

Durie, Eshelman, Gray, Hicks, Joy, Kinnear, Lillis, McCroskey, McElroy, Power, Tibbetts, Van Name. Absent: Godman. On leave: Neace and Hungate, and it was lost.

Mr. Gowey moved to add an additional section:

Section. At the election for the adoption or rejection of this Constitution the ballots shall be in the following form:

For the Constitution. Yes. No.

For Prohibition. Yes. No.

For Women's Suffrage. Yes. No.

Mr. Shoudy moved to amend by striking out "No" and "Yes." Lost. Mr. Gowey's amendment carried.

Mr. Griffiths moved to add "For State Capitol (name of place voted for)."

Mr. T. M. Reed moved to recommit the article to the Committee on Schedule which motion carried twenty-four to seventeen. Mr. Power moved to adjourn. Lost.

Mr. Gowey moved to adjourn to 9 a.m. August 19th, 1889. Carried and the Convention stood adjourned to August 19, 1889, at 9 a.m.

August 19th, 1889

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

On roll call all the members were present except Messrs. Allen, Blalock, Cosgrove, Dallam, Dyer, Godman, Hicks, Hungate, Mires, Mires, Schooley and P. C. Sullivan and Mr. Neace on leave.

Minutes read and approved. The following members reported present: P. C. Sullivan, Mires, Cosgrove, Turner, Schooley, Allen, Dallam, Cosgrove.

Mr. Godman was excused for the day. Mr. Minor from the Revision Committee reported Articles 2, 4 and 5 and asked that Article 4 be amended.

Mr. Dyer moved that the rules be suspended that an amendment might be made to Article 4.

Mr. Minor moved to [strike]* amend Article 4 by striking out the word "first" and inserting "second," making it read—"terms of judges elected shall be six years from and after the second Monday in January next succeeding their election." Carried.

Article 2 was then read and the question then was on agreeing to the article as amended and revised, and on a call of the roll the following sixty members voted aye: Allen, Berry, Bowen, Browne, Buchanan, Burk, Coey, Comegys, Cosgrove, Crowley, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gray, Hayton, Henry, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Sturdevant, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

The following one member voted no: Griffiths. Not voting: Blalock, Clothier, Dallam, Gowey, Hicks, Hungate, Manly, T. M. Reed, Stiles, E. H. Sullivan, Warner. Messrs. Godman and Neace on leave, and a majority of all the members of the Convention having voted in the affirmative, the article was agreed to as Article 2 of the Constitution and ordered referred back to the Committee for [Revision, Adjustment and] Enrollment.

Article 4 was then read and the question then was upon agreeing to the article as amended and revised, and on a call of the roll the following fifty-nine members voted aye: Allen, Berry, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fay, Glascock, Gray, Griffiths, Hayton, Henry, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, McDonald, McElroy, McReavey, Minor, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Turner, Van Name, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

The following two members voted no: Stevenson, Travis. Not voting: Blalock, Crowley, Dallam, Fairweather, Gowey, Hicks, Hungate, Jamieson, Manly, Mires, Stiles, Warner. On leave, Godman

* Stricken in journal.

and Neace, and a majority of all the members voting in the affirmative, the article was so agreed to and it was referred back to the Committee for [Revision, Adjustment and] Enrollment.

Article 5 was then read and the question then was upon agreeing to the article as so amended and revised, and on a call of the roll the following fifty-nine members voted aye: Allen, Berry, Bowen, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gray, Griffiths, Hayton, Henry, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Sharpstein, Shoudy, Sohns, Stevenson, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Weir, West, Willison. Not voting: Blalock, Browne, Crowley, Dallam, Gowey, Hicks, Hungate, Jamieson, Manly, Weisenburger, Winsor, Mr. President. On leave: Godman and Neace. And a majority of all the members voting in the affirmative the article was so agreed to and it was referred back to the Committee for [Revision, Adjustment and] Enrollment.

The report of the Committee on Federal Relations, Boundaries and Immigration was then taken up and the report was read a second time.

Mr. Burk moves to strike out "north" in the second line and insert "main."

Mr. Minor moved to [strike out]* amend the amendment to strike out main. Ruled out of order. Mr. Burk's amendment was lost. Mr. Dyer moved that in line twelve after word "west" insert "from Greenwich." Lost.

