

Gray, Griffiths, Joy, Lindsley, McCroskey, McElroy, J. Z. Moore, Newton, Prosser, J. M. Reed, T. M. Reed, Sharpstein, Tibbetts, Travis, Turner, Van Name, Warner, Weir, Weisenburger, Willison, Mr. President. Not voting: Comegys, Fairweather, Gowey, Henry, Hicks, Hungate, McDonald, Minor, Stiles, Suksdorf. Mr. Neace on leave. And the amendment was adopted.

Mr. Berry moved to amend as follows. Strike out two hundred dollars in line four, Section 4, and insert one hundred dollars. Section 6 first report. Carried.

Mr. Shoudy moved to add to Section 4 the following: "and not more than one-half of said lots or blocks shall be sold prior to January 1st, 1890." Lost.

The question then was upon considering the article considered engrossed and the article passed to a third reading. Carried.

Mr. Mires moved to suspend the rules and pass the article. The ayes and noes were demanded and ordered and on a call of the roll the following forty-two members voted aye: Allen, Berry, Blalock, Browne, Buchanan, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dunbar, Dyer, Eshelman, Fairweather, Fay, Glascock, Godman, Gray, Griffiths, Hayton, Joy, Kellogg, Kinnear, Lindsley, McCroskey, McElroy, Mires, R. S. More, J. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Sturdevant, Suksdorf, Travis, Turner, Van Name, Warner, Willison, Mr. President.

And the following twenty-three members voted no: Bowen, Burk, Dickey, Durie, Henry, Jones, Lillis, Manly, McReavey, Minor, J. Z. Moore, Morgans, Power, Prosser, T. M. Reed, Stevenson, Stiles, P. C. Sullivan, Tibbetts, Weir, Weisenburger, West, Winsor. Not voting: Eldridge, Gowey, Hicks, Hungate, Jamieson, Jeffs, McDonald, Newton, E. H. Sullivan. And Mr. Neace on leave. And the rules were not suspended.

Mr. Griffiths moved to take up the schedule.

Mr. Mires moved to adjourn. Carried. And the Convention stood adjourned to 9 a.m. tomorrow, August 21, 1889.

August 21st, 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 the following members: Messrs. Turner, Gowey and Weir; and Mr. Neace and Hungate on leave.

Minutes read and approved. The following members reported present: Gowey, Weir and Turner.

Mr. Minor from the Revision Committee reports Articles 11, 12 and 14. Also on the following subjects which they cannot number at this time, viz: state institutions and public buildings, amendments, legislative apportionments, water and water rights, homestead and property exemption, public health and vital statistics, compact with the United States.

Article 11 was then read as amended and revised and the question was upon final agreement to the article as so amended and revised and on a call of the roll the following fifty-five members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fay, Glascock, Gray, Griffiths, Hayton, Henry, Hicks, Jeffs, Joy, Kellogg, Kinnear, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Stevenson, Stiles, Sturdevant, Tibbetts, Travis, Turner, Van Name, Weisenburger, West, Willison, Winsor, Mr. President.

And the following nine members voted no: Dallam, Fairweather, Godman, Jones, R. S. More, Sharpstein, Sohns, P. C. Sullivan, Warner. Not voting: Crowley, Gowey, Hungate, Jamieson, Lillis, Lindsley, Manly, Shoudy, Suksdorf, E. H. Sullivan, Weir. And a majority of all the members voting in the affirmative the article was so agreed to and referred back to the Committee for Enrollment.

Article 12 was then read as amended and revised and Mr. Reed from the committee recommended the words "and telephone" be inserted after "telegraph" in line six. So ordered.

The question was then on final agreement to the article as amended and revised and on a call of the roll the following fifty-seven members voted aye: Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fay, Glascock, Griffiths, Hayton, Henry, Hicks, Jeffs, Jones, Joy, Kinnear, Lindsley, McCroskey,

McElroy, McReavey, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Stiles, Sturdevant, P. C. Sullivan, Travis, Turner, Van Name, Warner, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

And the following two members voted no: Manly, Minor. Not voting: Allen, Crowley, Dallam, Fairweather, Godman, Gowey, Gray, Hungate, Jamieson, Kellogg, McDonald, Suksdorf, E. H. Sullivan, Tibbetts, and Mr. Neace on leave. And a majority of all the members voting in the affirmative it was agreed to and was referred back to the Committee for Enrollment.

The article on state institutions and public buildings was read as amended and revised.

Mr. Lindsley moved a call of the house. Carried. And on a call of the roll the following members were found to be without leave: Messrs. Fairweather and Jeffs.

Mr. Bowen moved to dispense with further proceedings under the call. Carried.

The question then was upon final agreement to the article on state institutions and public buildings as amended and revised. The roll was called and the following sixty-eight members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Eldridge, Eshelman, Fay, Glascock, Godman, Griffiths, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, Manly, 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, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

Not voting: Comegys, Fairweather, Hungate, McDonald, Gray, Warner. Mr. Neace on leave. And a majority of all the members voting in the affirmative the article was agreed to and referred back to the committee for enrollment.

