

SENATE JOURNAL

OF THE

EIGHTH LEGISLATURE

OF THE

State of Washington

BEGUN AND HELD AT

OLYMPIA, THE STATE CAPITAL

JANUARY 12, 1903

ADJOURNED SINE DIE MARCH 12, 1903

Dr. J. J. SMITH, President
J. W. LYSONS, Secretary

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J. W. LYSONS,
SECRETARY OF THE SENATE.

JOURNAL OF THE SENATE.

FIRST DAY.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, January 12, 1903. }
12 o'clock noon.

The eighth Senate of the State of Washington assembled at the Senate chamber, in the state capitol, pursuant to law, at 12 o'clock noon, this day. T. P. Fisk, secretary of the last State Senate, called the Senate to order.

Prayer was offered by Rev. Henry L. Badger, rector of St. John's Church.

The following certificates from the Secretary of State, Sam H. Nichols, were read:

UNITED STATES OF AMERICA, STATE OF WASHINGTON,
OFFICE OF THE SECRETARY OF STATE.

I, Sam H. Nichols, Secretary of State of the State of Washington, do certify that the following attached sheet contains the names of all the senators entitled to seats in the eighth session of the Legislature of the State of Washington, as "hold-over" senators from the seventh session, held in the year 1901. *

In testimony whereof, I have hereunto set my hand and affixed hereto the seal of the State of Washington. Done at Olympia this twelfth day of January, A. D. 1903.

[SEAL]

SAM H. NICHOLS, Secretary of State.

HOLD-OVER SENATORS.

Third Senatorial District..... WARREN W. TOLMAN.
Fourth Senatorial District..... HERMAN D. CROW.
Fifth Senatorial District..... STANLEY HALLETT.
Tenth Senatorial District..... E. BAUMEISTER.
Eleventh Senatorial District..... OLIVER T. CORNWELL.
Twelfth Senatorial District..... W. P. RESEK.

Thirteenth Senatorial District.....	J. P. SHARP.
Fourteenth Senatorial District.....	GOTLIEB GARBER.
Seventeenth Senatorial District.....	E. M. RANDS.
Twentieth Senatorial District.....	JOHN R. WELTY.
Twenty-second Senatorial District.....	A. S. RUTH.
Twenty-third Senatorial District.....	GRANT C. ANGLE.
Twenty-fifth Senatorial District.....	C. L. STEWART.
Twenty-seventh Senatorial District.....	STANTON WARBURTON.
Twenty-eighth Senatorial District.....	LINCOLN DAVIS.
Thirty-eighth Senatorial District.....	T. B. SUMNER.
Forty-first Senatorial District.....	W. R. MOULTRAY.

UNITED STATES OF AMERICA, STATE OF WASHINGTON,
OFFICE OF THE SECRETARY OF STATE.

I, Sam H. Nichols, Secretary of State of the State of Washington, do hereby certify that the attached sheet is a complete list of all persons elected to the Senate of the State of Washington, as members thereof, at the general election held throughout the State on the 4th day of November, A. D., 1902, as shown by the official returns from all counties, on file in this office.

In testimony whereof, I have hereunto set my hand and affixed hereto the seal of the State of Washington. Done at Olympia, this 12th day of January, A. D., 1903.

[SEAL]

SAM H. NICHOLS, Secretary of State.

LIST OF SENATORS ELECTED IN 1902 FOR THE EIGHTH
SESSION.

First Senatorial District.....	GEORGE J. HURLEY.
Second Senatorial District.....	M. E. STANSELL.
Sixth Senatorial District.....	WILL G. GRAVES.
Seventh Senatorial District.....	HUBER RASHER.
Eighth Senatorial District.....	G. B. WILSON.
Ninth Senatorial District.....	OSCAR E. HAILEY.
Fifteenth Senatorial District.....	A. J. SPLAWN.
Sixteenth Senatorial District.....	GEORGE H. BAKER.
Eighteenth Senatorial District.....	H. E. MCKENNEY.
Nineteenth Senatorial District.....	JOHN T. WELSH.
Twenty-first Senatorial District.....	J. R. O'DONNELL.
Twenty-fourth Senatorial District.....	CYRUS F. CLAPP.
Twenty-sixth Senatorial District.....	E. S. HAMILTON.
Twenty-ninth Senatorial District.....	SAMUEL M. LECRONE.
Thirtieth Senatorial District.....	DR. J. J. SMITH.
Thirty-first Senatorial District.....	A. T. VAN DE VANTER.
Thirty-second Senatorial District.....	O A. TUCKER.
Thirty-third Senatorial District.....	ANDREW HENRICH.
Thirty-fourth Senatorial District.....	WILLIAM HICKMAN MOORE.
Thirty-fifth Senatorial District.....	W. G. POTTS.

Thirty-sixth Senatorial District.....	RITCHEY M. KINNEAR.
Thirty-seventh Senatorial District.....	E. B. PALMER.
Thirty-ninth Senatorial District.....	S. T. SMITH.
Fortieth Senatorial District.....	EMERSON HAMMER.
Forty-second Senatorial District.....	JOHN EARLES.

The roll was called by the assistant secretary of the Senate, Dudley Eshelman, and all the members were present.

Chief Justice Mark W. Fullerton then administered the oath of office to the senators-elect, as follows: George J. Hurley, M. E. Stansell, Will G. Graves, Huber Rasher, G. B. Wilson, Oscar E. Hailey, A. J. Splawn, Geo. H. Baker, H. E. McKenney, John T. Welsh, J. R. O'Donnell, Cyrus F. Clapp, E. S. Hamilton, Samuel M. LeCrone, Dr. J. J. Smith, A. T. Van de Vanter, O. A. Tucker, Andrew Hemrich, William Hickman Moore, W. G. Potts, Ritchey M. Kinnear, E. B. Palmer, S. T. Smith, Emerson Hammer and John Earles.

Senator Crow nominated for president of the Senate Dr. J. J. Smith of King county; seconded by Senator Potts.

Senator Garber nominated for president of the Senate Warren W. Tolman of Spokane county; seconded by Senator Hallett.

Those voting for Senator Smith were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Hailey, Hammer, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rands, Ruth, Sharp, Smith, S. T., Stansell, Stewart, Sumner, Tucker, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson—33.

Those voting for Senator Tolman were Senators Earles, Garber, Graves, Hallett, Moore, Rasher, Reser, Smith, J. J., Splawn—9.

Senator J. J. Smith was declared elected president, and Senators Davis, Baumeister and Tolman were appointed a committee to escort him to the chair. The oath of office was administered to him by Chief Justice Mark W. Fullerton.

Senate concurrent resolution No. 1 was introduced by Senator Hamilton, as follows:

WHEREAS, The Supreme Ruler of the Universe, in His infinite wisdom, has removed from our midst "to that bourne from whence no traveler returns," John Rankin Rogers, Governor of the State of Washington; and,

WHEREAS, The people of this State, having twice elected him as their chosen ruler by placing him in the exalted office of Governor of this commonwealth, and realizing their great loss in the sudden checking of his efficient career, desire to show their appreciation of his services in behalf of this State he loved so well; therefore, be it

Resolved, by the Senate, the House of Representatives concurring, That in his death the State has lost an able, upright and incorruptible official; the people have lost their great champion in behalf of human liberty and just and honest government, and the commonwealth a citizen of acknowledged worth and virtue; and, be it further

Resolved, That as an evidence of the esteem in which Governor Rogers was held by the people of this state, this resolution be spread on the minutes of both houses and an enrolled copy of the same be sent to the bereaved widow of our late Governor.

On motion of Senator Hamilton, seconded by Senator Tolman, the resolution was adopted, all the senators voting for it, as follows: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hammer, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, J. J., Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tucker, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson—42.

On motion of Senator Tolman the resolution was ordered to be transmitted to the House immediately.

Senator Van de Vanter nominated Senator T. B. Sumner of Snohomish county for president *pro tem*; seconded by Senator Tolman, and he was elected by the following vote: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hammer, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, J. J., Smith, S. T., Splawn, Stansell, Stewart, Tucker, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson—41.

Absent or not voting: Senator Sumner—1.

For secretary of the Senate Senator Ruth nominated J. W. Lyons, who was elected by the following vote: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hammer, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, J. J.,

Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tucker, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson—42.

For assistant secretary of the Senate Senator LeCrone nominated Dudley Eshelman, who was elected by the following vote: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hammer, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, J. J., Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tucker, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson—42.

For sergeant-at-arms Senator Hamilton nominated Frank M. Ross, who was elected by the following vote: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hammer, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, J. J., Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tucker, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson—42.

For assistant sergeant-at-arms Senator Kinnear nominated William Connor, who was elected by the following vote: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hammer, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, J. J., Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tucker, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson—42.

The following employes were sworn in by the president:

J. W. Lysons, secretary.

Dudley Eshelman, assistant secretary.

Frank M. Ross, sergeant-at-arms.

William Connor, assistant sergeant-at-arms.

The following resolution was adopted by the Senate:

Resolved, That the sergeant-at-arms is hereby instructed and authorized to procure such printed matter, stationery and desk supplies as may be necessary for the members and officers of the Senate, by requisition upon the proper party having the contract for furnishing such supplies to the State of Washington. Said requisition to be made

in duplicate, one copy to be filed with the Secretary of State and one copy to be filed with the party furnishing said supplies.

Senator Hamilton moved that a committee of five, with the president as chairman, be appointed on rules and joint rules, and that until such committee reports the Senate rules of the seventh session be adopted temporarily. The motion was carried.

Senator Warburton moved that a committee of three be appointed to notify the Governor that the Senate is now organized and ready to receive any communications from him. The motion carried, and Senators Warburton, Tolman and Hammer were appointed such committee.

Senator Crow moved that a committee of three be appointed to notify the House of Representatives that the Senate is now organized and ready for business. The motion was carried, and Senators Crow, Sharp and Kinnear were appointed such committee.

A committee from the House, consisting of Messrs. Easterday, Wilson and Megler, announced that the House is duly organized.

The president announced the following committee on rules: Smith, J. J., chairman; Senators Hamilton, Sumner, Crow and Baker.

On motion of Senator Palmer the Senate adjourned at 12:40 o'clock p. m. till 10 o'clock a. m. tomorrow, January 13.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

SECOND DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, January 13, 1903. }
10 o'clock a. m.

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except

Senators Earles, Hammer, Hamilton, Moore, Sumner and Warburton.

Rev. Henry L. Badger offered prayer.

The journal of yesterday was read and approved.

Senator Warburton reported for committee to wait on the Governor and introduced Senate concurrent resolution No. 2, providing for joint session at 2 p. m. The report of the committee was accepted and the resolution adopted.

Senator Crow reported for committee to notify House that Senate is organized for business.

INTRODUCTION OF BILLS.

Senate bill No. 1, by Senator Tolman: An act to establish a railroad and transportation commission for the State of Washington, etc.

The bill was read first time; and, on motion of Senator Tolman, the rules were suspended, the bill read second time by title, ordered printed, and referred to Committee on Railroads, when appointed.

Senate bill No. 2, by Senator Tolman: An act regulating common carriers, fixing the maximum railroad passenger rates in the State of Washington; and providing for the due enforcement and observance of the rates so fixed.

The bill was read first time; and, on motion of Senator Tolman, the rules were suspended, the bill read second time by title, ordered printed, and referred to Committee on Railroads, when appointed.

Senate bill No. 3, by Senator Palmer: An act providing for the appointment of one additional judge of the superior court of the State of Washington, in and for King county, fixing the term of office of the judge appointed, and providing for the election of five judges of said superior court at the general state election in January, 1904, and every four years thereafter, and declaring an emergency.

The bill was read the first time; and, upon motion of Senator Palmer, the rules were suspended, the bill read second time by title, ordered printed, and referred to Committee on Judiciary, when appointed.

Senate bill No. 4, by Senator Crow: A bill for an act entitled

“An act providing for the incorporation of trust companies, and defining their powers and duties.”

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill read the second time by title, ordered printed, and referred to the Committee on Judiciary, when appointed.

Senate bill No. 5, by Senator Potts: An act establishing the office of public administrator, and defining the powers and duties of such office.

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill read the second time by title, ordered printed, and referred to Committee on Judiciary, when appointed.

Senate bill No. 6, by Senator Potts: An act providing for a state wagon road; defining its course; making an appropriation therefor; creating a road commission, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges, when appointed.

Senate bill No. 7, by Senator Palmer: An act providing for an amendment to the constitution excepting county commissioners from the operation of Sec. 7 of Art. XI thereof.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill read the second time by title, ordered printed, and referred to the Committee on Judiciary, when appointed.

Senate bill No. 8, by Senator Palmer: An act providing that graduates of the Law School of the University of Washington be admitted to practice law in all the courts of this state by the supreme court without examination, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill read the second time by title, ordered printed, and referred to Committee on Judiciary, when appointed.

Senate bill No. 9, by Senator Palmer: An act defining certain misdemeanors, prescribing the punishment and declaring an emergency.

The bill was read the first time; and, on motion of Senator

Palmer, the rules were suspended, the bill read the second time by title, ordered printed, and referred to Committee on Judiciary, when appointed.

Senate bill No. 10, by Senator Palmer: An act authorizing the Secretary of State to furnish members of the Legislature with Ballinger's Codes and supplements thereto, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill read the second time by title, ordered printed, and referred to Committee on Appropriations, when appointed.

Senate bill No. 11, by Senator Graves: An act increasing the number of judges of the supreme court, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Graves, the rules were suspended, the bill read the second time by title, ordered printed, and referred to Committee on Judiciary, when appointed.

Senate bill No. 12, by Senator Davis: An act to prevent rebating to, or discrimination between, applicants for life insurance on the part of agents or officers of life insurance companies.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill read the second time by title, ordered printed, and referred to Committee on Judiciary, when appointed.

Senate bill No. 13, by Senator Hamilton: An act for the appropriation of money to defray the expenses of the Grain Inspection Department, and declaring an emergency therefor.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill read the second time by title, ordered printed, and referred to Committee on Appropriations, when appointed.

Senate bill No. 14, by Senator Hamilton: An act creating a State Board of Accountancy; prescribing its duties and powers; providing for the examination of and issuance of certificates to qualified applicants, and providing the penalty for violations of the provisions thereof.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill read the second time

by title, ordered printed, and referred to Committee on Judiciary, when appointed.

Senate bill No. 15, by Senator Palmer: An act providing compensation to be paid to Mrs. Minnie Sparling Browne for portraits of the Governors of the State of Washington.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill read the second time by title, ordered printed, and referred to Committee on Appropriations, when appointed.

The following resolution was introduced by Senator Palmer and adopted:

WHEREAS, It became necessary for the Hon. Sam H. Nichols, Secretary of State, to provide quarters in which the Eighth Legislature could meet and discharge their duties in comfort and without great expense; and,

WHEREAS, In the selection and fitting up of the same great care was necessary that the convenience and comfort of the members should best be subserved; therefore, be it

Resolved, That a vote of thanks be and are hereby tendered the Hon. Sam H. Nichols, Secretary of State, for his services in selecting the quarters so conveniently situated; also for the manner in which the same is fitted up, the furniture, the arrangement and cheerful appearance in every particular, especially in view of the limited time and lack of suitable buildings therefor. That a copy hereof be engrossed and presented to the Hon. Sam H. Nichols in token of our appreciation of his services.

Senator Hamilton nominated F. A. Shaw for minute clerk, and he was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hammer, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, J. J., Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tucker, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson—42.

Senator Hamilton nominated H. B. McAllister for docket clerk, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone,

McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated Robert M. Sturdevant for assistant journal clerk, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwall, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Tolman nominated J. D. Hannegan for journal clerk, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith (S. T.), Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated J. Fred Duffy for enrolling clerk, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Tolman nominated Frank J. Marvin for assistant enrolling clerk, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell,

Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Tolman nominated Louie D. Todd for engrossing clerk, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated H. P. Chapman for assistant engrossing clerk, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated John Shaw for bill clerk, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated John Herring for assistant bill clerk, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Tolman nominated J. G. Egan for calendar clerk, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated John McKee for postmaster, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated Eugene Davis for assistant postmaster, who was elected by the following vote.

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated Elmer E. Hall for postoffice messenger, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated L. W. Speece for general messenger, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister,

Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated O. L. Ingram for stenographer, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated David Lincoln for janitor, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated G. D. Knapp for doorkeeper, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated Herbert Childs for assistant doorkeeper, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands,

Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated Frank Miller for watchman, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Tolman nominated Estley B. Rinehart for page, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated Webb Hurley for page, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated Lincoln Lonsberry for page, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated C. E. Hill for committee clerk, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated for committee clerk Chas. A. Payne, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated for committee clerk Frank Kennedy, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated for committee clerk G. G. Miller, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated for committee clerk L. D. Lay, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister,

Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated Chas. Mallery for committee clerk, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated W. A. McCarthy for committee clerk, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated B. C. Armstrong for committee clerk, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated Frank Seidel for committee clerk, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands,

Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated G. A. Poland for committee clerk, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinneer, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated W. F. Byars for committee clerk, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinneer, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated F. A. Hall for committee clerk, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinneer, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated Louis R. Flowers for committee clerk, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinneer, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated Henry Odom for committee clerk, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated Robert Wright for committee clerk, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

Senator Hamilton nominated Paul C. Hedrick for committee clerk, who was elected by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

The president administered the oath of office to the following employes :

F. A. Shaw, H. B. McAllister, J. D. Hannegan, Robert M. Sturdevant, J. Fred Duffy, Frank J. Marvin, Louie D. Todd, H. P. Chapman, John Shaw, John Herring, J. G. Egan, Elmer E. Hall, L. W. Speece, David Lincoln, Herbert Childs, Frank Miller, Estley B. Rinehart, Webb Hurley, Lincoln Lonsberry, C. E. Hill, Frank Kennedy, G. G. Miller, L. D. Lay, Chas. Mallery, W. A. McCarthy, Frank Seidel, Louis R. Flowers, Henry Odom, Robert Wright, Paul C. Hedrick.

The following resolution was offered by Senator Hamilton and adopted :

Resolved, That the secretary and assistant secretary of the Senate be authorized to make such changes in allotment for clerical positions as will best promote the efficiency of the service.

Be it further Resolved, That the Committee on Rules be instructed to fix the per diem of all employes herein provided for.

Upon motion of Senator Warburton the Senate adjourned at 10:40 a. m. until 2 o'clock p. m. to meet in joint session with the House to hear the Governor's message.

AFTERNOON SESSION.

Senate called to order at 2 o'clock p. m. by President Smith, pursuant to adjournment.

Secretary called the roll, all members being present except Senators Hailey and Wilson.

Representative Megler of the House committee announced that the House was ready to meet the Senate in joint session.

MESSAGE FROM THE HOUSE.

MR. PRESIDENT:

The House has passed Senate Concurrent Resolution No. 2, and the same is herewith submitted. STOREY BUCK, Chief Clerk.

On motion Senate adjourned to meet with the House in joint session.

JOINT SESSION.

The Senate and House of Representatives met in joint session at 2:15 o'clock p. m. to hear the Governor's message.

Speaker Hare called President Smith of the Senate to the chair to preside over the joint session.

The secretary called the roll of the Senate, all members being present.

The clerk of the House called the roll of the House, all members being present except Representatives Cameron, Palmer, Weir and York.

Senator Warburton moved that a committee of three be appointed to wait on the Governor and invite him to come before the joint session and deliver his message.

The president appointed Senator Warburton and Representatives Childs and Dilling as a committee to wait upon the Governor and bring him before the joint session.

The committee appointed announced that the Governor was at the door.

Senator Warburton, the chairman of the committee, introduced the Governor to the chairman of the joint session, who in turn presented the Governor to the joint session.

Governor Henry McBride read the following message:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 13, 1903.

Gentlemen of the Senate and of the House of Representatives:

Since the adjournment of the last session of the Legislature the people have been called upon to mourn the loss of their Chief Executive. In the death of Governor John R. Rogers the state sustained a severe loss. Even those who differed from him in his views upon public questions admit that he was honest, conscientious, and faithful in the performance of his duties, and that he gave the best there was in him to the service of the state. More than this can not be asked for from any man. He was poor in worldly goods, the chief heritage left to his family being his name. In accordance with his own request he was buried with military honors. The funeral expenses, borne by his widow, amounted to \$539.55. This, in view of her circumstances, was a heavy burden. I would recommend that she be reimbursed this sum by the state and that a relief bill be passed for that purpose.

INTEREST AND REDEMPTION TAX.

By the terms of the Enabling Act the state was required to assume and pay the indebtedness of the territory. To liquidate this indebtedness the sum of \$300,000 was borrowed, in accordance with the provisions of an act of the Legislature (Session Laws 1899-90, page 33), upon state bonds payable at any time after five years and within fifteen years from date of issue, at the option of the state. This act also provided for the levy, for five consecutive years, of an annual tax not exceeding one-tenth of one mill (to pay interest upon these bonds), and, beginning in 1895, for the levy of an annual tax not exceeding one-fifth of one mill for the purpose of their redemption. Upon this indebtedness the sum of \$240,000 has been paid, leaving outstanding \$60,000. The one-fifth of one mill tax for the year 1902 will bring in something over \$55,000. This, together with the tax on hand and delinquent taxes belonging to this fund, will amount to something over \$83,000—a sum more than sufficient to redeem the outstanding bonds. I would, therefore, recommend the discontinuance of this tax.

MILITARY FUND.

Section 176, Laws 1895, page 252, is as follows:

“For the purpose of raising revenue for the National Guard, there is hereby levied, and the proper officers shall collect, a tax of one-fifth of one mill upon all the property in the State subject to taxation for the present fiscal year and for each fiscal year hereafter.”

From the report of the State Auditor it appears that, adding to the cash in the treasury the delinquent taxes for the years 1896 to 1901 inclusive, and the proceeds to be derived from the 1902 levy, there will be in this fund the sum of \$152,545. This is over and above the unexpended balance of the 1901 appropriation. Of that appropriation at least \$12,000 will not be needed and will be covered back into the military fund, thus increasing it to something over \$164,000 without any further levy. This should be amply sufficient to pay all expenses connected with the National Guard for the period of four years.

Therefore, I would suggest that the tax levy for the support of the National Guard be discontinued for the present, unless the Legislature in its wisdom should see fit to authorize the building of armories in accordance with the recommendations of the Adjutant General. Should it be deemed best to authorize the building of armories, and should a reasonable appropriation be made for that purpose, yet this tax could with perfect safety be reduced from one-fifth to one-tenth of one mill. Or, if the building of armories at this time should not be deemed wise, and, in view of the fact that the state has interest charges to meet, it should not be considered good policy to have the money in this fund remain idle, at least \$75,000 might be transferred to the general fund and the tax be continued but reduced from one-fifth of one mill to one-tenth of one mill.

THE REVOLVING FUND.

In 1891 (Session Laws, page 202) the Legislature appropriated \$30,000 to provide and maintain a permanent revolving fund for the purchase and delivery at the State Penitentiary of jute, clay and other materials. In 1893 (Session Laws, page 212) a further appropriation of \$50,000 was made for the same purpose. The act of 1893 also provided that the proceeds derived from the sale of jute and other fabrics, and brick manufactured at the penitentiary, should be placed in the revolving fund. There is now in this fund about \$150,000, with sufficient manufactured material on hand, when sold, to raise it to at least \$175,000. A revolving fund of \$95,000 would be ample for the purpose intended. When the state is paying interest upon its indebtedness, I can see no good reason for retaining money in any fund where it is not needed. I would, therefore, recommend that the sum of \$80,000 be transferred from the revolving fund to the general fund—the latter fund being the fund out of which the state indebtedness is paid.

PERMANENT SCHOOL FUND.

The proper investment of the permanent school fund is a matter of great importance. The Board of State Land Commissioners, consisting of the Commissioner of Public Lands, the Secretary of State and the Superintendent of Public Instruction; is authorized (Session Laws 1897, Sec. 69, page 262) to invest this fund in national, state, county

or municipal bonds, at par, bearing not less than five per cent interest per annum, or in warrants drawn upon the State of Washington.

Section 1 of an act approved March 8, 1899 (Session Laws, pages 67 and 68), is as follows:

"Section 1. Whenever there shall be in the hands of the State Treasurer, belonging to the State Permanent School Fund, money to the amount of five thousand dollars or more, of which no investment can be made in the securities now or hereafter authorized by law, and the State shall have an outstanding general fund warrant indebtedness in an amount equal to or greater than the amount of five thousand dollars (\$5,000), the Governor of the State and the State Auditor are hereby authorized, and it shall be their duty, to issue the bonds of the State of Washington in an amount equal to that amount, and sell and deliver such bond to the State Treasurer for the account of the State Permanent School Fund at the face or par value thereof."

Section 2 of said act as amended in 1901 (Session Laws, page 388) is as follows:

"Section 2. Such bonds shall bear date of issue and be issued in denominations of five thousand dollars (\$5,000), and shall bear interest at the rate of three and one-half per cent. per annum, payable semi-annually on the first day of May and November of each year until paid, payable out of the State General Fund, and the State Treasurer is hereby authorized and directed to transfer from the said State General Fund to the said Current School Fund sufficient money to pay said interest as the same falls due, and certify the same to the State Auditor, which certificate shall be authority to said Auditor to make the necessary and proper entries in the books and records of his office to show such transfer. The principal of said bond shall be payable, any or all of them, on or before twenty years from the date of issue, to the State Treasurer for the account of the State Permanent School Fund, out of the State General Fund, to which the proceeds thereof shall have been credited, and when paid the principal thereof shall be credited to the State Permanent School Fund."

September 30, 1902, according to the report of the State Treasurer, the permanent school fund account stood as follows:

Invested in State bonds	\$1,165,000.00
Invested in County and School District bonds.....	429,104.35
Cash on hand	320,027.90

The reason for such a large sum being on hand, belonging to this fund, is that the Board of State Land Commissioners could not invest it in such securities as are authorized by the Constitution and the laws of the state at so high a rate of interest as five per cent. Counties, cities and school districts desirous of borrowing money could obtain it elsewhere at a lower rate.

It is estimated by the Commissioner of Public Lands that his office will turn over to the State Treasurer, to be placed in this fund, at least \$600,000 in the next two years. It is to be hoped that the appropriations made at this session of the Legislature from the general fund may not exceed the anticipated revenues, and that there may be no necessity of further borrowing from the permanent school fund for the benefit of that fund. Should this hope be realized, there will be in the permanent school fund, during the next fiscal term, in the

neighborhood of one million dollars looking for investment. To find investments for this sum, in such securities as our Constitution and laws permit, it seems absolutely essential that the rate of interest be made less than five per cent. In the opinion of the Board of State Land Commissioners the rate should be reduced to three and one-half per cent. Others, somewhat versed in financial matters, seem to think a reduction to four per cent would serve the desired purpose. These funds should not remain idle. On the other hand, as high a rate of interest as can be obtained should be demanded. The question is submitted to your wisdom.

STATE CAPITAL FUND.

Against the state capitol fund warrants amounting to \$77,004.16, bearing interest at the rate of eight per cent per annum, were issued during the years 1893-45. The interest upon these warrants, on the first of January of this year, amounted to, approximately, the sum of \$58,150; making the total sum, principal and interest due thereon, on said date, about \$135,154.16. There are also outstanding against this fund warrants amounting to the sum of \$350,000, drawing interest at the rate of five per cent per annum, issued in accordance with the provision of the act of 1901 for the purchase and completion of a State Capitol building. The interest upon the last mentioned warrants is guaranteed by the state, but there is no such guarantee as to the other warrants. These warrants first mentioned, however, together with the interest thereon, are a first lien upon the proceeds to be derived from the sale of lands granted to the state for public buildings at the capital. Of this grant, which was 132,000 acres in the first instance, over 120,000 acres remain. Some of this land, in the opinion of the Commissioner of Public Lands, is worth, today, at least twenty dollars per acre; and he deems it conservative to say that, on an average, they are worth ten dollars per acre. If he is anywhere nearly right—and, in my judgment, I am prepared to say he is not very far wrong—why should we continue to pay eight per cent interest on these \$77,004.16 of outstanding warrants? These warrants, the principal and interest of which amount to about \$135,154.16, being a first lien upon property which, in the not distant future, will sell for at least one million dollars, would be considered a safe investment by any one. The permanent school fund has hundreds of thousands of dollars idle in the treasury. The capitol building fund has outstanding against it warrants drawing eight per cent interest per annum. Why not invest a portion of the permanent school fund at, say, three and one-half per cent, the same rate paid to that fund by the general fund, in the warrants of the capitol building fund, thus finding a safe investment for the permanent school fund, and, at the same time, saving to the capitol building fund four and one-half per cent per annum? The method of procedure would be this: Transfer from the permanent school fund to the capitol building fund a sufficient sum to take up

the eight per cent interest bearing warrants outstanding against the latter fund. Issue state bonds to that amount, and deliver to the State Treasurer, for the account of the permanent school fund, said bonds to draw interest at the rate of three and one-half per cent per annum, interest payable semi-annually. Provide for the payment of the interest upon these bonds from the general fund. The permanent school fund and the general fund would be amply protected by a first lien upon the proceeds derived from the sale of lands granted to the state for public buildings at the capital. I would commend this subject to your careful consideration.

STATE NORMAL SCHOOL FUND.

On the first of October, 1902, there was in the State Normal School fund the sum of \$8,809.74. Against this fund there are outstanding warrants to the amount of \$108,810.07, issued between July 12, 1895, and April 16, 1899. These warrants bear interest at the rate of seven per cent per annum; and it may be held, under section 5, page 57, Session Laws of 1895, that the interest upon them is to be compounded. By the terms of the Enabling Act the state was granted one hundred thousand acres of land for State Normal Schools. Of these lands, selected and approved, more than ninety-five thousand acres remain unsold. A question has arisen as to whether, under the terms of the grant, the proceeds derived from the sale of these lands can be used in the payment of outstanding warrants, or whether these proceeds must be placed in a permanent fund to be invested, and the interest only be used for that purpose. The proceeds derived from the sale of lands granted to the state for the support of common schools must constitute a permanent fund, the interest upon which only can be expended in their support. It is thought by some the same holds true of the proceeds derived from the sale of lands granted to the state for the Agricultural College, for Normal Schools, for the Scientific School, and for the state charitable, educational, penal and reformatory institutions. But such is not the Legislative construction that has been given the Enabling Act. In 1893 the Legislature made appropriations for buildings at the Western Washington Hospital for the Insane, at the Eastern Washington Hospital for the Insane, at the State Penitentiary, at the State Reform School and at the Soldiers' Home—each of these appropriations being coupled with the express provision that the amount of the appropriation should be returned to the general fund of the state treasury from the first proceeds of the sale of lands granted to the state for state charitable, educational, penal and reformatory institutions. At the same session appropriations were made for buildings at the Agricultural College and for the Normal School at Ellensburg, coupled, in the first instance, with the proviso that the general fund should be reimbursed from the first proceeds derived from the sale of lands granted to the state for a scientific school, and, in the

second, from the first proceeds derived from the sale of lands granted to the state for normal schools.

By the terms of an act approved March 7, 1895 (Session Laws, pages 55-6-7), a fund to be known as the "state normal school fund" was established and provision made that all proceeds derived from the sale of lands granted to the state for normal schools be paid into that fund, and that no appropriations for the erection of normal school buildings be made from any other fund. By the same act an appropriation of \$60,000 was made for buildings at the Cheney Normal School, and an appropriation of \$40,000 for buildings at the Whatcom Normal School, with directions to draw warrants upon said state normal school fund to pay for the erection of such buildings. October 1, 1902, the scientific school fund contained \$29,062.19; the agricultural college fund, \$16,936.30; the charitable, educational, penal and reformatory institutions fund, \$22,080.08, and the normal school fund, \$8,809.74. These several funds may, and probably will be, very materially increased during the next fiscal term. If they are permanent and irreducible, and the interest only can be expended, then the Legislature should make provision for their investment. If, on the other hand, the legislative construction placed upon the Enabling Act is correct, then such of these funds as have no warrants outstanding against them should be transferred to the general fund; and where warrants are outstanding, the money on hand should be applied upon their payment. A test case has been brought in the supreme court of this state to determine this question and a decision will probably be handed down in time for you to deal with this subject in such manner as your judgment approves. If it should be held that the proceeds from the sale of lands granted for normal schools do not constitute a permanent and irreducible fund, then the warrants outstanding against the state normal school fund are a first lien upon something over 95,000 acres of land. Here may be found an opportunity for a safe investment of a portion of the permanent school fund. These warrants, principal and interest, on the first of January of this year, amounted to, approximately, the sum of \$146,000. The normal school lands in value certainly far exceed this sum. Should you look with favor upon this suggestion, the method of procedure might be the same as pointed out in what has been said in reference to outstanding warrants against the capitol building fund.

LOUISIANA PURCHASE EXPOSITION.

An exposition commemorative of the Louisiana purchase will be held at St. Louis, opening on the first day of May, 1904. It seems beyond question that this exposition will be upon a grander scale and will attract a larger number of visitors than any ever before held. I believe our people, quite generally, are, in favor of the State of Washington, being worthily represented upon that occasion. It was at first supposed this exposition would be held in 1903. Had the original plan been adhered to, and had nothing been done here until after the convening of this Legislature, it is quite evident that sufficient time would not

have remained for the assembling of a proper exhibit of the industries and resources of this state. For that reason a meeting, composed of business men and of representatives of various chambers of commerce and boards of trade, was held at the state capital on the 25th of April, 1902, to determine what was best to be done. It was the sense of the meeting that the state should be fittingly represented at the St. Louis exposition, and that the Governor should appoint a commission of seven, and an executive commissioner, to take charge of the preliminary work and to raise funds to defray the necessary expenses, trusting to the Legislature to reimburse those advancing the money for that purpose. Coinciding with the views of the meeting, I appointed Hon. C. J. Lord of Olympia, Hon. George B. Kandle of Tacoma, Hon. Charles L. Denny of Seattle, Hon. T. B. Sumner of Everett, Hon. Miles C. Moore of Walla Walla, Hon. George M. Brown of Spokane and Hon. A. H. Stulfauth of Ellensburg as commissioners, and Hon. Elmer E. Johnston of Everett as executive commissioner. I am informed by the treasurer of the commission, the Hon. C. J. Lord, that the sum of \$1900 will cover all expenses incurred in the preliminary work. The commission, at the time of its appointment, as well as myself, indulged the hope that no more than \$50,000, at the very outside, would be required. Under date of December 21, 1902, the commission reported to me what had been done, but owing to a lack of funds that report has not been printed. It is subject, however, to your call, and I would commend it to your careful consideration. From the examination of the report it will be seen that, in the judgment of the Executive Commissioner, the sum of \$63,950 could be expended to advantage. I believe, however, a careful examination will disclose that this sum could be reduced several thousand dollars without materially interfering with the benefits to be derived. Experience demonstrates that work entrusted to a few is better and more economically done than when entrusted to many. For that reason I would suggest that the membership of the commission you may provide for to take charge of this matter be made not too large. The expenditure of the appropriation made for this purpose should be under the direction of a few men of practical business training and executive ability. If strictly business methods are pursued, an appropriation of \$50,000 would prove more beneficial to the state than double that amount under loose management, or a management permitting favoritism, or politics, to creep in, to the detriment of the work.

LEWIS AND CLARK EXPOSITION.

An exposition is in contemplation to be held at Portland, Oregon, in 1905, commemorative of the Lewis and Clark expedition. If this state is to take part an appropriation should be made for that purpose at this session of the Legislature. While the fact that it follows so closely upon the St. Louis exposition may lessen its value, viewed from a practical standpoint, yet sentiment naturally inclines one in its favor. What other states, including even Oregon, may do, is not yet known.

Pursuant to Senate concurrent resolution No. 17, adopted March 4, 1901, Governor Rogers appointed Hon. F. J. Parker of Walla Walla, Hon. J. G. Megler of Brookfield, Hon. W. W. Tolman of Spokane, Hon. E. M. Rands of Vancouver and Hon. George W. Rowan of Castle Rock as members of a commission to represent the State of Washington in the preliminary work connected with this exposition, and to report to this Legislature its recommendation as to what appropriation should be made. The report of this commission will doubtless be laid before you. A company, under the name of "The Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair," has been incorporated, with a capital stock of \$500,000. Of this sum \$360,000 have been subscribed by the citizens of Portland, and no doubt is entertained but that the full amount of the capital stock will be subscribed. The management expects the Legislature of Oregon to appropriate \$500,000, and that other states, especially those upon the Pacific coast, will be adequately represented. Probably you will be in possession of sufficient information before the close of the session to enable you to determine the proper course to pursue.

FURNISHING LEGISLATIVE CHAMBERS.

On the 20th day of June, 1902, arrangements were entered into for furnishing the legislative chambers in the new Capitol, the Commission then still having a strong hope that the building might be completed in time for occupancy at this session. Bids were called for, due notice having been given through the principal newspapers of the state. The lowest and best bids were accepted, but the Commission not having the necessary funds, no attempt was made to bind the state. The successful bidders were simply given the privilege of putting in the necessary furniture, with the understanding that they might remove it unless this Legislature, within thirty days from the opening of the session, made an appropriation to pay for the same. The Commission believes that the price agreed upon between it and the successful bidders is fair and reasonable. I would suggest that each house appoint a committee to consider this matter. The secretary of the Capitol Commission will lay before such committee all information in its possession.

INCREASE IN BUSINESS MEANS INCREASE IN EXPENSE.

Growth in population and increase in volume of business necessarily call for a constantly increasing expenditure for public purposes. The number of inmates in our asylums for the insane and in the penitentiary is steadily growing. September 30, 1893, our asylums for the insane contained 850 persons. September 30, 1900, this number had increased to 1019, and September 30, 1902, to 1146. These unfortunates, together with the inmates for the School for Defective Youth and the Reform school, must be properly cared for. September 30, 1898, there were 320 convicts in the State Penitentiary; September 30, 1900, 405; September 30, 1902, 580.

From September 30, 1898, to September 30, 1902, the membership of

the Soldiers' Home increased from 112 to 168. No one can object to these men, who in the hour of their country's dire need fought its battles, receiving the necessary support at the hands of the state.

Our higher educational institutions, the State University, the Agricultural College and School of Science, and our three Normal Schools, are supported by appropriations from the general fund. The number in attendance increases with an increasing population, and at each succeeding session of the Legislature it has seemed necessary to make larger appropriations for the support and maintenance of these educational institutions. If it were left to the heads of these institutions, or to their boards of regents or trustees, to say how much money could be spent to advantage in their support, no doubt the aggregate would far exceed the state's ability to provide the means. I do not say this by way of criticism, for it is undoubtedly true that the field of usefulness of our State University, or of our Agricultural College, or of our Normal Schools, could be greatly enlarged, did the revenues of the state permit. To the Legislature falls the task of squaring the natural desire of those in immediate charge of these institutions with our financial condition. Viewed from this standpoint you will probably feel yourselves compelled to deny them some things that, under different circumstances, you would willingly grant.

In passing, permit me the suggestion that our educational institutions should be kept entirely free from politics, or political influence of any kind. Appropriations for their support should not be made to hinge upon other legislation. In this matter but two considerations should govern—their actual needs, and the ability of the state to meet those needs. I have not caused the removal of any member of the board of regents, or board of trustees, of these institutions, nor have I appointed any such member for political reasons; nor shall I do so. And, whatever contests may face us during this session, I indulge the hope that no one of our educational institutions may be made the football of contending forces, or of aspirants for place.

The increase in the membership of the Legislature means an increase in legislative expenses. And it is probably true that the growing volume of business in other departments may call for heavier appropriations. I mention these things simply for the purpose of showing the necessity for strict economy, for, with the exercise of the wisest economy, the problem of making our revenues keep pace with our increasing expenditures is, at the best, a perplexing one.

True, it is generally supposed that the state is upon a cash basis; and to the extent that warrants now drawn upon the general fund are paid in cash upon presentation, that supposition is correct. But it does not follow from this that the state is out of debt, or even that its finances are in the most healthy condition.

GENERAL FUND INDEBTEDNESS.

October 31, 1896, according to the report of the then State Auditor, the general fund warrant indebtedness, over and above the cash on

hand in that fund was \$1,777,918.03. This did not include the interest due on the warrants. September 30, 1902, according to the report of the State Treasurer, the general fund indebtedness, not including interest, over and above cash on hand in that fund, was \$1,205,579.57. This consisted of two items: General fund warrants outstanding, \$45,741.19; state bonds held by the permanent school fund for money borrowed from that fund and transferred to the general fund, \$1,165,000. The cash in the general fund at that time was \$5,161.62.

From October 31, 1896, to September 30, 1902, the general fund indebtedness decreased \$572,308.46. But it is well known that, at the date of the first report above referred to, a large amount of delinquent taxes was outstanding. It is also equally well known that soon thereafter a general revival of business set in, and that delinquent taxes began to flow into the treasury. In 1897, from delinquent taxes for the years 1893-4-5, the general fund received \$226,879.37; in 1898, for the years from 1893 to 1896 inclusive, \$139,974.87; in 1899, for the years from 1893 to 1896 inclusive, \$121,943.58; in 1900, for the years from 1893 to 1896 inclusive, \$48,073.50; in 1901, for the years 1894 to 1896 inclusive, \$22,602.67; in 1902, for the years 1895 and 1896, \$10,681.94; making a total of \$570,155.93. During the years 1897 to 1899 inclusive the general fund also received from delinquent taxes for the year 1892 and preceding years, approximately, the sum of \$35,000.

Thus it will be seen that from 1897 to 1902 inclusive the general fund received from delinquent taxes of 1896 and preceding years the sum of \$605,155.93—a sum in excess of the decrease in the general fund indebtedness during that period.

On October 19, 1897, the Attorney General advised the State Treasurer that the act creating the tide land fund, approved March 26, 1890, had been repealed by section 70 of the General Land Act, approved March 26, 1897 (Session Laws 1897, page 263). The moneys that had accumulated in the tide land fund were transferred to the general fund; and the proceeds derived from the sale of tide lands since that time have been placed in the same fund. From 1897 to September 30, 1902, the general fund received from this source alone the sum of \$1,079,051.25. During this period of six years the general fund received from delinquent taxes for the year 1896 and preceding years the sum of \$605,155.93, and from the sale of tide lands the sum of \$1,079,051.25, making a total of \$1,684,207.18, and yet during that period the general fund indebtedness was reduced but \$572,308.46. The taxes that became delinquent during the period of depression have nearly all been collected. Our tide lands are at best but a temporary source of revenue. The proceeds derived from their sale will soon begin to diminish, and, in a very few years, will practically cease.

These facts emphasize the necessity of strict economy, and likewise the necessity of finding some new source of revenue if our income is to keep pace with our expenditures.

TAXATION.

The rate of taxation should not be increased, except as a last resort, for the burden now borne by our people is sufficiently heavy. In some parts of the state the rate of taxation, including the levy for state, school, county, road and city or town purposes is at least forty mills on the dollar. Such a rate, in addition to being a hardship upon the taxpayer, tends to prevent the natural growth and development of any locality. Intending investors inquire closely into the matter of taxation, and, where the rate is found to be abnormally high, they naturally turn to other sections where the burden in this respect is lighter.

There is in this state property that escapes taxation altogether, and other property that is assessed at but a small fractional part of its market value. As an instance of the former, I would call attention to sleeping car companies doing business in this state; of the latter, to our railroads.

From the report of the State Board of Equalization I find that the main track of the railroads in this state is divided into five classes. The first class, consisting of 965 miles and a fraction, is equalized at \$6600 per mile. This, it is believed, is not more than one-tenth of its actual market value. The second class, consisting of 1558 and a fraction miles, is equalized at \$5280 per mile; the third class, consisting of 220 and a fraction miles, at \$3168 per mile; the fourth class, consisting of 156 and a fraction miles, at \$2000 per mile, and the fifth class, consisting of 81 and a fraction miles, at \$1320 per mile. The total length of main track is 2981 and a fraction miles, and it is assessed at the insignificant sum of \$15,718,512—insignificant, at least, in comparison with its real value. Of sidetrack there is 536 and a fraction miles, assessed at \$1,132,561. The average assessed value of main track per mile is \$5,271.45. The average assessed value of side track per mile is \$2,112.03. The aggregate assessed value of rolling stock and all railroad personal property is \$3,753,586. The aggregate assessed value of all railroad property in the state, used for railroad purposes, is \$20,604,659. By those who have inquired into the matter the statement that this property is worth at least \$200,000,000 is deemed conservative. But I am not advocating that it should be assessed at the full sum of \$200,000,000, for I believe that throughout the state, quite generally, property is assessed something below its real value. But that the disproportion between the real and the assessed value of other property is anywhere nearly so great as the disproportion between the real and the assessed valuation of railroad property, no one can be found to contend.

Is there any good reason why you should permit the continuance of such a state of affairs? Property now escaping taxation altogether, as well as that assessed at a figure ridiculously low, certainly receives a benefit in the protection afforded it by our laws. The cost to the state of affording protection to railroad property, dollar for dollar in value, is, probably, greater than the cost of affording similar protection to any other class of property in the state. Why, then, should these great cor-

porations be permitted to shift their fair share of the public burden to the shoulders of others? The present system of assessing railroad property at a figure merely nominal is not without its advocates. They urge that all taxes paid by the railroad companies must be collected from the people in the shape of passenger and freight rates; and that, therefore, the valuation placed upon railroad property for purposes of taxation is a matter of no particular concern to the people. This argument, if it can be dignified by that name, would apply with equal force to any and all kinds of merchandise. The owner might say: "Do not assess my property. If you do, what I pay in taxes will be added to the selling price, and it will not be I, but the purchaser, who will have to pay the taxes." By this line of reasoning, carried to its logical end, the state would be shorn of its revenues and rendered powerless to afford protection to person and property—the purpose for which government is called into being, and the only ground upon which it can justify its existence. If property now escaping taxation should be placed upon the assessment roll, and all property should be fairly assessed, the revenues of the state would be ample, without any increase in the rate of taxation. Indeed, should this be done, we might, with the exercise of a wise economy, reasonably look, in a short time, for a material reduction in the rate of taxation. This, besides affording relief to the individual taxpayer, would be an element in attracting hither the homeseeker and the capitalist in search of investments.

STATE BOARD OF EQUALIZATION.

The State Board of Equalization, consisting of the Secretary of State, the Commissioner of Public Lands and the State Auditor, is powerless to afford relief in the matter of the proper assessment of railroad property. This board simply apportions among the several counties the amount of tax to be raised in the state for state purposes. It does not determine the rate of taxation, but the total sum to be paid by each county to the state for state purposes. Section 1717, 1 Bal., is as follows:

"When the State Board complete their equalization, the Auditor of State shall transmit to each County Auditor a transcript of the proceedings of the board, within ten days after said board adjourns, specifying the amount to be levied and collected on said assessment books for State purposes for each year, and the County Auditor shall compute the required per centum on the valuation thereof as it stands after the same has been equalized by the County Board of Equalization, and shall extend such taxes in the proper columns of such books."

The valuation placed upon railroad property by County Assessors, as equalized by the Boards of County Commissioners, is the basis upon which the tax levy is made for both state and county purposes. If railroads should be assessed in any particular country at, say \$5280 per mile, the state board could not change that valuation even for state purposes. If it should be of the opinion that the road is worth, say, \$30,000, instead of \$5280 per mile, it could take that fact in consideration only for the purpose of determining the total sum to be paid to

the state by that particular county—the levy would have to be made by the County Auditor upon the basis of \$5280 per mile; should the state board, believing the property to be worth \$30,000 per mile, instead of \$5280, by reason of that fact demand a larger sum from the county, the increased burden would not fall upon railroad property, where of right it should fall, but, in the main, upon other property in the county assessed at a fair valuation. To do this would be inflicting a penalty upon the taxpayer whose property is properly assessed for the action of county officials in assessing railroad property too low.

Considering the powerful influence exerted by the railroads, and the peculiar methods resorted to by some of their agents, it would be expecting almost too much to look for any marked improvement under the law as it now stands. The state board should be a Board of Equalization in fact instead of in name only, as at present. Upon it should be conferred the power to change valuations as equalized by county boards, and such changes as it directs in this respect should be made upon the books of the several counties. In other words, the valuation of property as equalized by the state board, instead of the valuation as equalized by county boards, should be the basis upon which taxes are levied for both state and county purposes. The state board, then instead of simply determining the sum total to be paid by each county for state purposes, as now, would determine the rate of taxation for state purposes. It should also have the power to place upon the assessment rolls any property omitted by County Assessors. With these changes, the responsibility for property escaping taxation, or being assessed at but a small fraction of its real value, would rest upon the state board, instead of being divided, as now, among the Assessors and the Commissioners of the several counties.

Any person or corporation so desiring should have the right to appear before the state board, but the decision of that board upon all questions relating to valuations should be final. No person or corporation should be permitted to bring an action in any court to reduce the assessed valuation of property as determined by the state board, or to reduce or interfere in any way with the collection of taxes based upon such assessment, unless such action is based upon fraud. No such action should be permitted unless commenced prior to the time the taxes complained of become delinquent, and the amount of such taxes should be deposited in court at the time the action is commenced. In any action brought by a corporation doing business in more than one county, the state should be made a party, and it should be the duty of the Attorney General to defend the same. No compromise of an action should be permitted. In the event of it being determined that the assessed valuation, by reason of fraud, is too high, the court should be required to find the amount of taxes that should be paid and to direct in its decree that such amount should be turned over to the proper officials from the moneys deposited in court.

In this connection I would also call attention to the fact that each of

the gentlemen upon the State Board of Equalization, as now constituted—the Secretary of State, the State Auditor and the State Land Commissioner—is busy with the affairs of his own office, and has not the time to enter upon an exhaustive study of values. But even if the board had the time, it has not the right to call for and examine books, papers, vouchers, and other documents, nor to send for and examine under oath witnesses—powers especially essential in arriving at a just determination as to the value of railroad property. In the event of the passage of a railway commission bill, the commissioners selected would necessarily have to ascertain the value of all the railroad property in the state. They might be required to certify such values to the State Board of Equalization for its information and guidance; or, what would perhaps be better, they might be made ex-officio members of the board.

FILING AND LICENSE FEES OF CORPORATIONS.

Our laws provide that every corporation incorporated under the laws of this state, having a capital stock divided into shares, shall pay to the Secretary of State, for the use of the state, a fee of ten dollars, payable upon the filing of the articles of incorporation. Every corporation incorporated under the laws of any state or territory of the United States, or of any foreign state, is also required to pay a like fee upon the filing of a certified copy of its articles of incorporation. In some of the states the fee payable upon the filing of such articles is made to depend upon the amount of the capital stock of the corporation. In Iowa, for instance, a fee of twenty-five dollars, and an additional fee of one dollar per thousand upon all authorized stock in excess of ten thousand dollars, is required; with the provision, however, that in no event shall a fee in excess of three hundred and fifty dollars be charged.

Our laws also provide for the payment of an annual license fee of ten dollars by domestic and foreign corporations doing business in this state. The provisions above referred to do not apply to "corporations not for pecuniary profit, or to corporations organized for religious, social, fraternal, charitable, benevolent or educational purposes, nor to such insurance companies as are required to pay an annual license under the insurance laws of this state."

In some states the annual license fee paid by corporations is also made to depend upon the capital stock. Nor would this seem to be unjust. Why should a corporation for carrying on the shingle business on a small scale, or conducting a creamery, with a capital stock of \$10,000, pay the same annual license as a corporation with a capital stock of a million, or of several million, dollars?

Such a measure would tend to discourage the formation of corporations with a large capital stock and a small amount of cash, or tangible property—corporations based, in the main, upon roseate expectations.

Small as our license fee is, it is not always paid. Thousands of dollars are outstanding. But this disposition to evade its payment could

be readily overcome. Colorado, at least, seems to have found an effective remedy in the following provision:

"Every corporation which shall have failed to pay the tax provided for in Sections 64 and 65 (the annual license fee tax), shall, by reason of such failure, forfeit its right to do business within the limits of this State until such tax is paid, and shall be absolutely and wholly deprived of all such rights and privileges, and the fact of such failure may be pleaded and maintained as an absolute defense to any and all actions, suits or proceedings, in law or equity, brought or maintained by or on behalf of such corporation, in any court of competent jurisdiction within the limits of this State, until such tax is paid."

Where the payment of a just and reasonable license fee is required of a corporation, and such payment is refused, there certainly can be no injustice in saying to such corporation: "You shall not use the courts of this state to enforce your just demands or claims against others, until such time as the state's just claim against you is liquidated." I would, therefore, recommend that the fees for filing articles of incorporation, or certified copies thereof, in the office of the Secretary of State, as well as the annual license fees required of corporations for the privilege of doing business in this state, be made to bear some relation to the capital stock of such corporations; and that some method be adopted insuring the payment of such license fees when they fall due. Between the corporations themselves such a measure would be eminently fair—and not unfair as between the corporations and the people. The former would simply be making some return for privileges granted. Our revenues would be materially increased, and the people, indirectly at least, afforded some slight protection against watered concerns.

THE MERGER.

Sections 14, 16 and 22, Article XII, of our State Constitution, are as follows:

"Section 14. No railroad company or other common carrier shall combine or make any contract with the owners of any vessel that leaves port or makes port in this State, or with any common carrier, by which combination or contract the earnings of one doing the carrying are to be shared by the other not doing the carrying."

"Section 16. No railroad corporation shall consolidate its stock, property, or franchise with any other railroad corporation owning a competing line."

"Section 22. Monopolies and trusts shall never be allowed in this State, and no incorporated company, copartnership, or association of persons in the State shall directly or indirectly combine or make any contract with any other incorporated company, foreign or domestic, through their stockholders, or the trustees, or assignees of such stockholders, or with any copartnership or association of persons, or in any manner whatever, for the purpose of fixing the price or limiting the production or regulating the transportation of any product or commodity. The legislature shall pass laws for the enforcement of this section by adequate penalties, and in case of incorporated companies, if necessary for that purpose, may declare a forfeiture of their franchise."

It is evident that these constitutional provisions were aimed against

the throttling of competition by trusts or monopolies, and against combinations having for their purpose the elimination of competition in regulating transportation charges. Prior to the formation of the Northern Securities Company, the Northern Pacific Railway Company and the Great Northern Railway Company, both operating in this state, were competing lines. Since that time competition between them has practically ceased. Believing that the formation of the Northern Securities Company and the taking over by it of the stock of the Northern Pacific and Great Northern Railway Companies were in violation of our constitutional provision; and believing that the enunciation, by those interested, of the doctrine that the people's best protection is to be found in "the enlightened self-interest of the captains of industry" had not repealed those provisions, nothing was left to be done, as viewed by the Attorney General of the state and myself, but to bring a suit to test the question. Accordingly, suit was brought in the name of the State of Washington against the Northern Securities Company and the Northern Pacific and Great Northern Railway Companies, and the action is now pending in the supreme court of the United States. An appropriation to defray the expenses of this action will be necessary. As each of you, as well as myself, have sworn to support the Constitution of the state; and as we are informed by the head of the legal department of the state that there is reason to believe the Constitution is being violated, there should be no hesitancy in making the necessary appropriation. I would recommend an appropriation of \$10,000, or so much thereof as may be necessary. You may rest assured the Attorney General will not permit the expenditure of a single dollar not absolutely necessary for the proper presentation of the case on the part of the state.

FREE PASSES.

In regard to free passes the language of our State Constitution is as follows:

"Section 39, Article II. It shall not be lawful for any person holding public office in this State to accept or use a pass, or to purchase transportation from any railroad, or other corporation, other than as the same may be purchased by the general public, and the legislature shall pass laws to enforce this provision."

"Section 20, Article XII. No railroad or other transportation company shall grant free passes or sell tickets or passes at a discount, other than as sold to the public generally, to any member of the legislature or to any person holding public office in this State. The legislature shall pass laws to carry this provision into effect."

The Republican state platform says:

"We are in favor of the passage by the next legislature of an anti-pass bill in compliance with the provisions of our State Constitution."

The Democratic party in its state platform makes this declaration:

"We favor legislation to carry out the imperative mandate of the Constitution of the State forbidding the giving to or receiving by public officers of free passes on railways and transportation lines."

The practice of giving free passes has been highly detrimental to the public service. Not a single valid argument can be adduced in its

favor. Free passes in the hands of an unscrupulous lobby have been a potent instrument in seducing public officials from their allegiance to the people, and in throttling legislation not satisfactory to the railroads. The mandate of the Constitution—the pledges of both political parties—the personal honor and integrity of members of the Legislature, all unite in urging the passage of a stringent anti-pass bill.

RAILWAY COMMISSION.

The most important matter to come before you at this session is the question of establishing a railway commission. The Republican state platform contains the following plank:

"We are in favor of the passage of a bill by the next legislature establishing a railroad commission to consist of three members to be appointed by the Governor, no more than two to be taken from the dominant political party, said commission to be clothed with power to regulate freight and passenger rates, to determine the value of railroad property for purposes of assessment and taxation, to prevent unjust discriminations, and to inquire into and remedy such abuses as may be found to exist."

