

"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

the Convention that in the article on organization of counties, cities and townships from the first five lines of the section down to the word "cities" in the fifth line the following be substituted: "Corporations for municipal purposes may be created by the Legislature by special laws, but the Legislature shall by general laws provide for the organization and government of such municipal corporations and for the classification of the same in proportion to their population; such laws may be altered, amended or repealed," and he moved that the Committee be instructed to make such change.

Mr. P. C. Sullivan rose to a point of order that the recommendation does not come within the powers and duties of the Committee. Sustained.

Mr. Gowey moved to suspend the rules and consider the recommendation of the Committee on Revision. Lost.

Mr. Suksdorf was excused for the morning session.

Mr. Dyer moved that the Convention resolve itself into a committee of the whole for the purpose of considering the report of the Committee on State, School and Granted Lands. Lost.

The regular order was then on report of the Committee on Schedule. Mr. Gowey gave notice that on tomorrow he would introduce an amendment to the rules allowing the Committee on Revision to suggest and report such amendments to articles said Committee has under consideration as in their judgment they may deem necessary for the perfecting of the same, for the action of the Convention and it was ordered that the Convention go into a committee of the whole for the purpose of considering the report of the Committee on State, School and Granted Lands.

At 9:40 the Convention went into a committee of the whole for the consideration of the report, with Mr. Dyer in the chair.

At 12:00 noon the committee rose and the President resumed the chair. The committee reported that they had had under consideration the article on state, school and granted lands, had come to no resolution thereon and asked leave to sit again. Leave was granted.

Mr. Dunbar moved to take a recess till 2 p.m. Carried.

At 2 p.m. the Convention was called to order by the President.

Mr. Dunbar moved that the Convention resolve itself into a committee of the whole for the further consideration of the report on state, school and granted lands. Carried. And the Convention went into a committee of the whole for the consideration of the report, with Mr. Dyer in the chair.

At 2:45 the committee rose and the President resumed the chair. The Committee reported that they had been considering the report of the Committee on State, School and Granted Lands, and made progress but come to no resolution thereon and asked leave to sit again. Leave granted.

Mr. Tibbetts moved a call of the house. Carried. And on the roll being called the following members were found to be absent without leave: Messrs. Allen, Henry, Fairweather and Turner.

Mr. Tibbetts moved that the call of the house be dispensed with. Carried.

Mr. Warner moved that the Convention resolve itself into a committee of the whole for the purpose of further considering the report of the Committee on State, School and Granted Lands. So ordered. The Convention then went into a Committee of the whole for the purpose of considering the report with Mr. Dyer in the chair.

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 report the same to the Convention.

Mr. E. H. Sullivan moved to adjourn. Agreed to. And the Convention stood adjourned till 9 a.m. August 17th, 1889.

From page 190. (omitted by mistake)

### Executive Department

#### Article

**Section 1.** The Executive Department shall consist of Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, Attorney General, Superintendent of Public Instruction and a 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.

**Section 2.** The supreme executive power of this state shall be vested in a Governor who shall hold his office for a term of four years and until his successor is elected and qualified.

**Section 3.** The Lieutenant Governor, Secretary of State, Treasurer, Auditor, Attorney General, Superintendent of Public Instruction and Commissioner of Public Lands shall hold their offices for four years respectively and until their successors are elected and qualified.

**Section 4.** The returns of every election for the officers named in the first section shall be sealed up and transmitted to the seat of government by the returning officers, directed to the Secretary of State, who shall deliver the same to the Speaker of the House of Representatives at the first meeting of the House thereafter, when he shall open, publish and declare the result thereof in the presence of a majority of the members of both houses. The person having the highest number of votes shall be declared duly elected, and a certificate thereof shall be given to such person, signed by the presiding officers of both houses, but if any two or more shall be highest and equal in votes for the same office, one of them shall be chosen by the joint vote of both houses. Contested elections for such officers shall be decided by the legislative assembly in such manner as shall be determined by law, the terms of all officers named in Section 1 of this article shall commence on the second Monday in January after their election until otherwise provided by law.

**Section 5.** The Governor may require information in writing from the officers of the state upon any subject relating to the duties of their respective offices and shall see that the laws are faithfully executed.

**Section 6.** He shall communicate at every session by message to the Legislature the condition of the affairs of the state, and recommend such measures as he shall deem expedient for their action.

**Section 7.** He may on extraordinary occasions convene the Legislature by proclamation, in which shall be stated the purposes for which the Legislature is convened.

**Section 8.** He shall be commander in chief of the military in the state except when they shall be called into the service of the United States.

**Section 9.** The pardoning power shall be vested in the Governor under such regulations and restrictions as may be prescribed by law.

