". The ballots of those voting against the article shall read "Against Woman Suffrage." If at said election the number of ballots cast in favor of the adoption of said article exceed those cast against its adoption, then said separate article shall become a part of the Constitution and shall be submitted for and take the place of the following sentence in the article on elections and elective rights. "All male persons of the age of twenty-one years or over possessing the following qualifications shall be entitled to vote at all elections."

Mr. Dyer called to the chair.

Mr. Kinnear withdrew his amendment to Mr. Turner's substitute of yesterday relating to state, school and granted lands.

Mr. Stiles moved to strike out all after the word "lakes" in Mr. Turner's substitute.

Mr. Reed moved to strike out of Mr. Turner's substitute "line of ordinary high tide" where it occurred and insert "government meander lines." Ruled out of order.

Mr. Stiles' amendment being put it was lost.

Mr. Turner moved the previous question. Lost.

Mr. Stiles moved to take a recess until 2 p.m. Lost.

Mr. J. Z. Moore moved that previous question. Carried.

On the question shall the amendment of Mr. Turner be adopted the ayes and noes were demanded and ordered and on a call of the roll the following thirty-six members voted aye: Allen, Bowen, Browne, Clothier, Coey, Comegys, Dallam, Dunbar, Dyer, Eshelman, Glascock, Godman, Gray, Griffiths, Hayton, Hicks, Kinnear, Lindsley, McCroskey, McElroy, Mires, J. Z. Moore, R. S. More, Prosser, Reed, Schooley, Sharpstein, Shoudy, Sturdevant, Suksdorf, E. H. Sullivan, Travis, Turner, Van Name, Warner, Mr. President.

The following thirty-three members voted no: Blalock, Buchanan, Burk, Cosgrove, Crowley, Dickey, Eldridge, Fairweather, Fay, Henry, Jamieson, Jeffs, Jones, Joy, Kellogg, Lillis, Manly, McDonald, McReavey, Minor, Morgans, Power, T. M. Reed, Sohns, Stevenson, Stiles, P. C. Sullivan, Tibbetts, Weir, Weisenburger, West, Willison, Winsor.

Messrs. Berry, Gowey, Hungate, Neace, Newton not voting. Mr. Durie excused from voting and amendment was adopted.

Mr. Mires moved to take a recess until 2 p.m. Carried.

At 2 o'clock p.m. the Convention called to order by Mr. Dyer.

A communication from the Carpenters' Union of Tacoma relating to making Labor Day a legal holiday received and ordered to be on the table subject to call.

Mr. Hoyt moved the following amendment to the report on State, School and Granted Lands as an additional section.

"All patents of the United States purporting to grant to individuals lands between high tide and the meander line of the United States survey shall have the same force and effect as though such lands were above high tide."

Mr. Crowley moved to amend the section as follows:

"The State of Washington disclaims title to all school lands heretofore sold by the commissioners of any county pursuant to any territorial statutes where the purchase price has been paid in good faith."

Mr. Turner raised a point of order that the amendment is not germane to the substitute and he was sustained.

Mr. Stiles moved that the Convention now go into a committee of the whole for the purpose of considering the report of the Committee on State, School and Granted Lands. So ordered.

At 2:10 p.m. the Convention went into committee of the whole to consider the report, taking with them the section proposed by Mr. Hoyt and subsequent proceedings.

At 5:30 the committee rose and the President resumed the chair. The committee reported that they had had under consideration the report of the Committee on State, School and Granted Lands, and made progress and asked leave to sit again. Leave was granted.

Mr. Reed moved to adjourn. Carried. And the Convention stood adjourned to 9 a.m., August 16th, 1889.

August 16th, 1889

Convention called to order by the President at 9 a.m. Prayer by the Rev. Mr. Chaplain [sic]. On a call of the roll all the members were present except Fairweather, Gowey, Stiles and Turner, and Messrs. Neace and Hungate on leave.

Minutes read and approved. The following members were reported present: Messrs. Fairweather, Turner, Gowey and Stiles.

The President presented a petition relative to women's suffrage signed by M. B. L. West and others. Read and ordered to lie on the table.

Mr. Minor from the Committee on Revision recommended to