This plank was inserted in the platform after a full, fair and free discussion of its merits. After a majority of the convention had declared themselves in favor of it, it was unanimously adopted upon motion made by the leader of the railway forces, and seconded by a prominent opponent of the commission idea. The policy of the Democratic party upon this question, as outlined in its state platform, is, substantially, in accord with the declaration of the Republican party. If it seems strange that the two political parties are in accord upon this question, an explanation can readily be found in the overwhelming public sentiment in favor of a railway commission. Neither of the political parties, in its platform utterances, was actuated by any spirit of hostility against railway corporations, nor are any of the advocates of a commission in any part of the state actuated by any such feeling. The right of the state to regulate railroad corporations is unquestioned. That the only effective way to do this is through the medium of a commission clothed with the necessary power is undisputed. The claim that such a commission would be a menace to the state is wholly unfounded—is contradicted, in fact, by the experience of every state in the Union having a regulative commission. The history of these commissions conclusively proves the following propositions: They serve to equalize and reduce rates; to do away with discrimination and to correct other abuses; to bring about a better understanding and feeling between the people and the railroads. They in no way interfere with the development of a state, or the building of new railroads, or the extension of those already in operation. On the contrary, they have very materially assisted in the development of the states in which they have been established.

When confronted with this evidence, some of the opponents of the measure are driven to the statement that three honest men, competent to administer such a law, can not be found in the state of Washington. This is an insult to the manhood of the state. Such a charge marks

the civic debasement of those making it—calls attention to their straying from the paths of good citizenship as nothing else could. We need not be surprised, therefore, to find that this tender solicitude for the public weal—this haunting fear that the commissioners selected may prove false to their trust—is directly traceable to the railroad lobby. Another charge sometimes made is that those in favor of a regulative commission for this state are not honest in their advocacy of such a measure, but are endeavoring to build up a political machine. I do not believe any one takes this charge seriously. But if you suspect there is any truth in it, the threatened danger is easily guarded against. Pass the bill with the emergency clause and make the appointees under it subject to confirmation by the Senate. The names of the commissioners will then be sent in before the Legislature adjourns, and the Senate can pass upon their fitness. Whatever distrust those raising the cry of "Political machine" may have of the Executive, certainly that distrust can not extend to the Senate.

But the time for discussing the question seems to me to be past. There is before you, properly speaking, no issue of commission or anti-commission. With the depositing of the last ballot on the 4th of November the discussion was closed. The question has become one of political honesty. Do platform pledges mean anything? A political party that refuses to live up to its pledges deserves defeat at the hands of the people. An individual who betrays his party is deserving of political oblivion. On the one hand we have the solemn pledges of the two great political parties; on the other an unscrupulous and corrupt lobby—a lobby that has become a stench in the nostrils of the people of the state. Which will have the greater weight? This lobby insolently boasts that a majority of the members of this Legislature are its creatures, ready to do its bidding. I repel this infamous charge. I do not believe it to be true, nor will I believe it, unless forced to do so by the record of the vote taken upon the final passage of the measure to which both the political parties of this state are committed.

* Stripped of all of its disguises, the question simply resolves itself into a choice between political honesty and political perfidy. The choice rests with you.

CONCLUSION.

In conclusion, permit me to express the hope that your sessions may be characterized by a feeling of mutual good will, and that your labors may rebound to the honor of the state. You will find me ready to cooperate with you in any measure that is deemed for the public good.

On motion of Representative Easterday the joint session dissolved.

Senate called to order by President Smith at 3:15 o'clock p. m.

On motion of Senator Warburton, at 3:15 o'clock p. m., the

Senate adjourned until 10 o'clock a. m. Wednesday, January 14, 1903.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, January 14, 1903. }

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The secretary called the roll; all members being present.

Rev. Henry L. Badger offered prayer.

The oath of office was administered by President Smith to the following employes: Geo. Poland, Chas. A. Payne, G. D. Knapp, John McKee, Eugene Davis and B. C. Armstrong.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS.

Senate bill No. 16, by Senator Sharp: An act to amend section 1 of and adding section 2½ and section 4½ to an act entitled "An act providing for the creation of the office of State Veterinary Surgeon and defining his duties," approved March 22, 1895.

The bill was read the first time; and, on motion of Senator Sharp the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Agriculture, when appointed.

Senate bill No. 17, by Senator Tolman: An act to amend an act entitled "An act relating to the payment of witness fees to public officials," approved March 16, 1901.

The bill was read the first time; and, on motion of Senator Tolman the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary, when appointed.

Senate bill No. 18, by Senator Hamilton: An act to regulate

and limit the age of employment of males and females as messengers.

The bill was read the first time; and, on motion of Senator Hamilton the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary, when appointed.

Senate bill No. 19, by Senator Moultray: An act relating to sales of mining claims under execution, decrees and orders of court, and redemption therefrom.

The bill was read the first time; and, on motion of Senator Moultray, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Mines and Mining, when appointed.

Senate bill No. 20, by Senator Tolman: An act for the relief of the widow of the late Governor of the State of Washington, His Excellency John R. Rogers.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee of the Whole.

Senate bill No. 21, by Senator Hamilton: An act appropriating the sum of \$80,000, or so much thereof as may be necessary, for the expenses of the Eighth Legislature.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee of the Whole.

Senate bill No. 22, by Senator Palmer: An act to amend sections 6125 and 6141 of Ballinger's Annotated Codes and Statutes of Washington, relating to the appointment of executors and administrators.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary, when appointed.

Senate memorial No. 1, by Senator Moultray: Relating to withdrawal of lands of Whatcom county from Washington forest reserve.

The memorial was read the first time; and, on motion of Senator Moultray, the rules were suspended, the memorial was read the

second time by title, not ordered printed, and placed on final passage.

The memorial was read a third time and passed by the following vote: Yeas 37, absent or not voting 5.

On motion of Senator Tolman the Senate resolved itself into a Committee of the Whole to consider Senate bills Nos. 20 and 21.

The bills were considered in the Committee of the Whole, Senator Herman D. Crow in the chair, and Senate bill No. 20 was reported back to the Senate with the recommendation that it do pass as amended. Senate bill No. 21 was reported back to the Senate with the recommendation that it do pass.

The report was adopted.

GENERAL FILE.

Senate bill No. 20, by Senator Tolman: An act for the relief of the widow of the late John R. Rogers.

The bill was read the third time and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President.—42.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 21, by Senator Hamilton: An act appropriating money for the expenses of the Eighth Legislature.

The bill was read the third time and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—41.

Absent or not voting: Senator Rasher.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Tolman the rules were suspended and Senate bills Nos. 20 and 21 and Senate memorial No. 1 were ordered transmitted to the House immediately.

On motion of Senator Tolman, at 10:40 a. m., the Senate adjourned until tomorrow, January 15, 1903, at 10 o'clock a. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER, }
OLYMPIA, WASHINGTON, Thursday, January 15, 1903. }

President Smith called the Senate to order at 10 a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Hailey, absent, and Senator Hemrich, excused.

Rev. Henry L. Badger offered prayer.

The oath of office was administered by President Smith to the following employes: O. L. Ingram, W. F. Byars, F. A. Hall.

The journal of yesterday was read and approved.

The following resolution was introduced by Senator Palmer:

Be it Resolved by the Senate of the State of Washington, That the Judiciary Committee be and they are hereby empowered to select and employ a briefing clerk, to serve at their pleasure to assist them in their labors, and that said committee be authorized to fix the compensation of said clerk.

On motion of Senator Hamilton the resolution was laid on the table.

The following resolution was introduced by Senator Hamilton and adopted:

Be it Resolved by the Senate of the State of Washington, That the postmaster shall secure from each member of the Senate and each employe of the Senate his residence address in the city of Olympia, which address shall be kept in a place accessible at all times to the sergeant-at-arms.

The following resolution was introduced by Senator Baker :

WHEREAS, The Supreme Court of the State of Washington is citing Pierce's Code and the Superior Courts and bar of the state generally indorse and use said code; and,

WHEREAS, Amendments to existing laws may be made by reference to original titles by the use of this code; and,

WHEREAS, The members of the Senate are in immediate need of said code for use in the preparation of bills.

Be It Resolved by the Senate, That the sergeant-at-arms be instructed to procure at once one copy of said code for each member of the Senate and one copy for the secretary of the Senate, assistant secretary and minute clerk, at \$7.50 per copy.

On motion of Senator Palmer the resolution was laid on the table.

The following resolution was introduced by the Committee on Rules :

Resolved, That the secretary of the Senate be authorized and instructed to arrange with the Ministerial Association of the city of Olympia to provide a chaplain to open each daily session of the Senate, and that said chaplain receive a compensation of four dollars per diem for such session.

On motion of Senator Ruth the resolution was laid on the table.

REPORT OF SENATE COMMITTEE ON RULES AND JOINT RULES.

MR. PRESIDENT:

We, your Committee on Rules and Joint Rules, beg to report as follows:

That the rules for the government of the Senate for the session of 1903 shall be the same as those adopted and used during the session of 1901, with the following amendments:

Rule 1 shall be amended to read as follows: "Rule 1—Upon the organization of the Senate the members shall elect one of their members as president, who shall call the Senate to order each day of sitting at 10 o'clock a. m., unless the Senate shall have adjourned to some other hour."

Rule 6 shall be amended to read: Rule 6—The president shall appoint all special, joint and the following standing committees on the part of the Senate:

Committees.	No. Members.
1. Agriculture	7
2. Appropriations	11
3. Banks and Banking	7
4. Claims and Auditing	5
5. Commerce	3

6. Constitution and Constitutional Revision.....	7
7. Corporations, other than Municipal.....	9
8. Counties and County Boundaries.....	7
9. Dairy and Live Stock.....	5
10. Dikes, Drains and Drainage.....	3
11. Education	7
12. Educational Institutions	7
13. Elections and Privileges	5
14. Engrossed Bills	5
15. Enrolled Bills	5
16. Fisheries	9
17. Harbor and Harbor Lines.....	5
18. Horticulture and Forestry	5
19. Irrigation and Arid Lands.....	7
20. Judiciary	11
21. Labor and Labor Statistics.....	7
22. Manufactures	5
23. Medicine, Dentistry, Surgery and Hygiene.....	3
24. Memorials	3
25. Military	7
26. Mines and Mining	9
27. Miscellaneous	5
28. Municipal Corporations	9
29. Printing	7
30. Public Buildings and Grounds.....	7
31. Public Morals	7
32. Public Revenue and Taxation.....	11
33. Roads and Bridges	9
34. Rules and Joint Rules	5
35. Salaries and Mileage.....	5
36. State, Granted, School and Tide Lands.....	9
37. State Library	3
38. State Penal and Reformatory Institutions.....	7
39. State Charitable Institutions.....	7
40. State Employes, other than regular.....	5
41. Railroads and Transportation.....	11
Standing committees for the session only.	
42. Congressional Districts	7

Rule 10 shall be amended to read as follows after the first paragraph:
 "The regular employes or officers of the Senate shall be as follows:

Secretary,
 Assistant Secretary,
 Sergeant-at-Arms,
 Assistant Sergeant-at-Arms,
 Doorkeeper,
 Assistant Doorkeeper,
 Minute Clerk,
 Journal Clerk,
 Assistant Journal Clerk,
 Docket Clerk,
 Enrolling Clerk,
 Assistant Enrolling Clerk,
 Engrossing Clerk,
 Assistant Engrossing Clerk,
 Bill Clerk,
 Assistant Bill Clerk,

Postmaster,
 Assistant Postmaster,
 Two Stenographers,
 Two Pages,
 President's Page,
 Janitor,
 Night Watchman.

The minute clerk, journal clerk, docket clerk, enrolling clerk, engrossing clerk, stenographers and their assistants shall report to the secretary or assistant secretary of the Senate in answer to a roll call thirty minutes before the convening of the Senate each day, and shall be subject to assignment by him. All other employes, except committee clerks, shall report to the sergeant-at-arms or the assistant sergeant-at-arms for roll call thirty minutes before the opening of each session.

All committee clerks shall report to the chairman of their respective committees at the opening of the session each day, and shall be subject to the orders of such chairman.

Rule 56 shall be amended to read: Rule 56—A senator having been absent during roll call may ask to have his name called.

Rule 59 line 5, shall be amended by striking out the word "fifteen" and inserting "ten."

Rule 61 shall be amended to read: Rule 61—Smoking shall not be allowed in the Senate chamber during the session of the Senate, nor shall indecorous conduct, boisterous or unbecoming language be permitted there at any time.

And your committee further recommends that the salary of the respective employes of the Senate be as follows:

Secretary	\$6.00
Assistant Secretary	6.00
Sergeant-at-Arms	5.00
Assistant Sergeant-at-Arms	5.00
Minute Clerk	4.50
Journal Clerk	5.00
Assistant Journal Clerk	5.00
Enrolling Clerk	4.00
Assistant Enrolling Clerk	4.00
Engrossing Clerk	4.00
Assistant Engrossing Clerk	4.00
Bill Clerk	4.00
Assistant Bill Clerk	4.00
Postmaster	4.00
Assistant Postmaster and General Messenger	4.00
Stenographer of the Senate	4.00
Docket Clerk	4.00
Janitor	4.00
Night Watchman	4.00
Doorkeeper	4.00
Assistant Doorkeeper	4.00

Page	2.00
Clerk Judiciary Committee	5.00
Committee Clerks, all others.....	4.00

J. J. SMITH, Chairman.

EDWARD HAMILTON.

T. B. SUMNER.

HERMAN D. CROW.

GEORGE H. BAKER.

The report was adopted and committee asked for further time to report on joint rules.

INTRODUCTION OF BILLS.

Senate bill No. 23, by Senator LeCrone: An act to provide for the organization, regulation and inspection of building and loan associations, and to repeal certain laws therein named.

The bill was read the first time; and, on motion of Senator LeCrone, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Corporations Other than Municipal, when appointed.

Senate bill No. 24, by Senator LeCrone: An act creating the office of State Oil Inspector; providing for his compensation, and providing for the inspection of petroleum and its products used for illuminating purposes, and providing a penalty for the violation thereof.

The bill was read the first time; and, on motion of Senator LeCrone, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Mines and Mining, when appointed.

Senate bill No. 25, by Senator LeCrone: An act to amend an act approved March 18, 1901, regulating the practice of barbering.

The bill was read the first time; and, on motion of Senator LeCrone, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Medicine, Dentistry, Surgery and Hygiene, when appointed.

Senate bill No. 26, by Senator Angle: An act relating to the construction, repair and improvement of public roads; providing revenues for such purposes; defining the powers and duties of certain officers in relation thereto, and fixing their compensation, and to repeal an act entitled "An act to provide for keeping highways in repair and for the levy and collection of road poll and road

property taxes, and declaring an emergency," and declaring an emergency, approved March 9, 1893.

The bill was read the first time; and, on motion of Senator Angle, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges, when appointed.

Senate bill No. 27, by Senator Graves: An act prescribing the manner of serving exceptions and of settling and certifying of bills of exceptions in the superior courts; regulating their use on appeal, and repealing the act relating thereto approved March 8, 1893, and all other laws in conflict therewith.

The bill was read the first time; and, on motion of Senator Graves, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary, when appointed.

Senate bill No. 28, by Senator Stewart: An act amending sections 9 and 12 of an act entitled "An act providing for the survey and establishment of state roads; creating a commission; defining its duties and making an appropriation therefor, and declaring an emergency," approved March 18, 1897.

The bill was read the first time; and, on motion of Senator Stewart, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges, when appointed.

Senate bill No. 29, by Senator Davis: An act relating to justices of the peace and constables in cities having more than 5000 inhabitants, and fixing their number and salaries.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary, when appointed.

Senate bill No. 30, by Senator Wilson: An act making a deficiency appropriation for the State Agricultural College and School of Science for the fiscal period ending March 31, 1903.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations, when appointed.

MESSAGES FROM THE HOUSE.

OLYMPIA, Wash., January 15, 1903.

MR. PRESIDENT:

The House has passed Senate bill No. 20 and Senate bill No. 21, and the same are herewith transmitted. STOREY BUCK, Chief Clerk.

TO THE PRESIDENT OF THE SENATE:

The House has passed, House Concurrent Resolution No. 1, by Mr. Megler, of Wahkiakum.

Resolved, that the Speaker appoint a committee of three members of the House to act with a like committee of the Senate, to revise the Joint Rules. STOREY BUCK, Chief Clerk.

On motion of Senator Sharp, at 10:42 a. m., the Senate adjourned until 10 o'clock a. m. Friday, January 16, 1903.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

FIFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, January 16, 1903. }

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Moore and Senator Hemrich, who were excused.

Rev. H. L. Badger offered prayer.

The journal of yesterday was read and approved as amended.

The following resolution was offered by Senator Stewart, and adopted:

OLYMPIA, WASH., Jan. 16, 1903.

That the Secretary of the Senate be instructed to arrange for an evening delivery of the letter mail arriving at 6:40 p. m., for members of the Senate.

The following resolution was introduced by Senator Tolman and adopted:

OLYMPIA, WASH., Jan. 16, 1903.

That the Secretary of the Senate be instructed to have 500 additional copies of S. B. No. 1 printed for the use of the Senate.

The following resolution was introduced by Senator Clapp and adopted:

OLYMPIA, WASH., Jan. 16, 1903.

That the Secretary of the Senate be instructed to purchase three sets of Ballinger's Code and three sets of Pierce's Code, for the use of the Senate. That the same be retained in the custody of the Sergeant-at-arms during the present session and at the end of the session delivered to the Secretary of State as State property, for the use of future legislatures.

The following resolution was introduced by Senator Hamilton and adopted:

Resolved, that a committee of three be appointed by the President to group the Standing Committees of the Senate, when appointed.

The following resolution was introduced by Senator Hamilton and adopted:

Resolved, that the Secretary of the Senate be directed to pay to T. P. Fisk, the sum of \$25.00 for his services in calling the Senate to order.

The following resolution was introduced by Senator Sharp, and upon motion of Senator Tolman was referred to Committee on Senate Employees Other than Regular:

Resolved, that Robert Taylor be employed by the Senate as Assistant Watchman and Assistant Janitor.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., Jan. 16, 1903.

MR. PRESIDENT:

The House has passed House Concurrent Resolution No. 1, relating to the death of the late Governor John R. Rogers and the same is herewith transmitted.

STOREY BUCK, Chief Clerk.

Senator Hamilton moved the adoption of House concurrent resolution No. 1 by a rising vote.

Senator Warburton moved to amend by making it a special order for Monday, January 19, 1903. Carried.

INTRODUCTION OF BILLS.

Senate bill No. 31, by Senator Rasher: An act fixing fees of clerks of the supreme and superior court, sheriffs, constables, county auditors, jurors, witnesses and coroners, and amending

section 1609 of Ballinger's Annotated Codes and Statutes of Washington.

The bill was read the first time; and, on motion of Senator Rasher, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary, when appointed.

Senate bill No. 32, by Senator Cornwell: An act to amend section 73 of an act entitled "An act to establish a general uniform system of public schools in the State of Washington."

The bill was read the first time; and, on motion of Senator Cornwell, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Education, when appointed.

Senate bill No. 33, by Senator O'Donnell: An act relating to the incorporation of fraternal societies, an act providing for the incorporation of subordinate lodges, chapters and encampments of F. & A. M., Independent Order of Odd Fellows, Knights of Pythias, and other fraternal societies; for the reincorporation of lodges heretofore incorporated; repealing conflicting laws, and declaring an emergency.

The bill was read the first time; and, on motion of Senator O'Donnell, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Corporations Other than Municipal.

Senate bill No. 34, by Senator Graves: An act prescribing the master's liability for injuries received by his servant in the course of employment.

The bill was read the first time; and, on motion of Senator Graves, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary, when appointed.

Senate bill No. 35, by Senator Graves: An act prohibiting persons or corporations engaged in transportation and other quasi public business for hire from rendering gratuitous service, or at a discriminative rate, to public officers or employes; prohibiting public officers or employes from accepting such services from such persons or corporations, and providing penalties for its violation.

The bill was read the first time; and, on motion of Senator Graves, the rules were suspended, the bill was read the second

time by title, ordered printed, and referred to the Committee on Judiciary, when appointed.

Senate bill No. 36, by Senator Palmer: An act to amend section 6 of an act entitled "An act in relation to prosecuting attorneys, defining their duties and fixing their compensation," approved February 4, 1886, same being section 4756, Ballinger's Code of Washington (Pierce's Code, section 4185), and declaring an emergency.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary, when appointed.

The president announced the following committees:

STANDING COMMITTEES OF THE SENATE.

Agriculture—Sharp, Stansell, Cornwell, Garber, Van de Vanter, Hammer, Splawn.

Appropriations—Hamilton, Baker, Cornwell, Sharp, Rasher, Rands, Ruth, Wilson, Kinnear, Hammer, Earles.

Banks and Banking—Smith, S. T.; Rasher, McKenney, Welsh, Stewart, Warburton, Moultray.

Claims and Auditing—Welsh, Hurley, Graves, Davis, Smith, S. T.

Commerce—Clapp, Baumeister, Hemrich.

Constitution and Constitutional Revision—Graves, Hurley, Garber, Welsh, Welty, LeCrone, Splawn.

Corporations Other Than Municipal—Rands, Hurley, Crow, Reser, Ruth, Clapp, Kinnear, Palmer, Sumner.

Counties and County Boundaries—Hailey, Hallett, Sharp, Baker, Warburton, Palmer, Splawn.

Congressional Districts—Moultray, Stansell, Tolman, Rands, Ruth, Hamilton, Palmer.

Dikes, Drains and Drainage—Hammer, McKenney, O'Donnell.

Dairy and Livestock—Splawn, Hailey, Garber, McKenney, Van de Vanter.

Education—LeCrone, Tolman, Wilson, Ruth, Angle, Stewart, Tucker.

Educational Institutions—Tucker, Hallett, Ruth, Stewart, Hammer, Moultray, Splawn.

Election and Privileges—O'Donnell, Stansell, Graves, Hailey, Baumeister, Welty, Kinnear.

Engrossed Bills—Palmer, Hallett, Cornwell, Stewart, Hammer.

Enrolled Bills—Welty, McKenney, O'Donnell, Ruth, Tucker.

Fisheries—Van de Vanter, Moultray, Angle, Rands, Davis, Welsh, Ruth, Sumner, Palmer, Baumeister, Hammer.

Harbor and Harbor Lines—McKenney, Clapp, Davis, Tucker, Hemrich.

Horticulture and Forestry—Earles, Wilson, Sharp, McKenney, Angle.

Irrigation and Arid Lands—Garber, Rasher, Hailey, Cornwell, Reser, Angle, Splawn.

Judiciary—Crow, Rands, Warburton, Tolman, Moore, McKenney, Welty, Welsh, Palmer, Kinnear, Graves.

Labor and Labor Statistics—Warburton, Tolman, Crow, O'Donnell, Tucker, Moore, Earles.

Manufactures—Hemrich, Wilson, Clapp, Smith, S. T.; Hammer.

Medicine, Dentistry, Surgery and Hygiene—Wilson, LeCrone, Earles,

Memorials—Baumeister, Garber, Moore.

Military—Moore, Stansell, Hailey, Stewart, LeCrone, Potts, Splawn.

Mines and Mining—Stansell, Warburton, Hurley, Hallett, Rasher, Sharp, Stewart, Sumner, Moultray.

Municipal Corporations—Tolman, Kinnear, Graves, O'Donnell, Clapp, Moore, Potts, Sumner, Moultray.

Miscellaneous—Kinnear, Hurley, Welsh, Clapp, Davis.

Printing—Angle, Reser, McKenney, LeCrone, Tucker, Sumner, Potts.

Public Buildings and Grounds—Ruth, Rasher, Reser, Welsh, Welty, Van de Vanter, Hemrich.

Public Morals—Hallett, Garber, Tucker, LeCrone, Angle.

Public Revenue and Taxation—Sumner, Hamilton, Warburton, Tucker, Crow, O'Donnell, Hallett, Stansell, Cornwell, Welsh, Earles.

Railroads and Transportation—Baker, Hamilton, Sumner, Tolman, Hemrich, Rands, Clapp, Sharp, Reser, Hailey, Potts.

Roads and Bridges—Stewart, Hurley, Stansell, Baumeister, Garber, Welty, Van de Vanter, Smith, S. T.; Splawn.

Rules and Joint Rules—Smith, J. J.; Sumner, Crow, Hamilton, Baker.

Salaries and Mileage—Reser, Hurley, Crow, Graves, Rasher, Hailey.

State Charitable Institutions—Davis, Hallett, Wilson, Cornwell, Rands, LeCrone, Earles.

Senate Employes Other Than Regular—Hurley, Ruth, Davis, Moore, Earles.

State, Granted, School and Tide Lands—Potts, Tolman, Sharp, Welty, O'Donnell, Angle, Smith, S. T.; Earles, Splawn.

State Library—Rasher, Graves, Angle.

State Penal and Reformatory Institutions—Cornwell, Reser, Garber, Stewart, Warburton, Potts, Kinnear.

The Senate Committee on Joint Rules submitted the following report. Adopted.

TO THE PRESIDENT OF THE SENATE:

Your Committee on Joint Rules recommend that the Joint Rules be adopted with following amendments:

Add to Rule 7:

It shall be the duty of the Secretary of the Senate and Clerk of the House to compare daily the bills introduced in each House and such bills as are introduced in both houses and are of the same wording shall only be printed in one House.

Amend Joint Rules, page 11:

Rule 11.—All amendatory acts shall refer to the title of the act amended in full and date of approval. Committees shall amend or substitute all titles to conform to this rule.

Committee of House:

J. G. MEGLER,

WILLIAM H. LEWIS.

Committee of Senate

J. J. SMITH,

E. S. HAMILTON,

T. B. SUMNER,

HERMAN D. CROW,

GEO. H. BAKER.

Upon motion of Senator Sumner, at 10:35 a. m., the Senate adjourned until 1:30 p. m. Monday, January 19, 1903.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

EIGHTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER, }
'OLYMPIA, WASHINGTON, Monday January, 19, 1903. }

President Smith, at 1:30 p. m., called the Senate to order, pursuant to adjournment.

Roll call showed all members present, except Senators Hammer, Moultray, Smith, S. T., and Sumner.

Rev. W. S. Crockett offered prayer.

On motion the reading of the minutes was dispensed with and they were ordered to stand approved.

President Smith called Senator Warburton to the chair.

The following resolution was introduced by Senator Tucker and adopted:

Resolved, That the Sergeant-at-arms be authorized to make requisition on the Secretary of State for 46 copies each of the Senate and House journals of the regular and extraordinary sessions of the legislature of 1901 for the members of the State Senate of this, the Eighth session of the legislature of the State of Washington, now assembled

Senator Hamilton offered the following resolution, which was adopted:

Be It Resolved by the Senate: That the State Auditor be and he hereby is directed to draw his warrants for the payment of the members and employes of the Senate every week of the session upon pay rolls, which shall be signed by the members and employes and certified by the President and Secretary of the Senate, and he is hereby authorized and directed to deliver the warrants so issued to the Secretary of the Senate, taking his vouchers therefor. The incidental expenses of the Senate shall be paid upon vouchers signed by the payees, and certified by the President and Secretary, and attested by the Sergeant-at-Arms.

The following resolution was introduced by Senator Rands, and after amendment was adopted:

WHEREAS, Senator J. J. Smith has been elected President of the Senate for the Eighth regular session, and

WHEREAS, It has heretofore been customary in this State under similar conditions to pay the President of the Senate the sum of Eight Dollars per day; therefore be it

Resolved: By the Senate of the State of Washington for the Eighth regular session; that J. J. Smith, as President of the Senate for this session, be paid the sum of three dollars extra per day for his services as such.

INTRODUCTION OF BILLS.

Senate bill No. 37, by Senator Hurley: An act providing for the repair of two state wagon roads extending from the mouth of the Sans Poil creek, on the Columbia river, thence up said creek to the city of Republic, in Ferry county, Washington, and thence from said city of Republic to the town of Loomis, in Okanogan county, Washington, and appropriating funds therefor.

The bill was read the first time; and, on motion of Senator Hurley, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Senate bill No. 38, by Senator Tolman: An act providing for

the submission of ordinances and questions concerning municipal affairs in cities of the first class to the people thereof.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Municipal Corporations.

Senate bill No. 39, by Senator Cornwell: A bill for an act making appropriations for the State Penitentiary.

The bill was read the first time; and, on motion of Senator Cornwell, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 40, by Senator Tolman: An act providing for the protection of birds and their nests and eggs, and to define and punish as misdemeanors all violations thereof, establishing certificates, and providing for the disposition of any moneys collected under the same.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Agriculture.

Senate bill No. 41, by Senator Rasher: An act providing for and regulating the selection of jurors in the superior courts of the state from the list of qualified jurors as selected by the jury commissioners, and amending section four (4) of an act entitled "An act providing for and regulating the selection of jurors in the superior courts of the state, and providing for the appointment of jury commissioners, prescribing their duties, qualifications and compensation, and providing for their removal from office; declaring certain violations of this act to be contempt of court, and providing the punishment thereof as such, and repealing all laws and parts of laws in conflict therewith," approved March 16, 1901.

The bill was read the first time; and, on motion of Senator Rasher, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 42, by Senator Ruth: An act in relation to garnishments and amending section 10 of chapter LVI of the Laws of 1893 and section 7 of chapter LVI of the Laws of 1888,

being sections 5399 and 6606 of volume 2 of Ballinger's Annotated Codes and Statutes of Washington.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 43, by Senator Ruth: An act amending section 58 of chapter LXXI of the Laws of 1897, relating to revenues and taxation, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Revenue and Taxation.

Senate bill No. 44, by Senator Tucker: An act repealing section nine (9), section 5384, Pierce's Code, of an act to amend section 7351 (Laws '97, p. 83, Sec. 7) and 7359 (Laws '97, p. 85, Sec. 15) of Ballinger's Annotated Codes and Statutes relating to game birds, and repealing section 5 of an act approved March 14, 1899, entitled "An act to amend sections 2, 3, 12, 13 and 15, of an act entitled 'An act for the protection of game animals, birds and song birds, and to define and punish as misdemeanors all violations thereof, vesting the commission with authority to appoint game wardens, defining their duties and fixing their compensation, and defining the duties of certain county precincts and municipal peace officers, and repealing sections 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 271 and 272 of the penal code of the State of Washington'" (amending laws), approved March 11, 1897; approved March 16, 1901.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 45, by Senator Tucker: An act providing for the repair of the Snoqualmie Pass wagon road, and appropriating funds therefor.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second

time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Senate bill No. 46, by Senator Crow: An act relating to jury trials, providing for the payment by litigants of certain jury fees, and repealing section 5028 of Ballinger's Annotated Codes and Statutes of the State of Washington.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 47, by Senator Crow: An act to amend section 5994 of Ballinger's Annotated Codes and Statutes of Washington, relating to the disqualifications of witnesses and privileged communications.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 48, by Senator Stewart: An act amending section 21 of chapter LXXI of Laws 1897, relating to the revenue and taxation, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Stewart, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

President Smith resumed the chair.

The hour having arrived, 2 o'clock p. m., the following resolution was considered by the Senate and adopted unanimously by a rising vote:

HOUSE CONCURRENT RESOLUTION NO. 1, BY MR. EASTERDAY.

WHEREAS, Since the close of the last session of the legislature of the State of Washington, Divine Providence, in his infinite wisdom, has seen fit to remove from our midst, by the hand of death, John R. Rogers, Governor of this State and former member of this body; and

WHEREAS, The State of Washington and humanity has suffered an irreparable loss; therefore be it

Resolved by the House of Representatives, the Senate concurring, that we, appreciating the many virtues, unflinching integrity, eminent qualities of heart and mind of Governor John R. Rogers, deplore his

death and express sincere respect for his memory, and sympathy to his bereaved family, and be it further

Resolved, That a copy of this resolution be spread at large upon the journals of the House and Senate and an engrossed copy thereof be forwarded to the family.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER, January 19, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills beg leave to report that they have compared the enrolled copy of Senate Bill No. 20 with the original bill and find the same to be correctly enrolled.

J. R. WELTY, Chairman.

A. S. RUTH.

SENATE CHAMBER, January 19, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills beg leave to report that they have compared the enrolled copy of Senate Bill No. 21 with the original bill and find the same to be correctly enrolled.

J. R. WELTY, Chairman.

A. S. RUTH.

On motion of Senator Warburton the Senate adjourned at 2:45 o'clock p. m. until 11 o'clock a. m. Tuesday, January 20, 1903.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

NINTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, January 20, 1903. }

President Smith called the Senate to order at 11 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present.

Rev. W. S. Crockett offered prayer.

On motion, the reading of the minutes of yesterday was dispensed with and they were ordered to stand approved.

The oath of office was administered to the following committee clerks: C. W. Shaffer, L. H. Darwin and M. M. Mattison.

The following resolution was offered by Senator Ruth and adopted:

Resolved, That a committee of three Senators be appointed by the President of the Senate to select and provide suitable committee rooms for the use of the several committees of this Senate; and be it further

Resolved, That said committee group the several committees so as to economize in the number of rooms required for use of this Senate.

President Smith appointed Senators Ruth, Rasher and Potts as such committee.

REPORT OF STANDING COMMITTEES.

STATE OF WASHINGTON, SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 20, 1903.

MR. PRESIDENT:

We, your Committee on Salaries and Mileage, have had under consideration the mileage of the members of the Senate, and beg to report as follows:

<i>Names.</i>	<i>Miles.</i>	<i>Amount.</i>
Senator Angle.....	44	\$ 4.40
Senator Baker.....	528	52.80
Senator Baumeister.....	1100	110.00
Senator Clapp.....	240	24.00
Senator Cornwell.....	725	72.50
Senator Crow.....	875	87.50
Senator Davis.....	66	6.60
Senator Earles.....	340	34.00
Senator Garber.....	903	90.30
Senator Graves.....	875	87.50
Senator Hailey.....	967	96.70
Senator Hallett.....	875	87.50
Senator Hamilton.....	66	6.60
Senator Hammer.....	318	31.80
Senator Hemrich.....	147	14.70
Senator Hurley.....	1255	125.50
Senator Kinnear.....	147	14.70
Senator Le Crone.....	66	6.60
Senator McKenney.....	144	14.40
Senator Moore.....	147	14.70
Senator Moultray.....	360	36.00
Senator O'Donnell.....	76	7.60
Senator Palmer.....	147	14.70
Senator Potts.....	147	14.70
Senator Rands.....	280	28.00
Senator Rasher.....	875	87.50
Senator Reser.....	725	72.50
Senator Ruth.....		
Senator Sharp.....	520	52.00
Senator Smith, Dr. J. J.....	147	14.70
Senator Smith, S. T.....	220	22.00
Senator Splawn.....	394	39.40
Senator Stansell.....	1106	110.60
Senator Stewart.....	86	8.60
Senator Sumner.....	210	21.00
Senator Tolman.....	875	87.50
Senator Tucker.....	147	14.70
Senator Van de Vanter.....	147	14.70
Senator Warburton.....	66	6.60
Senator Welsh.....	158	15.80
Senator Welty.....	60	6.00
Senator Wilson.....	1043	104.30

We call attention to the fact that we have allowed Senator Sharp 200 miles more than was allowed him at the last session of the legislature, but this has been done for the reason that he was obliged to travel and pay that additional mileage, the same being caused by floods which prevented travel over the usual route.

W. P. RESER, Chairman,

We concur in this report:

HERMAN D. CROW,
WILL G. GRAVES,
OSCAR E. HAILEY,
GEO. J. HURLEY,
HUBER RASHER.

On motion, the report was adopted.

TO THE SENATE:

We, your Committee on Appropriations, beg to report back Senate Bill Number 13 with the recommendation that it do pass.

ED. S. HAMILTON, Chairman,

We concur in this report:

GEO. H. BAKER,
O. T. CORNWELL,
J. P. SHARP,
E. HAMMER,
E. M. RANDS,
A. S. RUTH,
G. B. WILSON,
R. M. KINNEAR,
JNO. EARLES,
HUBER RASHER.

The report was adopted.

REPORT OF COMMITTEE ON GROUPING SENATE STANDING COMMITTEES.

OLYMPIA, January 20, 1903.

We, your Committee on the Grouping of the Standing Committees of the Senate, beg leave to submit the following report:

That the Senate committees be grouped as hereinafter stated; that committee clerks be assigned for the session to such groups as are herein stated, and that the salary of each committee clerk named herein be \$4 per diem, save the clerk of the judiciary committee, and that his salary shall be fixed at \$5 per day. All salaries herein mentioned to date from the beginning of the session.

Group 1—Judiciary Committee—S. P. Gaither, clerk.

Group 2—Public Revenue and Taxation, and Congressional Districts—L. H. Darwin, clerk.

Group 3—Appropriations—L. D. Lay, clerk.

Group 4—Education, Printing, and State Library—B. C. Armstrong, clerk.

Group 5—Fisheries, and Irrigation and Arid Lands—Henry Odom, clerk.

Group 6—Railroads and Transportation—Paul C. Hedrick, clerk.

Group 7—Corporations Other Than Municipal, and Dairy and Livestock—W. S. Boyer, clerk.

Group 8—Dykes and Drainage, Public Morals, and Salaries and Mileage—F. A. Hall, clerk.

Group 9—Constitution and Constitutional Revision, and Banks and Banking—Charles Mallery, clerk.

Group 10—State Penal and Reformatory Institutions, and State Granted, School and Tide Lands—Frank Kennedy, clerk.

Group 11—Agriculture, and Memorials—Robert Wright, clerk.

Group 12—Manufactures, State Charitable Institutions and Public Buildings and Grounds—Geo. G. Miller, clerk.

Group 13—Harbors and Harbor Lines, and Mines and Mining—G. A. Poland, clerk.

Group 14—Commerce, Miscellaneous, and Medicine, Dentistry, Surgery and Hygiene—L. R. Flowers, clerk.

Group 15—County and County Boundaries, and Senate Employes Other Than Regular—W. F. Byars, clerk.

Group 16—Elections and Privileges, and Horticulture and Forestry—C. E. Hill, clerk.

Group 17—Labor and Labor Statistics, and Military—W. A. McCarthy, clerk.

Group 18—Claims and Auditing, and Educational Institutions—C. A. Payne, clerk.

Group 19.—Municipal Corporations, and Roads and Bridges—C. W. Shaffer, clerk.

Group 20—Rules and Joint Rules, and Secretary to President of the Senate—M. M. Mattison, clerk.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

WARREN W. TOLMAN,

E. M. RANDS.

The report was adopted.

MESSAGE FROM THE HOUSE.

OLYMPIA, WASH., January 20, 1903.

MR. PRESIDENT:

The Speaker of the House has signed Senate Bill No. 20, making an appropriation for the relief of Mrs. John R. Rogers.

Also Senate Bill No. 21, appropriating money for expenses of the Eighth Legislature of the State of Washington.

And the same are herewith transmitted.

Respectfully,

STOREY BUCK, Chief Clerk of the House.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, January 20, 1903.

Gentlemen of the Senate and of the House of Representatives:

Last June it became apparent that the doors of the Agricultural College and School of Science would have to be closed or else the appropriation made for its support at the last session of the Legislature be exceeded. After full consultation with the Board of Regents, I agreed with them that the closing of the institution would be inadvisable. I make this statement because I believe it to be due the Board of Regents that I should publicly assume my full share of the responsibility for creating a deficiency.

I would invite your attention to this matter and recommend that you give it your early consideration.

HENRY MCBRIDE, Governor.

On motion of Senator Hamilton, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 13.

The bill was considered in the committee of the whole, Senator Hammer in the chair, and was reported back to the Senate with the recommendation that it do pass, with the following amendment: Strike the preamble. Report adopted.

The bill was read the third time and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Tolman, Tucker, Welsh, Wilson, Mr. President—37.

Absent or not voting were: Senators Crow, Sumner, Van de Vanter, Warburton and Welty—5.

The emergency clause was passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Tolman, Tucker, Welsh, Wilson, Mr. President—37.

Absent or not voting were: Senators Crow, Sumner, Van de Vanter, Warburton and Welty—5.

The title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF BILLS.

Senate bill No. 49, by Senator Moore: An act to amend section 6 of an act entitled "An act in relation to attachments and garnishments," approved February 3, 1886, the same being section 515 of Pierce's Washington Code, section 5355 of Ballinger's Annotated Statutes and Codes of Washington, and section 293 of volume two (2) of Hill's Annotated Statutes and Codes of Washington.

The bill was read the first time; and, on motion of Senator Moore, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 50, by Senator Moore: An act defining certain misdemeanors, prescribing punishments and declaring an emergency.

The bill was read the first time; and, on motion of Senator Moore, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 51, by Senator Tolman: An act providing for the assessment and taxation of mining claims, improvements thereon and of the net proceeds of mines.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Revenue and Taxation.

Senate bill No. 52, by Senator Hurley: An act relating to the herding or grazing of sheep on the lands or possessory claim of another, or within two miles thereof, and providing a penalty for its violation.

The bill was read the first time; and, on motion of Senator Hurley, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Dairy and Live Stock.

Senate bill No. 53, by Senator Potts: An act to amend section 30 of an act of the Legislature of the State of Washington, approved March 8, 1893, the same being section 6529 of Ballinger's Annotated Codes and Statues of Washington, entitled "An act relating to appeals to the Supreme Court."

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 54, by Senator Potts: An act prescribing punishment for all persons who, having been previously convicted in the courts of this state, or in the courts of any state or country, of certain crimes or offenses, shall thereafter be convicted in the courts of this state of crimes or offenses perpetrated in this state, and providing the procedure in such cases.

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 55, by Senator Graves: An act for the protection of occupants of land who have in good faith made improvements thereon.

The bill was read the first time; and, on motion of Senator Graves, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 56, by Senator Graves: An act relating to the defense of the statutes of limitations in actions brought by or for the benefit of the state or any of its municipalities, amending section 35 of the Code of Civil Procedure of Washington of 1881, the same being section 4807 of Ballinger's Annotated Codes and Statutes of Washington, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Graves, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate concurrent resolution No. 3, by Senator Crow:

Be It Resolved by the Senate, the House of Representatives concurring, That the bill clerk of the Senate and the bill clerk of the House be and they are hereby instructed to file with the State Librarian two copies of all Senate and House bills printed from day to day, the same to be kept on file in the State Library as a permanent record.

The resolution was adopted.

VOTE ON UNITED STATES SENATOR.

On motion of Senator Hamilton, the Senate proceeded to vote on the election of a United States Senator.

Senator Cornwell nominated Levi Ankeny; seconded by Senators Clapp, Hamilton, Rands and Sumner.

Senator Crow nominated John L. Wilson; seconded by Senator Smith, S. T.

Senator Graves nominated George Turner; seconded by Senator Tolman.

Senator Tucker nominated Harold Preston; seconded by Senator Warburton.

On roll call, the vote for United States Senator resulted as follows:

Those voting for Levi Ankeny were: Senators Baker, Baummeister, Clapp, Cornwell, Davis, Hailey, Hamilton, Hurley, Le Crone, O'Donnell, Rands, Ruth, Stansell, Stewart, Sumner, Welsh and Welty—17.

Those voting for Harold Preston were: Senators Angle, Hammer, Hemrich, Kinnear, McKinney, Moultray, Palmer, Potts, Tucker, Van de Vanter, Warburton and Mr. President—12.

Those voting for John L. Wilson were: Senators Crow and Smith, S. T.—2.

Those voting for George Turner were: Senators Earles, Garber, Graves, Hallett, Moore, Rasher, Reser, Splawn and Tolman—9.

Senator Sharp voted for Carroll B. Graves and Senator Wilson voted for John B. Allen.

On motion of Senator Hamilton, at 12:40 o'clock the Senate adjourned until Wednesday, January 21, at 11 o'clock a. m.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

TENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, January 21, 1903. }

President Smith called the Senate to order at 11 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present.

Rev. W. S. Crockett offered prayer.

On motion, the reading of the journal of yesterday was dispensed with and ordered to stand approved.

The following resolution was offered by Senator Davis, and, after amendment, was adopted :

OLYMPIA, WASH., January 21, 1903.

Resolved, That the Secretary of State is hereby instructed to have the wood taken away from in front of the Capitol building, placed under cover, and to have the street cleaned up in front of the same.

The following resolution was introduced by Senator Sumner :

OLYMPIA, WASH., January 21, 1903.

Resolved, That the Senate employes now on the pay roll be paid per diem from the beginning of the session.

Senator Graves moved to amend that all committee clerks and employes be paid from time they commenced work.

Senator Hamilton raised a point of order on the ground that the report of the Committee on Grouping Committees reported yesterday that the pay of all committee clerks should begin with the commencement of the session was adopted. The president ruled the point of order well taken.

Senator Hallett moved reconsideration of that part of report of committee referring to the time the pay of the committee clerks should begin.

Senator Hamilton moved that the motion to reconsider be laid on the table.

Senators Crow, Hallett, Graves, Moore, Welty, Angle and Hammer demanded a roll-call, which resulted as follows :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Davis, Earles, Hailey, Hamilton, Hammer, Hemrich, Hurley, Kinnear, Le Crone, McKinney, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Smith, S. T., Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson and Mr. President—33.

Those voting nay were: Senators Crow, Garber, Graves, Hallett, Moore, Moultray, Sharp, Splawn, Warburton—9.

Motion to lay on the table carried.

The resolution of Senator Sumner was adopted.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., January 21, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred S. B. No. 35, entitled "An act prohibiting persons or corporations engaged in transportation and other quasi public business for hire, from rendering gratuitous services, or at a discriminative rate, to public officers or employes from accepting such services from such persons or corporations; and providing penalties for its violation," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Add to section 3 of the act in the printed bill, the following: "Provided, this act shall not apply to city officials or employes who by city charter are given free transportation upon street railways within their respective municipalities."

HERMAN D. CROW, Chairman.

We concur in this report:

WILL G. GRAVES,
J. R. WELTY,
WARREN W. TOLMAN,
WM. HICKMAN MOORE,
H. E. MCKENNEY,
E. B. PALMER.

Senator Crow moved that the report be adopted.

Senator Baker moved to amend that the bill and report be referred to Committee on Railroads and Transportation.

Roll-call was demanded by Senators Tolman, Hallett, Warburton, Tucker, Moore, Garber, Kinnear.

Those voting yea were: Senators Baker, Baumeister, Clapp, Cornwell, Davis, Earles, Hailey, Hamilton, Hemrich, Hurley,

Kinnear, LeCrone, O'Donnell, Palmer, Potts, Rands, Ruth, Smith, S. T., Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Wilson and Mr. President—26.

Those voting nay were: Senators Angle, Crow, Garber, Graves, Hallett, Hammer, McKenney, Moore, Moultray, Rasher, Reser, Sharp, Splawn, Tolman, Warburton and Welty—16.

The motion to refer was carried, and the bill and report were referred.

REPORT OF STANDING COMMITTEES.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred S. B. No. 3 entitled "An act providing for the appointment of one additional judge of the Superior Court of the State of Washington, in and for King County, fixing the term of office of the judge appointed, and providing for the election of five judges of said Superior Court at the general state election in November, 1904, and every four years thereafter, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the same do pass.

HERMAN D. CROW, Chairman,

We concur in this report:

WILL G. GRAVES,
J. R. WELTY,
WARREN W. TOLMAN,
JOHN T. WELSH,
WM. HICKMAN MOORE,
H. E. MCKENNEY,
E. B. PALMER.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred S. B. No. 36 entitled "An act to amend section 6 of an act entitled 'An act in relation to prosecuting attorneys, defining their duties and fixing their compensation,' approved February 4th, 1886, the same being section 4756 Ballinger's Code of Washington and (Pierce's Code, Sec. 4185) and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 2, lines 1 and 2 of the printed bill, strike out the words: "and be in force from and after its passage," and insert in lieu thereof the word: "immediately."

HERMAN D. CROW, Chairman,

We concur in this report:

WILL G. GRAVES,
J. R. WELTY,
WARREN W. TOLMAN,
WM. HICKMAN MOORE,
H. E. MCKENNEY,
E. B. PALMER.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred S. B. No. 18 entitled "An act to regulate and limit the age of employment of males and females as messengers," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Strike the title of the printed bill and insert in lieu thereof the following as the title: "To prohibit the employment of females as messengers and fixing a penalty for the violation thereof."

In line 1, section 1 of the printed bill strike out the words: "No male person under the age of seventeen years and."

In lines 1 and 2, section 1 of the printed bill, strike out the words: "under the age of eighteen years."

HERMAN D. CROW, Chairman,

We concur in this report:

WILL G. GRAVES,
J. R. WELTY,
WARREN W. TOLMAN,
JOHN T. WELSH,
WM. HICKMAN MOORE,
H. E. MCKENNEY,
E. B. PALMER.

Referred to Judiciary Committee.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred S. B. No. 9 entitled "An act defining certain misdemeanors, prescribing the punishment and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the title by inserting the word "and" after the word "misdemeanor" and before the word "prescribing."

Amend the title by striking out the words "and declaring an emergency" and inserting in lieu thereof the word "therefor."

In line 1, section 1, transpose the words "husband" and "father."

In line 2, section 1, after the word "wife" strike the word "and" and insert the word "or."

In section 2, line 2, after the word "wife" insert the word "or" and strike the word "and."

In line 1, section 2, transpose the words "husband" and "father."

Strike section 3.

HERMAN D. CROW, Chairman,

We concur in this report:

WILL G. GRAVES,

J. R. WELTY,

WARREN W. TOLMAN,

WM. HICKMAN MOORE,

H. E. MCKENNEY,

E. B. PALMER.

The report was adopted.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, January 20, 1903.

*The Honorable President of the Senate of the State of Washington,
Senate Chamber, Olympia, Washingtons*

SIR:—I have the honor to inform you that the Governor has this day approved the following Senate bills: No. 20, entitled "An act for the Relief of the Widow of the Late Governor of the State of Washington, His Excellency, Governor John R. Rogers."

Senate Bill No. 21, entitled "An act appropriating the sum of Eighty thousand dollars, or so much thereof as may be necessary for the expenses of the Eighth legislature." Very respectfully,

J. HOWARD WATSON, Secretary to the Governor.

INTRODUCTION OF BILLS.

Senate bill No. 57, by Senator Ruth: An act for the relief of the Olympia Light & Power Company, of Olympia, Washington, for the lighting of the state offices during the months of April, May, June and July, 1897, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 58, by Senator Palmer: An act to amend section 12 of an act entitled "An act to define the duties and provide for assistance for and fix the compensation of the Secretary of State," received by the Governor March 28, 1890, said section 12 being section 126 of Ballinger's Annotated Codes and Statutes of Washington.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

GENERAL FILE.

Senate bill No. 3, by Senator Palmer of King: An act providing for the appointment of one additional judge of the Superior Court of the State of Washington, in and for King County, etc., was read the third time; and, on motion of Senator Crow, the figures in parenthesis and parenthesis be stricken wherever they occur in the bill.

Section 4 was stricken and the following inserted in lieu thereof: "Section 4. An emergency exists, and this act shall take effect immediately."

In the title strike out the word "January" and insert in lieu thereof the word "November."

No further amendments being offered, the bill was referred to the Engrossing Committee.

Senate bill No. 36, by Senator Palmer of King: An act to amend an act in relation to prosecuting attorneys, etc., was read the third time and referred to the Engrossing Committee.

Senate bill No. 9, by Senator Palmer of King: An act defining certain misdemeanors and declaring an emergency, was read the third time and referred to the Engrossing Committee.

On motion of Senator Warburton, at 12 o'clock m., the Senate repaired to the House to enter joint session with that body to vote for United States Senator.

JOINT SESSION.

The sergeant-at-arms announced the arrival of the honorable Senators at the door of the House, and the Speaker invited the Senators to seats within the House.

At the request of the Speaker, the President of the Senate presided over the joint body.

The secretary of the Senate called the Senate roll, all senators being present.

The clerk of the House called the House roll, all members being present.

The secretary of the Senate read that portion of the Senate journal of the preceding day relating to the ballot for United States senator.

The reading clerk of the House read that portion of the House journal relating to the ballot for United States senator.

From the reading of the journals of each house, it appeared that no person had received a majority of votes cast in each house; therefore there had been no election.

The following resolution was introduced by H. Johnston:

Resolved, That the Senate and House of Representatives, while in joint session, shall upon each day take not less than four and not more than eight ballots for United States Senator until a choice therefor is made.

The resolution was laid on the table.

FIRST JOINT BALLOT.

The joint roll of the Senate and House was called, and resulted as follows:

Fifty senators and representatives voted for Levi Ankeny.

Forty-two senators and representatives voted for Harold Preston.

Twelve senators and representatives voted for John L. Wilson.

Twenty-two senators and representatives voted for George Turner.

Five senators and representatives voted for John B. Allen.

One representative voted for Carroll B. Graves.

Four senators and representatives voted for Herman D. Crow.

Those voting for Levi Ankeny were: Allis, Baker, Bassett, Baumeister, Brewer, Clapp, Coate, Corliss, Cornwell, Craigue, Crandall, Davis, Denton, Durham, Easterday, Eidemiller, Fletcher, Hailey, Hamilton, Hare, Hastings, Haynes, Hopp, Hunter, Hurley, H. Johnston, Kees, King, Knoblock, LeCrone, Lingerman, McNicol, O'Donnell, James Palmer, Rands, Ruth, Stansell, Stark, Stevenson, Stewart, Sumner, Thacker, Veness, Wells, Welsh, Welty, White, Whitney, J. B. Wilson, York—50.

Those voting for Harold Preston were: Angle, Benn, Brown, Butler, Carle, Clark, Cole, Collins, Comstock, Dilling, Emery, Field, Frostad, Gleason, Gunderson, Hammer, Henrich, Jeffries, Jones, Kinnear, Levy, Lewis, Lyons, McKenney, Megler, Mold-

stad, Moore, Moultray, Morrill, E. B. Palmer, Parcel, Pogue, Potts, Raine, Tibbetts, Tucker, Van de Vanter, Warburton, Weir, Williams, R. B. Wilson and the President of the Senate—42.

Those voting for John L. Wilson were: Crow, Delanty, Ferguson, Griffin, Henry, Lindsley, Merrill, Morgan, Roberts, Roth, S. T. Smith and Thompson—12.

Those voting for George Turner were: Cameron, Child, Cooney, Earles, Fitzgerald, Garber, Graves, Gray, Hallett, Howell, J. T. Johnson, Maloney, McCoy, Mackenzie, Muse, Quinn, Rasher, Reise, Reser, Splawn, Tolman and Zenkner—22.

Those voting for John B. Allen were: Dix, Dunn, Philbrick, Ranck and G. B. Wilson—5.

Mr. Dickson voted for Carroll B. Graves.

Those voting for Herman D. Crow were: Howard, Peaslee, Sharp and Witter—4.

SECOND JOINT BALLOT.

The joint roll of the Senate and House was called, and resulted as follows:

Fifty senators and representatives voted for Levi Ankeny.

Forty-two senators and representatives voted for Harold Preston.

Twelve senators and representatives voted for John L. Wilson.

Twenty-two senators and representatives voted for George Turner.

Five senators and representatives voted for John B. Allen.

One representative voted for Carroll B. Graves.

Four senators and representatives voted for Herman D. Crow.

Those voting for Levi Ankeny were: Allis, Baker, Bassett, Baumeister, Brewer, Clapp, Coate, Corliss, Cornwell, Craigue, Crandall, Davis, Denton, Durham, Easterday, Eidemiller, Fletcher, Hailey, Hamilton, Hare, Hastings, Haynes, Hopp, Hunter, Hurley, H. Johnston, Kees, King, Knoblock, LeCrone, Lingerman, McNicol, O'Donnell, James Palmer, Rands, Ruth, Stansell, Stark, Stevenson, Stewart, Sumner, Thacker, Veness, Wells, Welsh, Welty, White, Whitney, J. B. Wilson and York—50.

Those voting for Harold Preston were: Angle, Benn, Brown, Butler, Carle, Clark, Cole, Collins, Comstock, Dilling, Emery, Field, Frostad, Gleason, Gunderson, Hammer, Hemrich, Jeffries,

Jones, Kinnear, Levy, Lewis, Lyons, McKenney, Megler, Moldstad, Moore, Moultray, Morrill, E. B. Palmer, Parcel, Pogue, Potts, Raine, Tibbetts, Tucker, Van de Vanter, Warburton, Weir, Williams, R. B. Wilson and the President of the Senate—42.

Those voting for John L. Wilson were: Crow, Delanty, Ferguson, Griffin, Henry, Lindsley, Merrill, Morgan, Roberts, Roth, S. T. Smith and Thompson—12.

Those voting for George Turner were: Cameron, Child, Cooney, Earles, Fitzgerald, Garber, Graves, Gray, Hallett, Howell, J. T. Johnson, Maloney, McCoy, Mackenzie, Muse, Quinn, Rasher, Reise, Reser, Splawn, Tolman and Zenkner—22.

Those voting for John R. Allen were: Dix, Dunn, Philbrick, Ranck and G. B. Wilson—5.

Mr. Dickson voted for Carroll B. Graves.

Those voting for Herman D. Crow were: Howard, Peaslee, Sharp and Witter—4.

THIRD JOINT BALLOT.

The joint roll of the Senate and House was called, and resulted as follows:

Fifty senators and representatives voted for Levi Ankeny.