Mr. Bowen moved to strike out the word "north" in second line. The ayes and noes were demanded and ordered and on a call of the roll the following twenty-three members voted aye: Bowen, Browne, Burk, Dickey, Eldridge, Gowey, Hayton, Henry, Joy, Minor, Mires, R. S. More, T. M. Reed, Schooley, Sohns, Tibbetts, Travis, Van Name, Warner, Weir, Weisenburger, Willison, Winsor.

The following thirty-five members voted no: Allen, Berry,

* Stricken in journal.

Buchanan, Clothier, Coey, Comegys, Crowley, Dunbar, Durie, Dyer, Eshelman, Fairweather, Fay, Glascock, Griffiths, Jones, Kinnear, McCroskey, McElroy, McReavey, J. Z. Moore, Morgans, Newton, Prosser, J. M. Reed, Shoudy, Stevenson, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Turner, West, Mr. President. Not voting: Blalock, Cosgrove, Dallam, Gray, Hicks, Hungate, Jamieson, Jeffs, Kellogg, Lillis, Lindsley, Manly, McDonald, Power, Sharpstein. On leave: Godman and Neace, and the amendment was lost.

Mr. Suksdorf moved to insert after the word "house" in sixteenth line, "thence westerly one league." Lost.

The question then being upon third reading Mr. Griffiths moved that the rules be suspended, it be considered read a third time, engrossed and put upon its final passage, and on a call of the roll the following sixty-one members voted aye: Allen, Berry, Bowen, Browne, Buchanan, Clothier, Coey, Comegys, Cosgrove, Crowley, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gowey, Griffiths, Hayton, Henry, Jamieson, Jones, Joy, Kellogg, Lillis, Lindsley, Manly, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, Sharpstein, Shoudy, Sohns, Stevenson, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Weir, Weisenburger, West, Winsor, Mr. President.

The following two members voted no: Burk, T. M. Reed. Not voting: Blalock, Dallam, Dickey, Gray, Jeffs, Kinnear, Schooley, Willison. On leave: [Hungate]*, Godman and Neace. And the article was agreed to and ordered sent to the Committee on Revision, Adjustment and Enrollment for enrollment as follows:

Committee on Federal Relations, Boundaries and Immigration

Article

The boundaries of the State of Washington shall be as follows: Beginning at a point in the Pacific Ocean one marine league due west of and opposite the middle of the north ship channel of the mouth 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

* Stricken in journal.

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 Kookskooskia or Clear Water 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 offshore to place of beginning.

Mr. Sturdevant asked indefinite leave for Mr. Blalock. So ordered.

Mr. Minor from the Committee on Revision [, Adjustment and Enrollment] brought to the attention of the Convention that the following words were left out in Section 23 of article on corporations other than municipal: "Upon payment of just compensation to be ascertained in the manner provided by law for the condemnation of private property for public use."

Mr. Turner moved that the rules be suspended and the matter be considered at this time. So ordered.

The question then was shall the words as reported by Mr. Minor be inserted, and Mr. Sullivan called for the ayes and noes, and on a call of the roll the following twenty-four members voted aye: Buchanan, Clothier, Dunbar, Durie, Dyer, Gowey, Hayton, Kinnear, Lindsley, Manly, Minor, Mires, J. Z. Moore, Power, Prosser, T. M. Reed, Schooley, Turner, Weir, Weisenburger, West, Wilison, Winsor, Mr. President.

The following thirty-five members voted no: Bowen, Browne, Burk, Coey, Crowley, Dickey, Eldridge, Eshelman, Fairweather, Glascock, Gray, Griffiths, [Hayton]*, Henry, Jamieson, Jeffs,

* Stricken in journal.

Jones, Joy, Kellogg, Lillis, McCroskey, McElroy, McReavey, R. S. More, Morgans, Newton, J. M. Reed, Sharpstein, Shoudy, Sohns, Stevenson, Suksdorf, P. C. Sullivan, Tibbetts, Travis, Warner. Not voting: Allen, Berry, Blalock, Comegys, Cosgrove, Dallam, Fay, Hicks, McDonald, Stiles, Sturdevant, E. H. Sullivan, Van Name. On leave: Godman and Neace, and the amendment was lost.