Article 14 was then read as amended and revised and the question was on final agreement. The roll was called and the following sixty-six members voted aye: Allen, Berry, Blalock,

Bowen, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gowey, Griffiths, Hayton, Henry, Hicks, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, Manly, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Stevenson, Stiles, Sturdevant, Suksdorf, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

And the following one member voted no: Gray. Not voting: Browne, Dallam, Godman, Hungate, Jamieson, Sohns, E. H. Sullivan. And Mr. Neace on leave. And a majority of all the members voting in the affirmative the article was agreed to and was referred back to the committee for enrollment.

Article on amendments was then read as amended and revised and the question was upon final agreement. The roll was called and the following seventy-one members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Godman, Gowey, Gray, Griffiths, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Joy, 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, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

Not voting: Hungate, Manly. Mr. Neace on leave. And a majority of all the members having voted in the affirmative the article was so agreed to and referred back to the committee for enrollment.

Article on legislative apportionment was then read as amended and revised and the question was upon final agreement. The roll was called and the following sixty members voted aye: Allen, Berry, Blalock, Bowen, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Gray, Hayton, Henry, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, Manly, McCroskey, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Mor-

gans, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Shoudy, Sohns, Stevenson, Stiles, Sturdevant, E. H. Sullivan, P. C. Sullivan, Tibbetts, Turner, Van Name, Weir, Weisenburger, West, Willison, Winsor.

And the following nine members voted no: Browne, Godman, Glascock, Griffiths, Hicks, Sharpstein, Suksdorf, Travis, Mr. President. Not voting: Gowey, Hungate, McDonald, Newton, Warner. Mr. Neace on leave. And a majority of all the members voting in the affirmative the article was so agreed to and referred back to the committee for enrollment.

Article on water and water rights was then read as amended and revised and the question was upon final agreement: The roll was called and the following forty-nine members voted aye: Allen, Berry, Blalock, Bowen, Burk, Clothier, Coey, Comegys, Dallam, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Gray, Hayton, Henry, Hicks, Jamieson, Joy, Kellogg, Kinnear, Lindsley, Manly, McCroskey, McDonald, Minor, Mires, R. S. More, Morgans, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Sohns, Sturdevant, P. C. Sullivan, Travis, Turner, Van Name, Weir, West, Winsor, Mr. President.

And the following seventeen members voted no: Browne, Buchanan, Cosgrove, Glascock, Godman, Griffiths, Jeffs, Jones, Lillis, McElroy, McReavey, J. Z. Moore, Shoudy, Stiles, Tibbetts, Weisenburger, Willison. Not voting: Crowley, Gowey, Hungate, Newton, Stevenson, Suksdorf, E. H. Sullivan, Warner. And Mr. Neace on leave. And a majority of all the members voting in the affirmative the article was so agreed to and referred back to the committee for enrollment.

Article on homestead and property exemptions was then read as amended and revised and the question was upon final agreement. The roll was called and the following sixty-four members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Godman, Gray, Griffiths, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McCroskey, McDonald, McElroy, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Morgans, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles,

Sturdevant, Suksdorf, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

Not voting: Crowley, Dallam, Glascock, Gowey, Hungate, Manly, Newton, Stevenson, E. H. Sullivan. And Mr. Neace on leave. And a majority of all the members having voted in the affirmative the article was so agreed to and referred back to the committee for enrollment.

Article on public health and vital statistics was then read as amended and revised and the question was upon final agreement. The roll was called and the following fifty-six members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Cosgrove, Dallam, Dickey, Durie, Eldridge, Eshelman, Fairweather, Fay, Godman, Griffiths, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Joy, Kellogg, Lillis, Lindsley, Manly, McDonald, McReavey, Minor, J. Z. Moore, R. S. More, Morgans, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles, Sturdevant, P. C. Sullivan, Tibbetts, Travis, Turner, Van Name, Weir, West, Willison, Winsor. Mr. President.

And Mr. Weisenburger voted no. Not voting: Comegys, Crowley, Dunbar, Dyer, Glascock, Gowey, Gray, Hungate, Kinnear, McCroskey, McReavey, Mires, Newton, Stevenson, Suksdorf, E. H. Sullivan, Warner, and a majority of all the members voting in the affirmative the article was so agreed to and referred back to the committee for enrollment.

The compact with the United States was then read as amended and revised and the question was upon final agreement. The roll was called and the following sixty-two members voted aye: Allen, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Cosgrove, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Godman, Griffiths, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, Manly, 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, Weisenburger, West, Mr. President.

And the following one member voted no: Warner. Not voting: Berry, Crowley, Dallam, Glascock, Gowey, Gray, Hungate, McDonald, E. H. Sullivan, Weir, Willison, Winsor, and Mr. Neace on leave.

And a majority of all the members voting in the affirmative the compact was so agreed to and it was referred back to the committee for enrollment.

Mr. Power, as representing the Committee on Printing, submitted the following recommendation.

“Resolved, that the Secretary of the Territory be and he is respectfully requested within ten days after the final adjournment of the Convention to have one hundred thousand copies of the Constitution printed in supplement form and have a number distributed as equitably as possible according to circulation to the several newspapers of the territory with a request that the same be circulated with such papers and the remainder of said one hundred thousand copies distributed to the several county auditors with a request to have the same distributed to the qualified electors and have one or more copies posted at the polling places of the several precincts.