Forty-two senators and representatives voted for Harold Preston.

Twelve senators and representatives voted for John L. Wilson

Twenty-two senators and representatives voted for George Turner.

Five senators and representatives voted for John B. Allen.

One representative voted for Carroll B. Graves.

Four senators and representatives voted for Herman D. Crow.

Those voting for Levi Ankeny were: Allis, Baker, Bassett, Baumeister, Brewer, Clapp, Coate, Corliss, Cornwell, Craigue, Crandall, Davis, Denton, Durham, Easterday, Eidemiller, Fletcher, Hailey, Hamilton, Hastings, Haynes, Hopp, Hunter, Hurley, H. Johnston, Kees, King, Knoblock, LeCrone, Lingerman, McNicol, O'Donnell, James Palmer, Rands, Ruth, Stansell, Stark, Stevenson, Stewart, Sumner, Thacker, Veness, Wells, Welsh, Welty, White, Whitney, J. B. Wilson, York and Mr. Speaker—50.

Those voting for Harold Preston were: Angle, Benn, Brown, Butler, Carle, Clark, Cole, Collins, Comstock, Dilling, Emery,

Field, Frostad, Gleason, Gunderson, Hammer, Hemrich, Jeffries, Jones, Kinnear, Levy, Lewis, Lyons, McKenney, Megler, Moldstad, Moore, Moultray, Morrill, E. B. Palmer, Parcel, Pogue, Potts, Raine, Tibbetts, Tucker, Van de Vanter, Warburton, Weir, Williams, R. B. Wilson and the President of the Senate—42.

Those voting for John L. Wilson were: Crow, Delanty, Ferguson, Griffin, Henry, Lindsley, Merrill, Morgan, Roberts, Roth, S. T. Smith and Thompson—12.

Those voting for George Turner were: Cameron, Child, Cooney, Earles, Fitzgerald, Garber, Graves, Gray, Hallett, Howell, J. T. Johnson, Maloney, McCoy, Mackenzie, Muse, Quinn, Rasher, Reise, Reser, Splawn, Tolman and Zenkner—22.

Those voting for John B. Allen were: Dix, Dunn, Philbrick, Ranck and G. B. Wilson—5.

Mr. Dickson voted for Carroll B. Graves.

Those voting for Herman D. Crow were: Howard, Peaslee, Sharp and Witter—4.

On motion of Senator Moultray, at 12:50 p. m. the joint session was dissolved.

Upon reconvening of Senate at 1:50 p. m., on motion of Senator Tucker, the Senate adjourned until 11 o'clock Thursday, January 22, 1903.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

ELEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, January 22, 1903. }

President Smith called the Senate to order at 11 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present.

Rev. H. D. Brown offered prayer.

On motion, the reading of the journal of yesterday was dispensed with, and it was ordered to stand approved. ..

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 21, 1903.

MR. PRESIDENT:

We, your Committee on Senate Employes Other Than Regular, recommend that W. W. Llewellyn be employed as Night Watchman; also Robert Taylor to act as Janitor.

GEO. J. HURLEY, Chairman.

We concur in this report:

WM. HICKMAN MOORE,
LINCOLN DAVIS,
JNO. EARLES,
A. S. RUTH.

The report was adopted.

The above employes were sworn in by President Smith.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 21, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 36, entitled "An act to amend section 6 of an act entitled 'An act in relation to prosecuting attorneys, defining their duties and fixing their compensation,' approved Feb. 4, 1886, (same being section 4756 Ballinger's Code of Washington and Pierce's Code, section 4185) and declaring an emergency," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman,

We concur in this report:

C. L. STEWART,
E. HAMMER.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 3, entitled "An act providing for the appointment of one additional judge of the Superior Court of the State of Washington, in and for King County, etc.," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman,

We concur in this report:

C. L. STEWART,
E. HAMMER.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 9, entitled "An act defining certain misdemeanors and prescribing the punishment therefor," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

We concur in this report:

E. B. PALMER, Chairman,

C. L. STEWART,

E. HAMMER.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., January 21, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred S. B. No. 8, entitled "An act providing that graduates of the law school of the University of Washington shall be admitted to practice law in all the courts of this state, by the Supreme Court, without examination, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend title of the printed bill as follows:

Line 2, strike out the words "by the Supreme Court."

Line 2 of the title, strike out the word "any" where it follows the word "without" and precedes the word "examination."

Lines 2 and 3 of the title, strike out the words "and declaring an emergency."

Section 1, line 2, of the printed bill, strike out the words "by the Supreme Court of this State," and insert in lieu thereof the words "without examination."

Same section, line 3, printed bill, strike out the word "genuine."

Same section, lines 3 and 4, printed bill, strike out the words "without any examination."

Section 2, printed bill, strike out the whole section.

HERMAN D. CROW, Chairman.

We concur in this report:

WARREN W. TOLMAN,

WILL G. GRAVES,

JOHN T. WELSH,

WM. HICKMAN MOORE,

E. B. PALMER,

R. M. KINNEAR,

J. R. WELTY.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred S. B. No. 34, entitled "An act prescribing the master's liability for injuries received by his servant in the course of his employment," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass.

HERMAN D. CROW, Chairman.

We concur in this report:

WARREN W. TOLMAN,
WILL G. GRAVES,
JOHN T. WELSH,
WM. HICKMAN MOORE,
E. B. PALMER,
R. M. KINNEAR,
J. R. WELTY.

On motion of Senator Hamilton, the bill was referred to the Judiciary Committee.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred S. B. No. 17, entitled "An act to amend an act entitled: 'An act relating to the payment of witness fees to public officers,' approved Marth 16th, 1901," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

HERMAN D. CROW, Chairman.

We concur in this report:

WARREN W. TOLMAN,
WILL G. GRAVES,
JOHN T. WELSH,
E. M. RANDE,
WM. HICKMAN MOORE,
E. B. PALMER,
R. M. KINNEAR,
J. R. WELTY.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred S. B. No. 7, entitled "An act providing for an amendment to the constitution, excepting county assessors from the operation of section 7 of article XI thereof," have had the same under consideration, and we respectfully

report the same back to the Senate with the recommendation that it be placed on general file.

HERMAN D. CROW, Chairman.

We concur in this report:

WARREN W. TOLMAN,
JOHN T. WELSH,
WILL G. GRAVES,
WM. HICKMAN MOORE,
E. B. PALMER,
R. M. KINNEAR,
J. R. WELTY.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred S. B. No. 46 entitled "An act relating to jury trials, providing for the payment of litigants of certain jury fees and repealing section 5028 of Ballinger's Annotated Codes and Statutes of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended as follows and placed on general file.

Title, line 1, after the word "trials" and before the word "providing," insert the words: "in the superior court."

Section 1, line 1, after the word "jury" and before the word "any" insert the words "in the superior courts."

HERMAN D. CROW, Chairman.

We concur in this report:

WARREN W. TOLMAN,
WILL G. GRAVES,
JOHN T. WELSH,
WM. HICKMAN MOORE,
E. B. PALMER,
R. M. KINNEAR,
J. R. WELTY.

The report was adopted.

PHOENIX, ARIZONA, January 21, 1903.

TO THE PRESIDENT OF THE SENATE:

The twenty-second legislative assembly of the Territory of Arizona sends greeting to the legislature of the State of Washington, and respectfully prays that your Honorable Body request its Representatives in the Senate of the United States to favor the passage of the Omnibus Statehood Bill.

J. T. EVANS, Chief Clerk.

On motion, the telegram was referred to the Committee on Memorials.

INTRODUCTION OF BILLS.

Senate bill No. 59, by Senator Crow: An act providing the form and contents of acknowledgments of corporations to instruments executed and acknowledged by corporations.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 60, by Senator Earles: An act to provide for the establishment of a state road through Chuckanut Mountain, from Whatcom County to Blandford Slough, in Skagit County, Washington, and providing an appropriation therefor.

The bill was read the first time; and, on motion of Senator Earles, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 61, by Senator Earles: An act for the relief of Edson Gerry for money paid the state land commissioner, Hon. Robert Bridges, for the lease of lands claimed by him to be school lands, and which proved not to be.

The bill was read the first time; and, on motion of Senator Earles, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Claims and Auditing.

Senate bill No. 62, by Senator Tolman: An act relating to assumed risk.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 63, by Senator S. T. Smith: An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes, and the manner of expenditure thereof, and providing for the division of counties into road districts and the appointment of supervisors thereof, and repealing all acts and parts of acts in conflict herewith.

The bill was read the first time; and, on motion of Senator S. T. Smith, the rules were suspended, the bill was read the second

time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Senate bill No. 64, by Senator S. T. Smith: An act relating to banking and regulating foreign corporations doing a banking business within the state.

The bill was read the first time, and on motion of Senator S. T. Smith, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Banks and Banking.

Senate bill No. 65, by Senator Palmer: An act fixing the salary and compensation of county assessors in the several counties of the State of Washington.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 66, by Senator Palmer: An act to repeal an act passed by the Legislature of the State of Washington March 13, 1901, approved March 18, 1901, entitled "An act to protect seed buyers in the State of Washington."

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Agriculture.

Senate bill No. 67, by Senator Palmer: An act to amend section 1 of an act entitled "An act authorizing the issuance of state bonds and the investment of the permanent school funds therein, and declaring an emergency," approved March 8, 1899, and to amend section 2 of said act as amended by an act entitled "An act to amend section 2 of an act entitled 'An act authorizing the issuance of state bonds and the investment of the permanent school funds therein, and declaring an emergency, being chapter 44 of the Session Laws of 1899, approved March 8, 1899, and declaring an emergency,' being chapter 179 Session Laws 1901, and declaring an emergency."

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 68, by Senator Hammer: An act appropriating money to cover deficiency for future appraisal, cruising and advertising the sale of land and timber on state lands, and filing fees in the United States Land Office, and future contingent expenses in the office of the Commissioner of Public Lands.

The bill was read the first time; and, on motion of Senator Hammer, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 69, by Senator Sumner: An act to regulate the growing and cultivating of oysters and other shellfish upon the lands in the waters of the State of Washington, and to provide for the disposition of lands belonging to the State of Washington, and the waters of said state suitable therefor, and to create a board of oyster land commission, defining its duties, making an appropriation therefore, repealing all conflicting laws and declaring an emergency.

The bill was read the first time; and, on motion of Senator Sumner, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Fisheries.

Senate bill No. 70, by Senator Hammer: An act to amend section 3753 of Ballinger's Annotated Codes and Statutes of Washington, relating to drainage districts.

The bill was read the first time; and, on motion of Senator Hammer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Dykes, Drains and Drainage.

GENERAL FILE.

Senate bill No. 17, by Senator Tolman, of Spokane: An act to amend an act entitled "An act relating to the payment of witness fees to public officers, etc.," was read the third time. Senator Davis moved to amend by striking out the words in line 12 after the word "witnesses" and all of line 13.

The motion to amend was lost.

On motion of Senator Tolman, the rules were suspended, the bill was considered engrossed, placed on its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—37.

Those voting nay were: Senators Graves and Rasher—2.

Absent or not voting: Senators Clapp, Cornwell and Van de Vanter.

Senate bill No. 36, by Senator Palmer of King: An act to amend section 6 of an act entitled "An act in relation to prosecuting attorneys, etc.," was placed on final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Sharp, Smith, S. T., Splawn, Stansell, Tolman, Tucker, Warburton, Welsh, Welty, Wilson—36.

Those voting nay were: Senator Ruth and Mr. President—2.

Absent or not voting: Senators Davis, Stewart, Sumner and Van de Vanter.

The emergency clause was stricken from the bill by the following vote:

Those voting yea were: Senators Angle, Clapp, Cornwell, Crow, Davis, Earles, Graves, Hailey, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Smith, S. T., Splawn, Stansell, Tucker, Warburton, Welsh, Wilson—26.

Those voting nay were: Senators Baker, Garber, Hallett, Rands, Rasher, Reser, Ruth, Sharp, Tolman, Welty and Mr. President—11.

Absent or not voting: Senators Baumeister, Moultray, Stewart, Sumner and Van de Vanter—5.

Senate bill No. 3, by Senator Palmer of King: An act providing for the appointment of one additional judge of the Superior Court of the State of Washington, in and for King County, etc., was placed on final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp,

Cornwell, Crow, Davis, Earles, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, S. T., Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—38.

The emergency clause failed of passage by the following vote :

Those voting nay were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—40.

Absent or not voting: Senator Baumeister.

Senate bill No. 9, by Senator Palmer of King: An act defining certain misdemeanors, etc., was placed on final passage and passed with the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—42.

On motion of Senator Crow, the rules were suspended and the above bills were ordered transmitted to the house immediately.

On motion of Senator Warburton at 12 o'clock m. the Senate adjourned to the house to ballot for United States senator.

JOINT SESSION.

The joint session met at 12 o'clock noon, and was called to order by the President of the Senate. The roll call showed all members present. The presiding officer announced that there was no election of United States Senator at the last joint session, and instructed the clerk to call the roll for the fourth joint ballot.

FOURTH JOINT BALLOT.

Levi Ankeny received fifty-two votes.

Harold Preston received forty-one votes.

George Turner received twenty-two votes.

John L. Wilson received eleven votes.

J. P. Sharp received five votes.

John B. Allen received three votes.

H. D. Crow received one vote.

E. D. Sanders received one vote.

Those voting for Levi Ankeny were: Allis, Baker, Bassett, Baumeister, Brewer, Clapp, Coate, Corliss, Cornwell, Craigue, Crandall, Davis, Denton, Durham, Easterday, Eidemiller, Fletcher, Hailey, Hamilton, Hastings, Haynes, Hopp, Hunter, Hurley, H. Johnston, Kees, King, Knoblock, LeCrone, Lingerman, McNicol, O'Donnell, James Palmer, Rands, Roberts, Ruth, Stansell, Stark, Stevenson, Stewart, Sumner, Thacker, Thompson, Veness, Wells, Welsh, Welty, White, Whitney, Wilson, York and Mr. Speaker—52.

Those voting for Harold Preston were: Benn, Brown, Butler, Carle, Clark, Cole, Collins, Comstock, Dilling, Emery, Field, Frostad, Gleason, Gunderson, Hammer, Hemrich, Jeffries, Jones, Kinnear, Levy, Lewis, Lyons, McKenney, Megler, Moldstad, Moore, Moultray, Morrill, E. B. Palmer, Parcel, Pogue, Potts, Raine, Tibbetts, Tucker, Van de Vanter, Warburton, Weir, Williams, R. B. Wilson and the President of the Senate—41.

Those voting for George Turner were: Cameron, Child, Cooney, Earles, Fitzgerald, Garber, Graves, Gray, Hallett, Howell, J. T. Johnson, Maloney, McCoy, Mackenzie, Muse, Quinn, Rasher, Reise, Reser, Splawn, Tolman and Zenkner—22.

Those voting for John L. Wilson were: Angle, Crow, Delanty, Ferguson, Griffin, Henry, Lindsley, Merrill, Morgan, Roth, S. T. Smith—11.

Those voting for J. P. Sharp were: Dickson, Dix, Howard, Peaslee and Witter—5.

Those voting for J. B. Allen were: Dunn, Philbrick and Ranck—3

Senator Sharp voted for H. D. Crow.

Senator Wilson voted for E. D. Sanders.

FIFTH JOINT BALLOT.

Levi Ankeny received fifty-two votes.

Harold Preston received forty-one votes.

George Turner received twenty-two votes.

John L. Wilson received eleven votes.

J. P. Sharp received five votes.

John B. Allen received three votes.

H. D. Crow received one vote.

E. D. Sanders received one vote.

Those voting for Levi Ankeny were: Allis, Baker, Bassett, Baumeister, Brewer, Clapp, Coate, Corliss, Cornwell, Craigue, Crandall, Davis, Denton, Durham, Easterday, Eidemiller, Fletcher, Hailey, Hamilton, Hastings, Haynes, Hopp, Hunter, Hurley, H. Johnston, Kees, King, Knoblock, LeCrone, Lingerman, McNicol, O'Donnell, James Palmer, Rands, Roberts, Ruth, Stansell, Stark, Stevenson, Stewart, Sunner, Thacker, Thompson, Veness, Wells, Welsh, Welty, White, Whitney, Wilson, York and Mr. Speaker—52.

Those voting for Harold Preston were: Benn, Brown, Butler, Carle, Clark, Cole, Collins, Comstock, Dilling, Emery, Field, Frostad, Gleason, Gunderson, Hammer, Hemrich; Jeffries, Jones, Kinnear, Levy, Lewis, Lyons, McKenney, Megler, Moldstad, Moore, Moultray, Morrill, E. B. Palmer, Parcel, Pogue, Potts, Raine, Tibbetts, Tucker, Van de Vanter, Warburton, Weir, Williams, R. B. Wilson and the President of the Senate—41.

Those voting for George Turner were: Cameron, Child, Cooney, Earles, Fitzgerald, Garber, Graves, Gray, Hallett, Howell, J. T. Johnson, Maloney, McCoy, Mackenzie, Muse, Quinn, Rasher, Reise, Reser, Splawn, Tolman and Zenkner—22.

Those voting for John L. Wilson were: Angle, Crow, Delanty, Ferguson, Griffin, Henry, Lindsley, Merrill, Morgan, Roth, S. T. Smith—11.

Those voting for J. P. Sharp were: Dickson, Dix, Howard, Peaslee and Witter—5.

Those voting for J. B. Allen were: Dunn, Philbrick and Ranck—3.

Senator Sharp voted for H. D. Crow.

Senator Wilson voted for E. D. Sanders.

On motion of Senator Warburton, at 12:20 p. m. the joint session was dissolved.

The Senate reconvened at 12:20 p. m., and, upon motion of Sen-

ator Palmer, at 12:25 p. m. the Senate adjourned until Friday, January 23, 1903, at 11 o'clock a. m.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

TWELFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, January 23, 1903. }

President Smith called the Senate to order at 11 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present.

Rev. W. S. Crockett offered prayer.

On motion, the reading of the journal of Thursday was dispensed with, and it was ordered to stand approved.

STATE HOUSE,
SALEM, ORE., January 22, 6:30 P. M.

The Honorable President of the Senate, Olympia:

The legislative assembly of Oregon has appointed a joint committee to confer with a like committee of the State of Washington to investigate the fishing industries of the Columbia river. Would be glad to receive your cooperation and the appointment of a like committee.

S. L. MOOREHEAD, Chief Clerk of Senate.

Senate concurrent resolution No. 5, by Senator Welsh :

Resolved by the Senate, the House Concurring, that the president of the Senate appoint two members of this body and that the speaker of the House appoint three members of that body as a committee to meet with the Joint Committee on Fisheries appointed by the State of Oregon, as stated in telegram to president of Senate just read.

On motion of Senator Crow, the resolution was referred to the Committee on Fisheries.

REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER,
OLYMPIA, WASH., January 23, 1903.

MR. PRESIDENT:

We, your committee, to whom was referred the matter of securing committee rooms for the use of the Senate, beg leave to report that we have secured six rooms on the third floor of the McKinney block at a weekly rental of \$20, including heat and light, and we respectfully recommend that the sergeant-at-arms be instructed to secure the necessary tables and chairs from the old capitol building for the use of committees.

A. S. RUTH.
HUBER RASHER.
W. G. POTTS.

On motion, the report was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 23, 1903.

MR. PRESIDENT:

The House has passed House concurrent resolutions Nos. 6 and 7, and the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

Senate bill No. 71, by Senator Sharp: An act making an appropriation for farmers' institutes.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Agriculture, and from that committee to Committee on Appropriations.

Senate bill No. 72, by Senator Earles: An act providing for the protection of employes in factories, mills or workshops where machinery is used, and providing for the punishment of the violation thereof.

The bill was read the first time; and, on motion of Senator Earles, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 73, by Senator Ruth: An act relating to the public schools of the State of Washington, and to prescribe pen-

alties for unlawfully disclosing any question or questions prepared for the examination of teachers or eighth grade pupils, and for assisting such pupils to answer questions propounded; for the failure of county superintendents to make reports in accordance with law; for the failure of any officer or other person collecting fines, forfeitures or other moneys belonging to the school fund of this state or to the school fund of any county or school district in this state, to turn the same over to the treasurer of his county; or the failure of school directors to enforce the teaching of hygiene in schools of their respective districts; for the failure of county superintendents to comply with the provisions of section 4 of this act; for the failure of school district clerks to make such reports as are rendered by law; for the failure of school officers to turn over to their successors all books, papers, records or moneys pertaining to their respective offices, or for destroying or mutilating any such books, papers or records, or for misapplying any such moneys; for the failure or refusal of any teacher to enforce the course of study, rules and regulations prescribed by any lawful authority for their schools; for the maltreating of pupils by any teacher; for the non-attendance of any teacher or teachers at institutes, as required by law; for the insulting or abusing of a teacher in the presence of the school or on the school grounds or premises by any parent, guardian or other person; for the disturbing of any school or school meeting by any person; for failure of parents or guardians to send children to school; for cutting, defacing or destroying school property; for the violation of the provision of an act relating to vivisection, the same being chapter 16, Laws 1897, approved February 17, 1897; for the failure of school districts to use the lawfully adopted text books or to follow the course of study lawfully adopted for their schools; for the failure to have at least the minimum amount of school each year that is now or may hereafter be required by law; also repealing sections 159, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174 and 175 of chapter 118, Laws of 1897, approved March 19, 1897, said act being known and cited as the code of public instruction of the State of Washington; also declaring that this act shall constitute chapter eleven (11) of said code of public instruction, and also declaring an emergency.

The bill was read the first time; and, on motion of Senator Ruth,

the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Education.

Senate memorial No. 2, by Senator Garber of Lincoln, relating to passage of a bill in Congress introduced by W. L. Jones, providing for the opening of the south half of the Colville Indian Reservation.

The memorial was read the first time ; and, on motion of Senator Garber, the rules were suspended, the memorial was read the second time by title, ordered printed, and referred to the Committee on Memorials.

The following Senate concurrent resolution No. 4 was offered by Senator Warburton and adopted.

Be It Resolved by the Senate, the House concurring, That there be published in pamphlet form 5000 copies of the message delivered by Governor McBride to the Senate and House in joint session.

GENERAL FILE.

Senate bill No. 7, by Senator Palmer of King, "An act providing for an amendment to the constitution, etc," was read the third time and referred to the Engrossing Committee.

Senate bill No. 8, by Senator Palmer of King, "An act providing that graduates of the law school of the University of Washington shall be admitted to practice law in all the courts of this state, etc., was read the third time and referred to the Engrossing Committee.

Senate bill No. 46, by Senator Crow of Spokane, "An act providing for the payment by litigants of certain jury fees, etc," was read the third time, and, on motion of Senator Tolman, section 2 was stricken. On motion of Senator Tolman, section 3 became section 2, and was amended by striking in lines one and two the words "and the party presenting a judgment to be signed." On motion of Senator Crow, section 4 became section 3, and in line one after the word "with" the word "this" was inserted. There being no further amendments, the bill was referred to the Engrossing Committee.

House concurrent resolution No. 6, by Mr. Philbrick, relating to forest reserves, was, on motion of Senator Tolman, amended by striking in line — of the original resolution the words "in

forcible language," and referred to the Committee on Horticulture and Forestry.

House concurrent resolution No. 7, by Mr. Lindsley of Spokane.

The resolution was read; and, on motion of Senator Warburton, was substituted for Senate concurrent resolution No. 4, and adopted.

BUSINESS ON THE TABLE.

Senator Welty moved that the resolution of Senator Baker relating to the purchase of 45 copies of Pierce's Code be taken from the table.

On motion of Senator Ruth, the resolution was amended by striking the figures "\$7.50," and inserting in lieu thereof the figures "\$5.00."

Senator Welty moved that the resolution as amended be adopted.

Senators Graves, Tolman, Welty, Ruth, LeCrone, Hallett and Moultray demanded a roll call on the adoption of the resolution, which failed to pass by the following vote:

Those voting aye were: Senators Angle, Baker, Davis, Hamilton, Hemrich, Kinnear, LeCrone, Potts, Smith, S. T., Stewart, Tucker, Van de Vanter, Welsh, Welty and Mr. President—15.

Those voting nay were: Senators Clapp, Crow, Earles, Garber, Graves, Hailey, Hallett, Hammer, Hurley, McKenney, Moultray, O'Donnell, Palmer, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Sumner, Tolman, Warburton, Wilson—23.

Absent or not voting were: Senators Baumeister, Cornwell, Moore, Rands—4.

On motion of Senator Warburton, at 12 o'clock noon the Senate adjourned to the House to ballot for United States senator.

JOINT SESSION.

The joint session met at 12 o'clock noon, and was called to order by the President of the Senate. Roll call showed all members present. The presiding officer announced that there was no election of United States senator at the last joint session, and instructed the clerk to call the roll for the sixth joint ballot.

SIXTH JOINT BALLOT.

Levi Ankeny received fifty-five votes.

Harold Preston received forty-two votes.

George Turner received twenty-two votes.

John L. Wilson received nine votes.

Carroll B. Graves received one vote.

John B. Allen received seven votes.

Those voting for Levi Ankeny were: Allis, Baker, Bassett, Baumeister, Brewer, Clapp, Coate, Corliss, Cornwell, Craigue, Crandall, Davis, Denton, Durham, Easterday, Eidemiller, Fletcher, Griffin, Hailey, Hamilton, Hastings, Haynes, Hopp, Hunter, Hurley, H. Johnston, Kees, King, Knoblock, LeCrone, Lingerman, McNicol, Megler, O'Donnell, James Palmer, Rands, Roberts, Ruth, Stansell, Stark, Stevenson, Stewart, Sumner, Thacker, Thompson, Veness, Wells, Welsh, Welty, White, Whitney, G. B. Wilson, J. B. Wilson, York and Mr. Speaker—55.

Those voting for Harold Preston were: Angle, Benn, Brown, Butler, Carle, Clark, Cole, Collins, Comstock, Dilling, Emery, Field, Frostad, Gleason, Gunderson, Hammer, Hemrich, Jeffries, Jones, Kinnear, Levy, Lewis, Lyons, McKenney, Moldstad, Moore, Moultray, Morrill, E. B. Palmer, Parcel, Pogue, Potts, Raine, Sharp, Tibbetts, Tucker, Van de Vanter, Warburton, Weir, Williams, R. B. Wilson and Mr. President—42.

Those voting for George Turner were: Cameron, Child, Cooney, Earles, Fitzgerald, Garber, Graves, Gray, Hallett, Howell, J. T. Johnson, Maloney, McCoy, Mackenzie, Muse, Quinn, Rasher, Reise, Reser, Splawn, Tolman and Zenkner—22.

Those voting for John L. Wilson were: Crow, Delanty, Ferguson, Henry, Lindsley, Merrill, Morgan, Roth and S. T. Smith—9.

Mr. Dickson voted for Carroll B. Graves.

Those voting for John B. Allen were: Dix, Dunn, Howard, Peaslee, Philbrick, Ranck and Witter—7.

SEVENTH JOINT BALLOT.

Levi Ankeny received fifty-five votes.

Harold Preston received forty-four votes.

John L. Wilson received nine votes.

George Turner received twenty-two votes.

John B. Allen received five votes.

Carroll B. Graves received one vote.

Those voting for Levi Ankeny were: Allis, Baker, Bassett, Baumeister, Brewer, Clapp, Coate, Corliss, Cornwell, Craigue, Crandall, Davis, Denton, Durham, Easterday, Eidemiller, Fletcher, Griffin, Hailey, Hamilton, Hastings, Haynes, Hopp, Hunter, Hurley, H. Johnston, Kees, King, Knoblock, LeCrone, Lingerman, McNicol, Megler, O'Donnell, James Palmer, Rands, Roberts, Ruth, Stansell, Stark, Stevenson, Stewart, Sumner, Thacker, Thompson, Veness, Wells, Welsh, Welty, White, Whitney, G. B. Wilson, J. B. Wilson, York and Mr. Speaker—55.

Those voting for Harold Preston were: Angle, Benn, Brown, Butler, Carle, Clark, Cole, Collins, Comstock, Dilling, Emery, Field, Frostad, Gleason, Gunderson, Hammer, Hemrich, Howard, Jeffries, Jones, Kinnear, Levy, Lewis, Lyons, McKenney, Moldstad, Moore, Moultray, Morrill, E. B. Palmer, Parcel, Peaslee, Pogue, Potts, Raine, Sharp, Tibbetts, Tucker, Van de Vanter, Warburton, Weir, Williams, R. B. Wilson and Mr. President—44.

Those voting for John L. Wilson were: Crow, Delanty, Ferguson, Henry, Lindsley, Merrill, Morgan, Roth and S. T. Smith—9.

Those voting for George Turner were: Cameron, Child, Cooney, Earles, Fitzgerald, Garber, Graves, Gray, Hallett, Howell, J. T. Johnson, Maloney, McCoy, Mackenzie, Muse, Quinn, Rasher, Reise, Reser, Splawn, Tolman and Zenkner—22:

Those voting for John B. Allen were: Dix, Dunn, Philbrick, Ranck and Witter—5.

Mr. Dickson voted for Carroll B. Graves.

On motion of Mr. Roth, at 12:35 p. m. the joint session was dissolved.

The Senate reconvened at 12:35 o'clock p. m.; and, on motion of Senator Palmer, the Senate adjourned until 11 o'clock a. m. Saturday, January 24, 1903.

J. W. LYSONS;

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

THIRTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER, }
 OLYMPIA, WASHINGTON, Saturday, January 24, 1903. }

President Smith called the Senate to order at 11 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Van de Vanter.

Rev. W. S. Crockett offered prayer.

On motion, the reading of the journal of yesterday was dispensed with, and it was ordered to stand approved.

The following resolution was introduced by Senator Stewart and adopted:

Resolved, That the secretary of the Senate be instructed to have 250 additional copies of Senate bill No. 28 printed.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
 OLYMPIA, WASH., January 24, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 8, entitled "An act providing that graduates of the Law School of the University of Washington shall be admitted to practice law in all the courts of this state, without examination," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,
 We concur in this report:

E. B. PALMER, Chairman.
 C. L. STEWART.
 STANLEY HALLETT.
 O. T. CORNWELL.

OLYMPIA, WASH., January 24, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 46, entitled "An act relating to jury trials in the superior court, providing for the payment by litigants of certain jury fees and repealing section 5028 of Ballinger's Annotated Codes and Statutes of the State of Washington," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,
 We concur in this report:

E. B. PALMER, Chairman.
 C. L. STEWART.
 STANLEY HALLETT.
 O. T. CORNWELL.

OLYMPIA, WASH., January 24, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 7, entitled "An act providing for an amendment to the constitution excepting county assessors from the operation of section 7 of Article XI thereof," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report:

C. L. STEWART.

STANLEY HALLETT.

O. T. CORNWELL.

On motion of Senator Palmer, Senate bill No. 7 was re-referred to the Judiciary Committee.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., January 23, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 53, entitled "An act to amend section 30 of an act of the Legislature of the State of Washington, approved March 8, 1893, the same being section 6529 of Ballinger's Annotated Codes and Statutes of Washington, entitled 'An act relating to appeals to the supreme court,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Strike out the title of the printed bill and insert in lieu thereof the following as the title: "An act to amend section 30 of an act entitled 'An act relating to appeals to the supreme court,'" approved March 8, 1893, the same being section 6529 of Ballinger's Annotated Codes and Statutes of Washington.

Section 1, line 1, of the printed bill strike out the words "of the Legislature of the State of Washington."

Respectfully submitted,

HERMAN D. CROW, Chairman,

We concur in this report:

WARREN W. TOLMAN.

JOHN T. WELSH.

J. R. WELTY.

E. B. PALMER.

WILL G. GRAVES.

WM. HICKMAN MOORE.

H. E. MCKENNEY.

The report was adopted.

OLYMPIA, WASH., January 23, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 56, entitled "An act relating to the defense of the statute of limitations in actions brought by or for the benefit of the state or any of its municipalities, amending section 35 of the Code of Civil Procedure of Washington of 1881, the same being section 4807 of Ballinger's Annotated Codes and Statutes of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Strike out section 2 and insert in lieu thereof "An emergency exists and this act shall take effect immediately."

Respectfully submitted,

HERMAN D. CROW, Chairman,

We concur in this report:

WARREN W. TOLMAN.

JOHN T. WELSH.

J. R. WELTY.

E. B. PALMER.

WILL G. GRAVES.

WM. HICKMAN MOORE.

H. E. MCKENNEY.

The report was adopted.

OLYMPIA, WASH., January 24, 1903.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 16, entitled "An act to amend section 1 of and adding section 2½ and section 4½ to an act entitled 'An act providing for the creation of the office of State Veterinary Surgeon and defining his duties,'" approved March 22, 1895, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

J. P. SHARP, Chairman.

We concur in this report:

G. GARBER.

M. E. STANSELL.

A. J. SPLAWN.

O. T. CORNWELL.

E. HAMMER.

OLYMPIA, WASH., January 23, 1903.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 30, entitled "An act making a deficiency appropriation for the State Agricultural College and School of Science for the fiscal period ending March 31st, 1903," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report:

GEO. H. BAKER.
O. T. CORNWELL.
J. P. SHARP.
HUBER RASHER.
E. M. RANDS.
G. B. WILSON.
JOHN EARLES.
E. HAMMER.

OLYMPIA, WASH., January 23, 1903.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 57, entitled "An act for the relief of the Olympia Light & Power Company of Olympia, Wash., for the lighting of the state offices during the months of April, May, June and July, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report:

GEO. H. BAKER.
O. T. CORNWELL.
J. P. SHARP.
HUBER RASHER.
E. M. RANDS.
G. B. WILSON.
JOHN EARLES.
E. HAMMER.

INTRODUCTION OF BILLS.

Senate bill No. 74, by Senator Angle: An act relating to the Superior Court of Thurston and Mason counties, providing for the election of judges therein and declaring an emergency.

The bill was read the first time; and, on motion of Senator Angle, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 75, by Senator Sharp: An act to amend sections 8, 13, 15, 23, 28 and 31 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and the completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the State Constitution, which shall be generally known as the Board of State Land Commissioners, defining their duties and making an appropriation therefor, and declaring an emergency," approved March 16, 1897, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on State Granted, School and Tide Lands.

Senate bill No. 76, by Senator Davis: An act creating a board of arbitration and conciliation for the determination of all differences commonly called "labor troubles" between employers and employes.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 77, by Senator Moultray: An act to amend section 12 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and the completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the State Constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties and making an appropriation therefor, and declaring an emergency, approved March 16, 1897, as amended by section 1

of an act approved March 16, 1899, and as amended by section 1 of an act approved March 18, 1901, and declaring an emergency."

The bill was read the first time; and, on motion of Senator Moultray, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on State Granted, School and Tide Lands, and from that committee to the Committee on Appropriations.

Senate bill No. 78, by Senator Moultray: An act to amend section 30 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and the disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the State Constitution, which shall be generally known as the Board of State Land Commissioners, defining their duties and making an appropriation therefor, and declaring an emergency," approved March 16, 1897, as amended by section 1 of an act approved March 8, 1899, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Moultray, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 79, by Senator Earles: An act to provide for the recovery of damages for injuries caused by the use of intoxicating liquors.

The bill was read the first time; and, on motion of Senator Earles, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

GENERAL FILE.

Senate bill No. 8, by Senator Palmer of King, "An act providing that graduates of the law school of the University of Washington may practice law without examination, etc.," was placed on final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone,

McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—40.

Absent or not voting: Senators Sumner and Van de Vanter—2.

Senate bill No. 46, by Senator Crow of Spokane, "An act relating to jury trials in the Superior Courts, etc.," was placed on final passage, and failed of passage by the following vote:

Those voting aye were: Senators Angle, Clapp, Earles, Garber, Hailey, Hallett, Hemrich, McKenney, Rasher, Reser, Ruth, Smith, S. T., Stewart, Sumner, Tolman, Welty—16.

Those voting nay were: Senators Baker, Baumeister, Cornwell, Crow, Davis, Graves, Hamilton, Hammer, Hurley, Kinnear, LeCrone, Moore, O'Donnell, Palmer, Potts, Rands, Sharp, Splawn, Stansell, Tucker, Warburton, Welsh, Wilson, Mr. President—24.

Absent or not voting: Senator Moultray and Van de Vanter—2.

Senator Crow gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 46 failed to pass.

On motion of Senator Hamilton, the Senate resolved itself into a Committee of the Whole to consider Senate bills Nos. 30 and 57.

The bills were considered in the Committee of the Whole, Senator Tolman in the chair, and Senate bills Nos. 30 and 57 were reported back to the Senate with the recommendation that they do pass.

The report was adopted.

Senate bill No. 30, by Senator Wilson: An act making a deficiency appropriation for the State Agricultural College and School of Science.

The bill was read the third time, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Wilson, Mr. President—40.

Senator Welty voted nay.

Absent or not voting: Senator Van de Vanter.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 57, by Senator Ruth: An act for the relief of the Olympia Light & Power Company, and making an appropriation.

The bill was read the third time and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—41.

Absent or not voting: Senator Van de Vanter.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Upon motion of Senator Tolman, the rules were suspended, and Senate bills Nos. 30 and 57 were ordered transmitted to the House immediately.

On motion of Senator Hamilton, at 12 o'clock the Senate adjourned to the House to ballot for United States Senator.

JOINT SESSION.

At 12 o'clock noon the joint session was called to order by the President of the Senate. The joint rolls were called, all members being present except Senator Van de Vanter. The journal of the joint session was read and approved. The roll was called on the eighth joint ballot and resulted as follows:

EIGHTH JOINT BALLOT.

Levi Ankeny received fifty-four votes.

Harold Preston received forty-two votes.

George Turner received twenty-two votes.

John L. Wilson received nine votes.

John B. Allen received six votes.

Those voting for Levi Ankeny were: Allis, Baker, Bassett, Baumeister, Brewer, Clapp, Coate, Corliss, Cornwell, Craigue,

Crandall, Davis, Denton, Durham, Easterday, Eidemiller, Fletcher, Griffin, Hailey, Hamilton, Hastings, Haynes, Hopp, Hunter, Hurley, H. Johnston, Kees, Knoblock, LeCrone, Lingerman, McNicol, Megler, O'Donnell, James Palmer, Rands, Roberts, Ruth, Stansell, Stark, Stevenson, Stewart, Sumner, Thacker, Thompson, Veness, Wells, Welsh, Welty, White, Whitney, G. B. Wilson, J. B. Wilson, York and Mr. Speaker—54.

Those voting for Harold Preston were: Angle, Benn, Brown, Butler, Carle, Clark, Cole, Collins, Comstock, Dilling, Emery, Field, Frostad, Gleason, Gunderson, Hammer, Hemrich, Howard, Jeffries, Jones, Kinnear, Levy, Lewis, Lyons, McKenney, Moldstad, Moore, Moultray, E. B. Palmer, Parcel, Peaslee, Pogue, Potts, Raine, Sharp, Tibbetts, Tucker, Warburton, Weir, Williams, R. B. Wilson and Mr. President—42.

Those voting for George Turner were: Cameron, Child, Cooney, Earles, Fitzgerald, Garber, Graves, Gray, Hallett, Howell, J. T. Johnson, Maloney, McCoy, Mackenzie, Muse, Quinn, Rasher, Reise, Reser, Splawn, Tolman and Zenkner—22.

Those voting for John L. Wilson were: Crow, Delanty, Ferguson, Henry, Lindsley, Merrill, Morgan, Roth and S. T. Smith—9.

Those voting for John B. Allen were: Dickson, Dix, Dunn, Philbrick, Ranck and Witter—6.

Mr. King paired with Mr. Morrill.

Absent or not voting: Senator Van de Vanter.

On motion of Mr. Dilling, at 12:20 o'clock the joint session was dissolved.

The Senate reconvened at 12:20 o'clock p. m.; and, on motion of Senator Palmer, at 12:20 p. m. the Senate adjourned, to meet Monday, January 26, 1903, at 11:45 o'clock a. m.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

FIFTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, January 26, 1903. }

President Smith called the Senate to order at 11:45 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present.

Rev. A. G. Sawin offered prayer.

On motion, the reading of the journal of Saturday was dispensed with, and it was ordered to stand approved.

The following resolution was offered by Senator Ruth and adopted:

Be It Resolved, That the sergeant-at-arms is hereby authorized to either purchase or lease three dozen chairs for use in Senate committee rooms.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., January 26, 1903.

MR. PRESIDENT:

The House has passed Senate joint memorial No. 1, asking the President of the United States not to include in the "forest reserve" certain lands herein described in the counties of Skagit and Whatcom, and the same is herewith transmitted. STOREY BUCK, Clerk of the House.

Senator Hamilton introduced Senate concurrent resolution No. 6, as follows:

WHEREAS, The Honorable Theodore Roosevelt, President of the United States, will visit the Northwest and the State of Washington some time during the month of May, 1903; and,

WHEREAS, Recognizing in him our one time neighbor and a representative of the western spirit of push, enterprise and of a sturdy, independent manhood, which brings him close to the hearts of the people of the west; and desiring to show our appreciation of the man Theodore Roosevelt, as well as to honor our chief magistrate; therefore, be it

Resolved, That there be a committee appointed, consisting of five upon the part of the Senate, of whom the president shall be one, and seven on the part of the House, of whom the speaker shall be one, to

join with the Governor in receiving and welcoming Theodore Roosevelt, President of the United States to the State of Washington and the Northwest.

The resolution was adopted.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1903.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred the request from the legislative assembly of the Territory of Arizona that the Legislature of the State of Washington request its representatives in Congress to favor the passage of the "Omnibus Statehood Bill," have had the same under consideration, and we respectfully report the same back to the Senate with a memorial which we recommend do pass.

Respectfully submitted,

E. BAUMEISTER, Chairman.

We concur in this report:

G. GARBER.

WM. HICKMAN MOORE.

The report was adopted.

INTRODUCTION OF BILLS.

Senate memorial No. 3, by the Committee on Memorials, relating to a bill pending in Congress known as the "Omnibus Statehood bill."

The memorial was read the first time; and, on motion of Senator Garber, the rules were suspended, the memorial was read the second time; the rules were further suspended, the memorial was read in full and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Davis, Earles, Garber, Graves, Hailey, Hamilton, Hemrich, Hurler, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rasher, Reser, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—30.

Those voting nay were: Senators Baker, Hammer, Moultray, Rands, Ruth, Sharp, Smith, S. T., Warburton—8.

Absent or not voting: Senators Clapp, Cornwell, Hallett, Kinnear—4.

On motion of Senator Garber, the rules were suspended and the memorial ordered transmitted to the House immediately.

On motion of Senator Crow, at 12 o'clock m. the Senate adjourned to meet the House in joint session.

JOINT SESSION.

At 12 o'clock noon the joint session was called to order by the President of the Senate.

The Senate roll was called, all members being present.

The House roll was called, all members being present except Messrs. Gleason, J. T. Johnston, Morgan and Roth.

The journal of the joint session of Saturday was read and was approved.

The joint roll was called on the ninth joint ballot for United States Senator, and resulted as follows:

NINTH JOINT BALLOT.

Levi Ankeny received fifty-two votes.

Harold Preston received forty-three votes.

John L. Wilson received seven votes.

George Turner received twenty-one votes.

John B. Allen received six votes.

Those voting for Levi Ankeny were: Allis, Baker, Bassett, Baumeister, Brewer, Clapp, Coate, Corliss, Cornwell, Crandall, Davis, Denton, Durham, Eidemiller, Fletcher, Hailey, Hamilton, Hastings, Haynes, Hopp, Hunter, Hurley, H. Johnston, Kees, King, Knoblock, LeCrone, Lingerman, McNicol, Megler, O'Donnell, James Palmer, Rands, Roberts, Ruth, Stansell, Stark, Stevenson, Stewart, Sumner, Thacker, Thompson, Veness, Wells, Welsh, Welty, White, Whitney, G. B. Wilson, J. B. Wilson, York and Mr. Speaker—52.

Those voting for Harold Preston were: Angle, Benn, Brown, Butler, Carle, Clark, Cole, Collins, Comstock, Dilling, Emery, Field, Frostad, Gunderson, Hammer, Hemrich, Howard, Jeffries, Jones, Kinnear, Levy, Lewis, Lyons, McKenney, Moldstad, Moore, Moultray, Morrill, E. B. Palmer, Parcel, Peaslee, Pogue, Potts, Raine, Sharp, Tibbetts, Tucker, Van de Vanter, Warburton, Weir, Williams, R. B. Wilson and the President of the Senate—43.

Those voting for John L. Wilson were: Crow, Delanty, Ferguson, Henry, Lindsley, Merrill, S. T. Smith—7.

Those voting for George Turner were: Cameron, Child, Cooney, Earles, Fitzgerald, Garber, Graves, Gray, Hallett, Howell, Maloney, McCoy, Mackenzie, Muse, Quinn, Rasher, Reise, Reser, Splawn, Tolman and Zenkner—21.

Those voting for John B. Allen were: Dickson, Dix, Dunn, Philbrick, Ranck, Witter—6.

Absent or not voting: Representative J. T. Johnson.

Mr. Craigie paired with Mr. Morgan.

Mr. Easterday paired with Mr. Gleason.

Mr. Griffin paired with Mr. Roth.

No candidate having received a majority of all votes cast, the President declared there was no election.

On motion of Senator Hamilton, at 12:20 the joint session dissolved.

On motion of Senator Sharp, at 12:25 o'clock p. m. the Senate adjourned until Tuesday, January 27, at 10 o'clock a. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

SIXTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, January 27, 1903. }

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator O'Donnell, excused.

Rev. Wm. H. Treisch offered prayer.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

The following resolution was offered by Senator Palmer and adopted:

WHEREAS, The work required of the stenographer of the Senate is of a professional nature;

Resolved, That the compensation of such stenographer be \$5 per day.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 24, 1903.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 2, addressed "To the Senate and House of Representatives in Congress Assembled," relating to Colville Indian reservation, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectful submitted,

E. BAUMEISTER, Chairman.

We concur in this report:

G. GARBER.

WM. HICKMAN MOORE.

The report was adopted.

OLYMPIA, WASH., January 27, 1903.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 37, entitled "An act providing for the repair of two state wagon roads extending from the mouth of the Sans Poil creek on the Columbia river, thence up said creek to the city of Republic, Ferry county, Washington, and thence from said city of Republic to the town of Loomis, in Okanogan county, Washington, and appropriating funds therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

C. L. STEWART, Chairman.

We concur in this report:

A. J. SPLAWN.

J. R. WELTY.

M. E. STANSEL.

GEO J. HURLEY.

A. T. VAN DE VANTER.

Referred to the Committee on Appropriations.

OLYMPIA, WASH., January 27, 1903.

MR. PRESIDENT:

We, your committee on Roads and Bridges, to whom was referred Senate bill No. 28, entitled "An act amending sections 9 and 12 of an act entitled 'An act providing for the survey and establishment of a state road; creating a commission; defining its duties, and making an appropriation therefor and declaring an emergency,'" approved March 18, 1897, have had the same under consideration, and we respectfully

report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

C. L. STEWART, Chairman.

We concur in this report:

A. J. SPLAWN.

J. R. WELTY.

M. E. STANSEL.

GEO. J. HURLEY.

A. T. VAN DE VANTER.

Referred to the Committee on Appropriations.

OLYMPIA, WASH., January 26, 1903.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred concurrent resolution No. 5, relating to a joint committee to meet a like committee of Oregon legislators, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

A. T. VAN DE VANTER, Chairman.

We concur in this report:

JOHN T. WELSH.

E. M. RANDE.

A. S. RUTH.

W. R. MOULTRAY.

LINCOLN DAVIS.

T. B. SUMNER.

E. B. PALMER.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, WASH., January 26, 1903.

The Honorable President of the Senate, Senate Chamber, Olympia, Washington:

SIR—I have the honor to transmit herewith, for the use of the members of the State Senate, fifty copies each of the printed reports of the Board of Geological Survey of the State of Washington and of the Board of Regents of the University of Washington.

Very respectfully,

J. HOWARD WATSON, Secretary to the Governor.

The following telegram was read by the secretary:

SALEM, OREGON, January 27, 1903.

Chief Clerk of Senate:

Joint committee to confer on fishing industries: Senate—Myers, Daly. House—Hume, Carnahan, Davey.

S. L. MOORHEAD, Chief Clerk of Senate.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., January 27, 1903.

MR. PRESIDENT:

The House has passed House bill No. 21, entitled "An act relating to the selling, leasing or making contracts concerning its real estate or granting or renewing franchises or special privileges by incorporated cities, etc.

Also House bill No. 12, relating to conditional sales and leases of personal property.

Also House bill No. 27, entitled "An act amending section 7103 of Eallinger's Code defining robbery, etc."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., January 27, 1903.

MR. PRESIDENT:

The House has passed Senate bill No. 30, entitled "An act making a deficiency appropriation for the State Agricultural College," etc.

Also Senate bill No. 13, making appropriation to defray expenses of the Grain Inspector, etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

Senate bill No. 80, by Senator Splawn: An act to amend an act entitled "An act to establish a state fair for the State of Washington, making an appropriation therefor and declaring an emergency," approved March 15, 1893.

The bill was read the first time; and, on motion of Senator Splawn, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Agriculture.

Senate bill No. 81, by Senator Welsh: An act for the relief of the Ilwaco Railway & Navigation Company and granting to said company the right to construct and maintain a log boom and storage boom for logs on, and the right to occupy, use and enjoy all of the tide lands fronting, and for the uniform width of tracks fourteen (14) and fifteen (15) of plate three (3), according to the official plat of said tide lands on file in Pacific county, Washing-

ton, out and over the submerged tide lands of the State of Washington, to the inner harbor line in front of the town of Ilwaco.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Railroads and Transportation.

Senate bill No. 82, by Senator Cornwell: An act permitting the appointment of corporations as executors, administrators, guardians, trustees, receivers and assignees, when incorporated for such purpose.

The bill was read the first time; and, on motion of Senator Cornwell, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate Bill No. 83, by Senator Moultray: An act to encourage county agricultural associations and fairs, and to provide funds therefor.

The bill was read the first time; and, on motion of Senator Moultray, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Agriculture.

House bill No. 21, by Mr. Lindsley of Spokane: An act relating to the selling, leasing or making contracts concerning its real estate, etc., by incorporated cities.

On motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 27, by Mr. Lewis of King: An act amending section 7103 of Ballinger's Annotated Codes and Statutes of Washington, defining robbery, etc.

On motion of Senator Crow, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 12, by Mr. Carle of King: An act amending sections 4585 and 4586 of Ballinger's Annotated Codes and Statutes of Washington, etc.

On motion of Senator Crow, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

At 12 o'clock noon the Senate adjourned to the House to meet in joint session for the election of a United States Senator.

JOINT SESSION.

At 12 o'clock noon the joint session was called to order by the President of the Senate. The Senate roll was called, all members being present except Senator O'Donnell. The House roll was called, all members being present except Mr. Gleason.

The journal of the joint session of yesterday was read and approved.

The joint ballot was called on the tenth joint ballot for United States Senator, and resulted as follows:

TENTH JOINT BALLOT.

Levi Ankeny received fifty-three votes.

Harold Preston received forty-two votes.

John L. Wilson received nine votes.

George Turner received twenty-two votes.

John B. Allen received six votes.

Those voting for Levi Ankeny were: Allis, Baker, Bassett, Baumeister, Brewer, Clapp, Coate, Corliss, Cornwell, Craigue, Crandall, Davis, Denton, Durham, Eidemiller, Fletcher, Griffin, Hailey, Hamilton, Hastings, Haynes, Hopp, Hunter, Hurley, H. Johnston, Kees, King, Knoblock, LeCrone, Lingerman, McNichol, Megler, James Palmer, Rands, Roberts, Ruth, Stansell, Stark, Stevenson, Stewart, Sumner, Thacker, Thompson, Veness, Wells, Welsh, Welty, White, Whitney, G. B. Wilson, J. B. Wilson, York and Mr. Speaker—53.

Those voting for Harold Preston were: Angle, Benn, Brown, Butler, Carle, Clark, Cole, Collins, Comstock, Dilling, Emery, Field, Frostad, Gunderson, Hammer, Hemrich, Howard, Jeffries, Jones, Kinnear, Levy, Lewis, Lyons, McKenney, Moldstad, Moore, Moultray, Morrill, E. B. Palmer, Parcel, Peaslee, Pogue, Raine, Sharp, Tibbetts, Tucker, Van de Vanter, Warburton, Weir, Williams, R. B. Wilson and the President of the Senate—42.

Those voting for John L. Wilson were: Crow, Delanty, Ferguson, Henry, Lindsley, Merrill, Morgan, Roth and S. T. Smith—9.

Those voting for George Turner were: Cameron, Child, Cooney, Earles, Fitzgerald, Garber, Graves, Gray, Hallett, Howell, J.

T. Johnson, Maloney, McCoy, Mackenzie, Muse, Quinn, Rasher, Reise, Reser, Splawn, Tolman and Zenkner—22.

Those voting for John B. Allen were: Dickson, Dix, Dunn, Philbrick, Ranck, Witter—6.

Mr. Easterday paired with Mr. Gleason.

Senator Potts paired with Senator O'Donnell.

No candidate having received a majority of all votes cast, the President declared there was no election.

On motion of Senator Clapp, at 12:15 o'clock the joint house dissolved.

The Senate reconvened at 12:20 o'clock p. m.

GENERAL FILE.

On motion of Senator Crow, the vote by which Senate bill No. 46 failed to pass was reconsidered, and the bill made a special order for tomorrow at 11 o'clock a. m.

Senate bill No. 53, by Senator Potts of King, "An act to amend section 30 of an act entitled 'An act relating to appeals to the Supreme Court, etc.,'" was read the third time and referred to the Engrossing Committee.

Senate bill No. 16, by Senator Sharp of Kittitas, "An act to amend section 1 of and adding section 2½ and section 4½ to an act entitled 'An act providing for the creation of the office of state veterinary surgeon, etc.,'" was read the third time.

On motion of Senator Moore, section 1, line 12, was amended by striking out the word "transportation" and comma following, and inserting in lieu thereof the word "traveling." There being no further amendments, the bill was referred to the Engrossing Committee.

Senate bill No. 56, by Senator Graves of Spokane, "An act relating to the defense of the statute of Limitations, etc.," was read the third time and referred to the Engrossing Committee.

On motion of Senator Van de Vanter, Senate concurrent resolution No. 5, by Senator Welsh, was laid on the table.

On motion of Senator Baker, at 12:25 the Senate adjourned until tomorrow at 11 o'clock a. m.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

SEVENTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, January 28, 1903. }

President Smith called the Senate to order at 11 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present.

Rev. C. E. Cornwell offered prayer.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

The following resolution was introduced by Senator Welty and adopted.

Inasmuch as the number of members of the Senate and House have increased since last session, and it appearing that 250 printed copies of Senate bills are not sufficient for the use of the Legislature and an interested public; therefore, be it

Resolved, That Rule 30, line 1, of Senate Rules be amended by striking the figures "250" and inserting in lieu thereof the figures "300."

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 28, 1903.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 71, entitled "An act making an appropriation for farmers' institutes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, but inasmuch as it carries an appropriation that it be further referred to the Committee on Appropriations.

Respectfully submitted,

J. P. SHARP. Chairman.

We concur in this report:

A. J. SPLAWN.

G. GARBER.

O. T. CORNWELL.

E. HAMMER.

M. E. STANSELL.

A. T. VAN DE VANTER.

The report was adopted.

OLYMPIA, WASH., January 28, 1903.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 40, entitled "An act for the protection of birds and their nests and eggs, and to define and punish as misdemeanors all violations thereof, establishing certificates, and providing for the disposition of any moneys collected under the same," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Section 7, line 1, of printed bill, after the word "hawks" insert the word "robins."

Respectfully submitted,

J. P. SHARP. Chairman.

We concur in this report:

A. J. SPLAWN.

G. GARBER.

E. HAMMER.

M. E. STANSELL.

A. T. VAN DE VANTER.

The report was adopted.

OLYMPIA, WASH., January 27, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 59, entitled "An act providing the form and contents of acknowledgements of corporations to instruments executed and acknowledged by corporations," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Section 1, line 6, of the printed bill, after the word "to" and before the word "known" strike out "be" and insert the word "me."

Section 1, line 6, after the word "secretary" insert a comma.

Section 1, line 6, strike out the word "or."

Section 1, line 6, of the printed bill, after the word "treasurer," in the parenthesis, insert the words "or other authorized officer, as the case may be."

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report:

WARREN W. TOLMAN.

J. R. WELTY.

JOHN T. WELSH.

WILL G. GRAVES.

E. B. PALMER.

The report was adopted.

OLYMPIA, WASH., January 27, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 58, entitled "An act to amend section 12 of an act entitled 'An act to define the duties, and provide for assistance for, and fix the compensation of the Secretary of State,'" have had the same under consideration and respectfully herewith report a substitute bill and recommend that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report:

WARREN W. TOLMAN.

J. R. WELTY.

JOHN T. WELSH.

WILL G. GRAVES.

WM. HICKMAN MOORE.

E. B. PALMER.

On motion of Senator Crow, the report was adopted.