Mr. Turner asked leave to file a protest to the article. Mr. Hoyt and Mr. Gowey joining. Granted.

The report of the Committee on State, School and Granted Lands as amended and reprinted was then read. The question then was upon agreeing to the article.

Mr. Crowley moved to suspend the rules to consider the following amendment. None of the money received from the sale of any of the granted public school lands shall be loaned to private persons or to corporations, but it may be invested in national, state, county or municipal bonds and the interest on the fund may be used for the benefit of the common schools. The rules were not suspended.

Mr. Kinnear moved to suspend the rules for the purpose of considering the following amendment. Adding line four, Section 8 after the word "land" and also who in good faith have made valuable improvements on shore lands. Lost.

Mr. Turner then filed the following protest. The undersigned members of the Constitutional Convention respectfully protest against [said]* the action of the Convention in refusing to amend the article on corporations so as to require telegraph corporations proposing to occupy the road bed of railroad companies to make just compensation for the same, because:

First. Said amendment was adopted in committee of the whole and in the Convention and was by mistake omitted from the printed article adopted by the Convention.

Second. The article in its present form allows the confiscation of the roadbeds of railroad companies or so much thereof as

* Stricken in journal.

may be necessary for telegraph purposes and transfers the same to telegraph companies.

GEORGE TURNER
JOHN P. HOYT
JOHN F. GOWEY
T. M. REED
J. J. WEISENBURGER

Mr. J. Z. Moore moved to suspend the rules to allow him to move to strike from Section 7 the word "one" in line two and insert "two." Carried.

The question then was upon agreeing to the article as amended and Mr. Bowen moved the previous question and it was so ordered and on a call of the roll the following thirty-five members voted aye: Allen, Bowen, Browne, Burke, Dickey, Dunbar, Dyer, Eldridge, Eshelman, Fay, Hayton, Henry, Jamieson, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, Minor, Morgans, Power, T. M. Reed, Schooley, Shoudy, Sohns, Stiles, P. C. Sullivan, Turner, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

The following thirty-four members voted no: Berry, Blalock, Buchanan, Clothier, Coey, Comegys, Cosgrove, Crowley, Durie, Fairweather, Glascock, Gowey, Gray, Griffiths, Jeffs, Manly, McCroskey, McDonald, McElroy, McReavey, Mires, J. Z. Moore, R. S. More, Newton, Prosser, J. M. Reed, Stevenson, Sturdevant, Suksdorf, E. H. Sullivan, Tibbetts, Travis, Van Name, Warner. Not voting: Dallam, Hicks, Hungate, Sharpstein. On leave: Godman and Neace. And a majority of all the members not voting on the affirmative, the article was not agreed to.

Mr. Turner gave notice that he would present an article on this subject this afternoon and move to suspend the rules for its consideration.

Mr. Comegys moved that the privilege of the house be extended to the Hon. S. C. Wingarde, ex-justice, Supreme Court of the territory. So ordered.

Mr. P. C. Sullivan moved to take a recess until 2 p.m., pending which Mr. Gowey was called to the chair, and the Convention took a recess until 2 p.m.

Convention called to order by Mr. Gowey at 2 p.m. Mr. Tibbitts moved to take up the report of the Committee on Seal. Carried.

Mr. Sharpstein moved to adopt the first recommendation in the report. Mr. Turner moved the amendment that we adopt the seal without the motto. Mr. Joy moved to strike out the present motto and insert "put none but Americans on guard." Lost.

Mr. Turner's amendment was then adopted. Mr. Stiles moved to insert as a motto, "We the people rule." Lost. Mr. Sharpstein's motion as amended was then adopted.

The question then was upon suspending the rules and placing the report upon its third reading and final passage. Carried.