“And be it further resolved that the Secretary have one thousand five hundred additional copies printed in pamphlet form for distribution among the members of this Convention.”

Mr. Turner moved to strike out “one hundred” and insert “twenty.” Mr. Turner moved the previous question. So ordered. Mr. Turner’s amendment was lost.

The question was then upon the adoption of the resolution and it was lost.

Mr. Dunbar from the Committee on State, School and Granted Lands submitted the following resolution.

“Resolved, that the Chief Clerk of this Convention issue a certificate to the Good Templars Lodge of Olympia No. 4 for the sum of eight dollars for committee rooms provided Committee on State, School and Granted Lands.” Carried.

Mr. Stiles moved to suspend the rules to introduce a resolution. Lost. Mr. Kinnear moved to suspend the rules to introduce a resolution. So ordered. And the following resolution was then introduced and he moved its adoption.

“Resolved, that the Clerk be instructed to issue a warrant for the sum of twelve dollars for rent of room to Committee on Corpo-

rations Other Than Municipal certified to by J. R. Kinnear, Chairman." Adopted.

Mr. Dunbar moved to suspend the rules to take up the article on school lands. Lost.

The article on tidelands was then read a third time.

Mr. Bowen moved the previous question. So ordered. And the question was upon agreeing to the article as read. The roll was called and the following thirty-two members voted aye: Allen, Blalock, Bowen, Burk, Comegys, Dickey, Eldridge, Fay, Gowey, Hayton, Henry, Jamieson, Jones, Joy, Kellogg, Kinnear, Lillis, Lindsley, McReavey, Morgans, Power, T. M. Reed, Sohns, Stevenson, Stiles, P. C. Sullivan, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

And the following forty members voted no: Berry, Browne, Buchanan, Clothier, Coey, Cosgrove, Crowley, Dallam, Dunbar, Dyer, Eshelman, Fairweather, Glascock, Godman, Gray, Griffiths, Hicks, Jeffs, Manly, McCroskey, McDonald, McElroy, Minor, Mires, J. Z. Moore, R. S. More, Newton, Prosser, J. M. Reed, Schooley, Sharpstein, Shoudy, Sturdevant, Suksdorf, E. H. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner. Not voting: Durie, Hungate. And Mr. Neace on leave. When Mr. Durie's name was called he was excused from voting. And the article was not agreed to.

Mr. Reed moved to suspend the rules to insert "until" in Section 3 after the word "bidder." Lost.

The question was then on agreeing to the article on school and granted lands and the roll was called and the following forty-eight members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Clothier, Comegys, Cosgrove, Crowley, Dallam, Dickey, Dunbar, Durie, Dyer, Eshelman, Fairweather, Fay, Gray, Hayton, Jeffs, Joy, Kellogg, Kinnear, Lillis, Lindsley, Manly, McCroskey, McElroy, Minor, Mires, R. S. More, Newton, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Turner, Van Name, Warner, Mr. President.

And the following twenty-three members voted no: Burk, Coey, Eldridge, Glascock, Gowey, Griffiths, Henry, Hicks, Jamieson, Jones, McDonald, McReavey, J. Z. Moore, Morgans, Power, Prosser, J. M. Reed, Travis, Weir, Weisenburger, West, Willison, Winsor.

Not voting: Godman, Hungate, Stevenson. And Mr. Neace on leave. And a majority of all the members voting in the affirmative the article was agreed to.

School and Granted Lands

Section 1. All public lands granted to 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, nor shall any lands which the state holds by grant from the United States (in any case in which the manner of disposal and minimum price are so prescribed) be disposed of, except in the manner and for at least the price prescribed in the grant thereof, without the consent of the United States.

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 shall be excluded. Provided, that the sale of all school and university lands heretofore made by the commissioners of any county or the university commissioners, when the purchase price has been paid in good faith, may be confirmed by the Legislature.

Section 3. Not more than one-fourth of the land granted to the state for educational purposes shall be sold prior to January 1st, 1895, and not more than one-half prior to January 1st, 1905. 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 land shall be valid unless the full value of such lands is paid or secured to the state.

Section 4. Not more than one hundred and sixty acres of any granted 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 lands shall be found by appraisement to exceed one 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. None of the permanent common school fund shall ever be loaned to private persons or corporations, but it may be invested in national, state, county or municipal bonds.

Mr. Crowley asked leave to introduce a resolution. Granted and he introduced and moved the adoption of the following.

To the President and Members of the Convention:

We the undersigned, on behalf of our respective committees, recommend that the sum of twenty-five dollars be paid T. M. Reed for the rent of room for use of committees and recommend the adoption of a resolution directing the payment of said sum to said T. M. Reed.

P. C. SULLIVAN, *Secretary*
D. J. CROWLEY, *Chairman*
Committee on Apportionment
THOMAS T. MINOR, *Chairman*
Committee on Revision, Ad-
justment and Enrollment
JOHN F. GOWEY, *Chairman*
Committee on Revenue and
Taxation
A. A. LINDSLEY, *Secretary*
Com. Public Instruction

“Resolved, that the sum of twenty-five dollars be appropriated and paid to T. M. Reed for rent of room for use of Committee.”