OLYMPIA, WASH., January 27, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 54, entitled "An act prescribing punishment for all persons who, having been previously convicted in the courts of this state, or in the courts of any state or country, of certain crimes or offenses," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Title, line 2 of the printed bill, between the words "any" and "state" insert the word "other;" after word "state" insert a comma.

Title, line 2 of the printed bill, between the words "state" and "or" insert the word "territory."

Title, line 2 of the printed bill strike out the word "county" and insert the word "country."

Title, line 2 of printed bill, strike out the words "crimes or."

Title, line 3 of printed bill, strike out the words "crimes or."

Section 1, line 6, of printed bill, strike out the word "is" and insert the words "shall be."

Same section, line 10, strike out the word "is" and insert the words "shall be."

Same section, line 15, strike out the word "is" and insert the words "shall be."

Section 2, line 3, of the printed bill, strike out the word "is" and insert the words "shall be."

Same section, line 6, strike out the word "is" and insert the words "shall be."

Same section, line 9, after the word "be" strike out the word "for."

Same section, line 11, strike out the word "is" and insert the words "shall be."

Section 3, line 1, of the printed bill, after the word "under" and before the word "any" insert the words "the laws of."

Section 3, line 1, of the printed bill, after the word "state" insert a comma.

Section 3, line 3, of the printed bill, strike out the word "is" and insert the words "shall be."

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report:

WARREN W. TOLMAN.

J. R. WELTY.

JOHN T. WELSH.

WILL G. GRAVES.

WM. HICKMAN MOORE.

E. B. PALMER.

The report was adopted.

OLYMPIA, WASH., January 27, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 49, entitled "An act to amend section 6 of an act entitled 'An act in relation to attachments and garnishments,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Section 1, line 19, of the printed bill, after the word "when" insert the words "it is desired to attach real estate only, and such fact is stated in the affidavit for attachment and."

Section 1, line 28, in the printed bill, after the word "him" insert the word "and."

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report:

WARREN W. TOLMAN.

J. R. WELTY.

JOHN T. WELSH.

WILL G. GRAVES.

WM. HICKMAN MOORE.

E. B. PALMER.

The report was adopted.

OLYMPIA, WASH., January 27, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 12, entitled "An act to amend sections 1 and 2 of an act entitled

“An act in relation to conditional sales and leases of personal property,” approved March 10, 1893,” have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report:

WARREN W. TOLMAN.

J. R. WELTY.

JOHN T. WELSH.

WILL G. GRAVES.

WM. HICKMAN MOORE.

E. B. PALMER.

The report was adopted.

OLYMPIA, WASH., January 28, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 27, entitled “An act to amend section 66 of an act entitled ‘An act relative to crimes and punishments and proceedings in criminal cases,’ approved December 1st, 1881, and defining robbery and fixing the punishment therefor,” have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report:

WARREN W. TOLMAN.

J. R. WELTY.

JOHN T. WELSH.

WILL G. GRAVES.

E. B. PALMER.

The report was adopted.

REPORT OF SPECIAL COMMITTEE.

The Committee on Lewis and Clark Exposition, appointed by the Governor pursuant to concurrent resolution of the last Legislature, presented a written report; and, on motion of Senator Tolman, it was ordered that 500 copies be printed and the report referred to the Committee on Appropriations.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 28, 1903.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 8, concerning Carnation Day.

Also House concurrent resolution No. 4, providing for the printing of the rules of the Legislature.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

Senate bill No. 84, by Senator Tucker: An act appropriating money for the maintenance of the state geological survey of the State of Washington.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 85, by Senator Moore: An act for the relief of the Puget Sound Sawmill & Shingle Company for money paid on a contract for the sale of tide lands, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Moore, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 86, by Senator Moore: An act relating to electric railroads and railways, and corporations incorporated for the construction, maintenance or operation thereof, repealing acts and parts of acts in conflict herewith, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Moore, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 87, by Senator Moore: An act for the relief of Frank T. Reid for money expended while superior judge of the State of Washington for the Counties of Kitsap and Snohomish, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Moore, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 88, by Senator Angle: An act to amend an act entitled: An act to regulate and license insurance in this state, to repeal all existing laws in relation thereto, and declaring an emergency, approved March 19, 1895, and to amend section 31 thereof as amended by an act entitled "An act to regulate and control insurance companies, corporations and associations in this state," and to amend sections 4 and 31 of an act entitled "An act to regulate and license insurance in this state," to repeal existing laws in relation thereto, and declaring an emergency, approved March 19, 1895.

The bill was read the first time; and, on motion of Senator Angle, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 89, by Senator Kinnear: An act to provide for marking and labeling all barrels, cans, vessels or packages containing petroleum oils offered or exposed for sale within this state, and providing a penalty for the violation thereof.

The bill was read the first time; and, on motion of Senator Kinnear, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Mines and Mining.

Senate bill No. 90, by Senator Cornwell: An act to promote the fruit growing and horticultural interests of the State of Washington, to provide for the appointment of a commissioner of Horticulture, to repeal certain laws in conflict therewith, and to provide penalties and punishment for its violation.

The bill was read the first time; and, on motion of Senator Cornwell, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Horticulture and Forestry.

Senate bill No. 91, by Senator Hamilton, by request: An act relating to the payment of state's expenses connected with the case of the Goss Construction Company against the State of Washington, now pending, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Substitute Senate bill No. 58, by the Judiciary Committee, entitled: An act to amend section 12 of an act entitled "An act to define the duties and provide for assistance for, and to fix the compensation for the Secretary of State," received by the Governor March 28, 1890, the same being section 126 of Ballinger's Annotated Codes and Statutes of Washington.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, ordered printed, and placed on general file.

GENERAL FILE.

House bill No. 12, by Mr. Carle of King: An act amending sections 4585 and 4586 of Ballinger's Annotated Codes and Statutes of Washington.

The bill was read the third time; and, on motion of Senator Moore, section 1, line 6, engrossed bill was amended by striking the words "so as." Also, same section, line 12, engrossed bill, strike the word "incumbrances" and insert in lieu thereof the word "incumbrancers." There being no further amendments, it was placed on its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hallett, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—37.

Absent or not voting were: Senators Hailey, Hamilton, Kinneer, Sumner and Van de Vanter—5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 27, by Mr. Lewis of King, "An act amending section 7103 of Ballinger's Annotated Codes and Statutes of Washington, defining robbery," etc., was read the third time, and passed by the following vote.

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey,

Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—40.

Those absent or not voting were: Senators Kinnear and Sumner.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Crow, the rules were suspended, and these bills were ordered transmitted to the house immediately.

Senate bill No. 46, by Senator Crow of Spokane, "An act providing for the payment of certain jury fees by litigants," was placed on its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Kinnear, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welty, Wilson—31.

Those voting nay were: Senators Baker, Cornwell, Davis, Graves, Hurley, Moore, Sharp, Warburton, Welsh, Mr. President—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Baker, the Senate adjourned at 12 o'clock to meet with the House in joint session.

JOINT SESSION.

At 12 o'clock, noon, the joint session was called to order by the President of the Senate. The Senate roll was called, all members being present. The House roll was called, all members being present except Mr. Gleason.

The journal of the joint session of yesterday was read and approved.

The joint roll was called on the eleventh joint ballot for United States Senator, and resulted as follows:

ELEVENTH JOINT BALLOT.

Levi Ankeny received fifty-six votes.

Harold Preston received forty-four votes.

John L. Wilson received six votes.

George Turner received twenty-two votes.

John B. Allen received six votes.

Those voting for Levi Ankeny were: Allis, Baker, Bassett, Baumeister, Brewer, Clapp, Coate, Corliss, Cornwell, Craigie, Crandall, Davis, Delanty, Denton, Durham, Eidemiller, Fletcher, Griffin, Hailey, Hamilton, Hastings, Haynes, Hopp, Hunter, Hurley, H. Johnston, Kees, King, Knoblock, LeCrone, Lingerman, McNicol, Megler, O'Donnell, James Palmer, Rands, Roberts, Ruth, S. T. Smith, Stansell, Stark, Stevenson, Stewart, Sumner, Thacker, Thompson, Veness, Wells, Welsh, Welty, White, Whitney, G. B. Wilson, J. B. Wilson, York and Mr. Speaker—56.

Those voting for Harold Preston were: Angle, Benn, Brown, Butler, Carle, Clark, Cole, Collins, Comstock, Dilling, Emery, Field, Frostad, Gunderson, Hammer, Hemrich, Henry, Howard, Jeffries, Jones, Kinnear, Levy, Lewis, Lyons, McKenney, Moldstad, Moore, Moultray, Morrill, E. B. Palmer, Parcel, Peaslee, Pogue, Potts, Raine, Sharp, Tibbetts, Tucker, Van de Vanter, Warburton, Weir, Williams, R. B. Wilson, and the President of the Senate—44.

Those voting for John L. Wilson were: Crow, Ferguson, Lindley, Merrill, Morgan, Roth—6.

Those voting for George Turner were: Cameron, Child, Cooney, Earles, Fitzgerald, Garber, Graves, Gray, Hallett, Howell, J. T. Johnson, Maloney, McCoy, Mackenzie, Muse, Quinn, Rasher, Reise, Reser, Splawn, Tolman, and Zenkner—22.

Those voting for John B. Allen were: Dickson, Dix, Dunn, Philbrick, Ranck, and Witter—6.

Mr. Easterday paired with Mr. Gleason.

No candidate having received a majority of all votes cast, the president declared there was no election.

TWELFTH JOINT BALLOT.

Levi Ankeny received fifty-six votes.

Harold Preston received forty-four votes.

John L. Wilson received six votes.

George Turner received twenty-two votes.

John B. Allen received six votes.

Those voting for Levi Ankeny were: Allis, Baker, Bassett, Baumeister, Brewer, Clapp, Coate, Corliss, Cornwell, Craigie,

Crandall, Davis, Delanty, Denton, Durham, Eidemiller, Fletcher, Griffin, Hailey, Hamilton, Hastings, Haynes, Hopp, Hunter, Hurley, H. Johnston, Kees, King, Knoblock, LeCrone, Lingerman, McNicol, Megler, O'Donnell, James Palmer, Rands, Roberts, Ruth, S. T. Smith, Stansell, Stark, Stevenson, Stewart, Sumner, Thacker, Thompson, Veness, Wells, Welsh, Welty, White, Whitney, G. B. Wilson, J. B. Wilson, York and Mr. Speaker—56.

Those voting for Harold Preston were: Angle, Benn, Brown, Butler, Carle, Clark, Cole, Collins, Comstock, Dilling, Emery, Field, Frostad, Gunderson, Hammer, Hemrich, Henry, Howard, Jeffries, Jones, Kinnear, Levy, Lewis, Lyons, McKenney, Moldstad, Moore, Moultray, Morrill, E. B. Palmer, Parcel, Peaslee, Pogue, Potts, Raine, Sharp, Tibbetts, Tucker, Van de Vanter, Warburton, Weir, Williams, R. B. Wilson, and the President of the Senate—44.

Those voting for John L. Wilson were: Crow, Ferguson, Lindsley, Merrill, Morgan, Roth—6.

Those voting for George Turner were: Cameron, Child, Cooney, Earles, Fitzgerald, Garber, Graves, Gray, Hallett, Howell, J. T. Johnson, Maloney, McCoy, Mackenzie, Muse, Quinn, Rasher, Reise, Reser, Splawn, Tolman, and Zenkner—22.

Those voting for John B. Allen were: Dickson, Dix, Dunn, Philbrick, Ranck, and Witter—6.

Mr. Easterday paired with Mr. Gleason.

No candidate having received a majority of all votes cast, the president declared there was no election.

On motion of Senator Baker, at 12:20 o'clock the joint house dissolved.

The Senate reconvened at 12:25.

House concurrent resolution No. 8, by Mr. Ranck of Clark, was read. Senator Tolman moved to adopt by a rising vote.

Senator Graves moved to amend that the resolution be laid on the table.

The amendment was lost, and the resolution was adopted by a rising vote.

On motion of Senator Sharp, the Senate at 12:25 p. m. adjourned until Thursday, January 29, 1903, at 11 o'clock.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

EIGHTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, January 29, 1903. }
11 o'clock a. m. }

President Smith called the Senate to order at 11 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present.

Rev. Mr. Badger offered prayer.

On motion, the reading of yesterday's journal was dispensed with, and it was ordered approved.

The following resolution was offered by Senator Hamilton and adopted:

Resolved, that a committee of five (5) members of the Senate be appointed by the President to attend the funeral of the late Hon. J. B. Allen to meet and attend with a like committee to be appointed by the House.

The President appointed Senators Hamilton, Tolman, Cornwell, Potts and Moultray as a committee to attend the funeral of the late Hon. John B. Allen.

Senate concurrent resolution No. 7 was introduced by Senator Palmer and adopted.

OLYMPIA, WASH., January 29, 1903.

Be it Resolved, by the Senate, the House concurring, That out of respect to the memory of the late John B. Allen, that when the legislature adjourns this day it be until Monday, February 2nd, 1903, at two o'clock, p. m.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., January 28, 1903.

MR. PRESIDENT:

We, your committee on Judiciary, to whom was referred Senate Bill No. 55, entitled "An act for the protection of occupants of land who have in good faith made improvements thereon," have had the same

under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report:

WARREN W. TOLMAN.

J. R. WELTY.

JOHN T. WELSH.

WILL G. GRAVES.

E. B. PALMER.

H. E. MCKENNEY,

WM. HICKMAN MOORE.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate Bill No. 38 entitled "An act providing for the submission of ordinances and questions concerning municipal affairs in cities of the first-class to the people thereof," have had the same under consideration, and we respectfully report that we have prepared a substitute for the same which is herewith transmitted, and recommend that such substitute do pass.

WARREN W. TOLMAN, Chairman,

We concur in this report:

WILL G. GRAVES,

C. F. CLAPP,

WM. HICKMAN MOORE,

R. M. KINNEAR,

T. B. SUMNER,

W. G. POTTS,

W. R. MOULTRAY,

J. R. O'DONNELL.

MR. PRESIDENT:

We, your Committee on Horticulture and Forestry, to whom was referred House Joint Resolution No. 6, relating to the appointment of a committee, consisting of five (5) members from the House and three (3) members from the Senate, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JNO. EARLES,

G. B. WILSON,

J. P. SHARP,

H. E. MCKENNEY,

GRANT C. ANGLE.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 28, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 16, entitled "An act to amend Section 1 of and adding section 2½ and Section 4½ to an act entitled, 'An act providing for the creation of the office of State Veterinary Surgeon and defining his duties,' " etc., have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman,

We concur in this report:

C. L. STEWART,
STANLEY HALLETT.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 56, entitled "An act relating to the defense of the statute of limitations in actions brought by or for the benefit of the State or any of its municipalities," etc., have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman,

We concur in this report:

C. L. STEWART,
STANLEY HALLETT.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 53, entitled "An act to amend Section 30 of an act entitled, 'An act relating to appeals to the Supreme Court,' etc.," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman,

We concur in this report:

C. L. STEWART,
STANLEY HALLETT.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., January 27, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate Memorial No. 1, in regard to the ruthless and unwarranted method of

including within forest reserves, valuable agricultural lands, have compared same with the engrossed copy and find it correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report:

C. L. STEWART.

The President signed Senate memorial No. 1.

On motion of Senator Crow, who introduced a communication from the Spokane Chamber of Commerce relative to representation at the St. Louis Exposition, the communication was referred to the Committee on Appropriations.

INTRODUCTION OF BILLS.

Substitute Senate bill No. 38, by Committee on Municipal Corporations: An act providing for the submission of ordinances and questions concerning municipal affairs in incorporated cities to the people thereof.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, ordered printed, and placed on general file.

Senate bill No. 92, by Senator Tucker: An act to amend section 4 of an act providing for the leasing of county property, and entitled "An act for the leasing of county property and declaring an emergency," as approved by the Governor on the 16th of March, 1901, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Education.

Senate bill No. 93, by Senator Hemrich: An act to provide for the arbitration and settlement of differences between employers and employes.

The bill was read the first time; and, on motion of Senator Hemrich, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Manufactures.

Senate bill No. 94, by Senator Palmer: An act to amend section 901 of the Code of 1881, defining the offense of barratry and providing penalties therefor.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 95, By Senator Welsh: An act to create a State Oyster Land Reserve, to define its duties and powers, to provide for the protection and management of the State Oyster Land Reserve, to create a fund to be known as the Oyster Land Reserve Fund, providing for the issuing of license to take oysters from the State Oyster Land Reserve, providing for a penalty for violation of the provisions of this act, providing for appeal from said commission, making an appropriation and declaring an emergency.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Fisheries.

On motion of Senator Hamilton, the rules were suspended and 400 copies of Senate bill No. 95 ordered printed.

Senate bill No. 96, by Senator Ruth: An act to amend section 1 of an act entitled "An act granting rights of way to railroad companies over the lands of the State of Washington, and providing for the appraisal and disposition of the lands included within and used for such rights of way, and declaring an emergency," approved March 18, 1901.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Railroads and Transportation.

GENERAL FILE.

Senate bill No. 53, by Senator Potts of King, entitled "An act to amend section 30 of an act relating to appeals to the Supreme Court, etc.," was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators' Angle, Baker, Clapp, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp,

Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—37.

Those absent or not voting were: Senators Baumeister, Cornwell, Hammer, Van de Vanter and Warburton—5.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 56, by Senator Graves, entitled "An act relating to the defense of the statutes of limitations," etc., was placed on its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—39.

Those absent or not voting were: Senators Hammer, Van de Vanter and Warburton—3.

The emergency clause was passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—39.

Those absent or not voting were: Senators Sumner, Van de Vanter and Warburton—3.

There being no objections, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 16, by Senator Sharp, entitled "An act to amend section 1 of and adding section 2½ and section 4½ to an act entitled 'An act providing for the creation of the office of State Veterinary Surgeon,'" etc., was placed on its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—39.

Those absent or not voting were: Senators Sumner, Van de Vanter and Warburton—3.

Senate memorial No. 2, by Senator Garber, relative to a bill introduced in Congress by Representative W. L. Jones, providing for the opening of the south half of the Colville Indian Reservation, etc., was placed on its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—40.

Those absent or not voting were: Senators Van de Vanter and Warburton—2.

On motion of Senator Van de Vanter, at 12 o'clock the Senate adjourned to meet the House in joint session.

JOINT SESSION.

At 12 o'clock noon the joint session was called to order by the President of the Senate. The Senate roll was called, all members being present. The House roll was called, all members being present except Mr. Butler and Mr. Parcel.

The journal of the joint session of yesterday was read and approved.

The joint roll was called on the thirteenth joint ballot for United States Senator, and resulted as follows:

THIRTEENTH JOINT BALLOT.

Levi Ankeny received ninety-nine votes.

Harold Preston received nine votes.

John L. Wilson received two votes.

George Turner received twenty-three votes.

W. L. Jones received one vote.

Those voting for Levi Ankeny were: Allis, Angle, Baker, Bassett, Baumeister, Benn, Brewer, Brown, Carle, Clapp, Clark, Coate, Collins, Comstock, Corliss, Cornwell, Craigie, Crandall,

Crow, Davis, Delanty, Denton, Dickson, Dix, Dunn, Durham, Easterday, Eidemiller, Emery, Ferguson, Field, Fletcher, Gleason, Griffin, Hailey, Hamilton, Hammer, Hastings, Haynes, Hemrich, Hopp, Hunter, Hurley, Jeffries, H. Johnston, Kees, King, Kinnear, Knoblock, LeCrone, Levy, Lingerman, Lyons, McKenney, McNicol, Megler, Merrill, Moultray, Morgan, Morrill, O'Donnell, E. B. Palmer, James Jalmer, Peaslee, Philbrick, Pogue, Potts, Ranck, Rands, Roberts, Roth, Ruth, Sharp, S. T. Smith, Stansell, Stark, Stevenson, Stewart, Sumner, Thacker, Thompson, Tucker, Van de Vanter, Veness, Warburton, Weir, Wells, Welsh, Welty, White, Whitney, Williams, G. B. Wilson, J. B. Wilson, R. B. Wilson, Witter, York, Mr. Speaker, and Mr. President of the Senate—99.

Those voting for Harold Preston were: Cole, Dilling, Frostad, Gunderson, Jones, Lewis, Moldstad, Raine, and Tibbitts—9.

Those voting for John L. Wilson were: Henry and Lindsey—2.

Those voting for George Turner were: Cameron, Child, Cooney, Earles, Fitzgerald, Garber, Graves, Gray, Hallett, Howell, J. T. Johnson, Maloney, McCoy, Mackenzie, Moore, Muse, Quinn, Rasher, Reise, Reser, Splawn, Tolman, and Zenkner—23.

Mr. Howard voted for Wesley L. Jones.

Absent or not voting: Mr. Butler and Mr. Parcel.

Levi Ankeny having received the majority necessary to election was declared by the president to be duly elected United States Senator from the State of Washington.

Mr. Johnston moved to appoint a committee of three to escort Senator-elect Ankeny and Messrs. Preston and Wilson to the speaker's desk. The motion was adopted and the chair appointed Mr. Johnston and Senators Baumeister and Crow as the committee.

The committee reported and the chair introduced the newly elected Senator, the Hon. Levi Ankeny; Hon. Harold Preston, and Hon. John L. Wilson, who addressed the joint session.

On motion of Senator Davis, at 1:20 o'clock the joint session dissolved.

The Senate reconvened at 1:30 o'clock.

SALEM, OREGON, January 29, 1903.

TO THE CHIEF CLERK OF THE SENATE OF THE STATE OF WASHINGTON:

The Committee to act with like Committee from Washington legislature to investigate the fishing industries of the Columbia River have decided to go to Olympia or elsewhere on the Sound to meet your Committee. Our Committee would prefer to meet on any Saturday. How is it? ANSWER.

S. L. MOOREHEAD, Chief Clerk of Oregon Senate.

The telegram was referred to the Committee on Fisheries.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., January 29, 1903.

MR. PRESIDENT:

The House has passed S. C. R. No. 7, entitled "An act providing for an adjournment of the legislature out of respect to the memory of the late John B. Allen, and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

Pursuant to Senate concurrent resolution No. 7, the Senate adjourned at 1:45 o'clock p. m. until Monday, February 2, 1903, at 2 o'clock p. m.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

TWENTY-SECOND DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, February 2, 1903. }
2 o'clock p. m. }

President Smith called the Senate to order at the hour of 2 o'clock p. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Hammer, Moultray, Smith, S. T., Sumner, and Senators Garber, Graves and Rasher excused.

Rev. A. G. Sawin offered prayer.

On motion, the reading of Thursday's journal was dispensed with.

On motion of Senator Hamilton, all that part of the journal of Thursday's joint session containing the explanation of votes of members was ordered expunged from the record.

The journal was approved with this correction.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate Bill No. 13, entitled "An act making appropriation for State Grain Inspector's office; also S. B. No. 30, making deficiency appropriation for Agricultural College, have compared same with the Engrossed Bill and find it correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report:

O. A. TUCKER,
H. E. MCKENNEY,
A. S. RUTH.

REPORT OF SELECT COMMITTEE.

MR. PRESIDENT:

We, your Committee appointed to attend the funeral of the late Hon. John B. Allen, beg to report that same has been done and we herewith hand account for expenses in connection therewith.

One floral wreath	\$25.00
One hack	5.00
Mileage for Senator Cornwell.....	14.70
Mileage for Senator Tolman.....	14.70
	<hr/>
	\$59.40

ED. S. HAMILTON,
W. R. MOULTRAY,
WARREN W. TOLMAN,
W. G. POTTS,
O. T. CORNWELL.

Committee.

INTRODUCTION OF BILLS.

Senate bill No. 97, by Senator Crow: An act to amend section 1, and to repeal section 2, of an act relating to the taking and entry of judgments, approved February 25, 1891, the same being sections 5115 and 5116, respectively, of Ballinger's Annotated

Codes and Statutes of Washington, and being sections 762 and 763, respectively, of Pierce's Code.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 98, by Senator Crow: An act authorizing the making of unknown heirs of deceased persons, and unknown persons, parties defendant in actions pertaining to real estate, and providing for service on such unknown defendants.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 99, by Senator Crow: An act to amend an act entitled "An act in relation to garnishments," approved March 8, 1893.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 100, by Senator Welsh: An act relating to the removal from state lands of timber purchased from the state prior to the 13th day of June, 1901.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on State Granted, School and Tide Lands.

Senate bill No. 101, by Senator Welsh: An act relating to deeds of the state to tide lands sold for the purpose of oyster cultivation, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Fisheries.

Senate bill No. 102, by Senator Hurley: An act making an appropriation of \$70.50 for the relief of Victor E. Palmer.

The bill was read the first time; and, on motion of Senator Hurley, the rules were suspended, the bill was read the second time

by title, ordered printed, and referred to the Committee on Claims and Auditing.

Senate bill No. 103, by Senator Tucker: An act to amend section 117 of Ballinger's Annotated Codes and Statutes of Washington, relating to the distribution of Session Laws of the Legislature of Washington.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Educational Institutions.

Senate bill No. 104, by Senator Tucker: An act to amend section 231 of Ballinger's Annotated Codes and Statutes of Washington, relating to the distribution of the volumes of the decisions of the Supreme Court of the State of Washington.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Educational Institutions.

Senate bill No. 105, by Senator Wilson: An act making an appropriation for the improvement of the Agricultural College and School of Science.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 106, by Senator Tolman (by request): An act to prevent the marring and defacing of natural scenery, and providing a penalty for the violation thereof.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Agriculture.

Senate memorial No. 4, by Senator Stewart: Relating to the election of United States Senators by direct vote of the people.

The memorial was read the first time; and, on motion of Senator Stewart, the rules were suspended, the memorial was read the second time by title, ordered printed, and referred to the Committee on Memorials.

Senate memorial No. 5, by Senator Warburton: Relating to

the enlargement of the powers of the Interstate Commerce Commission.

The memorial was read the first time; and, on motion of Senator Warburton, the rules were suspended, the memorial was read the second time by title, ordered printed, and referred to the Committee on Memorials.

GENERAL FILE.

Senate bill No. 59, by Senator Crow, "An act providing the form and contents of acknowledgements of corporations," etc., was read the third time.

On motion of Senator Crow, Sec. 1, line 7, of the amendment as reported by the committee was further amended by inserting the words "or agent" after the word "officer," and Sec. 1, lines 9 and 10, were amended by striking out the words "by order of the board of trustees."

The bill was referred to the Engrossing Committee.

Senate bill No. 54, by Senator Potts, "An act prescribing punishment for all persons previously convicted in the courts," etc., was read the third time and referred to the Engrossing Committee.

Senate bill No. 49, by Senator Moore, "An act to amend section 6 of an act entitled 'An act in relation to attachments and garnishments,'" etc., was read the third time.

On motion of Senator Tolman the bill was amended by striking out all figures in parenthesis.

The bill was referred to the Engrossing Committee.

Substitute Senate bill No. 58, by the Judiciary Committee, "An act to amend section 12 of an act entitled 'An act to define the duties and provide for assistance for and fix the compensation of the Secretary of State,'" etc.

On motion of Senator Ruth, the bill was referred to the Committee on Appropriations.

Substitute Senate bill No. 38, by the Committee on Municipal Corporations, "An act providing for the submission of ordinances and questions concerning municipal affairs," etc., was read the third time.

Senator Hemrich moved to amend Sec. 1, line 2, by striking

out the word "ten" and inserting in lieu thereof the word "twenty-five."

The amendment was lost.

Senator Hemrich then moved to amend section 1, line 3, by striking out the word "ten" and inserting in lieu thereof the word "twenty."

The amendment was lost.

Senator Tolman moved to amend section 1, line 3, by striking out the word "ten" and inserting the word "fifteen" in lieu thereof.

The motion carried.

On motion of Senator Angle, section 1, lines 3, 4 and 5, were amended by inserting the words "or town" after the word "city."

On motion of Senator Tolman, section 2, line 3, and section 3, lines 3, 7 and 8, were amended by inserting the words "or town" after the word "city."

On motion of Senator Angle, section 3, line 8, was amended by striking out the word "city" before the word "officer."

On motion of Senator Hemrich, the bill was made a special order for Wednesday, February 4, at 2 o'clock p. m.

The president signed Senate bills Nos. 13 and 30.

On motion of Senator Palmer, at 3 o'clock p. m. the Senate adjourned until tomorrow, Tuesday, February 3, 1903, at 10 o'clock a. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

TWENTY-THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, February 3, 1903. }
10 o'clock a. m.

Senator Sumner, president *pro tem*, called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except

Senator Cornwell, and Senators Graves, Rasher, Van de Vanter and Mr. President, excused.

Rev. A. G. Sawin offered prayer.

On motion, the reading of yesterday's journal was dispensed with and the journal was approved.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 74, entitled "An act relating to the Superior Court of Thurston and Mason Counties, providing for the election of judges therein, and declaring an emergency," have had the same under consideration, and we respectfully report herewith a Substitute Judiciary Bill and recommend that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman,

We concur in this report:

JOHN T. WELSH,
E. B. PALMER,
S. WARBURTON,
WM. HICKMAN MOORE,
WARREN W. TOLMAN,
J. R. WELTY.

OLYMPIA, WASH., January 29, 1903.

To the Honorable President and Members of the Senate:

GENTLEMEN—Owing to business of a personal nature, it becomes necessary for me to tender my resignation as Postmaster of the Senate, to take effect from and after February 2, 1903, and pray that the same may be accepted. Thanking you for the honor conferred upon me, I am,

Yours respectfully,

JOHN MCKEE.

On motion, the resignation of John McKee as postmaster was accepted.

On motion of Senator Warburton, the sergeant-at-arms was instructed to lease a typewriter for the use of the Senate stenographer.

Senator Smith, S. T., nominated F. M. Miller of Everett for postmaster of the Senate, who was elected by the following vote:

Those voting for Mr. Miller were: Senators Angle, Baker, Baumeister, Clapp, Crow, Earles, Garber, Hailey, Hammer, Kinneer, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer,

Potts, Rands, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson—31.

Those absent or not voting were: Senators Cornwell, Davis, Graves, Hallett, Hamilton, Hemrich, Hurley, Rasher, Stansell, Van de Vanter, and Smith, J. J.—11.

F. M. Miller was sworn in as postmaster of the Senate by President *Pro Tem* Sumner.

INTRODUCTION OF BILLS.

Substitute Senate bill No. 74, by the Judiciary Committee: An act in relation to the Superior Courts of Thurston and Mason counties.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, ordered printed, and placed on general file.

Senate bill No. 107, by Senator Smith: An act to regulate and restrict the use of public highways and bridges within the State of Washington.

The bill was read the first time; and, on motion of Senator Smith, S. T., the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Senate bill No. 108, by Senator Sharp: An act to create and establish a standard size of certain fruit boxes for the State of Washington.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Agriculture.

Senate bill No. 109, by Senator Kinnear: An act amending section 709 of Ballinger's Codes and Statutes of Washington, relating to the consolidation of two or more contiguous municipal corporations.

The bill was read the first time; and, on motion of Senator Kinnear, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 110, by Senator Palmer: An act to provide for

the discharge of judgments against persons discharged in bankruptcy.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 111, by Senator Moore: An act providing for the regulation and conduct of bakeshops and bakeries, and prescribing the punishment for the violation thereof.

The bill was read the first time; and, on motion of Senator Moore, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Medicine, Dentistry and Hygiene.

GENERAL FILE.

Senate bill No. 40, by Senator Tolman, "An act for the protection of birds and their nests and eggs, and to define and punish as misdemeanors thereof," etc., was placed on its final passage, and failed of passage by the following vote:

Those voting yea were: Senators Angle, Clapp, Crow, Davis, Earles, Garber, Hammer, Hurley, LeCrone, Potts, Sharp, Smith, S. T., Splawn, Stansell, Sumner, Warburton, Welsh, Wilson—19.

Those voting nay were: Senators Baker, Baumeister, Hamilton, Kinnear, Moultray, O'Donnell, Palmer, Rands, Ruth, Stewart, Tolman, Welty—12.

Absent or not voting were: Senators Cornwell, Graves, Hailey, Hallett, Hemrick, McKenney, Moore, Rasher, Tucker, Van de Vanter, Mr. President—11.

Senator Tolman gave notice that at the proper time he would move for a reconsideration of the vote by which Senate bill No. 40 failed to pass.

On motion of Senator Palmer, at 11:25 a. m. the Senate adjourned until tomorrow, Wednesday, February 4, 1903, at 11 o'clock a. m.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

TWENTY-FOURTH DAY.**MORNING SESSION.**

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, February 4, 1903. }
11 o'clock a. m. }

President Smith called the Senate to order at 11 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Earles, and Senators Graves and Tucker, excused.

Rev. George Campbell offered prayer.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

Senator Tolman moved that the order making substitute Senate bill No. 38 a special order for today at 2 o'clock p. m. be vacated and the bill be referred to the Committee on Municipal Corporations.

The motion prevailed.

On motion of Senator Garber, the names of Senators Moore and Sharp were added to the Committee on Irrigation and Arid Lands.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 4, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 49, entitled "An act to amend Section 6 of an act entitled, 'An act in relation to attachments and garnishments,' " etc., have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report:

STANLEY HALLETT,

E. HAMMER.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 54, entitled "An act prescribing punishment for all persons who, having been previously convicted in the courts of this State, or in the courts of any other state, or territory, or country, of certain offenses, shall thereafter be convicted in the courts of this state, of offenses perpetrated in this state, and providing the procedure in such

cases," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report:

STANLEY HALLETT,
E. HAMMER.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 59, entitled "An act providing the form and contents of acknowledgements of corporations to instruments executed and acknowledged by corporations," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report:

STANLEY HALLETT,
E. HAMMER.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1903.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate Bill No. 83, entitled "An act to encourage County Agricultural Associations and Fairs and to provide funds therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Sec. 3, line 5, of printed bill, after the word "least" strike out the word "three" and insert the word "two."

Respectfully submitted,

J. P. SHARP, Chairman.

We concur in this report:

G. GARBER,
M. E. STANSELL,
O. T. CORNWELL,
E. HAMMER,
A. J. SPLAWN,
A. T. VAN DE VANTER.

OLYMPIA, WASH., February 4, 1903.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate Bill No. 80, entitled "An act to amend an act entitled 'An act to establish a State Fair for the State of Washington, making an appropriation therefor, and declaring an emergency,' approved March 15, 1893,"

have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Section 2, line 15 of printed bill, after the word "of" and before the words "per annum," strike out the figures "\$1500.00" and insert in lieu thereof the figures "\$1200.00."

Section 4 of printed bill, strike out all of said section, and insert in lieu thereof the following: "An emergency exists and this act shall take effect immediately."

Respectfully submitted,

J. P. SHARP, Chairman.

We concur in this report:

G. GARBER,
M. E. STANSELL,
O. T. CORNWELL,
E. HAMMER,
A. J. SPLAWN,
A. T. VAN DE VANTER.

The report was adopted.

OLYMPIA, WASH., February 4, 1903.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate Bill No. 72, entitled "An act providing for the protection of employes in factories, mills or workshops where machinery is used," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments: In section 1, line 5 of the printed bill, after the word "guarded" and before the word "planers," insert the word "advantageously." In line 7 of the same section after the word "provided," insert the words, "in the discretion of the Commissioner of Labor." In section 2, line 5, the words "said hatchways, elevators or hoisting apparatus," be stricken out and insert in lieu thereof, the word "same." In section 3, line 3, after the word "ventilation" insert period and strike out the balance of the line. In section 5, line 2, after the word "labor" insert "printed." Section 5, line 2, after the word "each" strike out the word "workroom" and insert the word "department." Section 5, line 2, after the word "mill" insert the word "or." Section 5, line 4, after the word "with" insert the word "sufficient."

Respectfully submitted,

S. WARBURTON, Chairman.

We concur in this report:

WARREN W. TOLMAN,
HERMAN D. CROW,
J. R. O'DONNELL,
WM. HICKMAN MOORE.

OLYMPIA, WASH., February 3, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 65, entitled "An act fixing the salary and compensation of county assessors in the several counties of the State of Washington," have had the same under consideration, and we respectfully report herewith a Substitute Judiciary Bill and recommend that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman,

We concur in this report:

E. B. PALMER,
H. E. MCKENNEY,
WARREN W. TOLMAN,
E. M. RANDS,
WM. HICKMAN MOORE.
J. R. WELTY.

The report was adopted.

OLYMPIA, WASH., February 3, 1903.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 73, entitled "An act relating to the public schools of the State of Washington, and to prescribe penalties," etc., and also declaring an emergency, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Section 5, line 4, strike out the word "annual" and insert the word "current."

Strike Section 20, and insert in lieu thereof: "An emergency exists and this act shall take effect immediately."

Respectfully submitted,

S. M. LeCRONE, Chairman.

We concur in this report:

WARREN W. TOLMAN,
A. S. RUTH,
GRANT C. ANGLE,
G. B. WILSON.

The report was adopted.

OLYMPIA, WASH., February 3, 1903.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 32, entitled "An act to amend Section 73 of an act entitled 'An act to establish a general uniform system of public schools in the State of Washington,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Section 1, line 3, strike the word "cities" and insert "city's."

Section 1, line 4, add word "of" after the word "one" at end of line.

Section 1, line 5, add letter "s" to the word "teacher."

Section 1, line 7, add the word "thereof" after the word "directors."

Section 1, line 9, add the letter "a" before the word "manual" at the beginning of sentence.

Section 2, strike out.

Respectfully submitted,

S. M. LeCRONE, Chairman.

We concur in this report:

WARREN W. TOLMAN,

GRANT C. ANGLE,

G. B. WILSON.

The report was adopted.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., February 4, 1903.

MR. PRESIDENT:

The Speaker of the House has signed H. B. No. 27 and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 9.

Also H. B. No. 100, relating to the practice in Justice courts, etc.

Also H. B. No. 113 appropriating money for the payment of certain judgments against the State of Washington.

Also H. B. No. 66 to punish unlawful or malicious injury to or destruction of personal property, etc.

Also H. B. No. 53, amending the act providing for the assessment and collection of taxes, etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The House has passed S. B. No. 36, entitled "An act to amend Section 6 of an act entitled 'An act in relation to prosecuting attorneys,' etc., with amendments.

Also House Bill No. 92, entitled "An act defining larceny of fixtures attached to real estate," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The Speaker of the House has signed Senate Bill No. 13 making an appropriation for Grain Inspection.

Also Senate Bill No. 30, an act making a deficiency appropriation for the State Agricultural College.

Also Senate Memorial No. 1, asking that certain lands be withheld from the Forest Reserve.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

Substitute Senate bill No. 65, by the Judiciary Committee: An act fixing the salary and compensation of county assessors.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, 500 copies ordered printed, and placed on general file.

Senate bill No. 112, by Senator Tolman: An act for the relief of the Washington State Sugar Company.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on appropriations.

Senate bill No. 113, by Senator Rands: An act amending section 7262 of Ballinger's Annotated Codes and Statutes of Washington, relating to the recovery of money lost at gaming.

The bill was read the first time; and, on motion of Senator Rands, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 114, by Senator Rands: An act to amend section 6259 of Ballinger's Annotated Codes and Statutes of Washington, relating to "service of order to show cause."

The bill was read the first time; and, on motion of Senator Rands, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 115, by Senator Rands: An act to amend sections 6226, 6228 and 6246, and sections 6321, 6337 and 6340, and section 6110 of Ballinger's Annotated Codes and Statutes of Washington, relating to probate law and procedure.

The bill was read the first time; and, on motion of Senator Rands, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 116, by Senator Rands: An act to amend section 6196 of Ballinger's Annotated Codes and Statutes of Washington, relating to settlement of estates without administration.

The bill was read the first time; and, on motion of Senator Rands, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 117, by Senator Clapp: An act providing for the rate of interest to be paid on bonds of Jefferson county and owned by the State of Washington, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Clapp, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 118, by Senator Hurley (by request): An act fixing telephone rates and charges for the use of telephones; providing penalties for violation, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Hurley, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Corporations other than Municipal.

Senate bill No. 119, by Senator Ruth: An act to amend sections 183 and 198 of chapter 118 of the Session Laws of 1897, the same being sections 2471 and 2520 of Ballinger's Annotated Codes and Statutes of Washington.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Education.

Senate bill No. 120, by Senator Hamilton: An act to exempt certain property of schools and colleges from taxation, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Revenue and Taxation.

Senate bill No. 121, by Senator Hallett: An act to amend sections 2933 and 2934 of Ballinger's Annotated Codes and Statutes

of Washington, relating to the regulation, restraining, licensing or prohibition of the sale or disposal of intoxicating liquors.

The bill was read the first time; and, on motion of Senator Hallett, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Public Morals.

Senate bill No. 122, by Senator Palmer: An act providing for the assessment and building of parking strips by cities of the first class, and the payment thereof by local assessment, and the maintenance thereof by the adjoining property owners.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Agriculture.

Senate bill No. 123, by Senator Palmer: An act defining the crime of rape, declaring its violation a felony, fixing the punishment, repealing section 812 of the Code of Washington of 1881, section 28 of the Penal Code of the State of Washington in volume 2 of Hill's Annotated Statutes and Codes of Washington, section 7062 of Ballinger's Annotated Codes and Statutes of Washington, and section 1580 of Pierce's Washington Code; also repealing an act entitled "An act amending section 28 of the Penal Code of the State of Washington," relating to the crime of rape, approved February 24, 1897, contained in Laws of Washington, 1897, page 19, saving the right to prosecute all violations of section 812 which have occurred prior to the passage of this act, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 124, by Senator Palmer: An act entitled An act making it unlawful for any person to take any salmon or other food fish of any value from any pound net, set net, weir, fish wheel, gill net or other fishing appliance, or from any scow, lighter or boat containing the same, and providing the punishment therefor.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second

time by title, ordered printed, and referred to the Committee on Fisheries.

Senate bill No. 125, by Senator Hamilton: An act relating to the Washington State Historical Society; creating it the trustee of the state for certain purposes, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

GENERAL FILE.

Senate bill No. 49, by Senator Moore, An act to amend section 6 of an act entitled "An act in relation to attachments and garnishments," was placed on its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Welsh, Welty, Wilson, Mr. President—37.

Absent or not voting were: Senators Baker, Earles, Graves, Tucker, Warburton—5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 54, by Senator Potts, "An act prescribing punishment for all persons who, having been previously convicted in the courts of this state," etc., was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Garber, Hailey, Hallett, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Tolman, Van de Vanter, Welsh, Welty, Wilson, Mr. President—36.

Absent or not voting were: Senators Earles, Graves, Hamilton, Sumner, Tucker, Warburton—6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 59, by Senator Crow, "An act providing the form and contents of acknowledgments of corporations," etc., was placed on its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Warburton, Welsh, Welty, Wilson, Mr. President—38.

Absent or not voting were: Senators Earles, Graves, Tucker, Van de Vanter—4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Palmer moved that the Senate concur in House amendments to Senate bill No. 36, An act to amend section 6 of an act entitled "An act in relation to prosecuting attorneys," etc.

Senator Crow moved as a substitute that the bill be returned to the House for proper correction.

The motion of Senator Crow carried.

The president signed House bill No. 27.

On motion of Senator Rands, at 11:50 o'clock a. m. the Senate adjourned until Thursday, February 5, 1903, at 11 o'clock a. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

TWENTY-FIFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 5, 1903. }
11 o'clock a. m. }

President Smith called the Senate to order at 11 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Graves, excused.

Rev. A. G. Sawin offered prayer.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

On motion of Senator Tolman, the vote by which Senate bill No. 40 failed to pass was reconsidered, and the bill was ordered placed on general file.

a
REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.
OLYMPIA, WASH., February 5, 1903.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate Memorial No. 5, relating to the "Elkins Inter State Commerce Commission Bill" now pending in the National Congress, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

E. BAUMEISTER, Chairman.

We concur in this report:

G. GARBER,
WM. HICKMAN MOORE.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate Concurrent Memorial No. 4, relating to the "Election of United States Senators by direct vote of the people," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In line next to last one of printed memorial, strike out the word "urge" and insert the word "use."

Respectfully submitted,
We concur in this report:

E. BAUMEISTER, Chairman.

G. GARBER,
WM. HICKMAN MOORE.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 41, entitled "An act providing for and regulating the selection of jurors in the superior courts of the state for the list of qualified jurors as selected by the jury commissioners and amending section 4 of an act," etc., have had the same under consideration and respectfully report herewith, Judiciary Substitute Bill, with recommendation that it be printed, read first and second time by title, and placed on general file.

Respectfully submitted,
We concur in this report:

HERMAN D. CROW, Chairman.

JOHN T. WELSH,
S. WARBURTON,
WM. HICKMAN MOORE,
WARREN W. TOLMAN,
J. R. WELTY,
E. B. PALMER,
H. E. MCKENNEY.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 94, entitled "An act to amend section 901 of the Code of 1881, defining the offense of barratry, and providing penalties therefor," have had the same under consideration, and recommend the same back to the Senate with the recommendation that it do pass, with the following amendments:

Title, line 1 of printed bill, after the word "Code" insert the words "of Washington."

Section 1, line 1, of printed bill, after the word "Code" insert the words "of Washington."

Respectfully submitted,
We concur in this report:

HERMAN D. CROW, Chairman.

WM. HICKMAN MOORE,
WARREN W. TOLMAN,
J. R. WELTY,
E. B. PALMER,
H. E. MCKENNEY.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 97, entitled "An act to amend section one and to repeal section two of an act relating to the taking an entry of judgment," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Title line 1 of the printed bill, after the word "judgments" insert the words "and amending sections 301 and 302 of the Code of Washington of 1881."

Title, line 2 of the printed bill, strike out "1901" and insert "1891."

Section 1, line 1, of the printed bill, after the word "judgments" insert the words "and amending sections 301 and 302 of the Code of Washington of 1881."

Section 1, line 9, of the printed bill, after the word "vacation" strike out the word "of" and insert in lieu thereof the word "and."

Section 2, line 1, of the printed bill, after the word "judgments" insert the words "and amending sections 301 and 302 of the Code of Washington of 1881."

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report:

JOHN T. WELSH,
H. E. MCKENNEY,
WM. HICKMAN MOORE.
WARREN W. TOLMAN,
J. R. WELTY,
E. B. PALMER.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Manufactures, to whom was referred Senate Bill No. 93, entitled "An act to provide for the arbitration and settlement of differences between employers and employes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass, as amended by the addition of the following Section:

Section 6.—There is hereby appropriated out of the State treasury from funds not otherwise appropriated, the sum of five thousand dollars, or so much thereof as may be necessary to carry out the provisions of this act. In case the funds herein provided are exhausted and either party to a proposed arbitration shall tender the necessary expenses for conducting said arbitration, then it shall be the duty of the State Labor

Commissioner to request the opposite party to arbitrate such differences in accordance with the provisions of this act.

Respectfully submitted,

ANDREW HEMRICH, Chairman.

We concur in this report:

G. B. WILSON,
S. T. SMITH,
E. HAMMER,
C. F. CLAPP.

The report was adopted.

On motion of Senator Warburton, the bill was referred to the Committee on Labor and Labor Statistics.

MR. PRESIDENT:

We, a majority of your Committee on Railroads and Transportation, to whom was referred Senate Bill No. 1, entitled "An act to establish a Railroad and Transportation Commission for the State of Washington," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted,

GEORGE H. BAKER, Chairman.

We concur in this report:

T. B. SUMNER,
W. G. POTTS,
ED. S. HAMILTON,
C. F. CLAPP,
ANDREW HEMRICH,
E. M. RANDE.

MR. PRESIDENT:

We, a minority of your Committee on Railroads and Transportation, to whom was referred Senate Bill No. 1 entitled "An act to establish a Railroad and Transportation Commission for the State of Washington," etc., have had the same under consideration, and we respectfully report the same back to the senate with the recommendation that it do pass.

WARREN W. TOLMAN,
W. P. RESER,
J. P. SHARP,
OSCAR E. HAILEY.

On motion of Senator Tolman, the bill, with majority and minority reports, was made a special order for Wednesday, February 11, 1903, at 11 o'clock a. m.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 68, entitled, "An act appropriating money to cover defi-

ciency for future appraisement, cruising and advertising the sale of land," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ED. S. HAMILTON, Chairman.

We concur in this report:

A. S. RUTH,
E. HAMMER,
G. B. WILSON,
E. M. RANDS,
J. P. SHARP,
HUBER RASHER,
O. T. CORNWELL,
JNO. EARLES,
GEO. H. BAKER.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Substitute Senate Bill No. 53, entitled "An act to amend Section 12 of an act entitled 'An act to define the duties and provide for assistance for, and fix the compensation, etc., of the Secretary of State,' " etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, by amending the title by adding "and declaring an emergency."

Also amend Section 1, line 8, of the printed bill by striking out after the word "assistant" all the rest of Section 1.

ED. S. HAMILTON, Chairman.

We concur in this report:

A. S. RUTH,
E. HAMMER,
G. B. WILSON,
E. M. RANDS,
J. P. SHARP,
JNO. EARLES,
HUBER RASHER,
GEO. H. BAKER.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 78, entitled "An act to amend Section 30 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and the disposition of the different State lands,' " have had the same under consideration, and we respectfully report the same back to the Sen-

ate with the recommendation that it be referred back to the committee on State, Granted, School and Tide Lands.

ED. S. HAMILTON, Chairman.

We concur in this report:

A. S. RUTH,
E. HAMMER,
G. B. WILSON,
O. T. CORNWELL,
J. P. SHARP,
HUBER RASHER,
JNO. EARLES,
E. M. RANDB,
GEO. H. BAKER.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 10, entitled "An act authorizing the Secretary of State to furnish the members of the legislature with copies of Ballinger's Codes and supplements thereto and making appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

ED. S. HAMILTON, Chairman.

We concur in this report:

A. S. RUTH,
E. HAMMER,
G. B. WILSON,
E. M. RANDB,
O. T. CORNWELL,
J. P. SHARP,
HUBER RASHER,
JNO. EARLES,
GEO. H. BAKER.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 112, entitled "An act for the relief of the Washington State Sugar Company," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Strike out in Section 1, line 8, of original bill, all after the word "entitled," and insert in lieu thereof "An act granting a bounty for the

encouragement of the production and manufacture of sugar in the State of Washington, approved February 21st, 1899."

We concur in this report:

ED. S. HAMILTON, Chairman.

A. S. RUTH,
E. HAMMER,
G. B. WILSON,
HUBER RASHEB,
JNO. EARLES,
J. P. SHARP.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 39, entitled "An act making an appropriation for the State Penitentiary," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment: In Section 2, line 3, of the printed bill, after the word "incurred," insert the words "in operating the jute mill and brick yard."

ED. S. HAMILTON, Chairman.

We concur in this report:

A. S. RUTH,
E. HAMMER,
G. B. WILSON,
O. T. CORNWELL,
J. P. SHARP,
HUBER RASHER,
JNO. EARLES,
E. M. RANDS,
GEO. H. BAKER.

The report was adopted.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, WASH., February 4, 1903.

*The Honorable President of the Senate of the State of Washington,
Senate Chamber, Olympia, Washington.*

SIR—I have the honor to inform you that the Governor has this day approved the following Senate Bills:

S. B. No. 13, "Appropriation for Grain Inspection.—An act for the appropriation of money to defray the expenses of the grain inspection department and declaring an emergency."

S. B. No. 30, entitled, "An act making a deficiency appropriation for

the State Agricultural College and School of Science for the fiscal period ending March 31st, 1903."

Very respectfully,

J. HOWARD WATSON, Secretary to the Governor.

On motion of Senator Palmer, the Senate concurred in House amendments to Senate bill No. 36, by Senator Palmer, An act to amend section 6 of an act entitled "An act in relation to prosecuting attorneys," etc., by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—39.

Absent or not voting were: Senators Baker, Graves, and Van de Vanter—3.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—39.

Absent or not voting were: Senators Baker, Graves, and Van de Vanter—3.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., February 5, 1903.

MR. PRESIDENT:

Senate Bill No. 36, amended by the House and returned to the House by the Senate for corrected committee report, is herewith respectfully returned to the Senate in corrected form.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The House has passed H. C. R. No. 10, protesting against the proposed treaty between the United States and Great Britain, providing for a

Joint Commission to determine questions affecting the boundary of Southeastern Alaska, and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

Senator Tucker moved that House concurrent resolution No. 10 be taken up out of order. Senator Hamilton moved that it be referred to the Committee on Memorials. Senator Hamilton's motion prevailed.

The House has passed H. B. No. 90, entitled "An act declaring that a day's labor on any public works shall not exceed eight hours.

Also H. B. No. 110, relating to provisions for official seals of county treasurers, and the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House bill No. 12.

Also has concurred in the Senate amendments to House joint resolution No. 6.

Pursuant to House joint resolution No. 6, the following House committee has been appointed to act with a like committee of three from the Senate, to-wit: Messrs. Philbrick, Morgan, Hastings, Palmer and Molstad.

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

Senate bill No. 126, by Senator Earles: An act making an appropriation for the maintenance and increased equipment of the State Normal School at Whatcom, and completing the said school building, and furnishing the same, and to build a wing to the present buildings, and equipping and furnishing the same.

The bill was read the first time; and, on motion of Senator Earles, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 127, by Senator Welty: An act to provide for incorporation, operation and management of cooperative associations, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Corporations other than Municipal.

Senate bill No. 128, by Senator Hallett: An act to amend sections 2763 and 2764 of Ballinger's Annotated Codes and Statutes of Washington, the same being sections 6941 and 6942 of Pierce's Code, respectively, relating to the State Penitentiary.

The bill was read the first time; and, on motion of Senator Hallett, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 129, by Senator Welty: An act providing for the manner of paying warrants issued under an act of the Legislature of the State of Washington entitled "An act to provide for the construction, repairing and perfection of drains and ditches for agricultural, sanitary and domestic purposes, and to provide for the organization of drainage districts, and declaring an emergency," approved March 19, 1890, and amending section 7 of an act of the Legislature of the State of Washington entitled "An act providing for the payment of expenses incurred in compliance with an act entitled 'An act to provide for the construction, repairing and protection of drains and ditches for agricultural, sanitary and domestic purposes, and to provide for the organization of drainage districts, and declaring an emergency,' approved March 19, 1890, and declaring an emergency," approved March 19, 1895, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Dykes, Drains and Drainage.

Senate bill No. 130, by Senator Hailey: An act to create and organize the county of Steptoe.

The bill was read the first time; and, on motion of Senator Hailey, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Counties and County Boundaries.

Senate bill No. 131, by Senator Welty: An act making county surveyors county road commissioners, defining their duties, fixing their compensation, and repealing all acts and parts of acts in conflict herewith.

The bill was read the first time; and, on motion of Senator Stewart, the rules were suspended, the bill was read the second

time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate bill No. 132, by Senator Wilson, G. B.: An act to create and organize the county of Palouse, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Counties and County Boundaries.

Senate bill No. 133, by Senator Ruth: An act to amend sections 215, 219 and 224 of chapter 118 of the Session Laws of 1897, and sections 26 and 27 of chapter 142 of the Session Laws of 1899, the same being sections 7459, 7463, 7466, 7467 and 7468 of Pierce's Washington Code.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Education.

Senate bill No. 134, by Senator Moultray: An act to amend sections 6, 7 and $7\frac{1}{2}$ of an act entitled "An act providing for the protection and propagation of the food fishes in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency;" approved March 13, 1899, and the same being Chapter CXVII of the Laws of 1899.

The bill was read the first time; and, on motion of Senator Moultray, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Fisheries.

Senate bill No. 135, by Senator Warburton: An act relating to the assessment and collection of taxes in the State of Washington and to amend section 3 of an act entitled "An act to amend sections 13, 14, 15 and 24 of an act entitled 'An act amending an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897, by amending sections 3, 5, 21, 43, 60, 61, 68, 71, 72, 76, 77, 82, 84, 96, 98, 102, 103, 107, 111, 116, 119, and repealing sections 100, 101, 105, 106, 110, 113, 115, 117, 118 and 121 thereof, and by adding sections $97\frac{1}{2}$, $119\frac{1}{4}$, $119\frac{1}{2}$, $119\frac{3}{4}$, $120\frac{1}{4}$, $120\frac{1}{2}$ and

120¾ to said act, and declaring an emergency,' approved March 15, 1899, and declaring an emergency," which passed the Senate February 21, 1901, and the House March 14, 1901, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Warburton, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Revenue and Taxation.

Senate bill No. 136, by Senator Garber: An act to provide for the acceptance by the State of Washington from the United States of certain lands, and providing for the reclamation, occupation, and disposal of the same.

The bill was read the first time; and, on motion of Senator Garber, the rules were suspended, the bill was read the second time by title, 500 copies ordered printed, and referred to the Committee on Irrigation and Arid Lands.

Substitute Senate bill No. 41, by the Judiciary Committee: An act providing for and regulating the selection of jurors as selected by the jury commissioners and amending section 4 of an act, etc.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, ordered printed, and placed on general file.

House concurrent resolution No. 9, by Mr. Jones, providing that no bills may be introduced in either House or Senate after Monday, the 16th day of February, 1903, unless such bills shall be committee bills, was read, and on motion of Senator Hamilton was referred to the Committee on Rules and Joint Rules.