The article was then read a third time as follows. [The Seal of]* "A seal encircled with the words "The Seal of the State of Washington' with the vignette of General Geo. Washington as the central figure and beneath the vignette the figures '1889,'" and put upon its final passage and on a call of the roll, the following sixty-four members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Godman, Gowey, Gray, Griffiths, Hayton, Henry, Jamieson, Jeffs, Jones, Joy, Kellogg, Lillis, Lindsley, Manly, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Stiles, Suksdorf, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Weir, Weisenburger, West, Willison, Winsor. On leave: Neace. Not voting: Crowley, Kinnear, Hicks, Hungate, Morgans, Sohns, Stevenson, Sturdevant, E. H. Sullivan, Mr. President. And it was finally agreed to, a majority of all the members having voted therefor and it was referred to the Committee on Revision [, Adjustment and Enrollment].

Mr. Turner asked to have read the following and moved to suspend the rules and that the article be considered engrossed, read a third time and put upon its final passage.

Article

The State of Washington by virtue of its inherent sovereignty is the owner of the beds and shores of all navigable waters in this state up to and including the line of ordinary high tide in waters where the tide ebbs and flows and up to and including the line of

* Stricken in journal.

ordinary high water in all rivers and lakes and no act of the Territory of Washington or of any of its officers or agents and no act of any individual or corporation in pursuance of a claim of private right shall be permitted to prejudice the state in the association and maintenance of such ownership; provided that this section shall not be construed so as to [order]* debar any person from asserting his claim to vested rights in the courts of the state, and provided further that the Legislature may, by law, validate and confirm the titles of persons holding patents from the government of the United States or deraining title from patentees of the United States to lands affected by this section, but the state shall never part with title to any lands reserved by this Constitution for harbor purposes.

Mr. Power moved to refer the article to the Committee on State, School and Granted Lands and demanded the ayes and noes, and was ruled out of order. Mr. Lillis moved the previous question and it was so ordered.

The question then was shall the rules be suspended, and the ayes and noes having been demanded and ordered, the following thirty-five members voted aye: Berry, Bowen, Buchanan, Burk, Clothier, Comegys, Cosgrove, Crowley, Dunbar, Durie, Dyer, Glascock, Godman, Gowey, Griffiths, Jamieson, Lindsley, McCroskey, Minor, Mires, J. Z. Moore, R. S. More, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles, Sturdevant, Travis, Turner, Van Name, Warner.

The following thirty-five members voted no: Allen, Blalock, Browne, Coey, Dallam, Dickey, Eldridge, Eshelman, Fairweather, Fay, Gray, Hayton, Henry, Jeffs, Jones, Joy, Kellogg, Lillis, Manly, McDonald, McElroy, McReavey, Morgans, Newton, Power, Stevenson, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Weir, Weisenburger, West, Willison, Winsor. Not voting: Hungate, Kinnear, Hicks, Mr. President. On leave: Neace. Not having received the necessary two-thirds vote, the motion was lost.

Mr. Dunbar moved that the rules be suspended in order that he might introduce the following and have the same considered at this time.

* Stricken in journal.

Article

Section 1. All the public lands of the state are held in trust for all the people and none of such lands nor any estate or interest therein shall ever be disposed of unless the full market value of the estate or interest disposed of to be ascertained in such manner as may be provided by law, be paid or safely secured to the state.

Section 2. None of the lands granted to the state for educational purposes shall be sold otherwise than at public auction to the highest bidder after the value thereof, less the improvements, shall be appraised by a board of appraisers to be provided by law, the terms of payment also to be prescribed by law, and no sale shall be valid unless the sum bid be equal to the appraised value of said land. In estimating the value of such lands for disposal, the value of the improvements thereon, on the 22nd day of February, 1889, shall be excluded and such improvements shall not be deemed the property of the state.

Section 3. Not more than one-fourth of each section of the land granted to the state for educational purposes shall be sold prior to January 1st, 1895, and not more than one-half of each section prior to January 1st, 1900, provided that nothing herein shall be so construed to prevent the state from selling the timber or stone off of any of the state lands in such manner and on such terms as may be prescribed by law, and provided further that no sale of timber lands shall be valid unless the full value of such lands is paid or secured to the state.

Section 6. Not more than one-quarter of a section of any lands of the state shall be offered for sale in one parcel, and all lands within the limits of any incorporated city or within two miles of the boundary of any incorporated city where the valuation of such land shall be found by appraisement to exceed two hundred dollars per acre shall, before the same be sold, be platted into lots and blocks of not more than five acres in a block and not more than one block shall be offered for sale in one parcel.