Mr. Crowley’s resolution was adopted.

Mr. Bowen was granted leave to introduce the following. “Resolved, that the Chief Clerk be instructed to procure a state seal embodying the design adopted by this Convention and issue his certificate in payment for the same.” And moved its adoption. Lost.

Mr. J. Z. Moore was granted leave to introduce the following and moved its adoption. “Resolved, that the Secretary of the Territory pay Jno. S. Carrere for telegrams sent by this Convention

\$6.90. And for sending telegrams by this Convention that said Secretary pay to President Hoyt of this Convention \$5.45." Carried.

Mr. E. H. Sullivan introduced the following resolution and moved its adoption.

Olympia, Wash. Ter., August, 1889

Constitutional Convention Dr [sic]

To Carlyon & Co.

July 10th	To	Ice	2.00
" 11 "	"	1 Sack Ice	5.00
" 18 "	"	" "	5.00
" 22 "	"	" "	5.00
" 31 "	"	" "	5.00
Aug. 10 "	"	" "	5.00
			\$27.00

Correct.

JOHN H. LEITER,
Sergeant-at-Arms

Resolved, that the sum of \$27.00 be appropriated to pay Carlyon & Co. amount due as per above bill and that the Secretary be ordered to pay the same. Adopted.

Mr. Eldridge moved to take a recess until 2 p.m. Withdrawn for the purpose of allowing Mr. Turner to introduce the following additional section as an amendment to the schedule.

"The State of Washington hereby asserts its ownership of the beds and shores of all navigable waters in the 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 ordinary high water within the banks in all rivers and lakes. Provided, that nothing herein shall be construed to debar any person or corporation from asserting vested rights in the courts, and provided further, that the state hereby disclaims title to any tide, swamp or overflowed lands to which patent has issued under the laws of the United States to persons acquiring the same in good faith and without fraud, unless said lands are included within the reservation for harbor purposes by this Constitution and in which case the title of the state to the same shall be maintained."

Mr. Kinnear offered the following resolution and moved its adoption. "Resolved, that May L. Sylvester, who was employed as committee clerk of this Convention, July 6th, 1889, be allowed for forty-eight days' work as such clerk at \$5.00 per day and \$10.00 additional for stationery furnished by her and that an order be given her therefor." Adopted.

Mr. Joy moved to adopt the following resolution: "Resolved, that the Secretary of the territory be authorized and instructed to procure the printing on one thousand copies of the Constitution in pamphlet form for the use of the members of this Convention to enable them to send copies to those that have kindly furnished us copies of the constitutions of other states, and that fifty thousand copies be printed in supplement form to be distributed among the voters of the territory in such manner as will be of most use to said voters. Provided, that such printing shall not exceed the sum of eight hundred dollars."

Mr. Power moved to add, "Provided they be printed and distributed within ten days after the adjournment of this Convention." Carried.

The resolution as amended was adopted.

The schedule was then taken up and read.

Mr. Stiles moved to grant Hon. Elwood Evans, and Mr. Crowley added Hon. Harry W. Scott, the privilege of the house. So ordered.

Mr. Turner then called up the amendment to the schedule he had introduced and moved its adoption.

Mr. E. H. Sullivan moved the following as a substitute for Mr. Turner's amendment.

Section 1. The State of Washington, by virtue of its inherent sovereignty, is the owner of the beds and shores of navigable waters in the state up to and including the line of ordinary high tide where the tide ebbs and flows, and up to and including the line of ordinary high water within the banks of the navigable rivers and lakes. Provided, that the Legislature may by law validate and confirm the title of persons holding patents secured in good faith from the United States government or the title of any grantee of any of said patentees to any of the lands affected by this section.

Section 2. The Legislature may provide by law for the ad-

justment of any and all equities to any of the lands above-mentioned between the state and any person arising by means of valuable improvements having been placed on the same by any person in good faith in aid of commerce, and any equities which may exist in favor of any person who may own lands abutting upon any of the lands affected by the above section; and the Legislature may provide that any person possessing any of said equities may have a privilege [sic] right for a limited time to purchase a reasonable quantity of the lands, in the above section mentioned.

Section 3. None of the lands affected by Section 1 herein shall be sold or transferred unless proper reservation shall have been made of the right of the state to control the same for the purpose of commerce.

Section 4. None of said lands shall be sold except they be first appraised and said sale shall have been confirmed by the Governor, Secretary of State and Attorney General.

Section 5. Nothing herein shall be so construed as to debar any person from asserting his claim to vested rights in the courts of this state.

Mr. Browne moved that the whole subject matter be referred back to the Committee. Lost.

The question then was upon the substitute offered by Mr. Sullivan. The ayes and noes were demanded and ordered and on a call of the roll the following twenty-five members voted aye: Blalock, Coey, Comegys, Crowley, Dickey, Glascock, Gowey, Hicks, Jamieson, Jones, Kellogg, Lillis, Lindsley, McCroskey, Minor, Mires, R. S. More, Shoudy, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Warner, Winsor.