House bill No. 113, by Mr. Raine: An act appropriating money for the payment of certain judgments against the State of Washington.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

House bill No. 66, by Mr. Johnston: An act to punish unlawful and malicious injury to, or destruction of personal property, and providing a penalty therefor.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second

time by title, ordered printed, and referred to the Committee on Judiciary.

House bill No. 53, by Mr. Easterday: Amending an "Act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897, by amending section 94 of Chapter LXXI, Session Laws 1897, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Hammer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Revenue and Taxation.

House bill No. 92, by Mr. King: An act defining larceny of fixtures attached to real estate, and providing a penalty.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

House bill No. 100, by Mr. Raine: An act relating to the practice in justices' courts and amending sections 6546, 6547 and 6548 of Ballinger's Annotated Codes and Statutes of Washington.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

House bill No. 90, by Mr. Carle: An act declaring it to be a part of the public policy of the State of Washington that all public work for it, or any political subdivision created by its laws, shall be performed in work days of not more than eight hours each, except in cases of extraordinary emergency, with provisions for carrying out such policy.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Labor and Labor Statistics.

House bill No. 110, by Mr. King: An act relating to the matter of official seals for county treasurers, and to cure legal errors arising from a failure to heretofore provide for such official seals.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time

by title, ordered printed, and referred to the Committee on Judiciary.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., February 5, 1903.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House concurrent resolution No. 10, entitled "Resolution of the Legislature of the State of Washington protesting against the proposed treaty between the United States and Great Britain, providing for a joint commission to determine questions affecting the boundary of southeastern Alaska," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. BAUMEISTER, Chairman.

I concur in this report: Wm. Hickman Moore.

Senator Hamilton moved that the resolution be adopted.

On motion of Senator Warburton, at 11:55 o'clock a. m. the Senate adjourned until Friday, February 6, 1903, at 11 o'clock a. m., out of respect to the memory of Colonel N. H. Owings, formerly a member of this body, whose death had just been announced.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

TWENTY-SIXTH DAY.

MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, Friday, February 6, 1903. }

11 o'clock a. m. }

President Smith called the Senate to order at 11 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present, except Senators Baker, Cornwell, Hemrich and Stewart, and Senators Graves, Smith, S. T., and Welty, excused.

Rev. A. G. Sawin offered prayer.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

On motion of Senator Tucker, House concurrent resolution No. 10, by Mr. Lewis, protesting against the proposed treaty between the United States and Great Britain, was read the third time and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Davis, Earles, Hamilton, Hammer, Hurley, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Sumner, Tolman, Tucker, Welsh, Wilson, Mr. President—28.

Those voting nay were: Senators Garber, Hailey, Hallett, McKenney and Warburton—5.

Absent or not voting: Senators Baker, Clapp, Cornwell, Graves, Hemrich, Smith, S. T., Stewart, Van de Vanter and Welty—9.

On motion of Senator Tucker, the rules were suspended, and the resolution ordered transmitted immediately to the House.

The secretary read the following communication:

SEATTLE, WASH., February 2, 1903.

To the Honorable Members of the Senate of the State of Washington:

DEAR SIRS—I have been directed by Seattle Aerie No. 1, Fraternal Order of Eagles, to extend to your honorable body, your wives and daughters a most cordial invitation to attend the fourth annual ball given by the Fraternal Order of Eagles on February 6, 1903, 8 o'clock p. m., at the Armory in the city of Seattle, to commemorate the origin of the order. Very respectfully,

[Seal]

FRANK DOWD, Worthy Secretary.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 6, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 36, entitled "An act in relation to prosecuting attorneys, and amending section 6 of an act entitled 'An act in relation to attorneys,' approved February 26, 1891 (the same being section 4756 of Ballinger's Code and section 4185 of Pierce's Code), and declaring an emergency," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

O. H. TUCKER,

J. R. O'DONNELL,

H. E. MCKENNEY.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., February 5, 1903.

MR. PRESIDENT:

We, your committee to whom was referred Senate bill No. 12, entitled "An act to prevent rebating to or discrimination between applicants for life insurance on the part of agents or officers of life insurance companies," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that as amended it be placed on general file.

Title: Line 1, after the word "part," strike out the remainder of the title and insert the words "of life insurance companies, their agents or officers, and fixing the penalty for the violation thereof."

Strike out section 3.

HERMAN D. CROW, Chairman.

We concur in this report: John T. Welsh, Warren W. Tolman, E. B. Paimer, E. M. Rands, H. E. McKenney.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 61, entitled "An act for the relief of Edson Gerry for money paid the State Land Commissioner, Hon. Robert Bridges, for the lease of lands claimed by him to be school land, and which was proved not to be, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. WELSH, Chairman.

We concur in this report: Geo. J. Hurley, Lincoln Davis.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Senate bill No. 104, entitled "An act to amend section 231 of Ballinger's Annotated Codes and Statutes of Washington, relating to the distribution of the volumes of the decisions of the Supreme Court of the State of Washington, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

O. A. TUCKER, Chairman.

We concur in this report: A. S. Ruth, E. Hammer, Stanley Hallett, A. J. Splawn, W. R. Moultray.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Senate bill No. 103, entitled "An act to amend section 117 of Ballinger's Annotated Codes and Statutes of Washington relating to the distribution of Session Laws of the Legislature of Washington," have had the same under consideration, and we respectfully report the

same back to the Senate with the recommendation that it do pass, with the following amendments:

Section 1, line 11, of printed bill, strike out the words: "and to the sergeant-at-arms, the clerks and assistant clerks."

Section 1, line 18, of printed bill, strike out the words: "to each trustee of the asylum for the insane and of the penitentiary," and insert in lieu thereof the words: "to each member of the State Board of Control, to each superintendent of the hospital for the insane."

O. A. TUCKER, Chairman.

We concur in this report: A. S. Ruth, E. Hammer, Stanley Hallett, A. J. Splawn, W. R. Moultray.

The report was adopted.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate bill No. 7b, entitled "An act to amend sections 8, 13, 15, 23, 28 and 31 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and the completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles XV. and XVI. of the State Constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties and making an appropriation therefor, and declaring an emergency,' approved March 16, 1897, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments.

By striking out in the title, line 1, the figure "8."

In section 1, line 1, strike out the figure "8" and insert the figures "13."

In section 1, line 8, strike out, after the word "follows," all the balance of the section, and insert in lieu thereof the following:

"Section 13. That immediately upon the appraisalment and inspection provided for in this act being made of any land in any county of the state, the Commissioner of Public Lands shall prepare a certificate of such appraisalment, showing in detail the facts reported in such appraisalment, and he shall file one copy of the same in his office, and shall certify one copy and forward it to the auditor of the county in which said land is situated, and the said county auditor shall post it in a conspicuous place in his office; and the said Commissioner of Public Lands shall notify the applicant of the appraisalment and the auditor, and that said board will allow twenty days in which to show wherein said appraisalment is defective, excessive or unjust, which protest, if any be made and filed, shall be considered by said board, and notice of their action shall be sent to the applicant."

Strike out section 2 of the printed bill.

Change section 3 to section 2.

Change section 4 to section 3 and add the following:

"*Provided*, That lands held under lease shall not be offered for sale, or sold, during the life of the lease, except upon application of the lessee."

Change section 5 to section 4.

Change section 6 to section 5.

Strike out section 7 and insert the following:

"Section 6. An emergency exists, and this act shall take effect immediately."

W. G. POTTS, Chairman.

We concur in this report: Warren W. Tolman, J. R. O'Donnell, J. P. Sharp, Jno. Earles, Grant C. Angle, A. J. Splawn.

The report was adopted.

Senator Tolman moved that Senate bill No. 75 be printed as amended. Carried.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 6, 1903.

MR. PRESIDENT:

The Speaker of the House has signed House bill No. 12.

The House has passed House joint memorial No. 13, relative to the withdrawal of certain timber lands in the State of Washington which have been temporarily withdrawn from settlement.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The House has passed Senate bill No. 3, entitled "An act providing for an additional judge of the Superior Court of King County."

Also, House bill No. 25, authorizing Boards of County Commissioners to build wharves and landings.

Also House bill No. 163, providing for the organization and government of municipal corporations.

Also, House bill No. 164, providing for the organization and government of municipal corporations.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

Senate bill No. 137, by Senator Hammer: An act to amend section 7386 of Ballinger's Annotated Codes and Statutes of Washington, relating to the casting of sawdust and other lumber waste in water where fish resort to spawn.

The bill was read the first time; and, on motion of Senator Hammer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Fisheries.

Senate bill No. 138, by Senator Hamilton: An act creating a lien upon steamships, vessels and boats in favor of tugboat companies, stevedores and others, and providing for the enforcement thereof.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Commerce.

Senate memorial No. 6, by Senator Ruth: Relating to the proposed Puget Sound and Gray's Harbor canal, and urging Congress to provide at an early date for a survey of the proposed route of such canal.

The memorial was read the first time; and, on motion of Senator Ruth, the rules were suspended, the memorial was read the second time by title, ordered printed, and referred to the Committee on Memorials.

Senate memorial No. 7, by Senator Van de Vanter: Relating to the dredging of the Duwamish, White and Black Rivers by the United States.

The memorial was read the first time; and, on motion of Senator Van de Vanter, the rules were suspended, the memorial was read the second time by title, ordered printed, and referred to the Committee on Memorials.

GENERAL FILE.

Senate bill No. 40, by Senator Tolman, entitled "An act for the protection of birds and their nests and eggs, and to define and punish as misdemeanors all violation thereof," etc., was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Sharp, Splawn, Stansell, Sum-

ner, Tolman, Tucker, Warburton, Welsh, Wilson, Mr. President—32.

Those voting nay were: Senators Moultray and Ruth—2.

Absent or not voting were: Senators Baker, Cornwell, Graves, Hemrich, Smith, S. T., Stewart, Van de Vanter and Welty—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 80, by Senator Splawn, entitled "An act to amend an act entitled 'An act to establish a state fair for the State of Washington,'" was read the third time and referred to the Engrossing Committee.

Senate bill No. 83, by Senator Moultray, entitled "An act to encourage county agricultural associations and fairs, and to provide funds therefor," was read the third time.

On motion of Senator Tolman, the words "so levied," in section 3, line 3, of the printed bill, were stricken, and the word "collected" inserted in lieu thereof.

The bill was referred to the Engrossing Committee.

On motion of Senator Hamilton, the Senate resolved itself into a Committee of the Whole to consider Senate bills Nos. 39, 68 and 112.

The bills were considered in the Committee of the Whole, Senator Warburton in the chair, and Senate bills Nos. 39, 68 and 112 were reported back to the Senate, with the recommendation that they do pass.

The report was adopted.

Senate bill No. 39, by Senator Cornwell: An act making appropriations for the state penitentiary.

The bill was read the third time and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Wilson, Mr. President—34.

Absent or not voting were: Senators Baker, Cornwell, Graves, Hemrich, Rands, Smith, S. T., Stewart and Welty—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 68, by Senator Hammer, entitled "An act appropriating money to cover deficiency for future appraisalment, cruising and advertising the sale of land and timber on state land," etc.

The bill was read the third time and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Wilson, Mr. President—34.

Absent or not voting were: Senators Baker, Cornwell, Graves, Hemrich, Rands, Smith, S. T., Stewart and Welty—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 112, by Senator Tolman, entitled "An act for the relief of the Washington State Sugar Company."

The bill was read the third time and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Wilson, Mr. President—34.

Absent or not voting were: Senators, Baker, Cornwell, Graves, Hemrich, Rands, Smith, S. T., Stewart and Welty—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Upon motion of Senator Tolman, the rules were suspended, and Senate bill No. 112 ordered transmitted to the House immediately.

Senator Tolman was excused until Tuesday morning, February 10, 1903.

Senate bill No. 72, by Senator Earles, entitled "An act providing for the protection of employes in factories, mills or workshops where machinery is used," etc., was read the third time and referred to the Engrossing Committee.

On motion of Senator Ruth, a committee of three, consisting of Senators Ruth, Tucker and LeCrone, were appointed by the President to confer with the widow of the late Colonel N. H. Owings, with reference to attending the funeral by the Senate in a body.

The President signed House bill No. 12 and Senate bill No. 36.

On motion of Senator Palmer, at 12:10 o'clock p. m. the Senate adjourned until Monday, February 9, 1903, at 2 o'clock p. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

TWENTY-NINTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, February 9, 1903. }
2 o'clock p. m. }

President Smith called the Senate to order at 2 o'clock p. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Cornwell, Hammer, Sumner and Van de Vanter, and Senators Earles, Rands, Smith, S. T., and Tolman, excused.

Rev. Wm. H. Treisch offered prayer.

On motion, the reading of Friday's journal was dispensed with, and it was approved.

A petition was presented by Mr. President from the State Dairymen's Convention, signed by Otto Tamm and 107 others, asking for an appropriation for farmers' institutes.

On motion of Senator Hamilton, the petition was referred to the Committee on Appropriations.

The secretary read an invitation to the Senate from the patronesses of the second annual charity ball to be given in Seattle February 10, 1903, for the benefit of the Good Shepherd orphan asylum.

On motion of Senator Hamilton, Senate bills Nos. 39 and 68 were ordered transmitted immediately to the House.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 108, entitled "An act to create and establish a standard size of certain fruit boxes for the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. P. SHARP, Chairman.

We concur in this report: M. E. Stansell, A. J. Splawn, G. Garber.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 72, entitled "An act providing for the protection of employes in factories, mills or workshops where machinery is used, and providing for the punishment of the violation thereof," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, C. L. Stewart.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 83, entitled "An act to encourage county agricultural associations and fairs, and to provide funds therefor," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, C. L. Stewart.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 39, entitled "An act making appropriations for the state penitentiary," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, C. L. Stewart.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 80, entitled "An act to amend an act entitled 'An act to establish a state fair for the State of Washington, making an appropriation therefor, and declaring an emergency,'" approved March 15, 1893, have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, C. L. Stewart.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 3, entitled "An act providing for the appointment of one additional judge of the Superior Court of the State of Washington in and for

King County, fixing the term of office of the judge appointed, and providing for the election of five judges of said Superior Court at the general state election in November, 1904, and every four years thereafter, and declaring an emergency," have compared the same with the engrossed bill and find it correctly enrolled.

Respectfully submitted, J. R. WELTY, Chairman.

We concur in this report: H. E. McKenney, A. S. Ruth.

The President signed House bill No. 3.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 9, 1903.

MR. PRESIDENT:

The House has passed House joint resolution No. 10, relating to the death of John B. Allen.

Also, Senate concurrent resolution No. 3, relating to filing bills with the State Librarian.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

OLYMPIA, WASH., February 9, 1903.

MR. PRESIDENT:

The House has passed House bill No. 179, entitled "An act relieving cities and towns from liability for death or damages to persons or property in certain cases."

House bill No. 6, relating to the tide lands of Aberdeen.

House bill No. 165, for the protection of occupants of land who, in good faith, have made improvements.

Senate bill No. 17, to amend the act relating to the payment of witness fees to public officers, with the following amendments.

After the ":" between the word "aforesaid" and the word "provided," in the 15th line of section 1 of the engrossed bill, add the following: "Provided, this act shall not apply when any deduction shall be made from the regular salary of such officer by reason of his being in attendance upon the Superior Court, but in such cases regular witness fees shall be paid; and"

After the "," between the word "Provided" and the word "That," in the 15th line of section 1 of the engrossed bill, insert the word "further."

After the word "witnesses," in the 19th line of section 1 of the engrossed bill, insert the following words: "In the Superior Courts"

House bill No. 120, changing the name of Port Orchard to Charleston.

House bill No. 121, changing the name of Sidney to Port Orchard.

House bill No. 26, amending the act prohibiting the operation of nickel-in-the-slot machines.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

Senate bill No. 139, by Senator Splawn: An act to amend section No. 4526 of Ballinger's Annotated Codes and Statutes of Washington, in relation to acknowledgments.

The bill was read the first time; and, on motion of Senator Splawn, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 140, by Senator Hurley: An act to divide the judicial district composed of Spokane and Stevens counties, organize a new judicial district of the counties of Stevens and Ferry, to provide a superior judge for said district, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Hurley, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 141, by Senator Sharp: An act to amend sections 4154 and 4112 of Ballinger's Code, providing for the condemnation of property for storage reservoirs, canals, ditches or flumeways constructed for the purpose of storing, carrying or diverting water from any natural stream or any lake within this state; and providing for the right to convey water along any of the natural streams of the state, and limiting the right of diversion therefrom.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Irrigation and Arid Lands.

Senate bill No. 142, by Senator Reser: An act providing for the amendment of section eleven (11), article one (1), of the Constitution of the State of Washington, giving to the Legislature of the State of Washington the power to employ chaplains for state, penal and reformatory institutions.

The bill was read the first time; and, on motion of Senator Reser, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Public Morals.

Senate bill No. 143 by Senator Hamilton (by request): An act making an appropriation to reimburse persons who have surrendered certain contracts of sale to the State of Washington under an act of the Legislature of said state found on page 225 of the Session Laws of 1901.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Claims and Auditing.

Senate bill No. 144, by Senator Ruth: An act providing for a system of grammar school examinations, prescribing the duties of superintendent of public instruction and of county superintendents relative thereto, providing for county boards of grammar school examiners and assistant examiners and prescribing their duties and compensation, and repealing chapter XLIX. of the Session Laws of 1901, entitled "An act providing for county boards of grammar school examiners, prescribing the manner of appointment, term of office, duties and compensation of such boards."

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Education.

Senate bill No. 145, by Senator Moultray: An act to amend section 1 of an act entitled "An act to amend an act entitled 'An act to amend sections 103, 106, 114 and 117 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and approved March 27, 1890,' approved March 9, 1891, and declaring an emergency, approved March 8, 1893; and repealing an act entitled 'An act providing for the election of city marshals in cities of the third and fourth classes and other cities of equal population, approved March 20, 1895;'" and amending sections 108, 143, 144 and 146 of an act entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency," approved March 27, 1890; and amending section 2 of an act entitled "An act to amend sections 105, 106, 114 and 117 of an act entitled 'An act providing for the organization, classification, incorporation and government of mu-

nicipal corporations, and declaring an emergency,'” and approved March 27, 1890, approved March 9, 1891; and amending section 4 of an act entitled “An act to amend sections 107, 109, 113, 116, 124, 125, 126, 132, 133, 134, 135 and 136 of an act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,” approved March 27, 1890, approved March 9, 1893; and providing for the confirmation of appointment of municipal corporations made by the mayor.

The bill was read the first time; and, on motion of Senator Moultray, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Municipal Corporations.

House bill No. 25, by Mr. Clark: An act authorizing boards of county commissioners to build and maintain wharves and landings on the shores of navigable waters, etc.

The bill was read the first time; and, on motion of Senator Stewart, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

House bill No. 163, by Mr. Johnston and Mr. Craigie: An act amending section 948 of Ballinger's Code and section 3500 of Pierce's Code, relating to municipal corporations.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 164, by Mr. Johnston and Mr. Craigie: An act amending section 1019 of Ballinger's Code and section 3533 of Pierce's Code of Washington, etc.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House joint resolution No. 13, by Mr. Moldstad: Relating to the withdrawal of certain timber lands in the State of Washington, etc.

The resolution was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Memorials.

GENERAL FILE.

Senate bill No. 80, by Senator Splawn, "An act to amend an act entitled 'An act to establish a state fair for the State of Washington, making an appropriation therefor,' " etc., was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Garber, Graves, Hailey, Hallett, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Stewart, Tucker, Warburton, Welsh, Wilson, Mr. President—33.

Absent or not voting were: Senators Cornwell, Earles, Hammer, Rands, Smith, S. T., Sumner, Tolman, Van de Vanter and Welty—9.

The emergency clause passed by the following vote:

Those voting yea were Senators: Angle, Baker, Baumeister, Clapp, Crow, Davis, Garber, Graves, Hailey, Hallett, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Stewart, Tucker, Warburton, Welsh, Wilson, Mr. President—33.

Absent or not voting were: Senators Cornwell, Earles, Hammer, Rands, Smith, S. T., Sumner, Tolman, Van de Vanter and Welty—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Substitute Senate bill No. 74, by the Judiciary Committee, "An act relating to the Superior Court of Thurston and Mason counties, providing for the election of judges therein," etc., was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Garber, Graves, Hailey, Hallett, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Stewart, Tucker, Warburton, Welsh, Welty, Wilson—31.

Absent or not voting were: Senators Cornwell, Earles, Hamilton, Hammer, Hemrich, Rands, Smith, S. T., Sumner, Tolman, Van de Vanter and Mr. President—11.

The emergency clause passed by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Garber, Graves, Hailey, Hallett, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Stewart, Tucker, Warburton, Welsh, Welty, Wilson—33.

Absent or not voting were: Senators Cornwell, Earles, Hammer, Rands, Smith, S. T., Sumner, Tolman, Van de Vanter and Mr. President—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 73, by Senator Ruth, entitled "An act relating to the public schools of the State of Washington," etc., was referred to the Judiciary Committee.

Senate bill No. 94, by Senator Palmer, entitled "An act to amend section 901 of the Code of Washington of 1881, defining the offense of barratry," etc., was read the third time.

On motion of Senator Moore, the bill was amended by inserting a comma in section 1, line 12, after the word "employment."

The bill was referred to the Engrossing Committee.

Senate bill No. 97, by Senator Crow, entitled "An act to amend section 1 and to repeal section 2 of an act relating to the taking and entry of judgments, etc., was read the third time.

Senator Moore moved to amend section 1, line 1, by inserting quotation marks after the word "of" down to and including the figures "1881." Also in like manner section 2, line 1, after the word "of" down to and including the figures "1881."

The motion carried.

The bill was referred to the Engrossing Committee.

Substitute Senate bill No. 58, by the Judiciary Committee, "An act to amend section 12 of 'An act to define the duties and provide for assistance for, and for the compensation of the Secretary of State,'" was read the third time and referred to the Engrossing Committee.

Senate memorial No. 4, by Senator Stewart, providing for the election of United States Senators by direct vote, was read the third time and referred to the Engrossing Committee.

Senate bill No. 12, by Senator Davis, entitled "An act to pre-

vent rebating to or discrimination between applicants for life insurance," etc., was read the third time.

The bill was referred to the Engrossing Committee.

Senate bill No. 103, by Senator Tucker, entitled "An act to amend section 117 of Ballinger's Annotated Codes and Statutes of Washington," etc., was referred to the Judiciary Committee.

Senate bill No. 104, by Senator Tucker, entitled "An act to amend section 231 of Ballinger's Annotated Codes and Statutes of Washington, relating to the distribution of the volumes of the decisions of the Supreme Court," etc., was referred to the Judiciary Committee.

Senate bill No. 75, by Senator Sharp, "An act to amend sections 13, 15, 23, 28 and 31 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas," etc., was read the third time.

The bill was referred to the Engrossing Committee.

On motion of Senator Palmer, at 3:20 o'clock p. m. the Senate adjourned until Tuesday, February 10, 1903, at 10:30 o'clock a. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

THIRTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, February, 10, 1903. }
11 o'clock a. m. }

President Smith called the Senate to order at 11 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Cornwell, Hammer, Moore, Tolman and Warburton, and Senator Rands excused.

Rev. Henry L. Badger offered prayer.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 12, entitled "An act to prevent rebating to, or discrimination between, applicants for life insurance on the part of life insurance companies, their agents or officers, and fixing the penalty for the violation thereto," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted.

E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, C. L. Stewart.

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 58, entitled "An act to amend section 12 of an act entitled 'An act to define the duties and provide for assistance for and fix the compensation of the Secretary of State,'" etc., have compared same with the original bill and find it correctly engrossed.

Respectfully submitted.

E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, C. L. Stewart.

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 75, entitled "An act to amend sections 13, 15, 23, 28 and 31 of an act entitled, etc.," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted.

E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, C. L. Stewart.

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 97, entitled "An act to amend section 1 and to repeal section 2 of 'An act relating to the taking and entry of judgments,'" etc., have compared same with the original bill and find it correctly engrossed.

Respectfully submitted.

E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, C. L. Stewart.

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 94, entitled "An act to amend section 901 of the Code of Washington of 1881, defining the offense of barratry and providing penalties therefor," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted.

E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, C. L. Stewart.

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate memorial No. 4, in relation to a constitutional amendment in relation to the election of United States Senators by a direct vote of the people, have compared same with the original memorial and find it correctly engrossed.

Respectfully submitted.

E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, C. L. Stewart.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 9 1903.

MR. PRESIDENT:

The Speaker of the House has signed Senate bill No. 36, being an act in relation to prosecuting attorneys, etc.

Also Senate bill No. 3, providing an additional Superior Court judge for King County.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

Senate bill No. 146, by Senator Sumner (by request): An act to provide for the redemption of scrip issued by the commissioners for the State of Washington to the trans-Mississippi and International Exposition, held at Omaha, and to pay the expenses incurred by said commissioners in making display of the resources of the State of Washington at said exposition, making an appropriation therefor, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Sumner, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 147, by Senator Tucker (by request): An act prohibiting the sale, offering for sale, or bringing into the state for the purpose of sale or otherwise disposing of any cigarette, cigarette paper or substitute for the same, providing penalties therefor and repealing certain laws.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Public Morals.

Senate bill No. 148, by Senator Graves: An act providing for the compensation of mayors and councilmen of cities of the third and fourth class in the State of Washington.

The bill was read the first time; and, on motion of Senator Graves, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Municipal Corporations.

Senate bill No. 149, by Senator Angle: An act to amend section 68 of "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897, the same being section 8660 of Pierce's Code.

The bill was read the first time; and, on motion of Senator Angle, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Revenue and Taxation.

Senate Bill No. 150, by Senator Hurley: An act providing for the settlement of taxes assessed against mining property for the years 1899, 1900, 1901 and 1902, and authorizing a compromise of disputes or suits relating thereto, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Hurley, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Mines and Mining.

Senate bill No. 151, by Senator Welty: An act to license and regulate the business of selling, negotiating or procuring loans upon or affecting rentals of real property, commission, and the soliciting or receiving of commission or compensation for the selling, negotiating or procuring of loans upon or effecting rentals of real property, and providing a penalty for the violation thereof, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 152, by Senator O'Donnell: An act relating to tide lands of the City of Hoquiam, and providing for the platting, appraisalment and sale thereof, and setting aside the harbor line commissioner's maps of Hoquiam heretofore filed, and providing

for the establishment of harbor lines therein and leasing of harbor areas, and making an appropriation for such purposes, and declaring an emergency.

The bill was read the first time; and, on motion of Senator O'Donnell, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 121, by Mr. Thompson: An act entitled "An act changing the corporate name of the town of 'Sidney,' in Kitsap County, State of Washington, a municipal corporation of the fourth class, to the town of 'Port Orchard.'"

The bill was read the first time; and, on motion of Senator Angle, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 120, by Mr. Thompson: An act entitled "An act changing the corporate name of the town of 'Port Orchard,' in Kitsap County, Washington, a municipal corporation of the fourth class to the town of 'Charleston.'"

The bill was read the first time; and, on motion of Senator Angle, the rules were suspended, the bill was read the second time by title and referred to the Committee on Municipal Corporations.

House bill No. 26, by Mr. Lewis: An act amending section 1 of "An act to prohibit the maintaining, conducting, operating, playing or using nickel-in-the-slot machines, or other devices of like character, wherein there enters an element of chance," being chapter CXLIX. of the Session laws of 1901.

The bill was read the first time; and, on motion of Senator Van de Vanter, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Miscellaneous.

House bill No. 179, by Mr. Dilling: An act relieving cities and towns from liability for death or damages to persons or property upon streets, alleys or other public places which have not been improved and opened to public travel.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 165, by Mr. Henry: An act for the protection of occupants of land who have in good faith made permanent improvements thereon.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

GENERAL FILE.

Engrossed copy of Senate bill No. 75, by Senator Sharp, "An act to amend sections 13, 15, 23, 28 and 31 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas,' " etc., was, on motion of Senator Palmer, amended by inserting in section 1, line 8, after the word "and," the words "of the notice to," and in section 1, line 9, after the word "allow" the words "the applicant."

The bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—35.

Those absent or not voting were: Senators Cornwell, Hamilton, Hammer, Moore, Rands, Tolman and Warburton—7.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hamilton, Hemrich, Hurley, Kinnear, McKenney, O'Donnell, Palmer, Potts, Rasher, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—31.

Those voting nay were: Senators Graves, Hallett, LeCrone, Reser—4.

Absent or not voting were: Senators Cornwell, Hammer, Moultray, Moore, Rands, Tolman and Warburton—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 72, by Senator Earles, entitled "An act providing for the protection of employes in factories, mills or workshops," etc., was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moultray, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Sumner, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—34.

Absent or not voting were: Senators Cornwell, Hammer, Moore, O'Donnell, Rands, Stewart, Tolman and Warburton—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 12, by Senator Davis, entitled "An act to prevent rebating to or discrimination between applicants for life insurance," etc., was placed upon its final passage and passed by the following vote.

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—34.

Senator Graves voted nay.

Absent or not voting were: Senators Cornwell, Hammer, McKenney, Moore, Rands, Tolman and Warburton—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Substitute Senate bill No. 58, by the Judiciary Committee, "An act to amend section 12 of an act entitled 'An act to define the duties and provide for assistance for, and fix the compensation of the Secretary of State,'" etc., was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Graves, Hallett, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moultray,

O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—35.

Absent or not voting were: Senators, Cornwell, Hailey, Hammer, Moore, Rands, Tolman and Warburton—7.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—35.

Absent or not voting were: Senators Cornwell, Graves, Hammer, Moore, Rands, Tolman and Warburton—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 94, by Senator Palmer, entitled "An act to amend section 901 of the Code of Washington of 1881 defining the offense of barratry and providing penalties therefor," was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hemrich, Hurley, Kinnear, McKenney, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Welty, Wilson and Mr. President—34.

Absent or not voting were: Senators Cornwell, Hamilton, Hammer, LeCrone, Moore, Rands, Tolman and Warburton—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 97, by Senator Crow, entitled "An act to amend section 1, and to repeal section 2, of an act relating to the taking and entry of judgments, and amending sections 301, and 302 of the Code of Washington, 1881, approved February 25, 1891, the same being sections 5115 and 5116, respectively, of Ballinger's Annotated Codes and Statutes of Washington, and being sections 762 and 763, respectively, of Pierce's Code," was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp,

Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hemrich, Hurley, Kinnear, McKenney, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Wilson, Mr. President—31.

Absent or not voting were: Senators Baker, Cornwell, Hamilton, Hammer, LeCrone, Moultray, Moore, Rands, Tolman, Warburton and Welty—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate memorial No. 4, by Senator Stewart, providing for the election of United States Senators by direct vote, was placed on its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tucker, Welsh, Welty, Wilson, Mr. President—33.

Senator Ruth voted nay.

Absent or not voting were: Senators Cornwell, Hamilton, Hammer, Moore, Rands, Tolman, Van de Vanter and Warburton—8.

Substitute Senate bill No. 65, by the Judiciary Committee, "An act to amend an act entitled 'An act classifying the counties according to population, enumerating the county officers, fixing the salaries thereof,' " etc., was read the third time.

Senator Welty moved to amend section 15, line 6, by striking the word "twelve" and inserting the word "fifteen" in lieu thereof.

The motion carried.

On motion of Senator McKenney, the bill was re-referred to the Judiciary Committee.

Senate bill No. 108, by Senator Sharp, entitled "An act to create and establish a standard size of certain fruit boxes for the State of Washington, was read the third time.

On motion of Senator Sharp, section 2, line 1, of printed bill was amended by striking out the figures "(18)" in parenthesis and whenever they occur in bill thereafter.

The bill was referred to the Engrossing Committee.

On motion of Senator Palmer, at 12 o'clock the Senate adjourned until Wednesday, February 11, 1903, at 10:30 o'clock a. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

THIRTY-FIRST DAY.

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, February 11, 1903. }
10:30 o'clock a. m. }

President Smith called the Senate to order at 10:30 o'clock, pursuant to adjournment.

The secretary called the roll, all members being present, except Senator Moore.

Rev. A. G. Sawin offered prayer.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

The following communication was read:

OLYMPIA, WASH., February 11, 1903.

MR. PRESIDENT:

I hereby tender my resignation as janitor of the Senate.

DAVID LINCOLN.

On motion of Senator Ruth, the resignation of David Lincoln was accepted.

Senator Ruth nominated J. C. Robinson for janitor of the Senate, and he was elected by the following vote: Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—41.

Absent and not voting: Senator Moore.

J. C. Robinson was sworn in as janitor.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1903.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 106, entitled "An act to prevent the marring and defacing of natural scenery, and providing a penalty for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. P. SHARP, Chairman.

We concur in this report: M. E. Stansell, A. J. Splawn, G. Garber.

On motion of Senator Tolman, Senate bill No. 106 was referred to the Judiciary Committee.

OLYMPIA, WASH., February 9, 1903.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 33, entitled "An act to incorporate fraternal societies," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Title, line 1, of the printed bill, strike the letters "F. & A. M.," and insert in lieu thereof the words "Free and Accepted Masons."

Title, line 3 of the printed bill, after the word "incorporated" and before the word "repealing" strike the semicolon and insert the word "and."

Title, line 3 of the printed bill, after the word "laws" insert a "period," and strike the remainder of line 3 and all of line 4.

In the printed bill strike all of section 6.

E. M. RANDS, Chairman.

We concur in this report: Geo. J. Hurley, W. P. Reser, E. B. Palmer, A. S. Ruth.

The report was adopted.

OLYMPIA, WASH., February 11, 1903.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 6, relating to a canal from Puget Sound to Gray's Harbor, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. BAUMEISTER, Chairman.

I concur in this report: G. Garber.

OLYMPIA, WASH., February 11, 1903.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 7, relating to the improvement of the Duwamish, White

and Black rivers to such extent as the needs of commerce and navigation require, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. BAUMEISTER, Chairman.

I concur in this report: G. Garber.

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 86, entitled "An act relating to electric railroads and railways, etc." have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass as amended, be printed and placed on general file.

Strike out of the title the words "and declaring an emergency."

Section 1, line 11, after the word "operated" insert "Provided, That hereafter, on application being made to the Board of County Commissioners for such authority, the board shall fix a time and place for hearing the same, and shall cause the county auditor to give public notice thereof at the expense of the applicant by posting written or printed notices in three public places in the county seat of the county, and in at least one conspicuous place on the road or street or part thereof, for which application is made, at least fifteen days before the day fixed for such hearing, and by publishing a like notice three times in some daily newspaper published in the county, then the newspaper doing the county printing, the last publication to be at least five days before the day fixed for such hearing, which notice shall state the name or names of the applicant or applicants, a description of the roads or streets, or parts thereof, for which the application is made, and the time and place fixed for the hearing. Such hearing may be adjourned from time to time by order of the board. If after such hearing the board shall deem it to be for the public interest to grant such authority, in whole or in part, the board may make and enter the proper order granting the authority applied for, or such part thereof as the board deems to be for the public interest."

Section 3, line 1, of the printed bill, after the word "or" and before the word "may" insert the word "that."

Strike section 5.

HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, E. B. Palmer, H. E. McKenney, Will G. Graves, J. R. Welty.

The report was adopted.

On motion of Senator Crow, Senate bill No. 86, as amended, was ordered printed and placed on general file.

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 98, entitled "An act authorizing the making of unknown heirs of deceased persons and unknown persons parties defendant in actions pertaining to real estate," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended.

Section 4, line 13, of the printed bill, after the word "of" and before the word "pendens" strike out the word "his" and insert the word "lis."

HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, E. B. Palmer, H. E. McKenney, Will G. Graves, J. R. Welty.

The report was adopted.

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 110, entitled "An act to provide for the discharge of judgments against persons discharged in bankruptcy," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Title of the printed bill, line 1, after the word "the" and before the word "of" strike out the word "discharge" and insert in lieu thereof the word "cancellation."

Section 1, line 7, of the printed bill, after the word "with" and before the word "copy" insert the word "a."

Strike section 2 of the printed bill.

HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, E. B. Palmer, H. E. McKenney, Will G. Graves, J. R. Welty.

The report was adopted.

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

We, your committee to whom was referred Senate bill No. 123, entitled "An act defining the crime of rape, declaring its violation a felony, fixing the punishment, repealing section 812 of the Code of Washington of 1881, etc.," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it pass as amended:

Section 1, line 6, of the printed bill, in subdivision 3, strike out the word "child;" same line strike out the "period" and insert a "comma."

Section 1, line 7, of the printed bill, strike out the figure "4" and commence the word "shall" with a small "s."

Section 2, line 3, of the printed bill, strike out the words "two or" and insert the words "one nor."

HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, E. B. Palmer, H. E. McKenney, Will G. Graves, J. R. Welty.

The report was adopted.

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Surgery and Hygiene, to whom was referred Senate bill No. 25, entitled "An act to amend sections 1, 9, 11, 14 and 15 of an act approved March 18, 1901, regulating the practice of barbering and licensing persons to carry on such practice," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

G. B. WILSON, Chairman.

We concur in this report: S. M. LeCrone, Jno. Earles.

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Surgery and Hygiene, to whom was referred Senate Bill No. 111, entitled "An act providing for the regulation and conduct of bake shops and bakeries, and prescribing the punishment for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

G. B. WILSON, Chairman.

We concur in this report: S. M. LeCrone, Jno. Earles.

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

We, your Committee on Commerce, to whom was referred Senate bill No. 138, entitled "An act creating a lien upon steamships, vessels and boats in favor of tugboat companies, stevedores and others, and providing for the enforcement thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

C. F. CLAPP, Chairman.

We concur in this report: E. Baumeister, A. Hemrich.

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 66, entitled "An act to punish unlawful or malicious injury to personal property, etc.," have had the same under consideration, and respectfully report the same back to the Senate and recommend that it do pass.

HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, E. B. Palmer, H. E. McKenney, Will G. Graves, J. R. Welty.

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

We, your committee to whom was referred House bill No. 92, entitled "An act defining larceny of fixtures attached to real estate, etc.," have had the same under consideration, and we respectfully report the same back to the Senate and recommend that it do pass.

HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, E. B. Palmer, H. E. McKenney, Will G. Graves, J. R. Welty.

OLYMPIA, WASH., February 10, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 110, entitled "An act relating to the matter of official seals for county treasurers, and to cure legal errors arising from a failure, etc.," have had the same under consideration, and respectfully report to the Senate and recommend that the bill do pass as amended.

Strike out the title of the engrossed bill and amend the same to read as follows: "An act relating to the matter of official seals for county treasurers and to cure defects arising from a failure to heretofore provide for such official seals, and declaring an emergency."

HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, E. B. Palmer, H. E. McKenney, Will G. Graves, J. R. Welty.

The report was adopted.

OLYMPIA, WASH., February 11, 1903.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House joint resolution No. 13, relative to the withdrawal of certain timber lands in the State of Washington which have been temporarily withdrawn from settlement, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. BAUMEISTER, Chairman.

I concur in this report: G. Garber.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER.

OLYMPIA, WASH., February 11, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 108, entitled "An act to create and establish a standard size of certain fruit boxes for the State of Washington," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted.

E. B. PALMER, Chairman.

We concur in this report: C. L. Stewart, Stanley Hallett.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 11, 1903.

MR. PRESIDENT:

The House has passed House bill No. 102, entitled "An act providing for the enforcement of the lien and collection of delinquent assessments for local improvements, etc."

Also, House concurrent resolution No. 12, authorizing the appointment of a joint committee to confer with a like committee from the Legislature of Oregon, and the Speaker has appointed as said committee Messrs. Megler, Williams and Stevenson.

The House also has passed House joint resolution No. 2, relative to the death of Wm. McKinley.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 11, 1903.

MR. PRESIDENT:

The House has passed House bill No. 19, entitled "An act prescribing a limit upon the assessment of abutting property for local improvements, etc."

Also, House joint resolution No. 11, inviting President Roosevelt to visit the State of Washington.

Also, House bill No. 172, entitled "An act making a deficiency appropriation for deputy fish commissioners.

Also, Senate bill No. 57, for the relief of the Olympia Light & Power Company.

Also, House bill No. 91, making an appropriation for the relief of H. A. Percival.

Also House bill No. 188, to amend the act authorizing cities of the first class to exercise the right of eminent domain, etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 11, 1903.

MR. PRESIDENT:

The House has passed House bill No. 173, entitled "An act making a deficiency appropriation for office rent of the State Fish Commissioner.

Also, House bill No. 51, amending sections 5248a of Ballinger's Annotated Codes of the State of Washington.

Also, House bill No. 175, amending the act relating to justices of the peace and constables in cities of the first class.

Also, House joint resolution No. 5, relating to the dredging of the mouth of the Skagit river.

Also, House joint memorial No. 5, relating to Lieutenant Oliver P. M. Hazzard.

Also, Senate joint memorial No. 2, urging the opening of the south half of the Colville Indian reservation.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House concurrent resolution No. 13, by Mr. Moldstad, relative to the withdrawal of certain timber lands in the State of Washington, was placed on final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—39.

Senator Graves voted nay.

Absent or not voting were: Senators Warburton and Moore—2.

House concurrent resolution No. 10, by Mr. Lewis, relative to the death of John B. Allen, on motion of Senator Hamilton, was adopted by the Senate by a rising vote.

House concurrent resolution No. 12, by Mr. Megler, authorizing the appointment of a joint committee of three members of the House and two from the Senate to confer with a like committee from the Legislature of Oregon to consider the fishing interests along the Columbia river, was read.

On motion of Senator Hamilton, the resolution was amended by making the membership of the committee consist of three members from the Senate. The amended resolution was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 11, 1903.

MR. PRESIDENT:

The House has concurred in Senate amendment to House concurrent resolution No. 12.

STOREY BUCK, Clerk of the House.

The hour having arrived for consideration of Senate bill No. 1, by Senator Tolman, entitled "An act to establish a railroad and

transportation commission for the State of Washington," etc., the secretary read the majority and minority reports.

Senator Baker moved that the majority report be adopted.

Senator Tolman moved that the minority report be substituted for the majority report.

On motion of Senator Palmer, at 12:30 o'clock p. m. the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

President Smith called the Senate to order at the hour of 2 o'clock p. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Moore.

Senators Tolman, Baker and Ruth demanded a call of the Senate. The secretary announced all present except Senator Moore.

Senator Tolman moved that the Senate proceed with the business under the call of the Senate.

The motion prevailed.

On motion of Senator Hamilton, a recess was taken for ten minutes, when the Senate reconvened.

Senator Moore appeared and desired to be recorded as being present.

On motion of Senator Tucker, further call of the Senate was dispensed with.

Roll call was demanded by Senators, Tolman, Moultray, Hallett, Rands, Baker, Crow and Welty, on motion to substitute the minority for majority report.

The roll was called, and resulted as follows:

Those voting yea were: Senators Angle, Crow, Garber, Graves, Hailey, Hallett, Hammer, McKenney, Moultray, Rasher, Reser, Sharp, Splawn, Tolman, Warburton, Welty, Wilson—17.

Those voting nay were: Senators Baker, Baumeister, Clapp, Cornwell, Davis, Earles, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, Moore, O'Donnell, Palmer, Potts, Rands, Ruth, Smith (S. T.), Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Mr. President—25.

The motion to substitute was lost.

Senators Warburton, Tolman, Hallett, Baker, Rands, Welsh

and Moultray demanded a roll call on the original motion, which resulted as follows :

Those voting yea were: Senators Baker, Baumeister, Clapp, Cornwell, Davis, Earles, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, Moore, O'Donnell, Palmer, Potts, Rands, Ruth, Smith, S. T., Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Mr. President—25.

Those voting nay were: Senators Angle, Crow, Garber, Graves, Hailey, Hallett, Hammer, McKenney, Moultray, Rasher, Reser, Sharp, Splawn, Tolman, Warburton, Welty, Wilson, G. B. —17.

The motion prevailed.

Senator Earles was excused.

INTRODUCTION OF BILLS.

Senate bill No. 153, by Senator Stansell: An act for the establishment and construction of a state road in Stevens and Ferry Counties, Washington, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Stansell, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Senate bill No. 154, by Senator Stansell: An act for the construction of a bridge across the Columbia river at Northport, Stevens County, Washington, appropriating money therefor, and creating a commission to have charge of the construction of said bridge.

The bill was read the first time; and, on motion of Senator Stansell, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Senate bill No. 155, by Senator Rands: An act to provide for the collection, exhibition and maintenance of the products of the State of Washington at the Lewis and Clark Centennial and American Civic Exposition and Oriental Fair, 1905, at Portland, Oregon, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator

Rands, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 156, by Senator Hurley: An act relating to the state library, giving the law department thereof to the control of the Supreme Court, which shall hereafter be known as the Supreme Court Library.

The bill was read the first time; and, on motion of Senator Hurley, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

House bill No. 172, by Mr. Hunter: An act making a deficiency appropriation for salaries for Deputy Fish Commissioners.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 175, by Mr. Lyons: An act amending sections 3 and 6 of an act entitled "An act relating to justices of the peace and constables in cities of the first class and fixing their number and salaries," etc.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 188, by Mr. Jeffries: An act to amend certain sections of an act entitled "An act to enable cities of the first class to exercise the right of eminent domain for the taking and damaging land and property for public purposes," etc.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 19, by Mr. Raine: An act prescribing a limit upon the assessment of abutting property for local improvements, etc.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 51, by Mr. Lindsley: An act amending sec-

tion 5248a of Ballinger's Code, providing that no property shall be exempt from certain claims.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 91, by Mr. King: An act making an appropriation for the relief of H. A. Percival, etc.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 102, by Mr. York: An act providing for the enforcing of the lien and collection of delinquent assessments for local improvements levied by any city or town, etc.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

House bill No. 173, by Mr. Hunter: An act making deficiency appropriation for office rent for the State Fish Commissioner.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Fisheries.

The President appointed Senators Van de Vanter, Welsh and Moultray as a joint committee to confer with the committee from the Oregon Legislature in reference to fisheries.

On motion of Senator Hamilton, at 4:40 o'clock p. m., the Senate adjourned to meet Thursday, February 12, 1903, at 2:30 o'clock p. m.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

THIRTY-SECOND DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
 OLYMPIA, WASHINGTON, Thursday, February 12, 1903. }
 2:30 o'clock p. m. }

President Smith called the Senate to order at 2:30 o'clock p. m., pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Davis, Hemrich, Hurley, Kinnear, Moore, O'Donnell, Palmer, Rands, Ruth and Van de Vanter, and Senators Baker, Clapp, Earles and Warburton excused.

Rev. Gillermann offered prayer.

A committee from the House notified the Senate that the House was in session and ready to receive the Senate in joint session to join in memorial exercises in memory of the late Hon. John Beard Allen.

On motion of Senator Crow the Senate repaired to the House of Representatives to participate in the memorial exercises in memory of the late Hon. John Beard Allen.

JOINT SESSION.

The Senate and House of Representatives met in joint session at the hour of 2:30 o'clock p. m., to join in memorial services in memory of the late John Beard Allen.

President Smith called the joint session to order. Representative Robert Dunn of Yakima was called to the chair to preside during the joint session.

The Clerk of the House read House joint resolution No. 10, relative to the death of the late Hon. John Beard Allen, as follows:

HOUSE JOINT RESOLUTION NO 10, BY COMMITTEE ON RESOLUTIONS.

WHEREAS, Almighty God, in His infinite wisdom, has removed by death the Hon. John Beard Allen; and,

WHEREAS, In his death the state has lost its foremost citizen and public servant;

Be It Resolved by the House of Representatives, the Senate concur-

ring, That in recognition of the long and distinguished services rendered to this state by Senator Allen, appropriate services be held in the hall of the House of Representatives on Thursday, the 12th day of February, 1903, at 2:30 p. m., and that opportunity be then given for tributes to his memory.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House and Senate, at the conclusion of said services, do stand adjourned.

Resolved, That the clerk of the House be instructed to transmit a copy of these resolutions, suitably engrossed, to the family of said deceased.

Eulogies were delivered in memory of the late John Beard Allen by Mr. Lewis, of King; Mr. Ranck, of Clark; Mr. Philbrick, of Chehalis; Senator Crow, of Spokane, and Mr. Gleason, of King.

Mr. Gleason of King moved that as a further mark of respect the Senate and House of Representatives, assembled in joint session, adopt House joint resolution No. 10, by Committee on Resolutions, by rising vote. The motion prevailed.

On motion of Senator Hamilton, of Pierce, the joint session at 3:10 o'clock p. m. dissolved.

Upon the reconvening of the Senate at 3:10 o'clock p. m., on motion of Senator Tolman, the Senate adjourned until tomorrow, Friday, February 13, 1903, at 10 o'clock p. m.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

THIRTY-THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February 13, 1903. }
10 o'clock a. m. }

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Davis, Hemrich, Hurley, O'Donnell, and Senators Baker and Warburton excused.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

The Secretary read a petition from the citizens of Chehalis, signed by L. Johnson and 250 others, asking the Legislature to investigate certain charges in reference to the management of the State Reform School.

Senator Welty introduced the following:

SENATE CONCURRENT RESOLUTION NO. 8.

WHEREAS, Serious charges have been made publicly against the State Reform School; and,

WHEREAS, The nature of such charges is such as to tend to seriously impair the usefulness and the high reputation of said institution, unless the same should be publicly proven to be without foundation, or unless, in case the truth thereof be established, the responsibility shall be fixed and the inmates of the school be afforded full protection;

Therefore Be It Resolved by the Senate, the House concurring, That a committee, to consist of two members of the Senate and three members of the House, be appointed by the President of the Senate and Speaker of the House, respectively, to investigate the said charges and make a report thereon, and that they have full power to act in the premises and to employ such clerical assistance as they deem necessary.

House joint memorial No. 5, by Mr. Allis: Asking that Oliver P. M. Hazard be commissioned First Lieutenant, to rank from the 2nd day of February, 1901, asking the Senate and House of Representatives in Congress assembled to do what they can to secure the same.

The memorial was read the first time; and, on motion of Senator Tolman, the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Memorials.

House joint resolution No. 2, by Mr. Raine: Deploring the death of the late President McKinley and eulogizing his life and character.

The resolution was adopted.

House joint resolution No. 5, by Mr. Moldstad: Asking Congress to make an appropriation of not less than fifty thousand dollars for the cleaning and dredging of the Skagit river.

The resolution was adopted.

House joint resolution No. 11, by Mr. Lindsley: Extending President Roosevelt an earnest invitation to visit the State of

Washington on his proposed western trip to the Pacific coast, and to accept the hospitality of the State during his sojourn here.

The resolution was adopted.

The following resolution was offered by Senator Angle and adopted:

WHEREAS, The House of Representatives has appointed a special committee to investigate matters in relation to the present method of conducting the public printing, and the cost thereof; and also considering the advisability of recommending the adoption of a new plant; therefore, be it

Resolved, That a special committee of three be appointed by the president to confer with the said House committee.

The President appointed Senators Angle, LeCrone and Tucker as a special committee to confer with a joint committee from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 13, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate memorial No. 2, have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: O. H. Tucker, H. E. McKenney.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., February 13, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 27, entitled "An act prescribing the manner of saving exceptions and settling and certifying bills of exceptions in the Superior Courts," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the following amendments, and recommend that it do pass, be printed, and placed on general file.

Title, in line 2 of printed bill, between the words "thereto" and "approved" insert the words "entitled 'An act providing for and regulating the taking of exceptions, and the settling and certifying of bills of exceptions and statements of facts, and declaring the effect thereof.'"

Title, in line 3, of printed bill, strike out the word "therewith" and in lieu thereof insert the word "herewith."

Section 4, line 2, of printed bill, strike out the word "rendition" and in lieu thereof insert the word "entry."

Section 4, line 8, of the printed bill, strike out the word "rendition" and insert in lieu thereof the word "entry."

Section 5, of the printed, strike out subdivision "two" and change numbers of subsequent sections so that they shall be numbered from one up consecutively.

Section 7, in line 8, of printed bill, strike out the word "may" where it occurs between the words "settlement" and "be," and in lieu thereof insert the word "shall."

Section 11, line 5, of the printed bill, between the sentence terminating with the word "cause" and commencing with the word "the" insert the sentences: "Should matters or proceedings have occurred in the progress of the cause which any party thereto considers to be material upon an appeal, but which is not so regarded by the judge, who therefore refuses to include them in the bill of exceptions, such party may, within ten days after such refusal, present a supplemental bill of exceptions, showing such matters and proceedings, and this shall be certified by the judge to contain matters and proceedings occurring in the progress of the cause, and that such matters and proceedings are thereby made a part of the record in the cause. If the Supreme Court finds that such matters and proceedings are material upon the appeal, the expense of the supplemental bill shall be taxed as costs against the adverse party, without regard to the result of the appeal."

Section 11, in line 9, of the printed bill, strike out the word "certificate" and insert in lieu thereof the word "bill."

Section 15, strike out section 15 of the printed bill, and insert in lieu "This act shall apply only to proceedings taken upon judgments or orders entered subsequent to or on the day it takes effect. Proceedings on all judgments or orders entered prior to the time it takes effect shall be taken under the provisions of the act of March 8, 1893, referred to in the succeeding sections."

Section 16, line 4, of the printed bill, after the word "repealed" add thereto "save as rights acquired under it are saved by the preceding section."

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: Will G. Graves, J. R. Welty, John T. Welsh, Warren W. Tolman, H. E. McKenney.

On motion of Senator Crow the report of the committee was adopted, and it was ordered that Senate bill No. 27 be printed as amended and placed on general file.

OLYMPIA, WASH., February 13, 1903.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 93, entitled "An act to provide for the arbitration and settlement of differences between employers and employes, have had the same under consideration, and we respectfully report the same

back to the Senate with the recommendation that it be put on general file.

S. WARBURTON, Chairman.

By W. A. MCCARTHY.

We concur in this report: Herman D. Crow, Warren W. Tolman, O. A. Tucker.

Senate bill No. 129, by Senator Welty: An act providing for the construction, repairing and protection of drains and ditches, etc., was transferred from the Committee on Dykes, Drains and Drainage to the Judiciary Committee.

OLYMPIA, WASH., February 13, 1903.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House bill No. 25, entitled "An act authorizing county commissioners of each county in this state to build and maintain wharves and landings on the shores of navigable waters or water courses within or bordering upon their respective counties, and for that purpose to institute and prosecute proceedings to acquire a right of way therefor under the statutes of eminent domain of this state, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

C. L. STEWART, Chairman.

We concur in this report: M. E. Stansell, E. Baumeister, A. J. Splawn, J. R. Welty, S. T. Smith.

OLYMPIA, WASH., February 13, 1903.

MR. PRESIDENT:

We, your Committee on Appropriations, have had under consideration committee bill (S. B. 167) entitled "An act making appropriations for the maintenance and sundry expenses for the various state educational institutions for the fiscal term beginning April 1, 1903, and ending March 31, 1901," and we respectfully report the same back to the Senate with the recommendation that it do pass.

ED. S. HAMILTON, Chairman.

We concur in this report: J. P. Sharp, John Earles, E. Hammer, R. M. Kinnear, Huber Rasher, G. B. Wilson, O. T. Cornwell, E. M. Rands.

OLYMPIA, WASH., February 13, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 57, entitled "An act for the relief of the Olympia Light & Power Company of Olympia, Wash., for the lighting of the state offices during the months of April, May, June and July, 1897, and making an appropriation therefor, have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: O. A. Tucker, H. E. McKenney.

On motion of Senator Tolman the Senate concurred in House amendments to Senate bill No. 17, by the following vote :

Those voting yea were : Senators Angle, Clapp, Earles, Graves, Hamilton, Hammer, Kinnear, LeCrone, McKenney, Moultray, Palmer, Potts, Ruth, Sharp, Smith, Stewart, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—23.

Those voting nay were : Senators Moore, Rands and Rasher.

Those absent or not voting were : Senators Baker, Baumeister, Cornwell, Crow, Davis, Garber, Hailey, Hallett, Hemrich, Hurley, O'Donnell, Splawn, Stansell, Sumner, Warburton.

There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF BILLS.

Senate bill No. 157, by Senator Tolman : An act to establish a railroad and transportation commission for the State of Washington, whereby discrimination and extortion in railroad charges may be prevented, and reasonable freight and passenger services and traffics may be established and maintained ; to provide for the election of the commissioners and prescribe for their term of office ; to prescribe and authorize the making of the rules and regulations to govern the commission and the railroads and afford railroad companies and others adequate remedies ; to prescribe penalties for the violation of this act and to provide means and rules for its enforcement.

The bill was read the first time ; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Railroads and Transportation.

Senate bill No. 158, by Senator McKenney : An act to amend section 1 of an act entitled "An act to protect the owners of stock from injury thereto by moving trains, declaring the law of negligence, and providing for a reasonable attorney's fee in all actions for such injury," approved by the Governor March 15, 1893.

The bill was read the first time ; and, on motion of Senator McKenney, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Railroads and Transportation.

Senate bill No. 159, by Senator Sharp: An act to amend section 26 of an act entitled "An act providing for the use of water for the purpose of irrigation, and providing for the condemnation of the right of way for ditches, and to carry water for such purpose," approved March 4, 1890.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Irrigation and Arid Lands.