Section 5. The preceding section shall be so construed as to include all of the lands in a section, any portion of which section shall be found to be within two miles of any incorporated city.

Mr. Turner moved the previous question. Carried.

The question then was upon suspending the rules to consider

the article proposed by Mr. Dunbar and the ayes and noes being demanded and ordered, the following forty-two members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Comegys, Crowley, Dickey, Dunbar, Durie, Dyer, Eshelman, Fay, Glascock, Godman, Gowey, Griffiths, Jamieson, Joy, Kellogg, Lindsley, McCroskey, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Shoudy, Sohns, Stiles, Suksdorf, Tibbetts, Turner, Warner.

The following twenty-seven members voted no: Coey, Cosgrove, Dallam, Eldridge, Fairweather, Gray, Hayton, Henry, Jeffs, Jones, Lillis, Manly, McDonald, McElroy, McReavey, Sharpstein, Stevenson, Sturdevant, E. H. Sullivan, P. C. Sullivan, Travis, Van Name, Weir, Weisenburger, West, Willison, Winsor. Not voting: Hicks, Hungate, Kinnear, Newton, Mr. President. On leave: Neace. And the rules were not suspended.

Mr. Turner moved that the subject matter of the article on state, school and granted lands be referred back to the Committee on same and that they be instructed to report tomorrow separate articles, one on tidelands and one on school lands. Mr. Jamieson moved the previous question. So ordered.

The question then was on the motion of Mr. Turner, the ayes and noes were demanded and ordered and on a call of the roll, the following thirty-seven members voted aye: Allen, Berry, Bowen, Browne, Burk, Clothier, Coey, Dickey, Dunbar, Durie, Dyer, Eshelman, Fay, Glascock, Godman, Gowey, Griffiths, Jeffs, Joy, Kellogg, Lillis, Lindsley, McCroskey, Minor, Mires, R. S. More, Power, Prosser, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Suksdorf, Tibbetts, Turner, Van Name.

The following twenty-nine members voted no: Blalock, Buchanan, Comegys, Cosgrove, Eldridge, Fairweather, Gray, Hayton, Henry, Jamieson, Jones, Manly, McDonald, McElroy, McReavey, J. Z. Moore, Morgans, J. M. Reed, [Power, Prosser, Schooley, Sharpstein, Shoudy, Sohns, Suksdorf]*, Stevenson, Sturdevant, E. H. Sullivan, P. C. Sullivan, Travis, Warner, Weir, Weisenburger, West, Willison, Winsor. Not voting: Crowley, Dallam, Hicks, Hungate, Kinnear, Newton, Stiles, Mr. President. On leave: Neace, and the motion prevailed and it was so ordered.

* Stricken in journal.

E. H. Sullivan moved to adjourn. Lost. Mr. Turner moved to take a recess until 4 p.m. Mr. P. C. Sullivan moved to adjourn. Ruled out of order. Mr. Turner's motion carried and the Convention took a recess until 4 p.m.

At 4 p.m. the Convention was called to order by Mr. Gowey.

Mr. Tibbetts moved a call of the house. So ordered. And on a call of the roll the following members were found to be absent without leave: Messrs. Gray, Hicks, Hungate, Kinnear, Neace and Mr. President.

Mr. Lindsley moved that further proceedings be dispensed with. Carried.

Mr. O. A. Bowen introduced the following resolution. "Resolved, that this Convention authorize the Chief Clerk to issue a certificate to Robert Black for an amount which shall be a just compensation for extra labor performed in assisting the Journal Clerk."

Mr. Minor moved its adoption. Carried. Mr. Power introduced the following resolution.

Section. The State of Washington disclaims all title in and claim to all tide, swamp and overflowed lands patented by the United States and asked that it be referred to the Committee on State, School and Granted Lands.

Mr. Turner moved to lay on the table. Ayes and noes demanded and ordered, and on a call of the roll the following twenty-two members voted aye: Berry, Blalock, Browne, Crowley, Dallam, Godman, Griffiths, Jeffs, Manly, McCroskey, McDonald, Mires, J. Z. Moore, R. S. More, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, Travis, Turner, Van Name, and Warner.