**Section 10.** In case of the removal, resignation, death or disability of the Governor, the duties of the office shall devolve upon the Lieutenant Governor, and in case of a vacancy in both the offices of Governor and Lieutenant Governor, the duties of Governor shall devolve upon the Secretary of State, who shall act as Governor until the disability be removed or a Governor be elected.

**Section 11.** The Governor shall have power to remit fines and forfeitures under such regulations as may be prescribed by law, and he shall report to the Legislature at its next meeting each case of reprieve, commutation or pardon granted, and the reasons for granting the same, and also all persons in whose favor remission of fines and forfeitures shall have been made and the several amounts remitted and the reasons of the remission.

**Section 12.** Every act which shall have passed the legislative assembly shall be, before it becomes a law, presented to the Governor. If he approves he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, which house shall enter the objections at large upon the journal and proceed to reconsider. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present it shall become a law; but in all such cases the vote of both houses shall be determined by the yeas and nays, and the names of the members voting for or against the bill shall be entered upon the journal of each house respectively. If any bill shall not be returned by the Governor within five days, Sundays excepted, after it shall be presented to him, it shall become a law without his signature, unless the general adjournment shall prevent its return, in which case it shall become a law unless the Governor, within ten days next after the adjournment, Sundays excepted, shall file such bill with his objections thereto, in the office of the Secretary of State, who shall lay the same before the legislative assembly at its next session, in like manner as if it had been returned by the Governor. If any bill presented to the Governor contain several sections or items,

he may object to one or more sections or items while approving other portions of the bill. In each case he shall append to the bill, at the time of signing it, a statement of the section or sections, item or items to which he objects, and the reasons therefor, and the section or sections, item or items so objected to shall not take effect unless passed over the Governor's objection, as hereinbefore provided.

**Section 13.** When during a recess of the legislative assembly a vacancy shall happen in any office, the appointment to which is vested in the legislative assembly, or when at any time a vacancy shall have occurred in any other state office, for the filling of which vacancy no provision is made elsewhere in this Constitution, the Governor shall fill such vacancy by appointment, which shall expire when a successor shall have been elected and qualified.

**Section 14.** The Governor shall receive an annual salary of four thousand dollars which may be increased by law, but shall never exceed six thousand dollars per annum.

**Section 15.** All commissions shall issue in the name of the state, shall be signed by the Governor, sealed with the seal of the state, and attested by the Secretary of State.

**Section 16.** The Lieutenant Governor shall be presiding officer of the State Senate, and shall discharge such other duties as may be prescribed by law. He shall receive an annual salary of one thousand dollars, which may be increased by the Legislature but shall never exceed three thousand dollars per annum.

**Section 17.** The Secretary of State shall keep a record of the official acts of the legislative assembly and executive department of the state, and shall when required lay the same and all matters relative thereto before either branch of the legislative assembly, and shall perform such other duties as shall be assigned him by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by the Legislature but shall never exceed three thousand dollars per annum.

**Section 18.** There shall be a seal of state kept by the Secretary of [sic] for official purposes, which shall be called "The Seal of the State of Washington."

**Section 19.** The Treasurer shall perform such duties as shall be prescribed by law. He shall receive an annual salary of two

thousand dollars, which may be increased by the Legislature, but shall never exceed four thousand dollars per annum.

**Section 20.** The Auditor shall be auditor of public accounts, and shall have such powers and perform such duties in connection therewith as may be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the Legislature, but shall never exceed three thousand dollars per annum.

**Section 21.** The Attorney General shall be legal adviser of the state officers, and shall perform such other duties as may be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the Legislature, but shall never exceed thirty-five hundred dollars per annum.

**Section 22.** The Superintendent of Public Schools, and [sic] shall perform such specific duties as may be prescribed by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by law, but shall never exceed four thousand dollars per annum.

**Section 23.** The Commissioner of Public Lands shall perform such duties and receive such compensation as the Legislature may direct.

**Section 24.** The Governor, Secretary of State, Treasurer, Auditor, Superintendent of Public Instruction, Commissioner of Public Lands and Attorney General shall severally keep the public records, books and papers relating to their respective offices, at the seat of government at which place also the Governor, Secretary of State, Treasurer and Auditor shall reside.

**Section 25.** No person except a citizen of the United States and a qualified elector of this state shall be eligible to hold any [sic] and the State Treasurer shall be ineligible for the term succeeding that for which he was elected. The compensation of state officers shall not be increased or diminished during the term for which they shall have been elected. The Legislature may in its discretion abolish the offices of the Lieutenant Governor, Auditor and Commissioner of Public Lands.

**August 17th, 1839**

Convention called to order at 9 a.m. by the President. Prayer by the Rev. Mr. Chaplain [sic].