Senate bill No. 160, by Senator Sumner: An act to provide for the collection, installation and maintenance of an exhibit of the development, resources, products and advantages of the State of Washington, and the erection of a state building at the Louisiana Purchase Exposition, to be held at St. Louis, Mo., in 1904; making an appropriation therefor and declaring an emergency.

The bill was read the first time; and, on motion of Senator Sumner, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 161, by Senator Stansell, by request: An act to reimburse H. C. Paige for traveling and incidental expenses as Coal Mine Inspector, and payment therefor.

The bill was read the first time; and, on motion of Senator Stansell, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate bill No. 162, by Senator Rands: An act to create and establish State depositories for the public money, and to regulate the manner of their selection and government.

The bill was read the first time; and, on motion of Senator Rands, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Corporations Other Than Municipal.

Senate bill No. 163, by Senator Palmer: An act authorizing cities of the first class to assess for local improvements lands belonging to the State of Washington, the University of Washington, counties, school districts and other municipal corporations, and declaring an emergency.

The bill was read the first time; and, on motion of Senator

Palmer, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Granted, School and Tide Lands.

Senate bill No. 164, by Senator Potts: An act providing for a State wagon road beginning at a point where the present wagon road running northerly from Leavenworth to Wenatchee, in Chelan County, crosses the northern boundary of the northwest quarter of section 5, township 26 north, range 18 east, Willamette meridian; running thence in a northerly direction and by the most feasible and practicable route up the Chiwah river to the mouth of Buck creek; thence up Buck creek to the summit of the Cascade mountains; thence over the summit unto the headwaters of Suiattle creek, in Snohomish county; thence along and over the most feasible and practicable route to a connection with the Sauk-Darrington County road, in Skagit County.

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate bill No. 165, by Senator Potts: An act to amend section 2835 of Ballinger's Code, relating to the appointment of a Deputy Insurance Commissioner.

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Miscellaneous.

Senate bill No. 166, by Senator Hamilton: An act for the relief of the heirs at law of J. M. Vansyckle, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Claims and Auditing.

Senate bill No. 167, by Committee on Appropriations: An act making appropriations for the maintenance and sundry expenses for the various state educational institutions for the fiscal term beginning April 1st, 1903, and ending March 31st, 1905.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second

time by title, ordered printed and made a special order for Monday, February 16, 1903, at 2:30 o'clock p. m.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 10, 1903.

Honorable President of the Senate, Senate Chamber, Olympia, Wash.:

SIR—I have the honor to inform you that the Governor has this day approved the following:

Senate bill No. 36, entitled "An act in relation to prosecuting attorneys," and amending section 6 of an act entitled "An act in relation to attorneys," approved February 26, 1891, (the same being section 4756 of Ballinger's Code and section 4185 of Pierce's Code), and declaring an emergency.

Very respectfully

J. HOWARD WATSON,
Secretary to the Governor.

On motion of Senator Moultray the rules were suspended and engrossed copy of Senate bill No. 83, by Senator Moultray, "An act to encourage county agricultural associations and fairs, and to provide funds therefor," was read the third time.

Senator Moultray moved to amend section 2, line 3, by striking the word "upon" and inserting the words "on the dollar of" in lieu thereof, and adding after the word "taxes," in section 2, line 3, the following:

Provided, That in counties of the first, second, third and fourth class such tax levy shall not exceed one-eighth of one mill on the dollar of all the taxable property in such counties; and provided further, that the board of county commissioners shall be ex-officio members of the county agricultural fair association in all counties where tax levies are made under the provisions of this act.

The motion carried.

On motion of Senator Moultray section 3, line 4, was amended by striking the capital "A" after the word year and inserting a small letter "a," and further amended in line 5 by striking the word "held" and inserting the word "had"; also in same section and line by striking the word "had" and inserting the word "held," and the word "three" and inserting the word "two" in lieu thereof, and in line 7 by striking the word "five" and inserting the word "four" in lieu thereof.

The amended bill was referred to the Engrossing Committee.

GENERAL FILE. ◦

Senate bill No. 108, by Senator Sharp, "An act to create and establish a standard size of certain fruit boxes for the State of Washington," was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—34.

Absent or not voting were: Senators Baker, Davis, Hemrich, Hurley, O'Donnell, Sumner, Van de Vanter and Warburton—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 32, by Senator Cornwell: An act to amend section 73 of an act entitled "An act to establish a general uniform system of public schools in the State of Washington," was read the third time.

The bill was referred to the Engrossing Committee.

Substitute Senate bill No. 41, by Judiciary Committee: An act amending section 3 of an act entitled "An act providing for and regulating the selection of jurors in the Superior Courts of the State," etc., was read the third time.

Senator Palmer moved to amend by striking out section 2.

The amendment was lost.

On motion of Senator Tolman the rules were suspended, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Graves, Hallett, Hamilton, Hammer, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Welsh, Welty, Wilson—32.

Senator Tucker and Mr. President voted nay—2.

Absent or not voting were: Senators Baker, Davis, Hailey, Hemrich, Hurley, Kinnear, O'Donnell and Warburton—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Welsh the Senate resolved itself into a committee of the whole to consider Senate bill No. 61, by Senator Earles, entitled "An act for the relief of Edson Gerry, for money paid the State Land Commissioner," etc.

The bill was considered in the committee of the whole, Senator Hallett in the chair, and reported back to the Senate with the recommendation that it do pass, with the following amendment:

Amend printed bill by striking out the preamble.

On motion of Senator Tolman the report was adopted.

The bill was referred to the Engrossing Committee.

Senate bill No. 98, by Senator Crow: An act authorizing the making of unknown heirs of deceased persons parties defendant in actions pertaining to real estate, etc., was read the third time.

On motion of Senator Crow section 4, line 11, of the printed bill was amended by striking out the word "personal" and inserting the word "constructive" in lieu thereof, and further amended in section 4, line 12, by striking the letter "s" from the word "defendants," and in line 13 of the same section striking out the word "his" and inserting the word "his" in lieu thereof.

The bill was referred to the Engrossing Committee.

Senate bill No. 110, by Senator Palmer, "An act to provide for the cancellation of judgments against persons discharged in bankruptcy," was read the third time.

On motion of Senator Moore section 1, line 4, of the printed bill was amended by inserting after the word "been" the word "finally."

The bill was referred to the Engrossing Committee.

Senate bill No. 123, by Senator Palmer, "An act defining the crime of rape," etc., was read the third time and was referred to the Engrossing Committee.

Senate bill No. 25, by Senator LeCrone, "An act to amend sections 1, 9, 11, 14 and 15 of an act approved March 18, 1901, regulating the practice of barbering," etc., was read the third time.

On motion of Senator Tolman the bill was referred to the Committee on Medicine, Dentistry and Hygiene.

Senate bill No. 111, by Senator Moore, "An act providing for

the regulation and conduct of bakeshops and bakeries," etc., was read the third time and referred to the Engrossing Committee.

Senate bill No. 138, by Senator Hamilton, entitled "An act creating a lien upon steamships, vessels and boats in favor of tugboat companies," etc., was read the third time.

On motion of Senator Crow the rules were suspended, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting aye were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Graves, Hailey, Hallett, Hammer, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—33.

Absent or not voting were: Senators Baker, Davis, Hamilton, Hemrich, Hurley, Kinnear, O'Donnell, Rands and Warburton—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate memorial No. 6, by Senator Ruth, relating to a canal from Puget sound to Gray's Harbor, was read the third time, the rules were suspended, the memorial considered engrossed, placed upon its final passage and passed by the following vote:

Those voting aye were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Hailey, Hallett, Hammer, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—32.

Absent or not voting were: Senators Baker, Davis, Graves, Hamilton, Hemrich, Hurley, O'Donnell, Rands, Tolman and Warburton—10.

Senate memorial No. 7, by Senator Van de Vanter, relating to the dredging of the Duwamish, White and Black rivers, was read the third time, the rules were suspended, the memorial considered engrossed, placed upon its final passage and passed by the following vote.

Those voting aye were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Hallett, Hamilton, Hammer, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts,

Rasher, Reser, Ruth, Sharp, Smith, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Welsh, Welty, Wilson, Mr. President—31.

Absent or not voting were: Senators Baker, Davis, Graves, Hailey, Hemrich, Hurley, O'Donnell, Rands, Splawn, Tucker and Warburton—11.

House bill No. 66, by Mr. Johnston, entitled "An act to punish unlawful and malicious injury to, or destruction of personal property," etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting aye were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—35.

Absent or not voting were: Senators Baker, Davis, Hemrich, Hurley, O'Donnell, Rands and Warburton—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 92, by Mr. King, "An act defining larceny of fixtures attached to real estate," etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting aye were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—34.

Absent or not voting were: Senators Baker, Davis, Graves, Hemrich, Hurley, O'Donnell, Rands and Warburton—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 110, by Mr. King, "An act relating to the matter of official seals for County Treasurers," etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Graves, Hailey, Hallett, Ham-

ilton, Hammer, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—35.

Absent or not voting were: Senators Baker, Davis, Hemrich, Hurley, O'Donnell, Rands and Warburton—7.

The emergency clause passed by the following vote: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Earles, Graves, Hailley, Hamilton, Hammer, Kinnear, LeCrone, McKenney, Moore, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—32.

Senator Garber voted nay.

Absent or not voting were: Senators Baker, Davis, Hallett, Hemrich, Hurley, Moultray, O'Donnell, Rands and Warburton—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Tolman, all bills passed today were ordered transmitted immediately to the House.

The President signed Senate bill No. 57 and Senate memorial No. 2.

On motion of Senator Sumner, at 11:55 o'clock a. m. the Senate adjourned until Monday, February 16, 1903, at 2 o'clock p. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

THIRTY-SIXTH DAY.

AFTERNOON SESSION.

	SENATE CHAMBER,	}
OLYMPIA, WASHINGTON, Monday, February 16, 1903.		
	2 o'clock p. m.	

Senator Sumner, president pro tem., called the Senate to order at 2 o'clock p. m., pursuant to adjournment.

The Secretary called the roll, all members being present except

Senators Earles, Hammer, O'Donnell, Smith, S. T., and Mr. President, and Senator Hurley excused.

Rev. Chas. J. Godsman offered prayer.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

Senator Warburton introduced the following resolution, which was adopted.

WHEREAS, A question has been raised as to the constitutionality of an act creating a tax commission; and,

WHEREAS, There has been introduced in the Senate a bill, No. 175, proposing to create a tax commission;

Be It Resolved, That the Attorney General of the State of Washington is requested to give his opinion whether or not said bill, No. 175, would be constitutional if enacted into a law.

On motion of Senator Warburton the Secretary was instructed to prepare a certified copy of the above resolution and deliver the same to the Attorney General.

The following Senate concurrent resolution was offered by Senator Ruth and adopted:

SENATE CONCURRENT RESOLUTION.

WHEREAS, The Olympia Chamber of Commerce has taken steps to suitably celebrate Monday, March 2, 1903, as the fiftieth anniversary of the date of the creation of Washington Territory, and has named a committee of arrangements, and has invited the Legislature now in session to cooperate; therefore,

Resolved, by the Senate, the House concurring, That the President of the Senate and the Speaker of the House be, and they are hereby constituted a committee to meet with the Olympia Chamber of Commerce committee to consult and arrange for some suitable observance of the semi-centennial mentioned, and to report to the Senate and House their recommendations for further action.

On motion of Senator Ruth the rules were suspended and the resolution was ordered transmitted to the House immediately.

Senator Hurley was excused.

OLYMPIA, WASH, February 16, 1903.

To Senator E. M. Rands:

SIR—I herewith tender you my resignation as clerk of the Committee on Corporations other than Municipal, to take effect immediately.

Very respectfully,

W. S. BOYER.

The resignation was accepted.

Senator Rands nominated A. J. Bingham for committee clerk, and he was elected by the following vote:

Those voting for Mr. Bingham were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Garber, Graves, Hailley, Hallett, Hamilton, Hemrich, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson—36.

Absent or not voting were: Senators Earles, Hammer, Hurley, O'Donnell, Smith, S. T., and Mr. President—6.

A. J. Bingham was sworn in as committee clerk by President *Pro Tem*. Sumner.

• REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 17, entitled "An act to amend an act entitled 'An act relating to the payment of witness fees to public officers,' approved March 16, 1901," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: O. A. Tucker, A. S. Ruth.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 83, entitled "An act to encourage county agricultural associations and fairs, and to provide funds therefor."

Also Senate bill No. 32, entitled "An act to amend section 73 of an act entitled 'An act to establish a general uniform system of public schools in the State of Washington.'"

Also Senate bill No. 61, entitled "An act for the relief of Edson Gerry," etc.

Also Senate bill No. 98, entitled "An act authorizing the making of unknown heirs of deceased persons and unknown persons parties defendant in actions pertaining to real estate," etc.

Also Senate bill No. 110, entitled "An act to provide for the cancellation of judgments against persons discharged in bankruptcy."

Also Senate bill No. 123, entitled "An act defining the crime of rape," etc.

Also Senate bill No. 111, entitled "An act providing for the regulation and conduct of bakeshops and bakeries, and prescribing the punishment for the violation thereof."

Have compared same with the original bill and find them correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report: C. L. Stewart, Stanley Hallett, O. T. Cornwell.

OLYMPIA, WASH., February 13, 1903.

MR. PRESIDENT:

We, your Committee on Dykes and Drainage, to whom was referred Senate bill No. 70, entitled "An act to amend sections 3753 of Ballinger's Annotated Codes and Statutes of Washington, relating to drainage districts," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. HAMMER, Chairman.

I concur in this report: H. E. McKenney.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 122, entitled "An act providing for the assessment and building of parking strips by cities of the first class, and the payment thereof by local assessment, and the maintenance thereof by the adjoining property owners," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Municipal Corporations.

J. P. SHARP, Chairman.

We concur in this report: M. E. Stansell, G. Garber, O. T. Cornwell, A. J. Splawn, E. Hammer.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry and Hygiene, to whom was referred substitute Senate bill No. 25, entitled "An act to amend sections 1, 9, 11, 14 and 15 (Pierce's Code, section 3215) of an act entitled 'An act to regulate the practice of barbering and licensing of persons to carry on such practice, and providing punishment for its violation,' approved March 18, 1901," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

G. B. WILSON, Chairman.

We concur in this report: S. M. LeCrone, John Earles.

On motion of Senator LeCrone the report was adopted and the bill ordered printed.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House Memorial No. 5, relating to the commissioning of Oliver P. M. Hazzard

as first lieutenant, United States cavalry, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. BAUMEISTER, Chairman.

We concur in this report: G. Garber, Wm. Hickman Moore.

OLYMPIA, WASH., February 13, 1903.

MR. PRESIDENT:

We, your Committee on Appropriations, have had under consideration Joint Committee bill No. 167, entitled "An act making appropriations for the salaries and expenses of the State Board of Control and for the maintenance and sundry expenses of the state penal, reformatory and charitable institutions for the fiscal term beginning April 1, 1903, and ending March 31, 1905, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ED. S. HAMILTON, Chairman.

We concur in this report: Geo. H. Baker, A. S. Ruth, J. P. Sharp, E. M. Rands, O. T. Cornwell, G. B. Wilson, Huber Rasher.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 13, 1903.

MR. PRESIDENT:

The Speaker of the House has this day signed Senate bill No. 57, "An act for the relief of the Olympia Light & Power Company."

Also Senate joint memorial No. 2, urging the opening of the south half of the Colville Indian Reservation, and the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

The House has passed Senate bill No. 39, entitled "An act making appropriations for the State Penitentiary, and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

OLYMPIA, WASH., February 13, 1903.

MR. PRESIDENT:

The House has passed House bill No. 29, entitled "An act to establish the number of hours to constitute a day's work in underground lode or quartz mines.

Also House bill No. 180, to compel railroads to fence rights of way.

Also House bill No. 157, providing for leasing, etc., of the state's lands.

Also House bill No. 41, to provide for the alteration, replat or vacation of townsites, city plats and additions.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

The House has passed House joint memorial No. 3, relating to the duty on lumber.

Also House joint memorial No. 1, relating to trusts which are oppressive.

Also House joint memorial No. 7, relating to the elimination of certain lands within the Olympic reserves.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

OLYMPIA, WASH., February 14, 1903.

MR. PRESIDENT:

The House has passed House bill No. 231, entitled "An act changing the name of the state reform school to the State Industrial School."

Also Senate bill No. 68, appropriating money for future expenses in the office of Commissioner of Public Lands.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

OLYMPIA, WASH., February 14, 1903.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House bill No. 110, entitled "An act relating to official seals for county treasurers."

STOREY BUCK, Clerk of the House.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

The Speaker of the House has signed Senate bill No. 17, entitled "An act relating to the payment of witness fees to public officers," and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASH., February 13, 1903.

The Hon. President of the Senate, Senate Chamber, Olympia, Wash.:

SIR—I have the honor to inform you that the Governor has this day approved Senate bill No. 3, entitled "An act providing for the appointment of one additional judge of the Superior Court of the State of Washington, in and for King County, fixing the term of office of the judge appointed, and providing for the election of five judges of said Superior Court at the general state election in November, 1904, and every four years thereafter, and declaring an emergency."

Very respectfully,

J. HOWARD WATSON,

Secretary to the Governor.

The time having arrived for consideration of Senate bill No.

167, "An act making appropriations for the maintenance and sundry expenses for the various State educational institutions for the fiscal term beginning April 1, 1903, and ending March 31, 1905," the Senate resolved itself into a committee of the whole, Senator Moore in the chair, and, on motion of Senator Hamilton, it was reported back to the Senate with the recommendation that it do pass.

The report was adopted.

On motion of Senator Hamilton the rules were suspended, the reading had in the committee considered the third reading, the bill was considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Graves, Hailey, Hallett, Hamilton, Hemrich, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson—35.

Those absent or not voting were: Senators Earles, Garber, Hammer, Hurley, O'Donnell, Smith, S. T., and Mr. President—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hamilton the rules were suspended and the bill ordered transmitted immediately to the house.

Senate bill No. 174, by Committee on Appropriations: "An act making appropriations for the salaries and expenses of the State Board of Control and for the maintenance and sundry expenses of the various State penal, reformatory and charitable institutions for the fiscal term beginning April 1, 1903, and ending March 31, 1905." The Senate resolved itself into a Committee of the Whole to consider the same.

The bill was considered in the Committee of the Whole, Senator Moore in the chair, and reported back to the Senate with the recommendation that it do pass, with the following amendments:

Strike out in line 14, after the word "maintenance," the figures and words "850 patients, at 36½ cents per day per capita."

Strike out, in line 24, after the word "maintenancè," the figures and words "450 patients, at 42½ cents per day per capita."

Strike out, in line 34, after the word "maintenance," the figures and words "675 convicts at 32½ cents per day per capita."

Strike out, in line 42, after the word "maintenance," the figures and words "17 pupils, at 35 cents per day per capita."

Strike out, in line 48, after the word "maintenance," the figures and words "250 members at 50 cents per day per capita."

Strike out, in line 56, after the word "maintenance," the figures and words "180 pupils at 50 cents per day per capita."

The report was adopted.

On motion of Senator Hamilton the rules were suspended, the reading in the Committee of the Whole considered the third reading, and the bill referred to the Engrossing Committee.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

The House has passed House bill No. 349, entitled "An act making an appropriation for the salaries and expenses of the State Board of Control and for the maintenance and sundry expenses of the various state penal, reformatory and charitable institutions for the fiscal term beginning April 1, 1903, and ending March 31, 1905."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

Senate bill No. 168, by Senator Kinnear: An act authorizing cities of the first class to establish special assessment districts and to issue local improvement bonds thereon for the purpose of improving any of the streets, avenues, lanes, alleys, squares, boulevards, thoroughfares or public places of such city, or to cause the same to be graded, regraded, planked, replanked, graveled, regraveled, piled, repiled, paved, repaved, macadamized, remacadamized, capped, recapper, bridged, rebridged, parked, reparked, sidewalked, residewalked, guttered, reguttered, or to order to be constructed manholes, culverts, crosswalks or other improvements proper for the use of said streets, avenues, lanes, alleys, squares, boulevards, thoroughfares or public places, and to levy and collect assessments for said purpose.

The bill was read the first time; and, on motion of Senator

Kinnear, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Municipal Corporations.

Senate bill No. 169, by Senator Kinnear: An act for the relief of E. G. Bickerton for services as a licensed auctioneer in the matter of the sale of certain school lands in King county, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Kinnear, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Claims and Auditing.

Senate bill No. 170, by Senator Rasher: An act to amend section 2563 and section 2580 of Ballinger's Annotated Codes and Statutes of Washington, the same being sections 7473 and 7475 of Pierce's Washington Code, relating to the establishment and maintenance at Vancouver, Clarke County, of an institution to be known as the Washington School for Defective Youth, and providing for the caring for and education therein of the deaf, blind and feeble minded youth of the State of Washington.

The bill was read the first time; and, on motion of Senator Rasher, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Educational Institutions.

Senate bill No. 171, by Senator Ruth: An act making an appropriation for rent of room and vault in the southeast corner of the basement of the Thurston county court house from May 13th, 1893, to May 25th, 1901.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Claims and Auditing.

Senate bill No. 172, by Senator Rands: An act providing for the organization and government of river improvement districts, the levying of a tax and the sale of bonds arising therefrom, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Rands, the rules were suspended, the bill was read the second

time by title, ordered printed and referred to the Committee on Corporations Other Than Municipal.

Senate bill No. 173, by Senator Palmer: An act authorizing the Judges of the Superior Courts to appoint special prosecuting attorneys.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 175, by Senator Warburton: An act concerning the assessment and collection of taxes in the State of Washington, and amending an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington, approved March 15th, 1897, by amending sections 28, 29, 30, 33, 37 and 59, and by amending sections 60, 61 as amended by sections 4 and 5 of an act entitled 'An act amending an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington, approved March 15, 1897, by amending sections 3, 5, 21, 43, 60, 61, 68, 71, 76, 77, 82, 84, 96, 98, 102, 103, 107, 111, 116, 119, and repealing sections 100, 101, 105, 106, 110, 113, 115, 117, 118 and 121 thereof, and by adding sections 97½, 119¼, 119½, 119¾, 120¼, 120½, 120¾ to said act and declaring an emergency," and by adding new sections, 37½, 40½, 40 I-3, 40¼, 40 I-5, 40 I-6, 40 I-7, 40 ⅛, 40 I-9, 40 I-10, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, and declaring an emergency."

The bill was read the first time; and, on motion of Senator Warburton, the rules were suspended, the bill was read the second time by title, 500 copies ordered printed and referred to the Committee on Judiciary.

Senate bill No. 176, by Senator Angle: An act to amend section 18 of an act entitled "An act to regulate and license insurance in this State, to repeal existing laws in relation thereto, and declaring an emergency," approved March 19th, 1895, the same being section 5635 of Pierce's Code.

The bill was read the first time; and, on motion of Senator Warburton, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Municipal Corporations.

House joint memorial No. 3, by Mr. Roth, Asking the Washington Senators and Representatives in Congress to oppose any measure having for its object the removal of the duty on lumber.

The memorial was read the first time; and, on motion of Senator Crow, the rules were suspended, the memorial was read the second time by title and referred to the Committee on Memorials.

House joint memorial No. 7, by Mr. Philbrick, Asking that certain agricultural lands within the limits of the Olympic Forest Reserve be eliminated therefrom. The petition is addressed to Theodore Roosevelt, President of the United States.

The memorial was read the first time; and, on motion of Senator Crow, the rules were suspended, the memorial was read the second time by title and referred to the Committee on Memorials.

House joint memorial No. 1, by Mr. Easterday, Instructing the representatives of the State in both houses of Congress to support the President and to exert every energy in restricting the operations of such trusts as are oppressive upon the people of the nation.

The memorial was read the first time; and, on motion of Senator Tolman, the rules were suspended, the memorial was read the second time by title and referred to the Committee on Memorials.

House bill No. 29, by Mr. Johnson: An act to establish the number of hours to constitute a day's work in underground lode or quartz mining.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title and referred to the Committee on Mines and Mining.

House bill No. 231, by Mr. Allis: An act changing the name of the State Reform School to the State Industrial School.

The bill was read the first time; and, on motion of Senator Hallett, the rules were suspended, the bill was read the second time by title and referred to the Committee on State Penal and Reformatory Institutions.

House bill No. 180, by Mr. White: An act compelling rail-ways to fence rights of way, etc.

The bill was read the first time; and, on motion of Senator Rasher, the rules were suspended, the bill was read the second time by title and referred to the Committee on Railroads and Transportation.

House bill No. 157, by Mr. Craigue: An act to amend section 11 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the State's granted, school, tide, oyster and other lands," etc.

The bill was read the first time; and, on motion of Senator Angle, the rules were suspended, the bill was read the second time by title and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 349, by Joint Committee on Appropriations: An act making appropriations for the salaries and expenses of the State Board of Control and for the maintenance and sundry expenses of the various State penal, reformatory and charitable institutions for the fiscal term beginning April 1, 1903, and ending March 31, 1905.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title and referred to the Committee of the Whole.

GENERAL FILE.

Senate bill No. 83, by Senator Moultray, entitled "An act to encourage county agricultural associations and fairs, and to provide funds therefor," was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Garber, Hailey, Hallett, Hemrich, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson—32.

Those voting nay were: Senators Graves and Rands—2.

Absent or not voting were: Senators Earles, Hamilton, Hammer, Hurley, O'Donnell, Smith, S. T., Tucker, and Mr. President—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 32, by Senator Cornwell, entitled "An act to amend section 73 of an act entitled 'An act to establish a general uniform system of public schools in the State of Washington,'"

was, on motion of Senator Cornwell, referred to the Judiciary Committee.

Senate bill No. 98, by Senator CLOW, entitled "An act authorizing the making of unknown heirs of deceased persons and unknown persons parties defendant in actions pertaining to real estate, and providing for service on such unknown defendants," was read the third time, placed on its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Garber, Graves, Hailey, Hallett, Hemrich, Kinnear, LeCronc, McKenney, Moore, Moultray, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Stewart, Sumner, Tolman, Van de Vanter, Warburton, Welsh—30.

Absent or not voting were: Senators Cornwell, Earles, Hamilton, Hammer, Hurley, O'Donnell, Smith, S. T., Stansell, Tucker, Welty, Wilson, and Mr. President—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 110, by Senator Palmer, entitled "An act to provide for the discharge of judgments against persons discharged in bankruptcy," was read the third time, placed on its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Garber, Graves, Hailey, Hallett, Kinnear, LeCronc, McKenney, Moore, Moultray, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Welsh, Welty—31.

Absent or not voting were: Senators Earles, Hamilton, Hammer, Hemrich, Hurley, O'Donnell, Smith, S. T., Tucker, Warburton, Wilson, and Mr. President—11

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 123, by Senator Palmer, entitled "An act defining the crime of rape, declaring its violation a felony, fixing the punishment, repealing section 812 of the Code of Washington of 1881; section 28 of the Penal Code of the State of Washington in volume 2, Hill's Annotated Statutes and Codes of Washington; section 7062 of Ballinger's Annotated Code and Statutes of Washington, and section 1580 of Pierce's Washington Code," was read

the third time, placed on its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Garber, Graves, Hailey, Hallett, Hamilton, Hemrich, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Welsh, Welty—32.

Absent or not voting were: Senators Cornwell, Earles, Hammer, Hurley, O'Donnell, Smith, S. T., Tucker, Warburton, Wilson, and Mr. President—10.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Garber, Hailey, Hallett, Hamilton, Hemrich, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Sumner, Tolman, Van de Vanter, Welsh, Welty—30.

Those absent or not voting were: Senators Davis, Earles, Graves, Hammer, Hurley, O'Donnell, Smith, S. T., Stewart, Tucker, Warburton, Wilson, and Mr. President—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 111, by Senator Moore, entitled "An act providing for the regulation and conduct of bakeshops and bakeries and prescribing the punishment for the violation thereof," was placed on its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Garber, Graves, Hailey, Hallett, Hamilton, Hemrich, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Welsh, Welty—32.

Absent or not voting were: Senators Davis, Earles, Hammer, Hurley, O'Donnell, Smith, S. T., Tucker, Warburton, Wilson, and Mr. President—10.

Senate bill No. 93, by Senator Hemrich, entitled "An act to provide for the arbitration and settlement of differences between employers and employes," etc., was considered in Committee of the Whole, Senator Crow in the chair, and reported back to the Senate

with the recommendation that it be referred to the Committee on Labor and Labor Statistics as amended.

On motion of Senator Tolman, section 1, line 8, was amended by adding a comma after the word "majority."

On motion of Senator Moore, section 2, line 4, was amended by striking the "s" from the word "summons."

On motion of Senator Tolman, the title was amended by adding after the word "employes," in line 1 thereof, the words "making an appropriation therefor and declaring an emergency."

The bill was referred to the Engrossing Committee.

Senate bill No. 86, by Senator Moore, entitled "An act relating to electric railroads and railways, and corporations incorporated for the construction, maintenance or operation thereof, repealing acts and parts of acts in conflict herewith," was read the third time.

On motion of Senator Graves, section 1, line 16, was amended by striking the word "fifteen" and inserting in lieu thereof the word "thirty."

On motion of Senator Hallett, section 2, line 9, was amended by striking the figure "1" in parenthesis.

On motion of Senator Moore, section 1, line 18, was amended by inserting the word "news" before the word "paper."

The bill was referred to the Engrossing Committee.

House bill No. 25, by Mr. Clark, "An act authorizing boards of county commissioners to build and maintain wharves and landings on the shores of navigable waters within or bordering upon this state," etc., was read the third time, and, on motion of Senator Van de Vanter, the bill was made a special order for Tuesday, February 17, 1903, at 11:30 o'clock a. m.

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 21, entitled "An act relating to the selling, leasing or making contracts concerning real estate, or granting or renewing franchises or special privileges by incorporated cities, and providing for submitting such question or measure to the voters of such cities," have had the same under consideration, and we respectfully report the

same back to the Senate with the recommendation that it do pass with the following amendments.

In title, in line 2, after the word "cities" add the words "or towns."

In title, in line 3, at the end of the line add the words "or towns."

In section 1, line 2, after the word "authorizing" and before the word "sale" strike out the word "a" and insert the words "the purchase or."

In same line, after the word "city" insert the words "or town."

In section 1, line 5, after the word "city" insert the words "or town."

In section 1, line 7, after the word "city" insert the words "or town."

In section 1, line 8, after the word "city" insert the words "or town."

In section 1, line 9, at the beginning of said line strike out the word "city."

In section 1, line 9, after the words "such city" add the words "or town."

In section 1, line 10, near the beginning of said line strike out the words "referendum or."

In section 1, line 10, after the word "city" add the words "or town."

In section 2, line 1, near the end of the line strike out the words "referendum or."

In section 2, line 2, after the word "city" and before the word "clerk" insert the words "or town."

In section 3, in line 2, after the word "city" add the words "or town."

In section 3, line 3, near the middle of said line strike out the words "referendum or."

In section 3, line 3, after the word "city" insert the words "or town."

In section 4, line 1, after the word "such" and before the word "there" strike out the words "referendum or direct vote" and insert in lieu thereof the word "election."

In section 5, after the word "city," at the end of the section, add the following words: "or town, provided, that in the event that a special election shall be called upon the question of the granting or renewing a franchise, the party applying for such franchise or renewal shall be required to pay the expense of such special election."

WARREN W. TOLMAN, Chairman.

We concur in this report: Wm. Hickman Moore, R. M. Kinnear, W. G. Potts, W. R. Moultray, Will G. Graves.

The report was adopted.

House bill No. 349, by Joint Committee on Appropriations, "An act making appropriations for the salaries and expenses of the state board of control and for the maintenance and sundry expenses of the various state penal, reformatory and charitable institutions for the fiscal term beginning April 1, 1903, and ending March 31, 1905," was considered in Committee of the Whole, Senator Hal-

lett in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendments :

Strike out in line 14, after the word "maintenance," the figures and words "850 patients at 36½ cents per day per capita."

Strike out in line 24, after the word "maintenance," the figures and words "450 patients at 42½ cents per day per capita."

Strike out in line 34, after the word "maintenance," the figures and words "675 convicts at 32½ cents per day per capita."

Strike out in line 42, after the word "maintenance," the figures and words "175 pupils at 35 cents per day per capita."

Strike out in line 48, after the word "maintenance," the figures and words "250 members at 50 cents per day per capita."

Strike out in line 56, after the word "maintenance" the figures and words "180 pupils at 50 cents per day per capita."

The report was adopted.

On motion of Senator Hamilton, the rules were suspended, the reading in Committee of the Whole considered the third reading, the bill placed on its final passage, and passed by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Graves, Hailey, Hallett, Hamilton, Hemrich, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson—34.

Absent or not voting were: Senators Earles, Garber, Hammer, Hurley, O'Donnell, Smith, S. T., Van de Vanter, and Mr. President—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The president *pro tem* signed Senate bill No. 17.

On motion of Senator Hamilton, all bills passed today were ordered transmitted immediately to the House.

On motion of Senator Tolman, at 4:30 o'clock p. m. the Senate adjourned until Tuesday, February 17, 1903, at 10 o'clock a. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

THIRTY-SEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
 OLYMPIA, WASHINGTON, Tuesday, February 17, 1903. }
 10 o'clock a. m.

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment

The secretary called the roll, all members being present except Senator Reser, excused.

Rev. Loomis offered prayer.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

The secretary read the following communication :

STATE OF OREGON, HALL OF REPRESENTATIVES,
 SALEM, ORE., February 13, 1903.

To the Hon. President of the Senate, Olympia, Wash.:

SIR—I have the honor to transmit herewith certified copies of House concurrent resolution which explains the object for which transmitted.

Trusting that your honorable body will take such favorable action as will aid materially in the success of the fair, and that benefits will inure to your state justifying your liberal assistance, I am very truly yours,
 A. C. JENNINGS, Chief Clerk of the House.

On motion of Senator Tolman, House concurrent resolution No. 1, by Mr. Shelby of the Oregon Legislature, relating to appropriating moneys for the Lewis and Clark exposition, was referred to the Committee on Appropriations.

Senate concurrent resolution No. 8, by Senator Welty, relating to charges preferred against the State Reform School, was, on motion of Senator Welty, taken from the table.

Senator Welty moved its adoption.

The motion was lost.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
 OLYMPIA, WASH., February 17, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 68, entitled "An act appropriating money to cover deficiency for

future appraisement, etc., and future contingent expenses in the office of the Commissioner of Public Lands."

Also Senate bill No. 39, entitled "An act making appropriation for the state penitentiary."

The committee has compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted, J. R. WELTY, Chairman.

I concur in this report: H. E. McKenney.

OLYMPIA, WASH., February 17, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 174, entitled "An act making appropriations for the salaries and expenses of the State Board of Control," etc., have compared same with the original bill and find it correctly engrossed.

Respectfully submitted, E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, E. Hammer.

OLYMPIA, WASH., February 17, 1903.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House joint memorial No. 3, relating to the retention of the present duty on lumber, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. BAUMEISTER, Chairman.

I concur in this report: G. Garber.

OLYMPIA, WASH., February 17, 1903.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 120, entitled "An act to exempt certain property of schools and colleges from taxation, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

T. B. SUMNER, Chairman.

We concur in this report: Ed. S. Hamilton, O. T. Cornwell, M. E. Stansell, John T. Welsh, Jno. Earles, O. A. Tucker, S. Warburton, Herman D. Crow.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 85, entitled "An act for the relief of the Puget Sound Sawmill & Shingle Company for money paid on a contract for the sale of tide lands, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Also Senate bill No. 117, entitled "An act providing for the rate of interest to be paid on bonds of Jefferson County and owned by the State of Washington, and declaring an emergency," have had the same

under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ED. S. HAMILTON, Chairman.

We concur in this report: O. T. Cornwell, R. M. Kinnear, J. P. Sharp, Jno. Earles, Geo. H. Baker, Huber Rasher, G. B. Wilson, E. M. Rands, E. Hammer, A. S. Ruth.

OLYMPIA, WASH., February 17, 1903.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 92, entitled "An act to amend section 4 of an act providing for the leasing of county property, and entitled 'An act for the leasing of county property, and declaring an emergency March 16, 1901,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In line 2 of the title of the printed bill, after the word "emergency" strike the word "as," following the word "approved" strike the words "by the Governor on the 16th of " after the word "March." line 3, insert the word "16th," after the figures "1901" strike out the words "and declaring an emergency."

Section 1, line 1, strike the figure "4."

Section 1, line 2, strike word "as" after the word "emergency."

Section 1, line 2, strike after word "approved" "by the Governor of the State of Washington."

Section 1, line 3, strike word "on" before word "March."

Section 1, lines 3 and 4, strike after the date "1901" the following: "and found on page one hundred and eighty-four of the Session Laws of the Legislature of the State of Washington for 1901;" also after the words amended "so as."

S. M. LeCRONE, Chairman.

We concur in this report: Warren W. Tolman, O. A. Tucker, C. L. Stewart, Grant C. Angle, A. S. Ruth, G. B. Wilson.

The report was adopted.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was re-referred Senate substitute bill No. 18, entitled "An act to regulate and limit the age of employment of males and females as messengers," have had the same under consideration, and report the same back to the Senate with the recommendation that it be read first and second times by title, printed and placed on general file.

HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, Wm. Hickman Moore, E. M. Rands, S. Warburton, E. B. Palmer, Will G. Graves, John T. Welsh, H. E. McKenney.

The report was adopted.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 4, entitled "An act providing for the incorporation of trust companies and defining their powers and duties," have had the same under consideration, and report herewith amended bill No. 4, which we have had under consideration and recommend that it be printed and placed on general file.

HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, Wm. Hickman Moore, E. M. Rands, S. Warburton, E. B. Palmer, Will G. Graves, John T. Welsh, H. E. McKenney.

The report was adopted.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 115, entitled "An act to amend sections 6226, 6228, 6246, 6321, 6337, 6340 and 6110 of Ballinger's Annotated Codes, relating to probate procedure, have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass.

HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, Wm. Hickman Moore, E. M. Rands, S. Warburton, E. B. Palmer, Will G. Graves, John T. Welsh, H. E. McKenney.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 29, entitled "An act relating to justices of the peace and constables," etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Title, line 1, of printed bill, strike out the words "having more than 5,000 inhabitants" and insert in lieu thereof the words "of the first class."

Section 1, line 2, of the printed bill, strike out the words "more than 5,000 inhabitants" and insert in lieu thereof the words "the first class."

Section 1, line 2, strike out the word "one" where it occurs before the word "justice" and insert in lieu the word "two," and add "s" to the word "justice."

Section 1, line 3, strike out the words "and no more."

Section 2, line 2, strike out the words "more than 5,000 inhabitants" and insert in lieu the words "the first class."

Section 2, line 4, strike out the words "payable as now provided by law."

Section 2, line 6, strike out the words "payable as now provided by law."

Strike out section 3.

HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, E. M. Rands, S. Warburton, E. B. Palmer, Will G. Graves, John T. Welsh, H. E. McKenney, Wm. Hickman Moore.

The report was adopted.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 32, have had the same under consideration, and respectfully report the same back to the senate with the recommendation that it do pass with the following amendments:

Strike out the title and insert the following: "An act to amend section 73 of and act entitled "An act to establish a general uniform system of public schools in the State of Washington," and repealing certain other acts therein mentioned, approved March 19, 1897."

Strike lines 1 and 2 of section 1 and insert in lieu thereof: "That section 73 of an act entitled 'An act to establish a general uniform system of public schools in the State of Washington, approved March 19, 1897,' and repealing certain other acts therein mentioned, be, and the same is, hereby amended to read as follows:"

HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, Wm. Hickman Moore, E. M. Rands, S. Warburton, E. B. Palmer, Will G. Graves, John T. Welsh, H. E. McKenney.

The report was adopted.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 55, entitled "An act for the protection of occupants of land who have in good faith made improvements thereon," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Title, line 1, after the word "made" insert the word "permanent," and after the word "improvements" insert the words "or paid taxes or as assessments."

Section 1, line 2, of the printed bill, after the word "made" insert the words "or general or special taxes or local assessments have been paid."

Section 1, line 4, after the word "improvements" insert the words "and the amount of such taxes or assessments, with interest thereon from date of payment."

Section 2, line 2, after the word "land" insert the words "and the amount of said taxes and assessments so paid and the date of payment."

Section 2, line 4, after the word "land" insert the words "and the amount of said taxes and assessments."

Section 3, line 2, after the word "upon" insert the word "the."

Section 3, line 5, after the word "improvements" insert the words "and the amount of said taxes and assessments, with interest."

Section 3, lines 5 and 6, after the word "improvements" insert the words "or taxes or assessments, with interest."

Section 3, line 7, strike out the word "month" and insert "months."

HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, Wm. Hickman Moore, E. M. Rands, S. Warburton, Will G. Graves, John T. Welsh, H. E. McKenney.

Senator Crow was given unanimous consent to report Senate bill No. 55 from Engrossing Committee, and, on motion of Senator Crow, was referred to the Judiciary Committee.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 79, entitled "An act to provide for the recovery of damages for injuries caused by the use of intoxicating liquors," have had the same under consideration, and respectfully report herewith an amended bill with the recommendation that it be printed and placed on general file.

And we further report as follows:

We, the majority of your committee recommend that the bill do not pass.

HERMAN D. CROW, Chairman,
WARREN W. TOLMAN,
J. R. WELTY,
S. WARBURTON,
E. B. PALMER,
JOHN T. WELSH,
H. E. MCKENNEY.

And we, the minority of your committee recommend that the bill do pass.

WILL G. GRAVES,
WM. HICKMAN MOORE,
E. M. RANDS,
R. M. KINNEAR.

OLYMPIA, WASH., February 16, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill

No. 158, entitled "An act to amend section 1 of an act entitled 'An act to protect owners of stock from injury by railway trains,'" etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Title, line 2, between the words "moving" and "trains" insert the word "railway."

Title, line 3, strike out the words "by the Governor."

Section 1, line 2, of the printed bill, between the words "moving" and "trains" insert the word "railway."

Section 1, line 3, strike out the words "by the Governor."

HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, Wm. Hickman Moore, S. Warburton, E. B. Palmer, Will G. Graves, John T. Welsh, H. E. McKenney.

The report was adopted.

REPORT OF SPECIAL COMMITTEE.

To the Senate and House of Representatives of the State of Washington:

Your special committee, appointed to confer with a like committee of the State of Oregon on the matters of concurrent laws for the Columbia River, beg leave to report that we met said committee in this city on Saturday, February 14, and, after due discussion, we convinced the members of the Oregon delegation that the laws now in force in this state regarding the Columbia River, were as satisfactory as possible at this time, and they promised to change their laws to conform to those of this state.

Respectfully submitted,

For the House:

J. G. MEGLER,
J. M. STEVENSON,
W. R. WILLIAMS.

For the Senate:

W. R. MOULTRAY,
JOHN T. WELSH,
A. T. VAN DE VANTER.

On motion of Senator O'Donnell, House bill No. 6 was transferred from the Committee on Appropriations to the Committee on State Granted, School and Tide Lands.

Senate bill No. 32, by Senator Cornwell, "An act to amend section 73 of an act entitled 'An act to establish a general uniform system of public schools in the state of Washington,'" was placed on general file.

Senator Welty moved to amend section 1, line 7, by striking the

word "directors" and substituting the word "superintendent" therefor.

The motion was lost.

On motion of Senator Palmer, the bill was referred to the En-grossing Committee.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 17, 1903.

Honorable President of the Senate, Senate Chamber, Olympia, Wash.:

SIR—I have the honor to inform you that the Governor has this day approved Senate joint memorial No. 2, requesting immediate action on the bill in Congress providing for the opening of the south half of the Colville Indian Reservation.

Respectfully yours,

J. HOWARD WATSON, Secretary to the Governor.

OLYMPIA, WASH., February 17, 1903.

Honorable President of the Senate, Senate Chamber, Olympia, Wash.:

SIR—I have the honor to inform you that the Governor has this day approved the following:

Senate bill No. 57, entitled "An act for the relief of the Olympia Light & Power Company, of Olympia, Washington, for the lighting of the State offices during the months of April, May, June and July, 1897, and making an appropriation therefor."

Senate bill No. 17, entitled "An act to amend an act entitled 'An act relating to the payment of witness fees to public officers,'" approved March 16, 1901.

Very respectfully,

J. HOWARD WATSON, Secretary to the Governor.

INTRODUCTION OF BILLS.

Senate bill No. 177, by Senator Hurley: An act to provide for the issuance of search warrants for the seizure of game unlawfully taken, killed, held or acquired, and for the sale of the same in certain cases.

The bill was read the first time; and, on motion of Senator Hurley, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 178, by Senator Hurley (by request): An act repealing Chapter LIX, Session Laws of 1899, same being an act entitled "An act relating to the law of libel, and providing for opportunity of retraction of libel, and declaring an emergency."

The bill was read the first time; and, on motion of Senator Hurley, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 179, by Senator Hurley: An act to amend section 4 of an act entitled "An act to declare and regulate the powers, rights and duties of corporations organized to build booms and to catch logs and timber products therein," approved March 17, 1890, the same being section 7114 of Pierce's Washington Code.

The bill was read the first time; and, on motion of Senator Hurley, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 180, by Senator Rands: An act providing for the organization of mutual marine and fire insurance companies and regulating their management.

The bill was read the first time; and, on motion of Senator Rands, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 181, by Senator Rands: An act to provide for the organization of surety and bonding companies, and to regulate their management.

The bill was read the first time; and, on motion of Senator Rands, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 182, by Senator Hammer: An act for the relief of W. H. Burdon and the estate of William Munks.

The bill was read the first time; and, on motion of Senator Hammer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 183, by Senator Welsh: An act granting the Ilwaco Railway & Navigation Company the right to construct and maintain a log boom and storage boom for logs on, and the right to occupy, use and enjoy all the tide lands fronting and for the uniform width of tracks fourteen and fifteen of plate three, accord-

ing to the official plat or map of said tide lands on file in the office of the auditor of and for Pacific county, Washington, out and over the submerged tide lands of the State of Washington to the inner harbor line in front of the town of Ilwaco, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on State Granted, School and Tide Lands.

Senate bill No. 184, by Senator Ruth: An act to appropriate money for the erection and completion of the state capitol building, and for the finishing of the same, and for the payment of interest on warrants drawn on the capitol building fund, and for the payment of extra claims of the contractors.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Public Buildings and Grounds.

House bill No. 41, by Mr. Gleason: An act to provide for the alteration, re-plat or vacation of any town plat, city plat or plats, addition or additions, etc.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

Senate memorial No. 8, by Senator Garber: Praying that the Senate and House of Representatives restore the bonus of 4 per cent heretofore granted to Pacific coast naval contracts, alleging that its retention makes it impossible for Pacific coast shipbuilders to take future contracts.

The memorial was read the first time; and, on motion of Senator Garber, the rules were suspended, the memorial was read the second time by title, ordered printed, and referred to the Committee on Memorials.

GENERAL FILE.

Senate bill No. 61, by Senator Earles, entitled "An act for the relief of Edson Gerry for money paid to the State Land Commis-

sioner," etc., was placed on final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Palmer, Potts, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—37.

Absent or not voting were: Senators Moultray, O'Donnell, Reser, Rands and Warburton—5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hamilton, Senate bill No. 174, by Joint Committee on Appropriations, "An act making appropriations for the salaries and expenses of the State Board of Control and for the maintenance and sundry expenses of the various state penal and reformatory and charitable institutions for the fiscal year beginning April 1, 1903, and ending March 31, 1905," was indefinitely postponed.

Senate bill No. 33, by Senator O'Donnell, entitled "An act providing for the incorporation of subordinate lodges, chapters and encampments of F. & A. M., Independent Order of Odd Fellows, Knights of Pythias and other fraternal societies," etc., was read the third time.

On motion of Senator Moore, in section 4, line 3, the words "by the," and in line 4 the words "Governor of Washington" were stricken.

On motion of Senator Crow, section 5 was stricken.

The bill was referred to the Engrossing Committee.

Senate bill No. 70, by Senator Hammer, entitled "An act to amend section 3753 of Ballinger's Annotated Codes and Statutes of Washington," etc., was, on motion of Senator Van de Vanter, made a special order for Thursday at 11 o'clock a. m.

On motion of Senator Welty, the rules were suspended, and House memorial No. 5, by Mr. Allis, relating to promotion of Oliver P. M. Hazzard to a lieutenantcy, to rank from the 2nd day of February, 1901, etc., was placed on final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister,

Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Potts, Rands, Ruth, Sharp, Smith, Splawn, Stansell, Sumner, Van de Vanter, Welsh, Welty, Wilson, Mr. President—30.

Senators Graves, Hallett and Tolman voted nay.

Absent or not voting were: Senators Hamilton, Moore, Moultray, Palmer, Rasher, Reser, Stewart, Tucker and Warburton—9.

Senator Clapp was excused.

The hour having arrived for consideration of House bill No. 25, by Mr. Clark, entitled "An act authorizing boards of county commissioners to build and maintain wharves and landings on the shores of navigable waters within or bordering upon this state," etc., the bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—39.

Absent or not voting were: Senators Reser, Stewart and Warburton—3.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—39.

Absent or not voting were: Senators Reser, Stewart and Warburton—3.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The President signed Senate bills Nos. 39 and 68.

On motion of Senator Hamilton, the rules were suspended, and all bills passed today were ordered transmitted immediately to the House.

Senator Sumner moved, at 11:55, that the Senate adjourn until Wednesday, February 18, at 10:30 o'clock a. m.

Senator Tolman moved to amend by making the hour of adjournment 10 o'clock.

The amendment was lost, and the Senate adjourned until Wednesday, February 18, at 10:30 o'clock a. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

THIRTY-EIGHTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, February 18, 1903. }
10:30 o'clock a. m. }

President Smith called the Senate to order at 10:30 a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Smith, and Senator Reser, excused.

Rev. Dr. Josephi offered prayer.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 32, entitled "An act to amend section 73 of an act entitled 'An act to establish a general uniform system of public schools, etc.'"

Also Senate bill No. 33, entitled "An act providing for the incorporation of subordinate lodges, etc."

Has compared same with the original bills and find them correctly engrossed.

E. B. PALMER, Chairman.

We concur in this report: C. L. Stewart, E. Hammer, O. T. Cornwell, Stanley Hallett.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 18, 1903.

The House has passed House bill No. 24, entitled "An act regulating common carriers and fixing the maximum railroad passenger rates," and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 100, have had the same under consideration, and we respectfully recommend that the bill be amended as follows:

Section 3, line 13, after the word "issued" add the following: "without previous appointment by the justice."

With the further recommendation that the bill do pass as amended.

HERMAN D. CROW, Chairman.

We concur in this report: J. R. Welty, John T. Welsh, H. E. McKenney, E. B. Palmer, Warren W. Tolman.

The report was adopted.

SENATE CHAMBER.

OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, a majority of your Committee on Municipal Corporations, to whom was referred House bill No. 163, entitled "An act to amend section 130 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,'" approved March 27, 1890, and being section 948 of Ballinger's Code and section 3500 of Pierce's Code of the State of Washington, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

That all of the title after the figures "1890" be stricken.

In line 1 of section 1, after the word "act" and before the word "entitled" strike the words "of the Legislature of the State of Washington."

In line 4 of section 1, after the words "Pierce's Code" strike the words "of the State of Washington."

In line 5, after the word "follows" insert the word and figures "section 130."

WM. HICKMAN MOORE,

C. F. CLAPP,

J. R. O'DONNELL,

T. B. SUMNER,

W. G. POTTS.

SENATE CHAMBER,
OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, a minority of your Committee on Municipal Corporations, to whom was referred House bill No. 163, entitled "An act to amend section 130 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,'" approved March 27, 1890, and being section 948 of Ballinger's Code, section 3500 of Pierce's Code of the State of Washington, have had the same under consideration, and we respectfully report the same back to the Senate with the report that we concur in the amendments recommended by the majority of the committee, but we recommend that the bill do not pass.

WARREN W. TOLMAN, Chairman.

We concur in this report: Will G. Graves, W. R. Moultray.

On motion of Senator Tolman, Senate bill No. 163, together with the majority and minority reports, were placed on general file.

SENATE CHAMBER.
OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, a majority of your Committee on Municipal Corporations, to whom was referred House bill No. 164, entitled "An act to amend section 166 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' approved March 27, 1890, and being section 1019 of Ballinger's Code of Washington and section 3533 of Pierce's Code of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

All that part of the title after the figures "1890" be stricken.

In line 1 of section 1, after the word "act" and before the word "entitled" strike the words "of the Legislature of the State of Washington."

At the beginning of line 4 strike the words "of Washington."

In the same line, after the words "Pierce's Code" strike the words "of Washington."

In line 5, after the word "follows" insert the word and figures "section 166."

WM. HICKMAN MOORE,
C. F. CLAPP,
J. R. O'DONNELL,
T. B. SUMNER,
W. G. POTTS.

SENATE CHAMBER,
OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, a minority of your Committee on Municipal Corporations, to whom was referred House bill No. 164, entitled "An act to amend section 166 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' approved March 27, 1890, and being section 1019 of Ballinger's Code of Washington and section 3533 of Pierce's Code of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the report that we concur in the amendments recommended by the majority of this committee, but we recommend that the bill do not pass.

WARREN W. TOLMAN, Chairman.

We concur in this report: Will G. Graves, W. R. Moultray.

On motion of Senator Tolman, Senate bill No. 164, together with the majority and minority reports, were placed on general file.

SENATE CHAMBER.
OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 121, entitled "An act changing the corporate name of the town of 'Sidney,' in Kitsap County, State of Washington, a municipal corporation of the fourth class, to 'Port Orchard,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WARREN W. TOLMAN, Chairman.

We concur in this report: Wm. Hickman Moore, C. F. Clapp, J. R. O'Donnell, T. B. Sumner, W. R. Moultray, Will G. Graves, W. G. Potts.

SENATE CHAMBER.

OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 120, entitled "An act changing the corporate name of the town of 'Port Orchard,' in Kitsap County, Washington, a municipal corporation of the fourth class, to 'Charleston,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In the engrossed bill, in the last line of section 1, after the word "hereby" insert the word "is."

WARREN W. TOLMAN, Chairman.

We concur in this report: Wm. Hickman Moore, C. F. Clapp, J. R. O'Donnell, T. B. Sumner, W. R. Moultray, W. G. Potts, Will G. Graves.

The report was adopted.

SENATE CHAMBER.

OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 19, entitled "An act prohibiting a limit upon the assessment of abutting property for local improvement districts, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

In line 5 of section 2, after the word "find" insert a comma.

WARREN W. TOLMAN, Chairman.

We concur in this report: Wm. Hickman Moore, C. F. Clapp, J. R. O'Donnell, W. G. Potts, W. R. Moultray, Will G. Graves.

The report was adopted.

SENATE CHAMBER.

OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 93, entitled "An act to provide for the arbitration and settlement of differences between employers and employes, making an appropriation therefor and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

S. WARBURTON, Chairman.

We concur in this report: Warren W. Tolman, J. R. O'Donnell, Herman D. Crow, O. A. Tucker, Wm. Hickman Moore.

SENATE CHAMBER.

OLYMPIA, WASH., February 17, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 109, have had the same under consideration, and respectfully report the same back to the Senate with the following amendments, and recommend that it do pass as amended:

Strike out the title and insert the following:

"An act amending section 10 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations,' and declaring an emergency, approved March 27, 1890."

Section 1, strike lines 1 and 2 and all up to and including the words "section 709" and insert the following: "Sec. 1. That section 10 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' approved March 27, 1890, be amended to read as follows: Section 10."

Section 1, line 38, between the words "of" and "officers" insert the word "the."

Section 1, line 47, between the words "shall" and "belong" insert the word "so."

Section 1, line 64, strike out the word "council" and insert the word "counsel."

Section 1, line 66, strike out the word "passage" and insert the words "taking effect," and also strike out the words "by the council."

Section 1, line 70, between the words "of" and "city" insert the word "the."

Strike section 2.

HERMAN D. CROW, Chairman.

We concur in this report: J. R. Welty, John T. Welsh, H. E. McKenney, E. B. Palmer, Warren W. Tolman.

The report was adopted.

OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 9, relative to the reinstatement of the 4 per cent. bonus proviso stricken from the general appropriation bill heretofore granted to Pacific Coast naval contracts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. BAUMEISTER, Chairman.

We concur in this report: Wm. Hickman Moore, G. Garber

OLYMPIA, WASH., February 17, 1903.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate bill No. 100, entitled "An act relating to the removal from state lands of timber purchased from the state prior to the 13th day of June, 1901," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

W. G. POTTS, Chairman.

We concur in this report: J. P. Sharp, A. J. Splawn, J. R. O'Donnell, Grant C. Angle, Jno. Earles.

OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands, to whom was referred Senate bill No. 159, entitled "An act to amend section 26 of an act entitled 'An act providing for the use of water for the purposes of irrigation, and providing for the condemnation of the right-of-way for ditches and to carry water for such purposes,'" approved March 4, 1890, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

G. GARBER, Chairman.

We concur in this report: J. P. Sharp, A. J. Splawn, O. T. Cornwell, Huber Rasher, Grant C. Angle, Wm. Hickman Moore.