The following thirty-nine members voted no: Allen, Bowen, Burk, Coey, Clothier, Cosgrove, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gowey, Hayton, Henry, Jones, Joy, Kellogg, Lindsley, McReavey, Minor, Morgans, Newton, Power, Prosser, T. M. Reed, Schooley, Shoudy, Sohns, Stevenson, P. C. Sullivan, Tibbetts, Weir, Weisenburger, West, Willison, Winsor. Not voting: Buchanan, Comegys, Dickey, Gray, Hicks, Hungate, Jamieson, Kinnear, Lillis, McElroy, J. M. Reed, Sharpstein, Mr. President. On leave: Neace. And the motion was lost and the

resolution referred to Committee on State, School and Granted Lands.

Mr. Stiles moved to amend Section 7 as follows.

Section 7. After the words "Constitution" in line two insert "including a County Clerk for each county." Carried.

Mr. Durie moved to amend Section 2 by adding, "Provided that this section shall not be so construed as to validate any act of the Legislature of Washington Territory granting shore or tidelands to any person, company or any municipal or private corporation." Adopted.

Mr. Crowley moved to amend Section 14 as follows. Insert after the word "Constitution" on the third line of Section 14 the words, "and the County Clerk of each county elected at the first election." Carried.

Mr. Dickey moved to amend Section 17 as follows. Strike out separate Article No. 1 and insert "For Woman Suffrage Article." Strike out separate Article No. 2 and insert "For Prohibition Article." Carried.

Mr. Minor moved that the language to be used in Section 17 shall be For Woman Suffrage, Against Woman Suffrage and For Prohibition, Against Prohibition. Carried.

Mr. Crowley moved to adjourn at 4:55 p.m. Carried. And the Convention stood adjourned till 9 a.m. August 20th, 1889.

From page 198 (Omitted by mistake) :

Article as Agreed to on

Militia

Article

Section 1. All able bodied male citizens of this state between the ages of eighteen and forty-five years, except such as are exempt by laws of the United States or by the laws of this state, shall be liable to military duty.

Section 2. The Legislature shall provide by law for organizing and disciplining the militia in such manner as it may deem expedient, not incompatible with the Constitution and laws of the United States. Officers of the militia shall be elected or appointed

in such manner as the Legislature shall from time to time direct and shall be commissioned by the Governor.

The Governor shall have power to call forth the militia to execute the laws of the state, to suppress insurrections and repel invasions.

Section 3. The Legislature shall provide by law for the maintenance of a soldiers' home for honorably discharged Union soldiers, sailors, marines, and members of the State Militia disabled while in the line of duty and who are bona fide citizens of the state.

Section 4. The Legislature shall provide by law, for the protection and safekeeping of the public arms.

Section 5. The militia shall in all cases except treason, felony and breach of the peace, be privileged from arrest during their attendance at musters and election of officers and in going to and returning from the same.

Section 6. No person or persons having conscientious scruples against bearing arms, shall be compelled to do militia duty in time of peace provided such person or persons shall pay an equivalent for such exemption.

From page 164. (Omitted by mistake) :

Article as agreed to on
County, City and Township Organizations

Article

Section 1. The several counties of the Territory of Washington existing at the time of the adoption of this Constitution are hereby recognized as legal subdivisions of this state.

Section 2. No county seat shall be removed unless three-fifths of the qualified electors of the county voting on the proposition at a general election shall vote in favor of such removal, and three-fifths of all votes cast on the proposition shall be required to relocate a county seat. A proposition of removal shall not be submitted in the same county more than once in four years.

Section 3. No new county shall be established which shall reduce any county to a population less than four thousand nor shall a new county be formed containing a less population than two

thousand. There shall be no territory stricken from any county unless a majority of the voters living in such territory shall petition therefor, and then only under such other conditions as may be prescribed by a general law applicable to the whole state.

Every county which shall be enlarged or created from territory taken from any other county or counties from which such territory shall be taken; provided that in such accounting neither county shall be charged with any debt or liability then existing incurred in the purchase of any county property, or in the purchase or construction of any county buildings then in use or under construction which shall fall within and be retained by the other county; provided further that this shall not be construed to affect the rights of creditors.

