

CONSTITUTION MAKING

The Delegates Still Laboring at the Trying Task in Olympia.

What to Do With Corporations is the Perplexing Problem Just Now.

Amendment Follows Amendment and Debate Continues With Vigor.

[SPECIAL TELEGRAM TO REVIEW]

OLYMPIA, Wash., Aug. 2.—The convention met at 9 A. M., the president in the chair. Prayer by Chaplain Thompson.

All called, all present except a few. The records were read, corrected and approved.

On request of Tibbetts, indefinite leave was granted to Kellogg.

On request of Sullivan of Whitman, leave for to-day was granted Mr. Warner.

At their own request leave for to-morrow was granted to Tibbetts and Govey, and for this forenoon to Govey.

The president submitted a telegram from the Klensburg board of trade, expressing the opinion that it is for the best interests of the state, that

COUNTIES BE PERMITTED TO ISSUE BONDS FOR RAILWAYS, IRRIGATION AND OTHER BENEFICIAL PURPOSES, AND ALSO PROTESTING AGAINST THE PASSAGE OF THE ARTICLE REPORTED BY THE CONVENTION COMMITTEE AND AGAINST EXCLUDING ALIENS FROM OWNERSHIP IN LANDS AND MINES. [Signed,] W. H. Abrams, vice-president. Referred to the corporation committee.

Also telegrams from the board of trade and common council of Spokane Falls, remonstrating against the adoption of sections 9 and 10 of the constitution.

Referred to the corporation committee. Also a memorial from the Tacoma Typographical Union praying that there should be a state printer, who should be elected and not appointed.

Referred to the committee on executive department. Also a memorial from the commissioner of forests of Colorado, suggesting forest protection and tree culture. Referred to the committee on Agriculture.

OTHER MEMORIALS. Mr. West presented memorials from the citizens of Elma, Chehalis county, and from the Aberdeen, Grays Harbor county, protesting against section 21 of the constitution.

Mr. McRockey presented a memorial from the Farmers' Alliance of Whitman county asking for a provision in the constitution declaring that the value of any mortgage should be determined by appraising the value of real estate. Referred to the committee on taxation.

TO SHUT OFF WIND. An Amendment Offered to Limit Speeches of Members.

Mr. Dyer called up his motion of yesterday changing the article on resolutions, which provided that no member shall speak more than once on any question and not more than ten minutes unless the convention by a two-thirds vote allow longer time; except that the mover of any motion or proposition shall have another five minutes. Mr. Sharpestein moved to change ten minutes to five minutes.

Mr. Moore moved to further amend, adding the words, "provided the rule is not to be enforced when the speaker is speaking in his own defense or in the defense of the state." Ruled out of order at this stage of the debate.

Mr. Brown moved to amend so that no member should be allowed to speak hereafter longer than ten minutes, but he was opposed to cutting off the speaker in any other way than to not believe over one and a half or two hours had been spent in this convention and his important matter was coming up, and all the state being stirred and sending in telegrams to this convention, he was specially opposed to being deprived of his speech.

RIGHT OF FREE SPEECH. Mr. Cosgrove asked as the proposition now stood it was manifestly unfair, that he would speak for five minutes ten minutes and allowed him to use it in two speeches, if he saw fit.

Mr. H. Sullivan moved to change the convention must get through by September 1, and at the same time the members must have the right to speak their views, but they must not speak for them to express their views.

Mr. Moore thought Mr. Sharpestein's amendment on this point was not a constitutional law, and could not decide these grave questions in a few minutes. He wanted to educate each other on these matters. To talk of cutting off members in five minutes or ten minutes on a road commission, for example, was, in his opinion absurd. When members speak rights in this convention, it is all right to ask them to stop and explain to the convention the results of all this study in five minutes. He was willing to have a motion made as an experiment, but when property interests of the estate are concerned he would not consent to it.

Mr. Dunbar said the member but it was not necessary to communicate all this to the convention. Members could express their views amply in ten minutes.

The chair ruled the motion was carried during the debate, but filled as soon as a vote was called, showing that the members wanted to vote and not to listen to speeches.

Mr. Kinneer favored ten minutes and not five.

Mr. Jones was in favor of the ten-minute rule and should call for the eyes and noses when it came to a vote.

Mr. Turner called for the previous question.