OLYMPIA, WASH., February 17, 1903.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Land, to whom was referred House bill No. 6, entitled "An act relating to the tide lands of Aberdeen, and providing for the platting, appraisement and sale thereof, and declaring void the harbor line commissioner's map of Aberdeen heretofore filed, and providing for the establishment and leasing of harbor areas therein, and making an appropriation for such purposes and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

W. G. POTTS, Chairman.

We concur in this report: J. P. Sharp, A. J. Splawn, J. R. O'Donnell, Grant C. Angle, Jno. Earles.

OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, your Committee on Public Buildings and Grounds, to whom was referred Senate bill No. 184, entitled "An act to appropriate money for the erection and completion of the state capitol building and for the finishing of the same, and for the payment of interest on warrants drawn on the capitol building fund, and for the payment of extra claims of the contractors," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. S. RUTH, Chairman.

We concur in this report: J. R. Welty, Huber Rasher, John T. Welsh, A. T. Van de Vanter.

On motion of Senator Ruth, the bill was referred to Committee on Appropriations.

OLYMPIA, WASH., February 17, 1903.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred Senate bill No. 165, entitled "An act to amend section 2835 Ballinger's Code, relating to the appointment of deputy insurance commissioners," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee.

R. M. KINNEAR, Chairman.

We concur in this report: Geo. J. Hurley, John T. Welsh, C. F. Clapp, Lincoln Davis.

OLYMPIA, WASH., February 17, 1903.

MR. PRESIDENT:

We, your Committee on Senate Employes Other Than Regular, respectfully recommend that Charles Powers, Edward G. Sprowl and Emil

Seidel be employed as assistant engrossing and enrolling clerks, to be sworn in when their services are required.

Respectfully submitted,

GEO. J. HUBLEY, Chairman.

We concur in this report: Lincoln Davis, A. S. Ruth, Wm. Hickman Moore, Jno. Earles.

MESSAGES FROM THE HOUSE,

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 17, 1903.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 349, entitled "An act making appropriation for State Board of Control," etc., and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The Speaker of the House has signed Senate Bill No. 39, "An act making an appropriation for the State Penitentiary."

Also Senate Bill No. 68, appropriating money for the future appraisement of State lands, etc.

Also House Bill No. 110, "An act relating to official seals for county treasurers."

Also House Bill No. 66, to punish unlawful injury to personal property.

Also House Bill No. 92, defining larceny of fixtures to personal property.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The House has passed House Bill No. 28, "An act to establish the number of hours to constitute a day's work in smelting and reduction works."

Also House Bill No. 42, entitled "An act Regulating the selection of jurors in the Superior Courts of the State and providing for the appointment of a jury commissioner."

Also House Bill No. 31, entitled "An act authorizing cities and towns other than cities of the first class to construct sewers and drains within assessment districts."

Also House Bill No. 55, "An act to provide for the closed season of trout fishing in the streams and lakes within the County of Chelan."

Also House Bill No. 132, "An act to provide for the search for and seizure of liquors received, kept or used contrary to law."

Also House Bill No. 147, entitled "An act to prohibit the maintaining of gambling resorts."

Also Senate Bill No. 167, entitled "An act making appropriations for State Educational Institutions."

Also House Joint Resolution No. 13, "An act relative to the anniversary of the creation of Washington Territory"

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

Senator Hurley nominated Chas. Powers for assistant engrossing clerk, who was elected by the following vote:

Those voting yea were: Senators Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Ruth, Sharp, Splawn, Stansell, Van de Vanter, Warburton, Welsh, Mr. President—27.

Senator Welty voted nay.

Absent or not voting were: Senators Angle, Cornwell, Graves, Hailey, Kinnear, Rands, Rasher, Reser, Smith, S. T., Stewart, Sumner, Tolman, Tucker and Wilson—14.

Senator Hurley nominated Edward G. Sprowl for assistant engrossing clerk, who was elected by the following vote:

Those voting yea were: Senators Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Ruth, Sharp, Splawn, Stansell, Van de Vanter, Warburton, Welsh, Mr. President—27.

Senator Welty voted nay.

Absent or not voting were: Senators Angle, Cornwell, Graves, Hailey, Kinnear, Rands, Rasher, Reser, Smith, S. T., Stewart, Sumner, Tolman, Tucker and Wilson—14.

Senator Hurley nominated Emil Seidel for assistant engrossing clerk, who was elected by the following vote:

Those voting yea were: Senators Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Ruth, Sharp, Splawn, Stansell, Van de Vanter, Warburton, Welsh, Mr. President—27.

Senator Welty voted nay.

Absent or not voting were: Senators Angle, Cornwell, Graves, Hailey, Kinnear, Rands, Rasher, Reser, Smith, S. T., Stewart, Sumner, Tolman, Tucker and Wilson—14.

INTRODUCTION OF BILLS.

Senate bill No. 185, by Senator Moore: An act to amend section 3 of an act entitled "An act to provide for appeals from the Board of State Land Commissioners," approved March 8, 1901.

The bill was read the first time; and, on motion of Senator Moore, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 186, by Senator Moore: An act amending section 6403, Ballinger's Annotated Codes and Statutes of Washington, relating to bonds of guardians, and prescribing the requirements thereof.

The bill was read the first time; and, on motion of Senator Moore, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 187, by Senator Welty: An act amending section 943 of Ballinger's Codes and Statutes of Washington as the same stands amended by an act entitled "An act amending section 943 of Ballinger's Codes and Statutes of Washington, relating to assessments for local improvements," approved March 16, 1901; also providing a method of enforcing such assessments and declaring an emergency.

The bill was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Municipal Corporations.

Senate bill No. 188, by Senator Welsh: An act providing for the giving of notice of application for the appointment of guardians of minors under the age of 14 years, insane persons and persons mentally incompetent to manage their property.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 189, by Senator Crow: An act to change the name of the Washington Agricultural College, Experiment Sta-

tion and School of Science to the State College of Applied Science and Technology.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Education.

Senate bill No. 190, by Senator Rands: An act to provide for the purchase of additional lands adjoining the grounds upon which is located the main building of the School for Defective Youth, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Rands, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 191, by Senator Rands: An act relating to the closing of county and municipal offices on Saturdays.

The bill was read the first time; and, on motion of Senator Rands, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Miscellaneous.

Senate bill No. 192, by Senator Wilson: An act creating in the state treasury a fund to be known as "the current fund of the Agricultural College and School of Science."

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 193, by Senator Ruth: An act for the relief of Thurston County.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Claims and Auditing.

Senate bill No. 194, by Senator Palmer (by request): An act to amend section 3 of an act entitled "An act to provide against the adulteration of food and fraud in the sale thereof, creating a State Board of Food Commission, defining their duties and providing for the appointment of an officer to be known as the State Dairy and Food Commissioner; providing for the enforcement of

the law and fixing a penalty for violation thereof, making an appropriation, declaring an emergency, and repealing 'An act to provide against the adulteration of food,' approved March 13, 1899, approved March 16, 1901.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Medicine, Dentistry and Hygiene.

Senate bill No. 195, by Senator Welsh: An act providing for a judge of the Superior Court of the State of Washington for the counties of Pacific and Wakiakum, and a judge for the county of Lewis.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

GENERAL FILE.

Senate bill No. 33, by Senator O'Donnell, entitled "An act providing for the incorporation of subordinate lodges, chapters and encampments of Free and Accepted Masons, Independent Order of Odd Fellows, Knights of Pythias, and other fraternal societies; for the reincorporation of lodges heretofore incorporated," was read the third time.

On motion of Senator Moore, line 2 of the title was amended by inserting after the word "societies" the word "and."

On motion of Senator Rands, the title was further amended by striking all the words after word "incorporated" in the 3rd line and all the words in line 4.

The bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—38.

Absent or not voting were: Senators Kinnear, Reser, Smith, S. T., and Tucker—4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 32, by Senator Cornwell, entitled "An act to amend section 73 of an act entitled 'An act to establish a general uniform system of public schools in the State of Washington,'" was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, O'Donnell, Potts, Rands, Rasher, Splawn, Stansell, Tolman, Welsh, Welty, Wilson, Mr. President—28.

Those voting nay were: Senators Ruth and Sharp—2.

Absent or not voting were: Senators Baker, Hallett, Kinnear, Moultray, Palmer, Reser, Smith, S. T., Stewart, Sumner, Tucker, Van de Vanter and Warburton—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 21, by Mr. Lindsley, entitled "An act relating to the selling, leasing or making contracts concerning its real estate, or granting or renewing franchises or special privileges by incorporated cities, and providing for submitting such question or measure to the voters of such cities," was read the third time.

Senator Sharp moved to amend by striking section 6.

The motion prevailed.

Senator Hamilton moved to indefinitely postpone the bill.

Senators Tolman, Hamilton, Crow, Angle, Stewart, Baker and Hallett demanded a roll call on motion to indefinitely postpone.

Those voting yea were: Senators Baker, Clapp, Davis, Hamilton, Hemrich, Hurley, LeCrone, Palmer, Rands, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh—15.

Those voting nay were: Senators Angle, Baumeister, Cornwell, Crow, Earles, Garber, Graves, Hailey, Hallett, Hammer, McKenney, Moore, Moultray, Rasher, Ruth, Sharp, Tolman, Warburton, Welty, Mr. President—20.

Absent or not voting were: Senators Kinnear, O'Donnell, Potts, Reser, Smith, S. T., Splawn and Wilson—7.

The motion to indefinitely postpone was lost.

By unanimous consent, the bill was again placed upon third reading.

Senator Crow moved to amend section 1, line 7, by striking out the word "fifteen" and inserting in lieu thereof the word "thirty."

Senator Hurley moved as an amendment to the amendment that the word "fifteen" be stricken out and the word "twenty-five" be inserted in lieu thereof.

Senator Crow accepted the amendment to the amendment of Senator Hurley, and the motion prevailed.

On motion of Senator Sharp, the bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hurley, McKenney, Moore, Moultray, O'Donnell, Palmer, Rasher, Ruth, Sharp, Stansell, Tolman, Tucker, Warburton, Welty, Wilson, Mr. President—26.

Those voting nay were: Senators Baker, Clapp, Cornwell, Davis, Hemrich, LeCrone, Rands, Stewart, Sumner, Van de Vanter and Welsh—11.

Absent or not voting were: Senators Kinnear, Potts, Reser, Smith, S. T., Splawn—5.

House memorial No. 3, by Mr. Roth, requesting the representatives in both branches of Congress to oppose any measure having for its object the removal of the duty on lumber, was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hamilton, Hammer, Hurley, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Rands, Sharp, Stansell, Sumner, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—27.

Those voting nay were: Senators Graves, Moore and Tolman—3.

Absent or not voting were: Senators Hailey, Hallett, Hemrich, Kinnear, Potts, Rasher, Reser, Ruth, Smith, S. T., Splawn, Stewart and Tucker—12.

On motion of Senator Warburton, Senate memorial No. 5, by Senator Warburton, relating to the "Elkins bill," was referred to the Committee on Memorials.

Senate bill No. 27, by Senator Graves, entitled "An act prescrib-

ing the manner of saving exceptions and of settling and certifying bills of exceptions in the superior courts, regulating their use on appeal, and repealing the act relating thereto, entitled 'An act providing for and regulating the taking of exceptions, and the settling and certifying of bills of exceptions and statements of facts, and declaring the effect thereof,' approved March 8, 1893, and all other laws in conflict therewith," was read the third time and referred to the Engrossing Committee.

Senator Palmer gave notice that at the proper time he would move for a reconsideration of the vote on House bill No. 21.

Senate bill No. 86, by Senator Moore, entitled "An act relating to electric railroads and railways, and corporations incorporated for the construction, maintenance or operation thereof, repealing acts and parts of acts in conflict herewith," was read the third time.

Senator Moore offered the following amendments:

In line 1 of the title after the word "railways" add "and plants for manufacturing and transmitting electric power."

In line 5, section 1, after the word "railways" add "and transmission lines for transmitting electric power."

In line 8, section 1, after the word "railway" add "or such transmission lines."

In line 26, section 1, after the word "railway" add "or transmission line."

In line 3, section 2, after the word "power" add "or for manufacturing and transmitting electric power."

In line 9, section 2, after the word "railway" add "or transmission line."

In line 3, section 3, after the word "power" add "or for the manufacturing and transmitting and selling electric power."

In line 5, section 3, after the word "railway" add "or the whole or any part of the plant for manufacturing or distributing electric power or energy."

On motion of Senator Palmer, the amendments were adopted.

On motion of Senator Moore, the rules were suspended, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett,

Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Splawn, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—37.

Absent or not voting were: Senators Graves, Hamilton, Reser, Smith, S. T., and Tolman—5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 92, by Senator Tucker, entitled "An act to amend section 4 of an act providing for the leasing of county property and entitled 'An act for the leasing of county property, and declaring an emergency,' as approved by the Governor on the 16th of March, 1901, and declaring an emergency," was read the third time and referred to the Engrossing Committee.

Senate bill No. 120, by Senator Hamilton (by request), entitled "An act to exempt certain property of schools and colleges from taxation, and declaring an emergency," was read the third time.

On motion of Senator Tolman, section 1, line 5, was amended by striking the word "are" and inserting in lieu thereof the word "is."

Senator Tolman moved to amend section 1, line 6, by striking out all the words in that line after the word "purposes" and all of line 7.

The motion was lost.

Senator Tolman moved to strike the emergency clause.

The motion was lost.

The bill was referred to the Engrossing Committee.

On motion of Senator Rands, at 12:30 o'clock p. m. the Senate adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

President Smith called the Senate to order at the hour of 2 o'clock p. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Smith, S. T., and Senator Reser, excused.

The President signed House bills Nos. 92, 110 and 66.

On motion of Senator Tolman, the Senate resolved itself into a Committee of the Whole for the consideration of Senate bill No.

85, by Senator Moore, "An act for the relief of the Puget Sound Mill & Shingle Company," etc.

The bill was considered in the Committee of the Whole, Senator Hammer in the chair, and reported back to the Senate with the recommendation that it do pass.

The report was adopted.

On motion of Senator Hamilton, the rules were suspended, the reading had in the committee considered the third reading, the bill considered engrossed, placed on its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Crow, Davis, Earles, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Splawn, Stansell, Stewart, Sumner, Tolman, Welsh, Welty, Wilson, Mr. President—34.

Absent or not voting were: Senators Baker, Cornwell, Garber, Reser, Smith, S. T., Tucker, Van de Vanter and Warburton—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 55, by Senator Graves, entitled "An act for the protection of occupants of land who have in good faith made improvements thereon," was read the third time and referred to the Engrossing Committee.

Frank Seidel was sworn in by the President as assistant engrossing clerk.

Senate bill No. 117, by Senator Clapp, entitled "An act providing for the rate of interest to be paid on bonds of Jefferson County and owned by the State of Washington," was read the third time.

On motion of Senator Moore, section 4, line 1, was amended by striking all the words in that line after the word "immediately" and all of line 2.

On motion of Senator Hamilton, the rules were suspended, the bill was considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands,

Rasher, Ruth, Sharp, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—38.

Absent or not voting were: Senators Baker, Reser, Smith, S. T., and Van de Vanter—4.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—38.

Absent or not voting were: Senators Baker, Kinnear, Reser and Smith, S. T.—4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 158, by Senator McKenney, entitled "An act to amend section 1 of an act entitled 'An act to protect the owners of stock from injury thereto by moving trains, declaring the law of negligence and providing for a reasonable attorney's fee in all actions for such injury,' approved by the Governor March 15, 1893."

On motion of Senator Hamilton, the bill was referred to the Committee on Railroads and Transportation.

Senate bill No. 115, by Senator Rands, entitled "An act to amend sections 6226, 6228, 6246 and sections 6321, 6337 and 6340 and section 6110 of Ballinger's Annotated Codes and Statutes of Washington, relating to probate law and procedure," was read the third time.

On motion of Senator Rands, the rules were suspended, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—38.

Absent or not voting were: Senators Henrich, Kinnear, Reser and Smith, S. T.—4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 29, by Senator Davis, entitled "An act relating to justices of the peace and constables in cities having more than 5000 inhabitants," was read the third time.

On motion of Senator Stewart, section 3 was stricken.

The bill was referred to the Engrossing Committee.

Substitute Senate bill No. 25, by Committee on Medicine, Dentistry and Hygiene, "An act to amend sections 1, 9, 11, 14 and 15 (Pierce's Code, section 3215) of an act entitled 'An act to regulate the practice of barbering,' etc.

On motion of Senator Rands, Section 2, line 6, was amended by striking the words "to him" at the beginning of line.

Senator Palmer moved to strike in section 3, line 3, after the word "provided" the remainder of the line and all of line 4, and line 5 to the word "paid," inclusive.

The motion was lost.

On motion of Senator Graves, the title was amended by striking out the words and figures in parenthesis "(Pierce's Code, section 3215)."

Senator Baker moved to amend section 5, line 5, by striking the words "or hairbrushes."

The motion was lost.

The bill was referred to the Engrossing Committee.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, February 18, 1903.

The Honorable, the President of the Senate, Senate Chamber, Olympia, Washington.

SIR: I have the honor to inform you that the Governor has this day approved the following:

Senate Bill No. 39, entitled "An act making appropriation for the State Penitentiary."

Senate Bill No. 68, entitled "An act appropriating money to cover deficiency for future appraisement, cruising and advertising the sale of land and timber on State land, and filing fees in the United States land offices, and future contingent expenses in the office of the Commissioner of Public Lands.

Respectfully yours,

J. HOWARD WATSON, Secretary to the Governor.

INTRODUCTION OF HOUSE BILLS.

House bill No. 28, by Mr. Johnson: An act to establish the number of hours to constitute a day's work in smelting and reduction works.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Manufactures.

House bill No. 42, by Mr. Gleason: An act amending section 3 of an act entitled "An act providing for and regulating the selection of jurors in the superior courts of the state," etc.

The bill was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 31, by Mr. Philbrick: An act to amend section 2, chapter 126, page 244, Session Laws of 1899, entitled "An act authorizing cities and towns other than cities of the first class to construct sewers and drains," etc.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 55, by Mr. Field: An act to provide for the close season for trout fishing in the streams and lakes within the county of Chelan, etc.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Fisheries.

House bill No. 132, by Mr. Collins: An act providing for the search and seizure of liquors kept contrary to law.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Morals.

House bill No. 147, by Mr. Lewis: An act prohibiting the maintaining of gambling resorts and prescribing a penalty therefor.

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Miscellaneous.

House joint resolution No. 13, by Mr. Hopp, constituting the

President of the Senate and the Speaker of the House a committee to meet with the Olympia Chamber of Commerce to consult and arrange for some suitable observance of the semi-centennial of the day on which the act of Congress creating Washington Territory was signed by the President of the United States.

The resolution was read the first time; and, on motion of Senator Ruth, the resolution was laid on the table.

House bill No. 24, by Mr. Maloney: An act regulating common carriers, fixing the maximum passenger rates in the State of Washington, etc.

The bill was read the first time; and, on motion of Senator Baker, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Railroads and Transportation.

Unanimous consent was given Senator Hamilton to introduce Senate concurrent resolution No. 10, out of order.

Senate concurrent resolution No. 10, by Senator Hamilton, relating to the appointment of a joint committee to meet with the Olympia Chamber of Commerce, etc.

The resolution was adopted.

On motion of Senator Hamilton, the rules were suspended and the resolution ordered transmitted immediately to the House.

On motion of Senator Rands, the rules were suspended, and all bills passed today were ordered transmitted immediately to the House.

Unanimous consent was given Senator Van de Vanter to place on final passage Senate memorial No. 8, by Senator Garber, praying that the Senate and House of Representatives restore the bonus of 4 per cent. heretofore granted to Pacific Coast naval contractors, etc.

The memorial was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Stansell, Sumner, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—35.

Absent or not voting were: Senators Cornwell, Reser, Smith, S. T., Splawn, Stewart, Tolman and Warburton—7.

On motion of Senator Garber, the rules were suspended and the memorial ordered transmitted immediately to the House.

On motion of Senator Baker, at 3:05 p. m. the Senate adjourned until tomorrow at 10 o'clock, Thursday, February 19, 1903.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

THIRTY-NINTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 19, 1903. }
10 o'clock a. m. }

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Hamilton, excused.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER.
OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate Bill No. 142, entitled "An act providing for the amendment of Section 11, Article I, of the Constitution of the State of Washington, etc.," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

STANLEY HALLETT, Chairman.

We concur in this report: G. Garber, Grant C. Angle, S. M. LeCrone, O. A. Tucker.

OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, your committee on Municipal Corporations, to whom was referred Senate Bill No. 148, entitled "An act providing for the compensation of mayors and councilmen of cities of the third and fourth class in the

State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

WARREN W. TOLMAN, Chairman.

We concur in this report: J. R. O'Donnell, W. G. Potts, Wm. Hickman Moore, W. R. Moultray, T. B. Sumner.

On motion of Senator Tolman, the majority report was adopted.

OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

I, a minority of your Committee on Municipal Corporations, to whom was referred Senate Bill No. 148, entitled "An act providing for the compensation of mayors and councilmen in cities of the third and fourth class in the State of Washington," have had the same under consideration, and I respectfully report the same back to the Senate with the recommendation that it do pass.

WILL G. GRAVES.

OLYMPIA, WASH., February 17, 1903.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate Bill No. 19, entitled "An act relating to sales of mining claims under execution decrees and orders of court and redemption thereof," have had the same under consideration, and we respectfully report the same back to the senate with the recommendation that it pass with the following amendments:

Section 5—Strike out all of section 5.

Section 6—Strike out all of section 6.

M. E. STANSELL, Chairman.

We concur in this report: Geo. J. Hurley, C. L. Stewart, Huber Rasher, W. R. Moultray, J. P. Sharp, Stanley Hallett, T. B. Sumner.

The report was adopted.

OLYMPIA, WASH., February 19, 1903.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 133, entitled "An act relating to State Normal Schools and amending sections 215, 219 and 224 of an act entitled 'An act to establish a general uniform system of public schools in the State of Washington,'" etc., have had the same under consideration, and we respectfully report back to the Senate a substitute bill with the recommendation that it be printed and placed on general file, and that it do pass.

S. M. LECRONE, Chairman.

We concur in this report: A. S. Ruth, C. L. Stewart, Warren W. Tolman.

The report was adopted.

OLYMPIA, WASH., February 19, 1903.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House Joint Memorial No. 7, entitled "An act relative to the withdrawal of agricultural lands in the Quinault valley, within the limits of the Olympia Forest Reserve," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

In paragraph 2 of subdivision 3 of printed memorial strike out all words at the beginning of said paragraph before the word "believing."

E. BAUMEISTER, Chairman.

We concur in this report: G. Garber, Wm. Hickman Moore.

The report was adopted.

OLYMPIA, WASH., February 11, 1903.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 132, entitled "An act to create and organize the County of Palouse, and declaring an emergency."

Also Senate bill No. 130, entitled "An act to create and organize the County of Steptoe and declare an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that they be indefinitely postponed.

We concur in this report: S. Warburton, Stanley Hallett, A. J. Splawn, E. B. Palmer, Geo. H. Baker, J. P. Sharp.

OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 106, entitled "An act to prevent the marring and defacing of natural scenery, etc.," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass as amended.

Insert the enacting clause,

"Be it enacted by the Legislature of the State of Washington:"

In section 1, line 5, strike out the word "less" and insert the word "more," and strike out the figures "\$50.00."

In section 2, line 4, strike out the word "less" and insert the word "more" and the figures "\$50.00," and add to the section "Provided, That nothing herein shall apply to any notice required by law to be posted."

Strike sections 3 and 4.

HERMAN D. CROW, Chairman.

We concur in this report: J. R. Welty, Wm. Hickman Moore, E. B. Palmer, Will G. Graves, Warren W. Tolman.

The report was adopted.

OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill

No. 34, entitled "An act prescribing the master's liabilities for injuries," etc., have had the same under consideration and herewith make a majority and minority report.

We, a majority of your Committee on Judiciary, recommend that the bill be placed on general file.

HERMAN D. CROW, Chairman.

JOHN T. WELSH.

H. E. MCKENNEY.

E. M. RANDS.

E. B. PALMER.

J. R. WELTY.

And we, a minority of your Committee on Judiciary, recommend that the bill do pass.

WM. HICKMAN MOORE.

WILL G. GRAVES.

WARREN W. TOLMAN.

Senator Welsh moved that the bill, together with the majority and minority reports, be referred to the Committee on Manufactures.

Roll call was demanded by Senators Tolman, Graves, Angle, Hallett, Moore, Baker and Rands on Senator Welsh's motion to refer to the Manufactures Committee.

Those voting yea were: Senators Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Hammer, Hemrich, Hurley, Kinnear, Le Crone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Smith, A. T., Stewart, Sumner, Tucker, Welsh, Mr. President—26.

Those voting nay were: Senators Angle, Garber, Graves, Hallett, Moore, Sharp, Tolman, Welty and Wilson—9.

Absent or not voting were: Senators Hailey, Hamilton, Reser, Splawn, Stansell, Van de Vanter and Warburton—7.

The motion of Senator Welsh prevailed.

OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 156, entitled "An act relating to the State Library, giving the Law Department control," etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it be referred to the State Library Committee.

HERMAN D. CROW, Chairman.

We concur in this report: Johnt T. Welsh, H. E. McKenney, J. R. Welty, Wm. Hickman Moore, Will G. Graves, Warren W. Tolman.

The report was adopted.

OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 165, and which is a duplicate of House bill No. 332, entitled "An act to amend section 2835 of Ballinger's Code, relating to the appointment of a Deputy Insurance Commissioner," have had the same under consideration, and respectfully report the same back to the senate with the following amendments, and recommend that it be referred to the Appropriation Committee.

Strike out the title and insert the following:

"An act to amend section 31 of an act entitled 'An act to regulate and license insurance in this state, and repealing existing laws in relation thereto, and declaring an emergency,' approved March 19, 1895, and declaring an emergency.

In section 1, after the words "section 1" strike out all of line 1 and the words "section 283" in line 2, and insert in lieu thereof the following: "That section 31 of an act entitled 'An act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency,' approved March 19, 1895, be amended to read as follows: Section 31—"

Strike section 2 and insert the following: An emergency exists and this act shall take effect immediately.

HERMAN D. CROW, Chairman.

We concur in this report: John T. Welsh, Wm. Hickman Moore, H. E. McKinney, Will G. Graves, J. R. Welty, Warren W. Tolman.

The report was adopted.

OLYMPIA, WASH, February 19, 1903.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 153, entitled "An act for the establishment and construction of a state road in Stevens and Ferry Counties, Washington, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

That the word "northerly," at the beginning of line 13 of section 1, be stricken, and that the word "southerly" be inserted in lieu thereof.

C. L. STEWART, Chairman.

We concur in this report: M. E. Stansell, Geo. J. Hurley, G. Garber, J. R. Welty, E. Baumeister, A. T. Van de Vanter.

The report was adopted.

On motion of Senator Hammer, Senate bill No. 153 was referred to the Committee on Appropriations.

OLYMPIA, WASH, February 19, 1903.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred

Senate bill No. 164, entitled "An act providing for a state wagon road beginning at the point where the present wagon road running northerly from Leavenworth to Lake Wenatchee, in Chelan County, crosses the northern boundary of the northwest quarter of section 5, township 26 north, range 18 east, W. M.; to a connection with the Sauk-Darrington county road in Skagit County," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

In line 3, section 7, strike the word "seventeen" and insert in lieu thereof the word "twelve."

C. L. STEWART, Chairman.

We concur in this report: M. E. Stansell, Geo. J. Hurley, G. Garber, J. R. Welty, E. Baumeister, A. T. Van de Vanter.

The report was adopted.

On motion of Senator Hammer, Senate bill No. 164 was referred to the Committee on Appropriations.

OLYMPIA, WASH, February 19, 1903.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 154, entitled "An act for the construction of a bridge across the Columbia river at Northport, Stevens County, Washington, appropriating money therefor and creating a commission to have charge of the construction of said bridge," have had the same under consideration, and we respectfully report the same back to the Senate with a favorable recommendation and ask that it be referred to the Committee on Appropriations.

C. L. STEWART, Chairman.

We concur in this report: M. E. Stansell, Geo. J. Hurley, G. Garber, J. R. Welty, E. Baumeister.

The report was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER.

OLYMPIA, WASH, February 19, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 27, entitled "An act prescribing the manner of saving exceptions," etc., have compared same with the original bill and find it correctly engrossed.

Also Senate bill No. 92, entitled "An act to amend section 4 of an act providing for the leasing of county property," etc.

Also Senate bill No. 120, entitled "An act to exempt certain property of schools and colleges from taxation," etc.

Also Senate bill No. 29, entitled "An act relating to Justices of the Peace and Constables in cities having more than 5000 inhabitants," etc.

Also Senate bill No. 25, entitled "An act to amend sections 1, 9, 11, 14 and 15 of an act entitled 'An act to regulate the practice of barbering,'" etc.

Also Senate bill No. 55, entitled "An act for the protection of occupants of land who have in good faith made permanent improvements," etc.

Also Senate bill No. 86, entitled "An act relating to electric railroads and railways," etc.

We have compared the same with the original bills and find them correctly engrossed:

E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, E. Hammer, C. L. Stewart.

INTRODUCTION OF BILLS.

Senate bill No. 196, by Senator LeCrone: An act relating to the erection of a monument to the memory of the late Governor of the State of Washington, the Hon. John R. Rogers, appropriating funds to assist in the erection of the same, and appointing a committee to direct the expenditure of the funds.

The bill was read the first time; and, on motion of Senator LeCrone, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 197, by Senator Tucker: An act to define and regulate the practice of optometry, and for the creation of a board of examiners in optometry.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Medicine, Dentistry and Hygiene.

Senate bill No. 198, by Senator Davis: An act to amend section 18 of an act entitled "An act to provide for state grain weighing and grading, creating the office of state grain inspector, establishing a state grain commission, and making an appropriation of \$2,000," approved March 19, 1895.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Commerce.

GENERAL FILE.

Senate bill No. 29, by Senator Davis, entitled "An act relating to justices of the peace and constables in cities having more than 5,000 inhabitants," etc., was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, O'Donnell, Palmer, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Warburton, Welsh, Mr. President—29.

Absent or not voting were: Senators Graves, Hailey, Hallett, Hamilton, Kinnear, Moultray, Potts, Reser, Tolman, Tucker, Van de Vanter, Welty and Wilson—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Substitute Senate bill No. 25, by Committee on Medicine, Dentistry and Hygiene, "An act to amend sections 1, 9, 11, 14 and 15, of an act entitled 'An act to regulate the practice of barbering,' " etc., was placed on final passage and passed by the following vote:

Those voting yea were: Senators Baker, Baumeister, Clapp, Crow, Davis, Earles, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Rands, Rasher, Ruth, Smith, S. T., Stansell, Stewart, Sumner, Warburton, Welsh—22.

Those voting nay were: Senators Angle, Cornwell, Garber, Graves, Sharp, Tolman and Wilson—7.

Absent or not voting were: Senators Hailey, Hallett, Hamilton, Moore, Moultray, Palmer, Potts, Reser, Splawn, Tucker, Van de Vanter, Welty and Mr. President—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 27, by Senator Graves, entitled "An act prescribing the manner of saving exceptions and of settling and certifying bills in the Superior Courts," etc., was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Graves, Hallett, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Pal-

mer, Rands, Rasher, Stansell, Tolman, Welty, Mr. President—24.

Those voting nay were: Senators Moore, Ruth, Sharp, Smith, S. T., Stewart, Sumner and Welsh—7.

Absent or not voting were: Senators Cornwell, Hailey, Hamilton, Moultray, Potts, Reser, Splawn, Tucker, Van de Vanter, Warburton and Wilson—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 55, by Senator Graves, entitled "An act for the protection of occupants of land who have in good faith made improvements thereon," was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hallett, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, O'Donnell, Palmer, Rands, Rasher, Ruth, Sharp, Smith, S. T., Stansell, Stewart, Sumner, Tolman, Welsh, Welty, Wilson, Mr. President—31.

Absent or not voting were: Senators Baker, Hailey, Hamilton, Kinnear, Moultray, Potts, Reser, Splawn, Tucker, Van de Vanter and Warburton—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 93, by Senator Hemrich, entitled "An act to provide for the arbitration and settlement of differences between employer and employe," was read the third time.

Senator Palmer moved to strike the section appropriating the sum of five thousand dollars.

Senator Tolman raised a point of order on the ground that the section carrying an appropriation could not be amended or stricken excepting in Committee of the Whole.

The President ruled the point well taken.

Senator Sharp moved that the bill be re-referred to the Appropriation Committee.

The motion was lost.

Senator Welty moved that the bill be made a special order for 11 o'clock Monday.

Senator Hemrich moved to amend by going into the Committee of the Whole.

The motion of Senator Hemrich prevailed.

The Senate resolved itself into the Committee of the Whole, Senator Sumner in the chair.

Senator Ruth moved to amend section 6 by striking the words "five thousand" and inserting the words "ten thousand."

Senator Baker moved to amend the amendment by striking the words "five thousand" and inserting "two thousand."

Senator Tolman moved as a substitute that the words "five thousand" be stricken and insert "three thousand."

The substitute carried.

On motion of Senator Tolman, the Committee of the Whole arose and reported the bill back to the Senate, with the recommendation that it do pass as amended.

The report was adopted.

Senator Hemrich moved that the reading just had in Committee of the Whole be considered the third reading and the bill placed on final passage.

The motion prevailed.

The bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hallett, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Sharp, Smith, S. T., Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—36.

Senator Ruth voted nay.

Absent or not voting were: Senators Hailey, Hamilton, Rands, Reser and Splawn—5.

The emergency clause was passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hallett, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, S. T., Stansell, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Wilson, Mr. President—36.

Absent or not voting were: Senators Hailey, Hamilton, Reser, Splawn, Stewart and Welty—6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hemrich, the rules were suspended and the bill ordered transmitted immediately to the House.

Senate bill No. 109, by Senator Kinnear, entitled "An act amending section 709 of Ballinger's Annotated Codes and Statutes of Washington, relating to the Consolidation of two or more contiguous corporations."

On motion of Senator Palmer, the rules were suspended, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Hallett, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Sharp, Stansell, Stewart, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—32.

Absent or not voting were: Senators Garber, Graves, Hailey, Hamilton, Rasher, Reser, Ruth, Smith, S. T., Splawn and Sumner—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 92, by Senator Tucker, "An act to amend section 4 of 'An act, for the leasing of county property,'" was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Graves, Hammer, Hurley, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Splawn, Stansell, Stewart, Tolman, Tucker, Van de Vanter, Welsh, Wilson, Mr. President—30.

Absent or not voting were: Senators Garber, Hailey, Hallett, Hamilton, Hemrich, Kinnear, LeCrone, Reser, Smith, S. T., Sumner, Warburton and Welty—12.

The emergency clause was passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Graves, Hammer, Hurley, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Splawn, Stansell, Stewart, Tolman, Tucker, Van de Vanter, Welsh, Wilson, Mr. President—30.

Absent or not voting were: Senators Garber, Hailey, Hallett,

Hamilton, Hemrich, Kinnear, LeCrone, Reser, Smith, S. T., Sumner, Warburton and Welty—12.

Senate bill No. 100, by Senator Welsh, entitled "An act relating to the removal from state lands of timber," etc., was read the third time.

Senator Clapp moved to amend section 1, line 1, by inserting after the word "prior" the words "or subsequent."

Senator Graves moved that the bill be made a special order for March 12, at 2:30 p. m.

The motion was lost.

Senator Tolman moved as an amendment to strike out in section 1, line 4, the word "ten" and insert the word "five" in lieu thereof.

The motion was lost.

The amendment of Senator Clapp prevailed.

The bill was referred to the Engrossing Committee.

Senator Warburton was excused until Monday.

The hour having arrived for the consideration of Senate bill No. 70, by Senator Hammer, entitled "An act to amend section 3753 of Ballinger's Annotated Codes and Statutes of Washington, relating to drainage districts," made a special order at this hour, was, on motion of Senator Hammer, made a special order for Wednesday, February 25, 1903, at 11:30 a. m.

Senate bill No. 159, by Senator Sharp, entitled "An act to amend section 26 of an act entitled 'An act providing for the use of water for the purposes of irrigation,'" etc., was read the third time.

On motion of Senator Sharp, the rules were suspended, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hallett, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, S. T., Stansell, Sumner, Tolman, Welsh, Welty, Wilson, Mr. President—34.

Absent or not voting were: Senators Hailey, Hamilton, Reser, Splawn, Stewart, Tucker, Van de Vanter and Warburton—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 100, by Mr. Raine, "An act relating to the practice of justices' courts," etc., was read the third time.

On motion of Senator Moore, section 1, line 1, after the word "follows," was amended by inserting the word and figures "section 6546."

Also section 2, line 2, after the word "follows" the word and figures "section 6547."

Also section 3, line 2, after the word "follows" the word and figures "section 6548."

The bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Davis, Earles, Garber, Graves, Hallett, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, S. T., Stansell, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—32.

Absent or not voting were: Senators Clapp, Cornwell, Hailey, Hamilton, Hemrich, Reser, Splawn, Stewart, Sumner and Warburton—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Sumner, House bill No. 163, by Mr. Craigie and Mr. Johnston, "An act to amend section 130 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations,'" etc., with majority and minority reports, was referred to Committee on Municipal Corporations.

On motion of Senator Tolman, House bill No. 164, by Mr. Johnston and Mr. Craigie, "An act to amend section 166 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations,'" etc., was, with majority and minority reports, referred to Committee on Municipal Corporations.

House bill No. 121, by Mr. Thompson, an act entitled "An act changing the corporate name of the town of 'Sidney,'" etc., was

read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Cornwell, Crow, Davis, Earles, Garber, Graves, Hallett, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, S. T., Stewart, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—34.

Absent or not voting were: Senators Clapp, Hailey, Hamilton, Reser, Splawn, Stansell, Sumner and Warburton—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 120, by Mr. Thompson, an act entitled "An act changing the corporate name of the town of 'Port Orchard,'" etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Cornwell, Crow, Davis, Earles, Garber, Graves, Hammer, Hemrich, Hurley, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Potts, Rands, Rasher, Ruth, Sharp, Smith, S. T., Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—32.

Absent or not voting were: Senators Clapp, Hailey, Hallett, Hamilton, McKenney, Palmer, Reser, Splawn, Stansell and Warburton—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Tucker, House bill No. 6, by Mr. Benn: An act relating to the tide lands of Aberdeen, etc., was considered in the Committee of the Whole. Senator Tucker in the chair.

On motion of Senator Sharp the preamble was stricken in the engrossed copy of the bill.

On motion of Senator Sharp the Committee of the Whole arose and reported the bill back to the Senate with the recommendation that it do pass as amended.

The report was adopted.

On motion of Senator Palmer the rules were suspended, the reading had in Committee of the Whole considered the third reading, the bill placed on its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Graves, Hallett, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Sharp, Smith, S. T., Stewart, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—31.

Absent or not voting were: Senators Cornwell, Hailey, Hamilton, Rasher, Reser, Ruth, Splawn, Stansell, Sumner, Van de Vanter and Warburton—11.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Graves, Hallett, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Sharp, Smith, Stewart, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—32.

Absent or not voting were: Senators Cornwell, Hailey, Hamilton, Rasher, Reser, Ruth, Splawn, Stansell, Sumner and Warburton—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Tolman, the rules were suspended, and all bills passed today were ordered transmitted immediately to the House.

On motion of Senator Palmer, at 12:30 o'clock p. m., the Senate adjourned until tomorrow, Friday, February 20, 1903, at 10 o'clock p. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate

FORTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February 20, 1903. }
10 o'clock a. m. }

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Hamilton, Reser and Warburton, excused.

Rev. A. G. Sawin offered prayer.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

Unanimous consent having been given, Senator Palmer moved that the Senate pass the first order of business temporarily.

The motion prevailed.

The president signed Senate bill No. 167.

On motion of Senator Rands, Senate bill No. 172, "An act providing for the organization of river improvement districts," etc., was recalled from the Committee on Corporations Other Than Municipal and referred to the Judiciary Committee.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 167, entitled "An act making appropriations for the maintenance of State Educational Institutions," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: A. S. Ruth, O. A. Tucker.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 20, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 100, entitled "An act relating to the removal from State lands of

timber purchased from the State," etc., have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report: C. L. Stewart, O. T. Cornwell, Stanley Hallett.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., February 20, 1903.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Senate bill No. 170, entitled "An act to amend section 2563 and section 2580 of Ballinger's Annotated Codes and Statutes of Washington, the same being sections 7473 and 7475 of Pierce's Washington Code, relating to the establishment and maintenance at Vancouver, Clark County, of an institution to be known as the Washington School for Defective Youth, and providing for the caring for and educating therein of the deaf, blind and feeble minded youth of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

O. A. TUCKER, Chairman.

We concur in this report: Stanley Hallett, E. Hammer, A. J. Splawn, S. A. Ruth.

The report was adopted.

OLYMPIA, WASH., February 19, 1903.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred House bill No. 132, entitled "An act providing for the search for and seizure of liquors and appliances kept or used contrary to law and to punish as misdemeanors all violators thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

STANLEY HALLETT, Chairman.

We concur in this report: G. Garber, O. A. Tucker, S. M. LeCrone, Grant C. Angle.

OLYMPIA, WASH., February 19, 1903.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 121, entitled "An act to regulate, restrain, license or prohibit the sale or disposal of intoxicating liquors," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

In section 1, line 8, of printed bill strike out the words "one thou-

sand," and in lieu thereof insert the words "six hundred"; in line 8 and beginning of line 9 strike the word "twenty-five," and in lieu thereof insert the word "fifteen," and at the end of said section add the words: "and provided further that no license shall be granted except upon a petition signed by at least twenty freeholders residing in the immediate vicinity of the proposed location."

In section 2, line 8, strike the words "one thousand," and in lieu thereof insert the words "six hundred"; also in line 9 strike the word "twenty-five," and in lieu thereof insert the word "fifteen."

STANLEY HALLETT, Chairman.

We concur in this report: G. Garber, S. M. LeCrone, Grant C. Angle, O. A. Tucker.

The report was adopted.

OLYMPIA, WASH., February 19, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, herewith report to the Senate a Judiciary Committee bill, No. 206, entitled "An act governing the appointment, salaries, powers and duties of Superior Court Commissioners, and declaring an emergency," with the recommendation that it be read first and second times by title, printed and placed on general file, and that it do pass.

HERMAN D. CROW, Chairman.

We concur in this report: J. R. Welty, E. M. Rands, R. M. Kinnear, E. B. Palmer, H. E. McKenney.

The report was adopted.

OLYMPIA, WASH., February 19, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 99, entitled "An act to amend an act entitled 'An act in relation to garnishments,'" have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass.

HERMAN D. CROW, Chairman.

We concur in this report: J. R. Welty, E. M. Rands, R. M. Kinnear, E. B. Palmer, H. E. McKinney.

OLYMPIA, WASH., February 19, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate substitute bill No. 65, entitled "An act to amend sections 3 to 31 of an act classifying the counties and fixing salaries of officers," have had the same under consideration, and respectfully report the same back to the senate with the recommendation that it do pass with the following amendments:

In section 13, in regard to counties of the thirteenth class, in line 6 strike out the word "four" where it occurs between "commission" and

"dollars," and insert the word "five"; in same line strike out the word "twelve" where it occurs between "assessor" and "hundred," and insert the word "fifteen."

In same section strike out the word "five" where it occurs between the words "surveyor" and "dollars," and insert the words "fifteen hundred"; in same line strike out the word "day" where it occurs between "per" and "county," and insert the word "annum."

In section 18, in regard to counties of the eighteenth class, line 3, after the word "auditor" strike out the word "thirteen" and insert the word "fifteen"; in same line strike out the words "and fifty"; same line, after the word "clerk" strike out words "eleven hundred" and insert the words "thirteen hundred and fifty"; line 4, after the word "treasurer," strike out the word "thirteen" and insert the word "fifteen"; same line, strike out the words "and fifty"; same section, line 6, after the word "commissioners" strike out the word "four" and insert the word "five."

In section 19, in regard to counties of the nineteenth class, line 3, after the word "auditor" strike out the words "fourteen hundred" and insert the words "thirteen hundred and fifty"; line 4, after the word "treasurer" strike out the words "twelve hundred" and insert the words "(seventeen) hundred and fifty"; line 5, after the word "hundred" strike out the words "and fifty"; same line, after the word "schools" strike out the word "seven" and insert the word "six"; line 6, after the word "hundred" strike out the words "and fifty"; same line, after the word "commissioners" strike out the word "four" and insert the word "five."

HERMAN D. CROW, Chairman.

We concur in this report: J. R. Welty, E. M. Rands, R. M. Kinnear, E. B. Palmer, H. E. McKinney.

The report was adopted.

OLYMPIA, WASH., February 19, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was rererred Senate bill No. 129, entitled "An act providing for the payment of warrants issued under an act of the Legislature of the State of Washington entitled 'An act providing for the construction, repairing, etc., of dykes, ditches, etc.," have had the same under consideration, and respectfully report back the same to the Senate with the recommendation that as amended it be placed on general file.

In section 2, line 10, strike the word "number" and insert the word "amount."

Strike section 4 and insert the following: "An emergency exists and this act shall take effect immediately."

HERMAN D. CROW, Chairman.

We concur in this report: J. R. Welty, E. M. Rands, R. M. Kinnear, E. B. Palmer, H. E. McKinney.

The report was adopted.

OLYMPIA, WASH., February 19, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 172, entitled "An act providing for the organization and government of river improvement districts, and levying tax," etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In section 1, line 3, between the words "may" and "propose," insert the words "by petition."

In section 2, line 1, strike out the word "A" and insert the word "such."

In section 3, line 2, after the word "required" strike the "comma" and insert a "period," and strike out the words "nor shall the provisions respecting registration apply."

In section 4, line 3, after the word "state" strike the "comma" and insert a "period," and strike the words "except that no registration shall be required."

In section 10, line 3, after the word "secretary" strike out the words "and treasurer."

In same section, line 4, strike out the words "their offices" and insert in lieu thereof the words "his office."

In section 12, line 2, after the word "meetings" insert the words "may be held."

In section 13, line 6, strike out the word "to" and insert the word "shall."

In same section, line 7, after the word "district" strike the "period" and insert a "comma," and strike the word "the" which follows and insert the word "said."

In section 14, line 3, between the words "election" and "shall" insert the word "there."

In line 10, section 14, between the words "election" and "the" insert the word "and," and after the word "issued" insert a period, strike the word "the" which follows and capitalize the letter "s" of the word "said."

In section 14, line 32, between the words "of" and "such" insert the word "which."

In section 15, line 5, strike out the word "such" where it occurs between the words "cause" and "publication."

In section 17, line 3, strike out the word "the" where it occurs between the words "for" and "state."

In section 18, line 7, strike the word "the" where it occurs between the words "of" and "bonds" and insert the word "such."

In same section, line 10, strike the word "the" where it occurs between the words "notice" and "bonds" and insert the words "if said."

In section 19, line 2, between the words "the" and "coupons" insert the word "interest."

In section 20, line 11, after the word "shall" strike out the balance of the section and insert the following: "pay therefrom said interest coupons as they mature and said bonds as they may be called."

In section 22, line 7, strike the "period" and insert a "comma" and add the following: "and the said contract in which said director was interested shall be void."

Strike section 23 and insert the following: "An emergency exists and this act shall take effect immediately."

HERMAN D. CROW, Chairman.

We concur in this report: J. R. Welty, E. M. Rands, R. M. Kinnear, E. B. Palmer, H. E. McKinney.

The report was adopted.

OLYMPIA, WASH., February 19, 1903.

MR. PRESIDENT:

We, your Committee on Horticulture and Forestry, to whom was referred Senate bill No. 90, entitled "An act to promote the fruit growing and horticultural interests of the State of Washington: To provide for appointment of Commissioner of Agriculture," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JNO. EARLES, Chairman.

We concur in this report: Grant C. Angle, H. E. McKenney, J. P. Sharp, G. B. Wilson.

OLYMPIA, WASH., February 20, 1903.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House Bill No. 41, entitled "An act to provide for the alteration, replat or vacation of any townsite, city plat or plats, addition or additions, or part thereof, and the assessment, collection and payment of any damages connected therewith," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended as follows:

In section 4, line 1, after the word "that" insert the word "thereafter," and after that that the bill be placed on general file.

WARREN W. TOLMAN, Chairman.

We concur in his report: C. F. Clapp, W. R. Moultray, J. R. O'Donnell, T. B. Sumner, R. M. Kinnear, W. G. Potts.

The report was adopted.

OLYMPIA, WASH., February 20, 1903.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 31, entitled "An act to amend section 2, chapter 126, page 244, session laws of 1899, entitled "An act authorizing cities and

towns other than cities of the first class to construct sewers and drains within assessment districts and to levy and collect special assessments and taxes to pay therefor, and declaring an emergency," approved March 14, 1899, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

In the title, in line 1 thereof, strike the words and figures "chapter 126, page 244, session laws of 1899," and insert in lieu thereof the following words, "of an act."

WARREN W. TOLMAN, Chairman.

We concur in this report: C. F. Clapp, J. R. O'Donnell, R. M. Kinnear, W. R. Moultray, T. B. Sumner, W. G. Potts.

The report was adopted.

OLYMPIA, WASH., February 20, 1903.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House Bill No. 163, entitled "An act to amend section 130 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations and declaring an emergency,' approved March 27, 1890, and being section 948 of Ballinger's Code, and section 3500 of Pierce's Code of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

1. That all that part of the title after the figures "1890" be stricken.
2. In line 1, after the word "act" and before the word "entitled" strike the words "of the Legislature of the State of Washington."
3. In line 4, after the words "Pierce's Code" strike the words "of the State of Washington."
4. In line 5, after the word "follows" insert the word and figures "section 130."
5. In line 8, after the first "same" strike the words "the same may be done by contract, and when done by contract," and insert in lieu thereof the words "when the expenditure required for the same exceeds the sum of \$500 the same shall be done by contract, and."
6. In line 11, following the word "discretion" add the words "or if in the judgment of the council such work can be performed, or supplies, or materials furnished by the city independent of contract cheaper than under the lowest bid submitted, it may cause such work to be performed or supplies or materials to be furnished independent of contract."

WARREN W. TOLMAN, Chairman.

We concur in this report: C. F. Clapp, J. R. O'Donnell, R. M. Kinnear, W. R. Moultray, T. B. Sumner, W. G. Potts.

The report was adopted.

OLYMPIA, WASH., February 20, 1903.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 164, entitled "An act to amend section 166 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' approved March 27, 1890, and being section 1019 of Ballinger's Code of Washington and section 3533 of Pierce's Code of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

1. All that part of the title after the figures "1890" be stricken.
2. In section 1, in line 1, after the word "act" and before the word "entitled" strike the words "of the Legislature of the State of Washington."
3. In same section, at the beginning of line 4, strike the words "of Washington," and in the same line, after the words "Pierce's Code," strike the words "of Washington."
4. In same section, in line 5, after the word "follows" insert the words and figures "section 166."
5. In line 8, after the first "same" strike the words "the same may be done by contract, and when done by contract," and insert in lieu thereof the following, "when the expenditure required for the same exceeds the sum of \$100 the same shall be done by contract, and."
6. In line 11, after the word "discretion" add the words "or if in the judgment of the council such work can be performed, or supplies or materials furnished by the city or town independent of contract cheaper than under the lowest bid submitted, it may cause such work to be performed or supplies or materials to be furnished independent of contract."

WARREN W. TOLMAN, Chairman.

We concur in this report: C. F. Clapp, J. R. O'Donnell, R. M. Kinnear, W. G. Potts, W. R. Moultray, T. B. Sumner.

The report was adopted.

OLYMPIA, WASH., February 19, 1903.

MR. PRESIDENT:

We, a majority of your Joint Committee on Banks and Banking, to whom was referred House bill No. 84, entitled "An act relating to banking and regulating foreign corporations doing a banking business within this state," and Senate bill No. 64, have had the same under consideration, and we respectfully report the same back to the Senate and House with the recommendation that the substitute bill, herewith transmitted and known as Joint Committee bill, substitute for House bill No. 84

and Senate bill No. 64, do pass, be placed upon second reading and be printed.

S. T. SMITH, Chairman.

G. E. DICKSON, Chairman.

We concur in this report: Joseph B. Lindsley, C. L. Stewart, Huber Rasher, W. J. Maloney, T. A. Hunter, G. W. Bassett, G. W. Jeffries, John T. Welsh, W. R. Moultray.

OLYMPIA, WASH., February 19, 1903.

MR. PRESIDENT:

We, a minority of your Joint Committee on Banks and Banking, to whom was referred House bill No. 84, entitled "An act relating to banking and regulating foreign corporations doing a banking business within this state," and Senate bill No. 64, have had the same under consideration, and we respectfully report the same back to the Senate and House with the recommendation that said bills and the Joint Committee bill substituted therefor and herewith transmitted do not pass.

J. G. MEGLER.

H. E. MCKENNEY.

JAMES PALMER.

J. A. VENESS.

PAT MCCOY,

M. M. MORRILL.

Senator Smith moved the adoption of the majority report.

Senator Palmer moved as an amendment that the minority report be substituted for the majority report.

Senator Tolman moved as a substitute for both that the bill be read first and second times by title, printed, and placed on general file, together with both the minority and majority reports of the committee.

Senator Palmer withdrew his motion, and the substitute of Senator Tolman prevailed.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate bill No. 152, entitled "An act relating to the tide lands of the city of Hoquiam, and providing for the platting, appraising and sale thereof, and setting aside the Harbor Line Commissioner's maps of Hoquiam, heretofore filed, and providing for the establishment of harbor lines therein, the leasing of harbor areas, and making an appropriation for such purposes, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 2 of the title strike out the words "setting aside" between the words "and" and "the," and insert the words "declaring void."

In line 3 of the title, between the words "establishment" and "of" insert the words "and leasing." Same line, between the words "harbor" and "therein," strike out the word "lines" and insert the word "areas." After the word "therein" in the third line and the word "and" in the fourth line strike out the words "the leasing of harbor areas."

In first paragraph of preamble, between the word "at" in the fourth line and "the" in the fifth line, strike out the words "and in front of." Same paragraph, sixth line, after the word "of" and before the word "was," strike out the word "each" and insert the word "which." Same line, after the word "county" and before the word "and," insert the word and figures "September 6, 1894." Same paragraph, seventh line, after the word "Commissioner" and before the "semi-colon" insert the word and figures "September 6, 1894."

In the second paragraph of the preamble, line 2, after the word "survey" and before the word "that," insert the word "so." Same paragraph, in the fourth line, after the word "with" and before the word "the," strike out the words "some of."

In the third paragraph of the preamble, line 2, after the word "early" and before the word "of," strike out the word "use" and insert the word "establishment."

In section 1, line 2, strike out the letter "s" in the word "Commissioners."

Section 2, line 2, after the word "lands" and before the word "and," insert "April 30, 1895." In the third line of the same section, after the word "county" and before the word "shall," insert the word and figures "April 30, 1895." Same section, in line 9, strike out parenthesis around the figure "1" after the word "section" and before the word "of."

Strike all of section 7.

Strike all of section 8, and insert in lieu thereof the following:

"Section 7. An emergency exists and this act shall take effect immediately."

W. G. POTTS, Chairman.

We concur in this report: J. R. O'Donnell, J. P. Sharp, S. T. Smith, John Earles.

The report was adopted.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 19, 1903.

The Speaker of the House has signed House bill No. 349, making appropriations for expenses and salaries of the board of control.

Also House joint memorial No. 9, protesting against the proposed reserve in Skagit county.

Also House joint memorial No. 5, relating to Lieutenant Oliver P. M. Hazzard.

Also House joint resolution No. 5, urging the dredging of the Skagit river.

Also House joint resolution No. 10, relating to the death of the Hon. John B. Allen.

Also House joint resolution No. 2, relative to the death of President William McKinley.

Also House joint resolution No. 11, inviting President Roosevelt to Washington.

The House has passed House bill No. 43, providing for the assessment and taxation of mining claims and improvements thereon.

Also House bill No. 56, to submit an amendment to the constitution of the state.

Also House bill No. 119, compelling the attendance of children at schools where the tuition, lodging, etc., are furnished at the expense of the government.

Also House bill No. 184, amending section 170 of Ballinger's Code, relating to the distribution of the Session Laws of the State of Washington.

Also House bill No. 183, amending section 231 of Ballinger's Code, relating to the distribution of the reports of the Supreme Court.

Also House bill No. 15, prohibiting barbering on Sunday.

Also House bill No. 95, relating to instructions to juries.

Also House bill No. 167, fixing the time from which the term of sentence of persons convicted of felony shall commence to run.

Also House bill No. 59, defining criminal anarchy and prescribing a penalty.

Also House bill No. 107, declaring the rule of decision in certain cases.

Also House bill No. 97, relating to the issuance and services of the writ of garnishment.

Also House bill No. 122, to provide for the extermination of coyotes in the State of Washington.

Also House bill No. 150, for the relief of Dora L. Tibbitts.

Also Senate bill No. 56, relating to the defense of the statute of limitations in certain cases.