And the following forty-eight members voted no: Allen, Berry, Bowen, Browne, Buchanan, Burk, Clothier, Cosgrove, Dallam, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Godman, Gray, Griffiths, Hayton, Henry, Jeffs, Joy, Kinnear, Manly, McDonald, McElroy, McReavey, J. Z. Moore, Morgans, Newton, Power, Prosser, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Sohns, Stevenson, Tibbetts, Travis, Turner, Van Name, Weir, Weisenburger, West, Willison, Mr. President. Absent on leave, Messrs. Hungate and Neace. And the substitute was lost.

Mr. Lillis moved the following substitute for Mr. Turner's amendment.

Section 1. The State of Washington, by virtue of its sovereignty, is the owner of the beds and shores of all the navigable waters of the state and all of the tidelands lying along the shores of the Pacific Ocean below high water mark and the beds and banks of all streams that are navigable up to the ordinary high water mark within the bank thereof.

Section 2. The State of Washington disclaims any right of claim to homestead pre-emption or donation land claims covered by patents of the United States below high water mark.

[The ayes and noes were demanded and ordered on Mr. Joy's amendment and the following twenty-seven members voted aye: Blalock, Clothier, Dunbar, Durie, Eshelman, Fairweather, Gowey, Hayton, Henry, Hicks, Joy, Kellogg, Lindsley, Minor, R. S. More, Morgans, Power, Prosser, T. M. Reed, Shoudy, Sturdevant, Tibbetts, Weisenburger, West, Willison, Mr. President.

[And the following forty-two no: Allen, Bowen, Browne, Buchanan, Burk, Coeys, Comegys, Crowley, Dallam, Dickey, Eldridge, Fay, Glascock, Godman, Gray, Griffiths, Jamieson, Jeffs, Jones, Lillis, Manly, McCroskey, McDonald, McElroy, McReavey, Mires, J. Z. Moore, Newton, J. M. Reed, Schooley, Sharpstein, Sohns, Stevenson, Suksdorf, E. H. Sullivan, P. C. Sullivan, Travis, Turner, Van Name, Warner, Weir, Winsor. Messrs. Hungate and Neace on leave. Not voting: Cosgrove, Dyer, Kinnear, Stiles.]*

Article

Section 1. The State of Washington asserts its ownership to the beds and shores of all navigable waters in the State of Washington up to the government meander line. Where the tide ebbs and flows and up to and including the line of ordinary high water within the banks of the navigable rivers and lakes. Provided, this section shall not be construed so as to debar any person from asserting his claim to vested rights in the courts of the state.

The ayes and noes were demanded and ordered and the following twenty-seven members voted aye: Blalock, Buchanan, Comegys, Crowley, Durie, Fairweather, Gowey, Hicks, Jamieson,

* Stricken in journal.

Jeffs, Kellogg, Lillis, Lindsley, McElroy, Mires, J. Z. Moore, R. S. More, J. M. Reed, Sharpstein, Shoudy, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Warner, Willison.

And the following forty-five [voted] no: Bowen, Browne, Burk, Clothier, Coey, Cosgrove, Dallam, Dickey, Dunbar, Dyer, Eldridge, Eshelman, Fay, Glascock, Godman, Gray, Griffiths, Hayton, Henry, Jones, Joy, Kinnear, Manly, McCroskey, McDonald, McReavey, Minor, Morgans, Newton, Power, Prosser, T. M. Reed, Schooley, Sohns, Stevenson, Tibbetts, Travis, Turner, Van Name, Weir, Weisenburger, West, Winsor, Mr. President.

Not voting: Berry. Messrs. Hungate and Neace on leave. And the substitute was lost.

Mr. Reed moved the previous question. So ordered.

The question then was upon the amendment of Mr. Turner. The ayes and noes were demanded and ordered and the following twenty-seven members voted aye: Blalock, Clothier, Dallam, Dunbar, Durie, Dyer, Fairweather, Glascock, Gowey, Hayton, Hicks, Kinnear, Lindsley, Manly, McElroy, Minor, Mires, R. S. More, Prosser, T. M. Reed, Schooley, Shoudy, Stiles, Tibbetts, Turner, Weisenburger, Mr. President.

And the following forty-six [voted] no: Allen, Berry, Bowen, Browne, Buchanan, Burk, Coey, Comegys, Cosgrove, Crowley, Dickey, Eldridge, Eshelman, Fay, Godman, Gray, Griffiths, Henry, Jamieson, Jeffs, Jones, Joy, Kellogg, Lillis, McCroskey, McDonald, McReavey, J. Z. Moore, Morgans, Newton, Power, J. M. Reed, Sharpstein, Sohns, Stevenson, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Travis, Van Name, Warner, Weir, West, Willison, Winsor. Absent on leave, Messrs. Hungate and Neace. And the amendment was lost.

Mr. Joy moved to amend by adding the following as a new section.

Article

Section 1st. The State of Washington by virtue of its sovereignty is the owner of the beds and shores of all the navigable waters of the state and all of the tidelands lying along the shores of the Pacific Ocean below high water mark and the beds and banks of all streams that are navigable up to the ordinary high water mark within the bank thereof.