Section 4. The Legislature shall establish a system of county government which shall be uniform throughout the state and by general laws shall provide for township organization under which any county may organize whenever a majority of the qualified electors of such county voting at a general election shall so determine, and whenever a county shall adopt township organization the assessment and collection of the revenue shall be made and the business of such county and the local affairs of the several townships therein shall be managed and transacted in the manner prescribed by such general laws.

Section 5. The Legislature by general and uniform laws shall provide for the election in the several counties of Boards of County Commissioners, Sheriffs, County Clerks, Treasurers, Prosecuting Attorneys and such other county, township or precinct and district officers as public convenience may require, and shall prescribe their duties and fix their terms of office. It shall regulate the compensation of all such officers in proportion to their duties and for that purpose may classify the counties by population. And it shall provide for the strict accountability of such officers for all fees which may be collected by them and for all public moneys which may be paid to them or officially come into their possession.

Section 6. The Board of County Commissioners in each county shall fill all vacancies occurring in any county, township, precinct or road district office of such county by appointment, and officers thus appointed shall hold office till the next general election and until their successors are elected and qualified.

Section 7. No county officer shall be eligible to hold his office for more than two terms in succession.

Section 8. The Legislature shall fix the compensation by salaries of all county officers and of constables in cities having a population of five thousand and upwards; except that public administrators, surveyors and coroners may or may not be salaried officers. The salary of any county, city, town or municipal officer shall not be increased or diminished after his election, or during his term of office, nor shall the term of any such officer be extended beyond the period for which he is elected or appointed.

Section 9. No county nor the inhabitants thereof nor the property therein shall be released or discharged from its or their proportionate share of taxes to be levied for state purposes, nor shall commutation for such taxes be authorized in any form whatever.

Section 10. Corporations for municipal purposes shall not be created by special laws, but the Legislature by general laws shall provide for the incorporation, organization and classification in proportion to population of cities and towns which laws may be altered, amended or repealed. Cities and towns heretofore organized or incorporated may become organized under such general laws whenever a majority of the electors voting at a general election shall so determine and shall organize in conformity therewith and cities or towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this Constitution shall be subject to and controlled by general laws.

Section 11. Any county, city, town or township may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws.

Section 12. Legislature shall have no power to impose taxes upon counties, cities, towns or other public or municipal corporations, or upon the inhabitants or property thereof, for county, city, town or other municipal purposes, but may by general laws vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

Section 13. Private property shall not be taken or sold for the payment of the corporate debt of any public or municipal corporation except in the mode provided by law for the levy and collection of taxes.

Section 14. The making of profit out of county, city, town or other public money, or using the same for any purpose not authorized by law, by any officer having the possession or control thereof, shall be a felony, and shall be prosecuted and punished as prescribed by law.

Section 15. All moneys, assessments and taxes belonging to or collected for the use of any county, city, town or other public or municipal corporation coming into the hands of any officer thereof, shall immediately be deposited with the Treasurer or other legal depository to the credit or such city, town or other corporation respectively, for the benefit of the funds to which they belong.

August 20th, 1889

Convention called to order at 9 a.m. by Mr. Gowey. Prayer by the Chaplain.

On roll call all the members were present except Messrs. Hungate, Jamieson, Kinnear and Mr. President, and Mr. Neace on leave.

Mr. Henry moved that Mr. Gowey act as president pro tem. Carried.

Minutes read and approved. Mr. Jamieson reported present.

Mr. Minor, from the Committee on Revision, Adjustment and Enrollment, reported Articles 3, 6, 7, 8, 9, 10 and 11.

Article 3 was read and the question then was upon agreeing to the article as amended and revised. The roll was called and the following sixty-four members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fay, Glascock, Godman, Gowey, Griffiths, Hayton, Henry, Hicks, Jeffs, Jones, Joy, Kellogg, Lillis, Lindsley, McCroskey, McElroy, McReavey, 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, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Weir, Weisenburger, West, Willison, Winsor.

Not voting: Fairweather, Gray, Hungate, Jamieson, Kinnear, Manly, McDonald, Neace, E. H. Sullivan, Warner, Mr. President.