Mr. Griffiths said if the rule was to prevail at all, he could favor ten minutes instead of ten. The adoption of either would, however, be detrimental to the business of the convention, as we were to transact so many matters that man can do more than a half-hour in either ten or five minutes, and if he is to be prevented from producing any reasoning, then five-minutes' sample is just as good as a ten-minutes' sample. Here are some of the questions on the STATE CONCERNING THE ARTICLE ON CORPORATIONS and are we to cut off debate on it? All this proposition amounts to is to shut off debate and pass the question without consideration. Not three hours in all had been used in speeches lasting over fifteen minutes, and the school lands were matters of great consequence to the people. He noted Janine's motion as follows: "There are no greater enemies to their respective states than those foolish delegates who are seated in convention and when they begin to clamor for less speech-making and more voting, with a view to an early adjournment and a light bill for convention expenses."

Mr. Cosgrove said that inasmuch as there had not been over ten or twelve dozen speeches in this convention over half an hour long and not a half dozen men who had taken a word more than length, it would follow from the argument of the last speaker that only these few men had any right to be heard.

CONVENTION MEN'S ARGUMENT OR LEGISLATION ON THIS POINT. He was prepared to believe that.

Mr. Manly moved the previous question and it was carried by a majority.

The question being first on the five-minute rule, Messrs. Brown and Griffiths

called for the eyes and noses. Granted. The amendment was lost—aye 23, noes 4.

The convention then came up on the ten-minute proposition and that was adopted—aye 31, noes 17.

Mr. Moore moved that he should make an amendment to the rule leaving the convention free to debate any question involving property rights of the people.

Mr. Cosgrove asked the effect of the rule as chairman of a committee of the committee from closing debate on a question. The chair declined to borrow any trouble by anticipating a decision.

CORPORATIONS CONSIDERED.

THE CONVENTION IN COMMITTEE OF THE WHOLE ON THE ARTICLE.

Mr. Kinneer moved to go into committee of the whole on the corporation article. Carried—aye 33, noes 11.

Mr. Bowen took the chair. The chair stated that he should consider the change of the rule just made as going into immediate effect. Section 4 was under consideration on a motion to strike it out. That motion was put and lost. Ayes 12, noes not counted. Then the section was adopted.

Sec. 5. The term corporations as used in this article shall be construed to include all associations and joint stock companies having any of the powers or privileges of corporations, and all corporations shall have the right to sue and shall be subject to suit in all respects like cases as natural persons.

Sec. 6. Corporations shall not issue stock to their subscribers or to their assignees, nor shall any obligation issue any bond or other obligation for the payment of money or for the labor done. The stock of corporations shall be subject to the same laws as the property of a general law, nor shall any law authorize the increase of stock without the consent of the holders of the stock, who have been previously given in such manner as may be prescribed by law. All stock issued or stock or indebtedness shall void.

Mr. Stiles moved to amend by striking out the first sentence and inserting in place thereof the words, "no corporation shall issue any bond or other obligation for the payment of money or for the labor done, except to bona fide subscribers thereof, and except for money, labor or property for the payment of money or for the labor done, except such corporation was created."

Mr. Dunbar, E. H. Sullivan, Brown, the chair and clerk spoke as to the grammatical effect, and settled it to their satisfaction, which is as provided above.

Mr. Turner moved to amend by striking out the first sentence and inserting in place thereof the words, "no corporation shall issue any bond or other obligation for the payment of money or for the labor done, except to bona fide subscribers thereof, and except for money, labor or property for the payment of money or for the labor done, except such corporation was created."

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caused the sending in of so many telegrams of protest and remonstrance. Mr. Reed moved to strike it out.

Mr. Jones knew that the courts had held that a franchise was not a contract between the holder and government and that it could be amended by the legislature. So he denied the last speaker's position as a matter of law and favored striking it out.

Mr. Griffiths thought section 8 of the bill of rights was a sufficient answer to the same and would be adopted. Section 8 was entirely useless and might be stricken out of the bill.

Mr. Kinneer added to his motion the striking out of the words, "or doing business."

Mr. Schooley raised a point of order that the section had not been read, and that defect in the proceedings was remedied by the clerk.

T. M. Reed thought the whole section was legislative and all provided for by law.

Mr. Griffiths read the present provisions of the code of Washington (section 249) on this subject.

Mr. Buchanan began an argument by striking out the section, but was reminded by the chair that the subject was already under consideration.

Mr. Dyer favored Kinneer's amendment. Mr. Warner said section 8 could be amended by striking out the words, "or doing business."

Mr. Stiles had no further views on this subject. The committee refused to strike out the section.

Mr. Bowen moved to amend by striking out the first sentence and inserting in place thereof the words, "no corporation shall issue any bond or other obligation for the payment of money or for the labor done, except to bona fide subscribers thereof, and except for money, labor or property for the payment of money or for the labor done, except such corporation was created."

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