Section 2nd. The State of Washington disclaims any right or claim to any homestead pre-emption or donation land claims covered by patents of the United States below high water mark.

The ayes and noes were demanded and ordered on Mr. Joy's amendment and the following twenty-seven members voted aye: Blalock, Clothier, Dunbar, Durie, Eshelman, Fairweather, Gowey, Hayton, Henry, Hicks, Joy, Kellogg, Lindsley, Minor, R. S. More, Morgans, Power, Prosser, T. M. Reed, Shoudy, Sturdevant, Tibbetts, Weisenburger, West, Willison, Mr. President.

The following forty-two [voted] no: Allen, Bowen, Browne, Buchanan, Burk, Coey, Comegys, Crowley, Dallam, Dickey, Eldridge, Fay, Glascock, Godman, Gray, Griffiths, Jamieson, Jeffs, Jones, Lillis, Manly, McCroskey, McDonald, McElroy, McReavey, Mires, J. Z. Moore, Newton, J. M. Reed, Schooley, Sharpstein, Sohns, Stevenson, Suksdorf, E. H. Sullivan, P. C. Sullivan, Travis, Turner, Van Name, Warner, Weir, Winsor. Not voting: Cosgrove, Dyer, Kinnear, Stiles. Messrs. Hungate and Neace on leave, and the amendment was lost.

Mr. Power moved to amend as follows.

Section. The State of Washington disclaims all title in, and claim to all tide, swamp and overflowed lands patented by the United States. Provided the same is not impeached for fraud.

Mr. Suksdorf moved to amend by striking out "tide" and inserting "salt marsh." Lost.

The question then was on Mr. Power's amendment. The ayes and noes were demanded and ordered. The roll was called and the following forty-three members voted aye: Allen, Blalock, Bowen, Burk, Clothier, Crowley, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gowey, Hayton, Henry, Jamieson, Jones, Joy, Kellogg, Kinnear, Lindsley, McElroy, McReavey, Minor, R. S. More, Morgans, Power, Prosser, T. M. Reed, Schooley, Shoudy, Stevenson, Stiles, Tibbetts, Weir, Weisenburger, West, Willison, Winsor, Mr. President.

The following twenty-six no: Berry, Browne, Buchanan, Coey, Comegys, Cosgrove, Gray, Griffiths, Hicks, Jeffs, Manly, McCroskey, McDonald, Mires, J. Z. Moore, Newton, J. M. Reed, Sharpstein, Sturdevant, Suksdorf, E. H. Sullivan, P. C. Sullivan, Travis, Turner, Van Name, Warner. Not voting: Dallam, Godman, Lillis, Sohns.

Messrs. Hungate and Neace on leave, and the amendment was carried.

Mr. Dyer moved the following amendment.

Article

Section. The State of Washington asserts its ownership to the beds and shores of all navigable waters in the State of Washington up to and including the line of ordinary high tide, where the tide ebbs and flows, and up to and including the line of ordinary high water within the banks of the navigable rivers and lakes. Provided, this section shall not be construed so as to debar any person from asserting his claim to vested rights in the courts of the state.

And the ayes and noes were demanded and ordered and the following thirty-two members voted aye: Allen, Blalock, Buchanan, Clothier, Coey, Comegys, Crowley, Dunbar, Dyer, Fairweather, Glascock, Gray, Hayton, Hicks, Jeffs, Kellogg, Lindsley, McElroy, Minor, Mires, J. Z. Moore, R. S. More, Prosser, T. M. Reed, Schooley, Sharpstein, Shoudy, E. H. Sullivan, Tibbetts, Turner, Warner, Mr. President.

The following thirty-four no: Berry, Bowen, Browne, Burk, Cosgrove, Dickey, Durie, Eldridge, Eshelman, Fay, Godman, Griffiths, Henry, Jamieson, Jones, Joy, Manly, McCroskey, McDonald, McReavey, Morgans, Power, J. M. Reed, Stevenson, Stiles, Suksdorf, P. C. Sullivan, Travis, Van Name, Weir, Weisenburger, West, Willison, Winsor. Not voting: Dallam, Gowey, Kinnear, Lillis, Newton, Sohns, Sturdevant. Messrs. Hungate and Neace on leave. And the amendment was lost.

Mr. Turner moved to amend Section 14 by adding the following to separate Article No. 2.

In case a majority of all the voters for and against any separate article, the same shall become a part of the Constitution [sic]. Lost.

Mr. McElroy moved to amend Section 15 as follows: insert after the word "law" in Section 15: "Provided at the election to be held for the adoption or rejection of this Constitution and for the election of officers created thereby, it shall be the duty of the judges of election in all precincts which are within or partially

within any city, town or village of Washington Territory, to define a limit not less than one hundred feet from the polls within which no persons but the officers of election and voters, while preparing and casting their ballots, shall be permitted to enter while the polls are open, and said judges shall provide booths or apartments within said limits where a supply of tickets of all political parties may be deposited and so arranged that an elector may choose and prepare his ballot entirely free from observation or molestation.

The ayes and noes were demanded and ordered, the roll was called and the following thirty members voted aye: Berry, Blalock, Browne, Clothier, Durie, Eldridge, Eshelman, Glascock, Godman, Griffiths, Hicks, Joy, Kellogg, McCroskey, McElroy, McReavey, R. S. More, Prosser, J. M. Reed, Sharpstein, Stevenson, Suksdorf, E. H. Sullivan, Tibbetts, Travis, Van Name, Warner, Weisenburger, West, Willison.

The following thirty-four members voted no: Allen, Bowen, Buchanan, Burk, Coey, Cosgrove, Crowley, Dickey, Dunbar, Dyer, Fay, Gowey, Hayton, Henry, Jamieson, Jeffs, Jones, Kinnear, Lillis, Lindsley, Manly, Minor, Mires, J. Z. Moore, Power, T. M. Reed, Schooley, Shoudy, Sohns, Sturdevant, P. C. Sullivan, Turner, Weir, Mr. President. Not voting: Comegys, Dallam, Gray, McDonald, Newton, Stiles, Winsor. Messrs. Hungate and Neace on leave. And the motion was lost.

Mr. Jones moved to amend by adding the following as a section.

Section 1. The Legislature may donate to the United States such tracts of shore or other lands as may be needed by the government of the United States for establishing and maintaining defensive works, forts, arsenals, magazines, lighthouses, docks and dockyards; Provided further, that wherever such works, forts, arsenals, magazines, lighthouses, docks and dockyards are abandoned, the lands so granted shall revert to the state.

Ayes and noes demanded and ordered and the following twenty-five members voted aye: Allen, Berry, Blalock, Dickey, Eldridge, Fairweather, Fay, Gowey, Jones, Jay, Kellogg, Lindsley, McReavey, Minor, Mires, J. Z. Moore, R. S. More, Power, Prosser, Schooley, P. C. Sullivan, Tibbetts, Weir, Weisenburger, Willison.

The following twenty-eight voted no: Bowen, Browne, Buchanan, Clothier, Coey, Cosgrove, Durie, Dyer, Eshelman, Glascock,

Godman, Griffiths, Hayton, Henry, Jeffs, Lillis, McCroskey, McElroy, J. M. Reed, T. M. Reed, Sharpstein, Shoudy, Travis, Turner, Van Name, Warner, West, Mr. President. Not voting: Burk, Comegys, Crowley, Dallam, Dunbar, Gray, Hicks, Jamieson, Kinnear, Manly, McDonald, Morgans, Newton, Sohns, Stevenson, Stiles, Sturdevant, Suksdorf, E. H. Sullivan, Winsor. Absent on leave: Neace and Hungate. And the amendment was lost.

Mr. Sharpstein moved to strike out all after word "state" in Section 6. Carried. Mr. Eldridge moved to amend by adding the following amendment.

"All American citizens above the age of twenty-one years residing and owning property in this state who are denied right of suffrage are hereby exempted from paying taxes upon such property." Ayes and noes demanded and ordered.

Mr. Joy moved a call of the house. Carried. Pending the call, Mr. Warner moved further proceedings be dispensed with. Carried.

The question then was on the amendment and the roll being called, the following seventeen members voted aye: Blalock, Burk, Eldridge, Eshelman, Fay, Joy, Kellogg, Lindsley, McCroskey, McReavey, R. S. More, Prosser, Tibbetts, Van Name, West, Willison, Winsor.

The following thirty-six no: Allen, Berry, Bowen, Browne, Buchanan, Clothier, Coey, Comegys, Cosgrove, Crowley, Dallam, Dickey, Durie, Dyer, Fairweather, Glascock, Godman, Griffiths, Hayton, Henry, Hicks, Jamieson, Jeffs, Jones, Lillis, McDonald, McElroy, Minor, Mires, J. Z. Moore, Morgans, Newton, Power, J. M. Reed, T. M. Reed, Schooley, Sharpstein, Shoudy, Sohns, Stevenson, Sturdevant, P. C. Sullivan, Travis, Turner, Weisenburger, Mr. President. Not voting: Dunbar, Govey, Gray, Kinnear, Manly, Stiles, Suksdorf, Warner, Weir. Messrs. Neace and Hungate on leave. And the amendment was lost.

Mr. Moore moved to take a recess until 8 p.m. Lost.

Mr. Godman moved the following amendment: to strike out the word "first" in Section 15. Mr. Dyer moved to suspend the rules to consider a resolution. Not granted.

Mr. Dunbar moved to consider the following resolution under a suspension of the rules.

“Resolved, that Robert Black be allowed five dollars a day for forty-six days’ work for services as Clerk for the Committee on State, School and Granted Lands.

R. O. DUNBAR, *Chairman*
Committee on State, School
and Granted Lands”

Carried.

Mr. McElroy moved to add the following as a separate section to the schedule.

Section. The title in fee and absolute right of disposition of all shores below ordinary high tide, within the limits of this state, is hereby declared to be in this commonwealth and the property of this state.

Ayes and noes demanded and ordered and the roll was called and the following forty members voted aye: Allen, Berry, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Crowley, Dallah, Durie, Dyer, Godman, Gray, Hicks, Joy, Kellogg, Kinnear, Lindsley, McCroskey, McElroy, Mires, J. Z. Moore, R. S. More, Morgans, Newton, Prosser, Schooley, Sharpstein, Shoudy, Sturdevant, Suksdorf, E. H. Sullivan, Tibbetts, Travis, Turner, Van Name, Warner, Mr. President.

The following twenty-eight [voted] no: Cosgrove, Dickey, Dunbar, Eldridge, Eshelman, Fairweather, Fay, Glascock, Gowey, Hayton, Henry, Jamieson, Jeffs, Jones, Lillis, Manly, McDonald, McReavey, J. M. Reed, T. M. Reed, Stevenson, Stiles, P. C. Sullivan, Weir, Weisenburger, West, Willison, Winsor. Not voting: Blalock, Griffiths, Minor, Power, Sohns. Messrs. Hungate and Neace on leave. And the amendment was carried.

Mr. Crowley moved that the article be referred to the Committee on Revision [, Adjustment and Enrollment] with instructions to report two articles, the two articles on tidelands and confirming patents in one. Ayes and noes demanded and ordered and the roll was called and the following thirty members voted aye: Allen, Blalock, Buchanan, Burk, Coey, Cosgrove, Crowley, Dallah, Godman, Gowey, Griffiths, Hicks, Jeffs, Joy, Lillis, Manly, McDonald, J. Z. Moore, R. S. More, Prosser, Schooley, Sharpstein, Sohns, Stiles, Sturdevant, P. C. Sullivan, Travis, Van Name, Warner, Weir. The following forty no: Browne, Berry, Clothier, Comegys, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Fay, Glas-

cock, Gray, Hayton, Henry, Jamieson, Jones, Kinnear, Lindsley, McCroskey, McElroy, McReavey, Minor, Mires, Morgans, Newton, Power, J. M. Reed, Shoudy, Stevenson, Suksdorf, E. H. Sullivan, Tibbetts, Turner, Weisenburger, West, Willison, Winsor. Not voting: Bowen, Kellogg, T. M. Reed, Mr. President. Messrs. Hungate and Neace on leave. And the motion was lost.

Mr. Dyer moved to suspend the rules and the article passed to a third reading. Mr. Sullivan moved that the article be referred to committee with instructions to report back, making it congruous. Mr. McCroskey moved to amend by reporting back tonight. Lost.

Original motion lost. Mr. J. Z. Moore moved to adjourn. Mr. Turner asked to have indefinite leave. Not granted.

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

Mr. Dyer renewed his motion that the article be considered engrossed and passed to a third reading. Mr. Reed moved to recommit the article on Judiciary Committee. Carried.

Mr. Godman moved to adjourn. Ayes and noes demanded and ordered and the following forty-six members voted aye: Allen, Bowen, Browne, Burk, Coey, Cosgrove, Crowley, Dickey, Dunbar, Durie, Dyer, Eldridge, Eshelman, Fairweather, Godman, Gowey, Gray, Griffiths, Hayton, Henry, Jeffs, Jones, Joy, Kellogg, Lillis, McDonald, McReavey, Minor, J. Z. Moore, Newton, Prosser, T. M. Reed, Sharpstein, Shoudy, Sohns, Stiles, Suksdorf, E. H. Sullivan, P. C. Sullivan, Tibbetts, Van Name, Weir, West, Willison, Winsor.

The following twenty-six [voted] no: Berry, Blalock, Buchanan,

Clothier, Comegys, Dallam, Fay, Glascock, Hicks, Jamieson, Kinnear, Lindsley, Manly, McCroskey, McElroy, Mires, R. S. More, Power, J. M. Reed, Schooley, Stevenson, Sturdevant, Turner, Warner, Weisenburger, Mr. President. Not voting: Morgans. Messrs. Hungate and Neace on leave, and the motion prevailed and the Convention adjourned to 9 a.m., August 22, 1889.

August 22nd, 1889

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

On a call of the roll all the members were present except Messrs. Hungate and Neace on leave, and Messrs. Gowey, Kellogg, Lillis, P. C. Sullivan.

Minutes read and approved. Mr. Kellogg granted leave. The following members reported present: Gowey, Lillis and P. C. Sullivan.

Mr. Minor from the Revision Committee reported the following Articles:

- XV Harbors and Tidewater
- XVI School and Granted Lands
- XVII Cession of Jurisdiction
- On State Seal
- Federal Relations and Boundaries

The article on harbors and tidewaters was then read as amended and revised and the question then was upon final agreement.

Pending which Mr. Turner 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: Gowey, Kellogg, P. C. Sullivan. Mr. Lindsley moved that further proceedings be dispensed with. So ordered.

The roll was then called on final agreement to the article as amended and revised and the following forty-eight members voted aye: Allen, Berry, Blalock, Bowen, Browne, Buchanan, Burk, Clothier, Coey, Comegys, Crowley, Dallam, Dunbar, Durie, Dyer, Eshelman, Fay, Glascock, Griffiths, Hicks, Jeffs, Joy, Kinnear,