Also Senate concurrent resolution No. 9, relating to the observance of the anniversary of the creation of Washington Territory.

Also Senate concurrent resolution No. 10, appointing a committee to arrange for the observance of the semi-centennial anniversary of the creation of Washington Territory.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

OLYMPIA, WASH., February 19, 1903.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 100, being an act relating to the practice in justice courts, etc.

Also in Senate amendments to House bill No. 120, entitled "An act changing the name of Port Orchard to Charleston."

The House failed to concur in Senate amendments to House bill No. 6, relating to the tide lands of Aberdeen, and the Senate is asked to recede from the same.

STOREY BUCK, Clerk of the House.

On motion of Senator Palmer the Senate returned to the first order of business.

Senator Palmer moved for a reconsideration of the vote by which House bill No. 21 was passed.

Senator Tolman arose to a point of order on the ground that the motion was out of order as, under Senator Rand's motion, made February 18, 1903, that all bills passed that day be ordered transmitted to the House, the bill had been ordered transmitted to the House.

The President ruled that Senator Palmer's motion for a reconsideration was in order.

Senators Tolman, Hallett and Moore appealed from the decision of the chair.

The chair was sustained in his decision.

Roll call was demanded by Senators Tolman, Moultray, Hallett, Baker, Graves, Moore and Rands on the motion to reconsider House bill No. 21.

Those voting yea were: Senators Baker, Clapp, Cornwell, Davis, Earles, Hailey, Hemrich, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Palmer, Potts, Rands, Ruth, Smith, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Wilson—24.

Those voting nay were: Senators Angle, Baumeister, Crow, Garber, Graves, Hallett, Hammer, Moore, Moultray, Rasher, Sharp, Tolman, Welty, Mr. President—14.

Absent or not voting were: Senators Hamilton, Reser, Splawn and Warburton—4.

The President announced that the motion to reconsider the vote on House bill No. 21 had prevailed, and ordered the bill placed on general file.

Senator Baker moved that the bill be indefinitely postponed.

Roll call on the motion to indefinitely postpone was demanded by Senators Graves, Hallett, Rands, Baker, Earles, Sumner and LeCrone.

The motion to indefinitely postpone prevailed by the following vote:

Those voting yea were: Senators Baker, Cornwell, Davis, Earles, Hailey, Hemrich, Hurley, Kinnear, LeCrone, O'Donnell, Palmer, Potts, Rands, Ruth, Smith, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Wilson—22.

Those voting nay were: Senators Angle, Baumeister, Clapp, Crow, Garber, Graves, Hallett, Hammer, McKenney, Moore, Moultray, Rasher, Sharp, Tolman, Welty, Mr. President—16.

Absent or not voting were: Senators Hamilton, Reser, Splawn and Warburton—4.

The President signed House bill No. 349, House joint memorial No. 9, House joint memorial No. 5, House joint resolution No. 10, House joint resolution No. 2 and House joint resolution No. 11.

On motion of Senator Sharp the Senate receded from its amendments to House bill No. 6, by Mr. Benn, an act relating to the tide lands of Aberdeen, by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hallett, Hammer, Hemrich, Hurley, Moultray, O'Donnell, Palmer, Potts, Rasher, Sharp, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—26.

Those voting nay were: Senators Rands and Ruth—2.

Absent or not voting were: Senators Baker, Graves, Hailey, Hamilton, Kinnear, LeCrone, McKenney, Moore, Reser, Smith, S. T., Splawn, Stansell, Tolman and Warburton—14.

INTRODUCTION OF BILLS.

Senate bill No. 199, by Senator Stewart: An act making an appropriation for the expense of the semi-centennial of the establishment of the Territory of Washington.

The bill was read the first time; and, on motion of Senator Hallett, the rules were suspended, the bill was read the second time by title, ordered not printed, and referred to the Committee of the Whole.

On motion of Senator Hallett the Senate resolved itself into a Committee of the Whole to consider Senate bill No. 199.

The bill was considered in the Committee of the Whole, Senator Hallett in the chair, and reported back to the Senate with the recommendation that it do pass.

The report was adopted.

On motion of Senator Hallett the reading had in the Committee of the Whole was considered the third, the bill considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Cornwell, Davis, Earles, Hallett, Hammer, Hemrich, Hurley, LeCrone, McKenney, O'Donnell, Palmer, Potts, Ruth, Sharp, Smith, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—26.

Absent or not voting were: Senators Clapp, Graves, Hailey, Hamilton, Kinnear, Moore, Moultray, Rands, Rasher, Reser, Splawn, Stansell, Tolman and Warburton—14.

Those voting nay were: Senators Crow and Garber—2.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Stewart the rules were suspended, and the bill was ordered transmitted immediately to the House.

The President announced the appointment of Senators Hallett and Stewart as members of a joint committee to act with a like committee from the house in reference to conferring with the Olympia Chamber of Commerce respecting the semi-centennial celebration of the establishment of the Territory of Washington.

Senate bill No. 200, by Senator Graves: An act to define the liability of railroad corporations for damages sustained by their employees; to define who are fellow servants and who are not fellow servants, and to prohibit contracts limiting liability under this act.

The bill was read the first time; and, on motion of Senator Graves, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 201, by Senator Cornwell (by request): An act for the relief of Franklin County, and making an appropriation.

The bill was read the first time; and, on motion of Senator Cornwell, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 202, by Senator Cornwell: An act relating to the employment of convicts.

The bill was read the first time; and, on motion of Senator Cornwell, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on State Penal and Reformatory Institutions.

Senate bill No. 203, by Senator Graves: An act regulating the hours of labor of railroad or railway employees, and providing a penalty for violation thereof.

The bill was read the first time; and, on motion of Senator Graves, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Labor and Labor Statistics.

Senate bill No. 204, by Senator Hemrich (by request): An act providing for the incorporation and regulation of mutual, casualty insurance companies and associations.

The bill was read the first time; and, on motion of Senator Hemrich, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Commerce.

Senate bill No. 205, by Senator Tucker: An act relating to all associations, companies and corporations engaged in gathering news and the distribution thereof, and declaring the same to be common carriers, and providing penalties for discrimination between patrons thereof, or persons desiring to become patrons, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Corporations Other Than Municipal.

Senate bill No. 206, by Judiciary Committee: An act governing the appointment, salaries, powers and duties of Superior Court Commissioners, declaring an emergency, and repealing an act entitled "An act relating to the appointment of Superior Court Commissioners, and declaring an emergency," approved March 19, 1895.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 207, by Senator Rands: An act to amend sec-

tion 1357 of Ballinger's Annotated Codes and Statutes of Washington, relating to ballots and nominations of candidates, and the publication of notices of election.

The bill was read the first time; and, on motion of Senator Rands, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 208, Joint Committee substitute for Senate bill No. 64 and House bill No. 84: An act relating to banking, and regulating foreign corporations doing a banking business within this state.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Banks and Banking.

GENERAL FILE.

Senate bill No. 100, by Senator Welsh, "An act relating to the removal from State lands of timber purchased from the State prior to the 13th day of June, 1901."

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Baumeister, Clapp, Cornwell, Davis, Earles, Hammer, Hemrich, Hurley, Kinnear, Moultray, O'Donnell, Palmer, Potts, Rands, Ruth, Smith, S. T., Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Wilson—25.

Those voting nay were: Senators Angle, Crow, Garber, Graves, Hallett, LeCrone, Moore, Rasher, Sharp, Tolman, Welty and Mr. President—12.

Absent or not voting were: Senators Hailey, Hamilton, Reser, Splawn, Warburton—5.

On motion of Senator Moore the title was amended by inserting the words "or subsequent" between the words "prior" and "to."

On motion of Senator Welsh the rules were suspended, and the bill was transmitted immediately to the House.

Senate bill No. 19, by Senator Moultray, "An act relating to sales of mining claims under execution," etc., was read the third time.

On motion of Senator Moultray the enacting clause was inserted.

Senator Tolman moved to amend section 4, line 1, after the word "millsite," by striking the word "and" and inserting the word "or" in lieu thereof.

On motion of Senator Moultray sections 5 and 6 were stricken.

The bill was referred to the Engrossing Committee.

Senate bill No. 106, by Senator Tolman (by request), "An act to prevent the marring and defacing of natural scenery, and providing a penalty for the violation thereof."

The bill was read the third time and referred to the Engrossing Committee.

Amended Senate bill No. 4, by Senator Crow, "An act providing for the incorporation of trust companies, and defining their powers and duties," was, on motion of Senator Crow, made a special order for Tuesday, February 24, 1903, at 11 o'clock a. m.

House memorial No. 7, by Mr. Philbrick, relating to the elimination of agricultural lands from the Olympic Forest reserve, etc., was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Davis, Earles, Garber, Hallett, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moultray, O'Donnell, Potts, Rands, Ruth, Sharp, Smith, Stansell, Stewart, Sumner, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—30.

Absent or not voting were: Senators Crow, Graves, Hailey, Hamilton, Kinnear, Moore, Palmer, Rasher, Reser, Splawn, Van de Vanter and Warburton—12.

On motion of Senator Rands, House memorial No. 1, by Mr. Easterday, memorializing the Representatives in both branches of Congress to urge the passage of a measure recommended by President Roosevelt to suppress trusts, was read the third time.

On motion of Senator Crow the memorial was amended by striking the word "instructed" and inserting the word "urged" in lieu thereof.

The memorial was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hallett, Hammer, Hurley,

Kinnear, McKenney, Moore, O'Donnell, Potts, Rands, Rasher, Ruth, Smith, S. T., Stewart, Sumner, Tucker, Welsh, Welty, Wilson, Mr. President—27.

Absent or not voting were: Senators Baumeister, Graves, Hailey, Hamilton, Hemrich, LeCrone, Moultray, Palmer, Reser, Sharp, Splawn, Stansell, Tolman, Van de Vanter and Warburton—15.

On motion of Senator Davis, at 12:10 o'clock p. m., the Senate adjourned until Monday, February 23, 1903, at 2 o'clock p. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

FORTY-THIRD DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, February 23, 1903. }
2 o'clock p. m.

President Smith called the Senate to order at 2 o'clock p. m., pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Hammer, Moultray, and Sumner, and Senators Hemrich, Moore, Reser, Smith, S. T., Splawn and Warburton excused.

On motion the reading of Friday's journal was dispensed with, and it was approved.

Edward G. Sprowl was sworn in by the President as Assistant Engrossing Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 20, 1903.

MR. PRESIDENT:

The Speaker of the House has signed Senate bill No. 167.

Also House bill No. 100, House bill No. 120 and House bill No. 121.

Also House memorial No. 3 and House bill No. 25.

The House has passed House bill No. 62, providing for the appointment and qualification of an Assistant Commissioner of Public Lands.

Also House bill No. 70, providing for the compulsory attendance in

school of children between the ages of 8 and 15.

Also House bill No. 160, amending an act for the assessment and collection of taxes in the State of Washington.

Also House bill No. 207, making application to Congress to call a convention.

Also House bill No. 201, requiring statements of fact and evidence in support of claims against the Legislature.

Also House bill No. 33, amending section 69 of "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands."

Also Senate memorial No. 8, praying Congress to take steps to have the 4 per cent bonus proviso reinstated in the national appropriation bill, and a copy thereof has been sent by wire to the President of the United States Senate.

Also Senate bill No. 199, entitled "An act making an appropriation for the expenses of the celebration of the fiftieth anniversary of the formation of the Territory of Washington.

Also House bill No. 197, amending the act providing for the reclamation of the state lands, etc.

Also House bill No. 93, "An act to enable school boards of cities having a population of 10,000 or more inhabitants to maintain parental and truant schools."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 19, entitled "An act relating to sales of mining claims under execution," etc.; also Senate bill No. 106, entitled "An act to prevent the marring and defacing of natural scenery," etc., have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report: C. L. Stewart, O. T. Cornwell.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1903.

MR. PRESIDENT:

We, your Committee on State Library, to whom was referred Senate bill No. 156, entitled "An act relating to the State Library, giving the law department thereof to the control of the Supreme Court, which shall hereafter be known as the Supreme Court Library," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the substitute bill presented

herewith stand in its stead, and that said substitute bill be printed and placed on general file.

HUBER RASHER, Chairman.

We concur in this report: Grant C. Angle, Will G. Graves.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1903.

MR. PRESIDENT:

We, your Committee on Mines and Mining, herewith present committee substitute Senate bill No. 89, entitled "An act to provide for marking and labeling and inspecting all barrels, tanks, cans, vessels or packages containing petroleum oils offered or exposed for sale within this state, and providing a penalty for violation of same," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be printed and placed on general file.

M. E. STANSELL, Chairman.

We concur in this report: Geo. J. Hurley, Huber Rasher, J. P. Sharp, C. L. Stewart, W. R. Moultray, Stanley Hallett, T. B. Sumner.

The report was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 209, by Senator Clapp: An act declaring women eligible to the office of Notary Public.

The bill was read the first time; and, on motion of Senator Clapp, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 210, by Senator Potts (by request): An act providing for the surrender and cancellation of tide land leases numbered 177 to 192, inclusive, of tide lands in Pacific County, and to provide for the purchase or lease of other tide lands in lieu of those described in said leases by the holder of said leases.

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on State Granted, School and Tide Lands.

Senate bill No. 211, by Senator Potts: An act for the protection of hotels, boarding houses and lodging houses, and providing a penalty for the violation thereof.

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill was read the second

time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 212, by Senator Sharp: An act granting to irrigation companies rights of way over the State lands.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Irrigation and Arid Lands.

House bill No. 15, by Mr. Lyons: An act to prohibit the carrying on of the business of barbering on Sunday, etc.

The bill was read the first time; and, on motion of Senator Hallett, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on

House bill No. 59, by Mr. Cole: An act defining criminal anarchy, and providing penalties for those who advocate, advise or teach criminal anarchy.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 95, by Mr. Raine: An act relating to instructions of juries, etc.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 33, by Mr. Easterday: An act providing for the amendment of section 69 of an act entitled "An act to provide for the selection, survey, management, etc., of the State's granted, school, tide, oyster and other lands," etc.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 56, by Mr. King: An act to submit an amendment to the Constitution of Washington to a vote of the people.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

House bill No. 62, by Mr. Field: An act to provide for the

appointment and qualification of an Assistant Commissioner of Public Lands, etc.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State, Granted, School and Tide Lands.

House bill No. 43, by Mr. Johnson: An act relating to the assessment and taxation of mining claims, and improvements thereon, and the net proceeds of mines.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

House bill No. 70, by Mr. Gunderson (by request): An act providing for the compulsory attendance in schools of children between the ages of eight and fifteen years.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

House bill No. 97, by Mr. Raine: An act to amend sections 5396 and 5397 of Ballinger's Annotated Codes and Statutes of Washington, relating to the issuance and service of the writ of garnishment.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Substitute House bill No. 107, by Mr. Gleason: An act giving a right of action for damages to certain persons for the death of a person killed in a duel, or caused by the wrongful act or negligence of any person, persons, company or corporation, etc.

The bill was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 184, by Mr. Raine: An act to amend section 117 of Ballinger's Annotated Codes of Washington, relating to the distribution of session laws of the Legislature of Washington.

The bill was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Library.

House bill No. 122, by Mr. Mackenzie: An act to provide for the extermination of coyotes and wolves in the State of Washington, and for the payment of bounties for such extermination.

The bill was read the first time; and, on motion of Senator Garber, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Dairy and Live Stock.

House bill No. 150, by Mr. Field: An act for the relief of Dora L. Tibbits, etc.

The bill was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Claims and Auditing.

House bill No. 167, by Mr. Morgan: An act fixing the time from which the term of sentence of persons convicted of felony shall commence to run, etc.

The bill was read the first time; and, on motion of Senator Baker, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Morals.

House bill No. 183, by Mr. Raine: An act to amend section 231 of Ballinger's Annotated Codes and Statutes of Washington, relating to the distribution of the volumes of the decisions of the Supreme Court of the State of Washington.

The bill was read the first time; and, on motion of Senator Graves, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Library.

House bill No. 207, by Mr. Cameron: An act making application to the Congress of the United States of America to call a convention for proposing amendments to the Constitution of the United States of America, as authorized by Article V. of the Constitution of the United States of America.

The bill was read the first time; and, on motion of Senator Graves, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Constitution and Constitutional Revision.

House bill No. 201, by Mr. Easterday: An act to require statements of facts and evidence produced in support of claims made to the Legislature against the State for money or property, etc.

The bill was read the first time; and, on motion of Senator

Welty, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 119, by Mr. Gunderson: An act compelling the attendance of children at schools where tuition, lodging, food and clothing are furnished at the expense of the United States or the State of Washington.

The bill was read the first time; and, on motion of Senator Angle, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

House bill No. 160, by Mr. Fletcher: An act amending section 29 of an act amending an act entitled "An act to provide for the assessment and collection of taxes."

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

Senator Rands moved to adjourn until 10 o'clock p. m. tomorrow.

The motion failed.

GENERAL FILE.

Senate bill No. 120, by Senator Hamilton (by request), "An act to exempt certain property of schools and colleges from taxation," etc., was placed on final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Baumeister, Cornwall, Davis, Earles, Hailey, Hamilton, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Palmer, Potts, Rands, Ruth, Sharp, Stansell, Stewart, Tucker, Van de Vanter, Welsh, Wilson—23.

Those voting nay were: Senators Angle, Crow, Garber, Graves, Hallett, Rasher, Tolman, Welty and Mr. President—9.

Absent or not voting were: Senators Clapp, Hammer, Hemrich, Moore, Moultray, Reser, Smith, S. T., Splawn, Sumner and Warburton—10.

On roll call on Senate bill No. 120, Senator Welsh made the following statement:

"I doubt the act being constitutional: but, not being absolutely

certain that the same is unconstitutional, and believing the bill to be meritorious, I vote aye."

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hamilton, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Palmer, Potts, Rands, Ruth, Sharp, Stansell, Stewart, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—28.

Those voting nay were: Senators Baumeister, Graves, Hallett, Rasher and Tolman—5.

Absent or not voting were: Senators Hammer, Hemrich, Moore, Moultray, Reser, Smith, S. T., Splawn, Sumner and Warburton—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 106, by Senator Tolman (by request), "An act to prevent the marring and defacing of natural scenery, and providing a penalty for the violation thereof," was placed on final passage, and failed to pass by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Graves, Hallett, Hurley, Rands, Rasher, Sharp, Tolman, Van de Vanter, Welsh, Welty, Wilson—18.

Those voting nay were: Senators Garber, Hailey, Hamilton, Kinnear, LeCrone, McKenney, O'Donnell, Palmer, Potts, Ruth, Stansell, Stewart, Mr. President—13.

Those absent or not voting were: Senators Baker, Hammer, Hemrich, Moore, Moultray, Reser, Smith, Splawn, Sumner, Tucker, Warburton—11.

Senate bill No. 142, by Senator Reser: "An act providing for the amendment of section 11, article 1, of the Constitution of the State of Washington, giving to the Legislature of the State of Washington the power to employ chaplains for state penal and reformatory institutions."

The bill was read the third time; and, on motion of Senator Palmer, the rules were suspended, the bill was considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister,

Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hurley, Kinnear, LeCrone, O'Donnell, Palmer, Potts, Ruth, Sharp, Stansell, Stewart, Tolman, Tucker, Van de Vanter, Welsh, Wilson, Mr. President—28.

Those absent or not voting were: Senators Graves, Hammer, Hemrich, McKenney, Moore, Moultray, Rands, Rasher, Reser, Smith, S. T., Splawn, Sumner, Warburton, Welty—14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 165, by Senator Potts: "An act to amend section 2841 of Ballinger's Annotated Codes and Statutes of Washington, the same being section 2 of an act approved March 13, 1897, relating to insurance companies."

On motion of Senator Tolman the bill was ordered printed, retaining its place on the calendar.

Substitute Senate bill No. 18, by Judiciary Committee, "An act to regulate the employment of child labor, and to prohibit the employment of females as public messengers, and fixing a penalty for the violation thereof," was read the third time.

On motion of Senator Sharp section 1 was stricken.

Section 2 now becomes section 1.

Senator Hamilton moved to amend section 1, line 1, after the word "person," by inserting the words "nor male person under fourteen years of age."

Senator Palmer moved as an amendment to the amendment that in section 1, line 1, after the word "fourteen," the word "twelve," in lieu thereof. The motion to amend the amendment was lost, and Senator Hamilton's motion prevailed.

The bill was referred to the Engrossing Committee.

Amended Senate bill No. 79, by Senator Earles: "An act to amend section 1 of an act entitled 'An act to provide for the recovery of damages for injuries caused by use of intoxicating liquors, and providing how licenses shall be granted,' approved December 7, 1881."

The bill, together with majority and minority reports, was read the third time. Senator Palmer moved the adoption of the majority report.

Senator Kinnear moved that the minority report be substituted

for the majority. The motion to substitute was lost, and the majority report was adopted.

On motion of Senator Tolman the bill was indefinitely postponed.

Senate bill No. 170, by Senator Rasher, "An act to amend section 2563 and section 2580 of Ballinger's Annotated Codes and Statutes of Washington, the same being sections 7473 and 7475 of Pierce's Washington Code, relating to the establishment and maintenance at Vancouver, Clarke County, of an institution to be known as the Washington School for Defective Youth," etc., was read the third time, and, on motion of Senator Tolman the rules were suspended, the bill considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hurley, LeCrone, McKenney, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Stansell, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—31.

Those absent or not voting were: Senators Hammer, Hemrich, Kinnear, Moore, Moultray, Reser, Smith, Splawn, Stewart, Sumner, Warburton—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 121, by Senator Hallett, "An act to amend sections 2933 and 2934 of Ballinger's Annotated Codes and Statutes of Washington, relating to the regulations, restraining, licensing or prohibition of the sale or disposal of intoxicating liquors," was read the third time.

Senator Rands moved to amend section 2, line 8, by striking the word "six," between the words "than" and "hundred," and inserting the word "five" in lieu thereof.

The motion was lost.

Senator Rands moved to amend section 1, line 13, between the words "within" and "mile," by inserting the word "one-half" in lieu thereof.

The motion was lost.

Senator Van de Vanter moved that the bill be indefinitely postponed.

Roll call was demanded by Senators Tolman, Crow, Rands, Hallett, Graves, LeCrone and Baker on the motion to indefinitely postpone.

The motion to indefinitely postpone failed to prevail by the following vote:

Those voting yea were: Senators Baker, Davis, Hamilton, Hurley, Kinnear, O'Donnell, Potts, Rands, Stansell, Van de Vanter, Welsh—11.

Those voting nay were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Graves, Hallett, LeCrone, McKenney, Palmer, Rasher, Ruth, Sharp, Stewart, Tolman, Tucker, Welty, Wilson, Mr. President—21.

Absent or not voting were: Senators Hailey, Hammer, Hemrich, Moore, Moultray, Reser, Smith, Splawn, Sumner, Warburton—10.

The bill was referred to the Engrossing Committee.

Senate bill No. 99, by Senator Crow, "An act to amend an act entitled 'An act in relation to garnishments,' approved March 8, 1893," was read the third time.

On motion of Senator Welty, section 1, line 9, of the printed bill was amended by striking the word "however."

On motion of Senator Palmer the rules were suspended the bill considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Palmer, Potts, Rasher, Ruth, Sharp, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—28.

Those absent or not voting were: Senators Baker, Hammer, Hemrich, Moore, Moultray, Rands, Reser, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Van de Vanter, Warburton—14.

The President signed house bill No. 25, House joint memorial No. 3, House bill No. 100, House bill No. 120 and House bill No. 121.

Substitute Senate bill No. 65, by Judiciary Committee, "An act to amend an act entitled 'An act to amend sections 3 to 31, both inclusive, of an act entitled 'An act classifying the counties according to population, enumerating the county officers, fixing

the salaries thereof, providing for deputies, collection of fees and payment of salaries,' approved March 29, 1895," was read the third time and referred to the Engrossing Committee.

On motion of Senator Welty, at 4:22 o'clock the Senate adjourned until tomorrow, Tuesday, February 24, 1903, at 10 o'clock a. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

FORTY-FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, February 24, 1903. }
10 o'clock a. m. }

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Van de Vanter, and Senators Hemrich, Moore, Reser and Warburton excused.

Rev. Henry L. Badger offered prayer.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

On motion of Senator Tolman, all bills passed yesterday were ordered transmitted immediately to the House.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER.
OLYMPIA, WASH., February 24, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 18, entitled "An act to regulate the employment of child labor, and to prohibit the employment of females as public messengers," etc.

Also Senate bill No. 121, entitled "An act to amend sections 2933 and 2934 of Ballinger's Annotated Codes and Statutes of Washington, relating to the regulation, restraining, licensing or prohibition of the sale or disposal of intoxicating liquors."

Also Senate bill No. 65, entitled "An act to amend an act entitled 'An act to amend sections 3 to 31, both inclusive, of an act entitled,' " etc.

Have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, O. T. Cornwell.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 199, entitled "An act making an appropriation for defraying the expenses of the celebration of the fiftieth anniversary of the formation of the Territory of Washington."

Also Senate memorial No. 8, "Praying the United States Senate to reinstate the 4 per cent bonus for Pacific coast naval contracts in the general appropriation bill."

Have compared same with the memorial and bill and find them correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: O. A. Tucker, J. R. O'Donnell.

The President signed Senate bill No. 199 and Senate Memorial No. 8.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., February 20, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 175, entitled "An act relating to justices of the peace and constables in cities of the first class," etc., have had the same under consideration, and we respectfully report to the Senate that we, your committee, have amended the engrossed bill and recommend that it do pass as amended:

Section 1, line 11, after the word "therewith" insert the following: "Provided, that for the violation of a criminal ordinance no greater punishment shall be imposed than a fine of \$100 or imprisonment not to exceed 30 days, or both such fine and imprisonment."

HERMAN D. CROW, Chairman.

We concur in this report: Will G. Graves, John T. Welsh, E. B. Palmer, Warren W. Tolman, J. R. Welty, H. E. McKenney.

The report was adopted.

OLYMPIA, WASH., February 20, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 47, entitled "An act to amend section 5994, Ballinger's Code, relating

to disqualification of witnesses and privileged communications."

Also Senate bill No. 140, entitled "An act to divide judicial district of Spokane and Stevens counties," etc.

Also Senate bill No. 44, entitled "An act to amend the game law," etc.

Have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that they be indefinitely postponed.

HERMAN D. CROW, Chairman.

We concur in this report: Will G. Graves, John T. Welsh, E. B. Palmer, Warren W. Tolman, J. R. Welty, H. E. McKenney.

The report was adopted.

OLYMPIA, WASH., February 24, 1903.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands, to whom was referred Senate bill No. 136, entitled "An act to provide for the acceptance by the State of Washington from the United States of certain lands, and providing for the reclamation, occupation and disposal of the same," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Title, line 2, of printed bill, before the word "lands" insert the word "desert."

Section 1, line 4, after the figures "1894" insert the words "and all acts subsequent and relating thereto."

Section 1, line 5, of printed bill, add to the word "act" the letter "s."

Section 3, line 1, of printed bill, after the word "company" and before the word "of" insert the words "or association."

Section 3, line 1, of printed bill, strike out the word "association" after the word "persons."

Section 4, line 2, of printed bill, before the word "more" strike out the word "not" and insert the word "nor" (correct in original bill).

Section 4, line 4, of printed bill, after the word "with" and before the word "state" insert the word "the."

Section 5, line 10, of printed bill, to the word "act" add the letter "s."

Section 5, line 13, of printed bill, after the word "of" strike out the words "such notice" and insert the words "his disapproval thereof."

Section 6, line 1, after the word "the" and before the word "same" insert the words "approval of the."

Section 6, line 1, after the word "same" strike out the words "being approved."

Section 7, line 3, of printed bill, after the word "dimensions" insert the word "and."

Section 7, line 5, before the word "perpetual" strike out the word "such."

Section 7, line 13, of printed bill, after the word "state" strike out the period (.) and insert a semi-colon (;), and add to said section the

following proviso: "Provided, That no contract under the provisions of this act shall be entered into by the Commissioner of Public Lands until the same shall have been approved by the Attorney General and the Governor."

Section 8, line 5, of printed bill, before the words "at least" strike out the word "that."

Section 8, line 6, of printed bill, before the words "the construction" strike out the word "that."

Section 9, line 5, of printed bill, before the words "of such notice" strike out the word "sending" and insert the word "giving."

Section 9, line 12, of printed bill, after the word "fixed" insert a comma (,).

Section 9, line 18, of printed bill, after the word "state" add the following sentences: "Whenever after the completion of said irrigation works any contractor, or his successors or assigns, shall fail to furnish an adequate amount of water to irrigate the lands of water right owners, or there shall exist other cause as provided by law for the appointment of a receiver, the Attorney General may apply for the appointment of a receiver to take possession of the irrigation works and canal and other property of such party, and manage, operate, sell or dispose of the same. Such application shall be made to the Superior Court of the county in which the whole or some portion of the irrigation works or canal of such party is situated; and the court or its receiver, by order of the court, shall have and may exercise such powers as to the possession, management, operation, sale or disposition of the property and works of such party as is provided by law relating to receivers, provided that nothing herein contained shall be taken or construed as limiting the right of any party to have a receiver appointed as is in other cases provided by law."

Section 12, lines 1 and 2, of printed bill, after the word "intention," in line 1, and before the words "a citizen," in line 2, strike out the words "of becoming" and insert the words "to become," and in line 12, before the words "of persons" insert "or association," and after the word "persons" strike out the words "or association."

Section 12, line 20 of the printed bill, after the word "allowed" insert the following words: "or the contractor fails to complete the works according to contract." Also, in line 21 after the word "accompanying" strike out the word "it" and insert the words "the application." Also in said line 21, after the word "applicant" strike out the colon (:) and insert a period (,).

Section 12 of printed bill, strike out all of line 21 beginning with the word "Provided," strike out all of line 22 and line 23, and in line 24 before the words "The commissioner" strike out the word "state."

Section 13, line 1, of printed bill, strike out all words before the words "all moneys." Also, in said line 1, change the small letter "a" in the word "all" to a capital "A."

Section 14, line 1, of printed bill, after the word "persons" strike out the word "association," and after the word "company" and before the words "of persons" insert the words "or association."

Section 14, line 4, of printed bill, after the word "shall" and before the word "cultivate" insert the following words: "enter into a contract with the state for the purchase of the lands described in his certificate of location, complete the first annual payment thereon, and shall."

Section 16, line 3, of printed bill, after the word "persons" strike out the word "association," and after the word "or" and before the word "persons" insert the words "association of."

Section 16, line 10, of printed bill, after the word "fees" strike out the word "is" and insert the word "are." (Correct in original bill.)

Section 16, line 12, of printed bill, before the word "upon" strike out the word "That." Also, in the word "upon" change the small letter "u" to a capital letter "U."

Section 16, line 13, of printed bill, after the word "or" and before the word "persons" insert the words "association of," and in line 14, before the words "or incorporated" strike out the word "association."

Section 16, line 22 of printed bill, after the word "persons" strike out the word "association," and after the word "or" and before the word "person" insert the words "association of."

Section 16, line 27, of printed bill, after the words "has been foreclosed" strike out all of the remainder of said section and insert in lieu thereof the following: "or any party entitled to redeem land sold under execution may redeem the land and water right so sold in the same manner and order and under the same procedure as is or may be provided by law for the redemption of land sold under execution. The party redeeming said land and water right shall pay to the sheriff the amount for which said land and water right was sold and costs and increased costs, together with interest thereon at the legal rate, and all taxes and payments maturing subsequent to such foreclosure, as well as all maintenance fees due at the time of redemption, with interest at like rate. If there be more than one redemption, each successive redemption shall be made within six (6) weeks after the last preceding redemption. And where the lienholder becomes the purchaser at such foreclosure sale, and in no other case, if such land and water right be not redeemed by the original owner or other person entitled to redeem as above provided within nine (9) months, then at any time within three (3) months after the expiration of such nine (9) months any person desiring to settle upon and use such land and water right may redeem the said land and water right in the manner hereinbefore provided for redemption by the owner or other redemptioners. Where such land and water right are not purchased by the lienholder at such foreclosure sale, the sheriff shall pay out the proceeds of such sale as follows:

First. He shall retain all charges, costs and fees for his services, and account for the same as in civil cases.

Second. To the lienholder or his assigns the amount of the lien, together with all interest, costs and fixed charges thereon.

Third. The balance, if any, remaining to the person against whom such lien was foreclosed or his assigns.

When the period of redemption shall have expired, the sheriff, or his successor in office, shall execute a proper conveyance of the land and water right sold to the party entitled thereto.

The foreclosure herein provided for may be transferred to the Superior Court of the proper county in the same manner and with like effect as foreclosure of chattel mortgages on notice may be transferred."

Section 18, line 6, of printed bill, after the word "persons" strike out the word "association," and in same line after the word "company" and before the words "of persons" insert the words "or association."

Section 25, line 1, of the printed bill, strike out all words after the word "effect" and insert in lieu thereof the word "immediately."

G. GARBER, Chairman.

We concur in this report: Oscar E. Hailey, Grant C. Angle, J. P. Sharp, Huber Rasher, A. J. Splawn, O. T. Cornwell, Wm. Hickman Moore.

On motion of Senator Palmer the report of the committee was adopted, and the bill ordered printed as amended and placed on general file.

OLYMPIA, WASH., February 24, 1903.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred Senate bill No. 202, entitled "An act relating to the employment of convicts," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

O. T. CORNWELL, Chairman.

We concur in this report: W. G. Potts, G. Garber, R. M. Kinnear.

OLYMPIA, WASH., February 24, 1903.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred Senate bill No. 176, entitled "An act to amend section 18 of 'An act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency,' approved March 19, 1895, the same being section 5635 of Pierce's Code," have had the same under con-

sideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

R. M. KINNEAR, Chairman.

We concur in this report: John T. Welsh, C. F. Clapp, Geo. J. Hurley, Lincoln Davis.

The report was adopted.

OLYMPIA, WASH., February 24, 1903.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred Senate bill No. 191, entitled "An act relating to the 'closing of county and municipal offices on Saturdays,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

Respectfully submitted,

R. M. KINNEAR, Chairman.

We concur in this report: Geo. J. Hurley, Lincoln Davis, John T. Welsh, C. F. Clapp.

Senator Rands moved that Senate bill No. 191 be placed on general file.

Senator Tolman moved as an amendment that the bill be indefinitely postponed.

Senator Tolman's motion prevailed.

OLYMPIA, WASH., February 23, 1903.

MR. PRESIDENT:

We, a majority of your Committee on Public Revenue and Taxation, to whom was referred House bill No. 102, entitled "An act providing for the enforcing of the lien and collection of delinquent assessments for local improvements levied by any city or town, and prescribing the duties of city and county treasurers in relation thereto," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

Respectfully submitted,

JOHN WELSH.

S. WARBURTON.

M. E. STANSELL.

J. R. O'DONNELL.

ED. S. HAMILTON.

O. T. CORNWELL.

OLYMPIA, WASH., February 23, 1903.

MR. PRESIDENT:

We, a minority of your Committee on Public Revenue and Taxation, to whom was referred House bill No. 102, entitled "An act providing for

the enforcing of the lien and collection of delinquent assessments for local improvements levied by any city or town, and prescribing the duties of city and county treasurers in relation thereto," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

T. B. SUMNER, Chairman.
O. A. TUCKER,
HERMAN D. CROW.
STANLEY HALLETT.

Senator Welsh moved the adoption of the majority report.

Senator Tolman moved as an amendment that the bill, together with the two reports, be placed on general file.

Senator Welsh withdrew his motion, and that of Senator Tolman prevailed.

OLYMPIA, WASH., February 23, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 11, entitled "An act increasing number of supreme judges to seven," etc., have had the same under consideration, and we respectfully report back to the Senate an amended bill with the recommendation that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman,

We concur in this report: E. B. Palmer, Will G. Graves, H. E. McKenney, Warren W. Tolman, John T. Welsh.

The report was adopted.

OLYMPIA, WASH., February 23, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 192, entitled "An act creating in state treasury a fund to be known as 'The current fund of the Agricultural College and School of Science,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, Will G. Graves, H. E. McKenney, Warren W. Tolman, John T. Welsh.

OLYMPIA, WASH., February 23, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 73, entitled "An act relating to the public schools of the State

of Washington and to prescribe penalties for unlawfully disclosing any question or questions for examination," etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Strike the title and insert the following: "An act relating to the public schools of the State of Washington, defining certain offenses, providing penalties therefor, repealing sections 159 to 175, both inclusive, approved March 19, 1897, and declaring that this act shall constitute chapter 11 of said Code of Public Instruction, and declaring an emergency."

Strike section 20 of the printed bill and insert the following: "An emergency exists and this act takes effect immediately."

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: Will G. Graves, H. E. McKenney, E. B. Palmer, Warren W. Tolman, J. R. Welty, John T. Welsh.

The report was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 24, 1903.

MR. PRESIDENT:

The House has passed House bill No. 284, entitled "An act to provide for the acceptance and receipt by superintendents of insane asylums of the state of money donated or given for the benefit of such asylums," etc.

Also Senate joint resolution No. 6. providing for joint committee to meet and receive President Roosevelt.

Also House memorial No. 10, relative to Gray's River, in Wahkiakum County.

Also Senate memorial No. 6, relative to a canal from Puget Sound to Gray's Harbor.

Also House memorial No. 4, relating to government reserves in San Juan County.

Also Senate bill No. 117, for the relief of Jefferson County.

Also the House has concurred in Senate amendments to House memorial No. 1 and to House memorial No. 7.

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

Senate bill No. 213, by Senator Splawn, by request: An act to regulate persons, firms and corporations engaged in selling all sorts of farm produce upon commission, and providing security for the produce intrusted to them and for the moneys collected by

them for the sale of the same, and fixing the venue of actions brought against such persons, firms and corporations engaged in such commission business.

The bill was read the first time; and, on motion of Senator Splawn, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Agriculture.

GENERAL FILE.

Senate bill No. 19, by Senator Moultray, "An act relating to sales of mining claims under execution," etc., was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rasher, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Welsh, Welty, Mr. President—34.

Absent or not voting were: Senators Hailey, Hemrich, Moore, Rands, Reser, Van de Vanter, Warburton and Wilson—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 18, by Judiciary Committee, "An act to regulate the employment of child labor and to prohibit the employment of females as public messengers," etc., was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Davis, Garber, Graves, Hallett, Hamilton, Hammer, Hurley, Kinnear, McKenney, Potts, Rasher, Ruth, Splawn, Stewart, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—23.

Those voting nay were: Senators Baker, Clapp, Cornwell, Earles, Hailey, LeCrone, O'Donnell, Palmer, Sharp, Smith, S. T., Stansell, Sumner—12.

Absent or not voting were: Senators Hemrich, Moore, Moultray, Rands, Reser, Van de Vanter and Warburton—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 121, by Senator Hallett: "An act to amend sec-

tions 2933 and 2934 of Ballinger's Annotated Codes and Statutes of Washington, relating to the regulating, restraining, leasing or prohibition of the sale or disposal of intoxicating liquors," was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hallett, Hamilton, Hammer, LeCrone, McKenney, Moultray, Palmer, Rasher, Ruth, Smith, S. T., Splawn, Stewart, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—26.

Those voting nay were: Senators Baumeister, Hurley, Kinnear, O'Donnell, Potts, Sharp, Stansell and Sumner—8.

Absent or not voting were: Senators Baker, Hailey, Hemrich, Moore, Rands, Reser, Van de Vanter and Warburton—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Hamilton changed his vote from nay to yea, and gave notice that at the proper time he would move for a reconsideration of the vote by which Senate bill No. 121 was passed.

Substitute Senate bill No. 65, by Judiciary Committee: "An act to amend an act entitled 'An act to amend sections 3 to 31, inclusive, of an act entitled "An act classifying the counties according to the population,"' etc., was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Baker, Crow, Davis, Earles, Hamilton, Hurley, Kinnear, McKenney, Moultray, O'Donnell, Palmer, Potts, Rands, Smith, S. T., Stansell, Stewart, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—22.

Those voting nay were: Senators Angle, Baumeister, Clapp, Garber, Hallett, Hammer, Rasher, Sharp and Sumner—9.

Absent or not voting were: Senators Cornwell, Graves, Hailey, Hemrich, LeCrone, Moore, Reser, Ruth, Splawn, Van de Vanter and Warburton—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 206, by Judiciary Committee: "An act governing the appointment, salaries, powers and duties of Superior Court commissioners."

The bill was read the third time; and, on motion of Senator Palmer, the rules were suspended, the bill was considered en-

grossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Beaumeister, Clapp, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hurley, McKenney, Moultray, O'Donnell, Palmer, Potts, Rands, Smith, S. T., Splawn, Stansell, Sunner, Tolman, Tucker, Welsh, Welty, Wilson—28.

Those voting nay were: Senators Baker, Cornwell, Ruth, Sharp, Stewart, Mr. President—6.

Absent or not voting were: Senators Hemrich, Kinnear, Le-Crone, Moore, Rasher, Reser, Van de Vanter and Warburton—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 129, by Senator Welty: "An act providing for the manner of paying warrants issued under an act of the Legislature of the State of Washington, entitled 'An act to provide for the construction, repairing, etc., of dykes and ditches,'" etc., was read the third time.

On motion of Senator Hammer the bill was rereferred to the Committee on Dykes, Drains and Drainage.

MESSAGE FROM THE HOUSE.

OLYMPIA, WASH., February 24, 1903.

MR. PRESIDENT:

The Speaker of the House has signed Senate memorial No. 8, urging the United States Senate to have the 4 per cent. bonus proviso reinstated in the government appropriation bill.

Also Senate bill No. 199, making an appropriation for the expenses of the celebration of the 50th anniversary of the formation of the territory of Washington.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

Amended Senate bill No. 4, by Senator Crow: "An act providing for the incorporation of trust companies, and defining their powers and duties," made a special order for this day, was read the third time.

Senator Tolman moved to amend section 4 by striking out subdivision 7 thereof.

The motion was lost.

Senator Tolman moved to amend section 4, line 29, after the

word "it," by striking out the words "by any court of record, or."

Also, in section 4, line 36, after the word "it," by striking out the words "or vested in it by order of any court of record."

Also, by striking out all of lines 43, 44, 45 and 46 of same section.

Also, in line 48, same section, all of the remainder of line 48 after the word "testament," and all of line 49 after the word "person"; also all of lines 50, 51, 52, 53 and 54; also all of section 14.

The amendments were lost.

On motion of Senator Palmer the rules were suspended, the bill considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Graves, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, Moultray, O'Donnell, Palmer, Potts, Rasher, Ruth, Sharp, Smith, S. T., Stansell, Stewart, Sumner, Welsh, Welty, Wilson—30.

Those voting nay were: Senators McKenney, Rands, Splawn, Tolman, and Mr. President—5.

Absent or not voting were: Senators Cornwell, Hemrich, Moore, Reser, Tucker, Van de Vanter, and Warburton.—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Graves, at 11:55 the Senate adjourned until this afternoon at 2 o'clock.

AFTERNOON SESSION.

President Smith called the Senate to order at the hour of 2 o'clock p. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Van de Vanter, and Senators Moore and Reser, excused.

Senate bill No. 172, by Senator Rands, entitled "An act providing for the organization and government of river improvement districts, the levying of a tax and the sale of bonds arising therefrom, and declaring an emergency," was read the third time.

On motion of Senator Rands, the bill was amended in section 7 by striking the first word in the line, "biannual," and inserting in lieu thereof the word "biennial."

Also in section 8, line 1, the same amendment.

The bill was referred to the Engrossing Committee.

On motion of Senator Cornwell, the Senate resolved itself into Committee of the Whole, to consider Senate bill No. 90, by Senator Cornwell, "An act to promote the fruit growing and horticultural interests of the State of Washington," etc.

The bill was considered in the Committee of the Whole, Senator Palmer in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendments:

Section 2, line 5, by striking the word "to;" also line 8, by striking the word "consideration," and inserting the word "payment" in lieu thereof.

Also section 15, line 4, by striking the word "infested" and inserting the word "infected" in lieu thereof.

Section 4, line 28, was amended by striking all in that line after the word "be" and inserting in lieu thereof the words "liable to the penalty provided by law therefor."

Section 17, line 3, was amended by striking the words "per annum."

Also section 13, line 9, by making the period a comma and striking the capital "H" and inserting small "h" in lieu thereof.

The emergency clause was amended by striking all in lines 1 and 2 thereof after the word "effect," and adding the word "immediately."

The report was adopted.

On motion of Senator Hamilton, the rules were suspended, the reading had in the Committee of the Whole considered the third reading, the bill considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—36.

Senator Moultray voted nay.

Absent or not voting were: Senators Graves, Moore, Reser, Sumner, Van de Vanter—5.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—33.

Senators Baker and Moultray voted nay.

Absent or not voting were: Senators Graves, Moore, Reser, Sumner, Tolman, Van de Vanter—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Tolman, the Senate resolved itself into the Committee of the Whole to consider Senate bill No. 152, by Senator O'Donnell, "An act relating to the tide lands of the city of Hoquiam and providing for the platting, appraisalment and sale thereof," etc.

The bill was considered in the Committee of the Whole, Senator Hammer in the chair, and reported back to the Senate with the recommendation that it do pass.

The report was adopted.

On motion of Senator Warburton, the rules were suspended, the reading had in the Committee of the Whole considered the third, and the bill referred to the Engrossing Committee.

Substitute Senate bill No. 133, by the Committee on Education, entitled "An act relating to state normal schools and amending sections 215, 219 and 224 of an act entitled 'An act to establish a general uniform system of public schools in the State of Washington, and repealing certain other acts therein mentioned,' approved March 19, 1897," etc.

The bill was read the third time.

Senator Ruth moved that the rules be suspended, the bill considered engrossed, and placed upon its final passage.

Senator Moultray moved to amend by striking out all that portion of section 2 contained in the proviso.

The amendment was lost, and the bill placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Graves, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—36.

Senator Moultray voted nay.

Absent or not voting were: Senators Hailey, Moore, Reser, Van de Vanter, Warburton—5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 208, by the Joint Committee on Banks and Banking, "An act relating to banking, and regulating foreign corporations doing a banking business within this state," together with the majority and minority reports, was read the third time.

Senator Smith moved that Senate bill No. 208 be made a special order for Wednesday, February 25, 1903, at 2:30 o'clock p. m.

Senator Warburton moved as an amendment that the minority report bill be printed and with the majority report and bill be made a special order for tomorrow at 2:30 o'clock p. m.

The motion carried.

House bill No. 19, by Mr. Raine, entitled "An act prescribing a limit upon the assessment of abutting property for local improvements and providing a method of computation for improvement districts, and declaring an emergency," was read the third time.

On motion of Senator Kinnear, the bill was re-referred to the Committee on Municipal Corporations.

House bill No. 132, by Mr. Collins, "An act providing for the search for and seizure of liquors received, kept, or used, contrary to law, and the appliances used in connection therewith," etc., was read the third time.

On motion of Senator Warburton, the bill was passed over until tomorrow, retaining its place on the calendar.

House bill No. 44, by Mr. Gleason, "An act to provide for the alteration, replat or vacation of any townsite, city plat or plats," etc.

On motion of Senator Graves, the bill was referred to the Judiciary Committee for its opinion as to the constitutionality of the act.

House bill No. 31, by Mr. Philbrick, "An act to amend section 2, chapter 126, page 244, Session Laws of 1899, entitled 'An act authorizing cities and towns, other than cities of the first class, to construct sewers and drains within assessment districts,' " etc., was read the third time, placed on its final passage, and passed by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moultray, O'Donnell, Potts, Rands, Rasher, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Sumner, Tolman, Warburton, Welsh, Welty, Wilson, Mr. President—34.

Absent or not voting were: Senators Garber, Graves, Moore, Palmer, Reser, Stewart, Tucker, Van de Vanter—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 163, by Mr. Craigie and Mr. Johnston, "An act to amend section 130 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' approved March 27, 1890," etc., was read the third time, placed upon its final passage, and passed by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Davis, Earles, Graves, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, S. T., Splawn, Stansell, Sumner, Tolman, Warburton, Welty, Wilson, Mr. President—31.

Senator Crow voted nay.

Absent or not voting were: Senators Garber, Hailey, Hallett, Hemrich, Moore, Reser, Stewart, Tucker, Van de Vanter, Welsh—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 164, by Mr. Johnston and Mr. Craigie, "An act to amend section 166 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' approved

March 27, 1890," etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker Baumeister, Clapp, Cornwell, Davis, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, S. T., Splawn, Sumner, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—32.

Senator Crow voted nay.

Absent or not voting were: Senators Earles, Garber, Graves, Moore, Reser, Stansell, Stewart, Van de Vanter, Warburton—9.

On motion of Senator Crow, all bills passed today, with the exception of Senate bill No. 121, were ordered transmitted immediately to the House.

At the request of Senator Hamilton, unanimous consent was given for Senator Hallett to make a statement in regard to the reconsideration of Senate bill No. 121, as follows:

"Some time ago I promised Senator Hemrich that I would not bring Senate bill No. 121 to a vote during his absence. I regret that I did not note his absence yesterday when this matter came to a vote, and, in justice to Senator Hemrich, I now move that the vote by which Senate bill No. 121 passed the Senate be now reconsidered. I hope every Senator present will vote for this motion, and I ask my friends to do so on account of my promise to Senator Hemrich."

INTRODUCTION OF BILLS.

House bill No. 284, by Mr. Gray: An act to provide for the acceptance and receipt by superintendents of the different insane asylums of the state moneys donated or given to or for the benefit of such asylums, etc.

The bill was read the first time; and, on motion of Senator Davis, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Charitable Institutions.

House bill No. 93, by Mr. Jones: An act to enable school boards in cities having a population of 10,000 or more inhabitants to establish and maintain parental or truant schools, etc.

The bill was read the first time; and, on motion of Senator

LeCrone, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

House bill No. 197, by Mr. Brewer: An act amending section 18 of an act entitled "An act to provide for the reclamation, lease, etc., of state, school, tide, oyster and other lands," etc.

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House memorial No. 4, by Mr. Thacker, relating to government reserves in San Juan county, Washington.

The memorial was read the first time; and, on motion of Senator Baumeister, the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Memorials.

House joint memorial No. 10, by Mr. Megler, petitioning Congress to place Gray's river in Wahkiakum county, in the State of Washington, upon the list of streams to be surveyed and examined with reference to improvements to be made for its navigation, to the end that a suitable appropriation may be made, etc.

The memorial was read the first time; and, on motion of Senator Baumeister, the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Memorials.

On motion of Senator Hammer, at 4:10 o'clock the Senate adjourned until tomorrow, Wednesday, February 25, 1903, at 10 o'clock a. m.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

FORTY-FIFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, February, 25, 1903. }
10 o'clock a. m. }

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Kinnear, and Senators Graves, Reser, Splawn and Tucker, excused.

Rev. C. G. Gadsman offered prayer.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February, 25, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 172, entitled "An act providing for the organization and government of river improvement districts," etc.

Also Senate bill No. 152, entitled "An act relating to the tide lands of the City of Hoquiam," etc., have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report: E. Hammer, O. T. Cornwell, Stanley Hallett.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 24, 1903.

MR. PRESIDENT:

We, a majority of your Committee on Commerce, to whom was referred Senate bill No. 198, entitled "An act to amend section 18 of an act entitled 'An act to provide for state grain weighing and grading, creating the office of State Grain Inspector, establishing a State Grain Commission, and making an appropriation,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

That the word "inspector" following the word "state" in section 1, line 10, of the printed bill, be stricken and the word "inspection" be inserted in lieu thereof.

In section 1, line 10, of printed bill, strike out the period after the word "desire" and insert in lieu thereof a comma.

That after the word "desired," in section 1, line 10, of the printed bill, the following words be added: "and shall also notify the agents of the transportation company at the point of shipment to the same effect, and such agent shall endorse 'not subject to state inspection' on the bill of lading."

Respectfully submitted,

C. F. CLAPP, Chairman.

I concur in this report: Andrew Hemrich.

MR. PRESIDENT:

I, a minority of your Committee on Commerce, to whom was referred Senate bill No. 198, entitled "An act to provide for state grain weighing and grading, creating the office of State Grain Inspector, establishing a State Grain Commission, and making an appropriation," have had the same under consideration, and I respectfully report the same back to the Senate with the recommendation that it do not pass.

E. BAUMEISTER.

Senator Crow moved that the bill, together with both reports, be placed on general file.

Senator Hamilton moved to amend that the bill and reports be printed and placed on general file.

The amendment carried and the motion prevailed.

OLYMPIA, WASH., February 18, 1903.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 69, entitled "An act to regulate the growing and cultivating of oysters and other shell fish upon the lands and in the waters of the State of Washington, and to provide for the disposition of lands belonging to the State of Washington, and waters of said state suitable therefor; and to create a state board of oyster land commission, defining its duties, making an appropriation therefor, repealing all conflicting laws, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended.

Amend section 1, line 2 of original bill, being line 2 of the printed bill, by inserting after the word "auditor" the words "commissioner of public lands and superintendent of public instruction."

Amend section 3, line 11, of original bill, being line 8 of printed bill, by adding after the word "deputy" the words "and each principal shall be responsible for the acts of his deputy."

Amend section 5, line 4, of original bill, being line 3 of printed bill, by adding after the word "direct" the words "a majority of said commission shall constitute a quorum to do business on all questions arising or coming before said commission, a decision of a majority of the members of said commission shall be valid as the act, ruling, judgment or decision of said commission."

Amend section 6, line 8, of original bill, being line 2 of printed bill, by inserting after the words "oyster reserves" the words "and all tide and oyster lands belonging to the state excepting tide lands of the first class."

Amend section 7, line 4, of original bill, being line 2 of printed bill, by inserting after the word "such" the words "land or," and by adding at the end of section 7, line 15, of original bill, being line 11 of printed bill, the words: "Provided, however, the tide or oyster land within all oyster reserves now established or which may hereafter be established or surveyed in Pacific County, and all natural oyster land situated within said Pacific County shall be forever reserved from sale or lease."

Amend section 24, line 6, of original bill, being line 5 of printed bill, by inserting after the word "town" the words "and provided further, that no known beds of natural oysters shall be leased under this section."

Amend section 27 by striking out the whole section and inserting in lieu thereof the words "This act shall not affect applications now on file or pending for the purchase of oyster or tide land for oyster cultivation, but said application shall be allowed, provided the commission provided for herein shall find that the lands applied for are not natural oyster lands."

Amend by adding section 28, being the words: "An emergency exists, and this act shall take effect immediately."

Respectfully submitted,

E. M. RANDS.

E. B. PALMER.

W. R. MOULTRAY.

LINCOLN DAVIS.

E. HAMMER.

T. B. SUMNER.

E. BAUMEISTER.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 69, entitled "An act to regulate the growing and cultivating of oysters and other shell fish upon the lands and in the waters of the State of Washington, and to provide for the disposition of lands belonging to the State of Washington, and waters of said state suitable therefor; and to create a state board of oyster land commission, defining its duties, making an appropriation therefor, repealing all conflicting laws, and declaring an emergency," have had the same under considera-

tion, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

Respectfully submitted,

GRANT C. ANGLE.
A. S. RUTH.

I recommend that the bill do not pass, but if it does pass, I concur in the amendments proposed by the majority of the committee. In fact, the amendments should be incorporated into the bill before it is considered.

Respectfully submitted,

JOHN T. WELSH.

On motion of Senator Angle, the bill, with the majority and minority reports, was referred to the Committee on State Granted, School and Tide Lands.

OLYMPIA, WASH., February 24, 1903.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Surgery and Hygiene, to whom was referred Senate bill No. 194, entitled "An act to amend section 3 of an act entitled 'An act to provide against the adulteration of food and fraud in the sale thereof; creating a state board of food commission, defining their duties and providing for the appointment of an officer to be known as the state dairy and food commissioner, providing for the enforcement of the law and fixing a penalty for violation thereof, making an appropriation, declaring an emergency, and repealing "An act to provide against the adulteration of food," approved March 13, 1899, approved March 16, 1901,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

G. B. WILSON, Chairman.

We concur in this report: Jno. Earles, S. M. LeCrone.

MR. PRESIDENT:

We, your Joint Committee on Appropriations, to whom was referred Senate bill No. 161, entitled "An act to reimburse H. C. Paige for traveling and incidental expenses," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Claims and Auditing.

Respectfully submitted.

ED. S. HAMILTON, Chairman.

We concur in this report: O. T. Cornwell, J. P. Sharp, Geo. H. Baker, A. S. Ruth, E. Hammer, G. B. Wilson, Huber Rasher, Jno. Earles, E. M. Rands.

The report was adopted.

MR. PRESIDENT:

We, your Joint Committee on Appropriations, to whom was referred Senate bill No. 190, entitled "An act to provide for the purchase of additional land for School for Defective Youth," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

ED. S. HAMILTON, Chairman.

We concur in this report: O. T. Cornwell, J. P. Sharp, Geo. H. Baker, A. S. Ruth, E. Hammer, G. B. Wilson, Huber Rasher, Jno. Earles, E. M. Rands.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House joint memorial No. 10, relative to cleaning up and making Gray's River, in Wahkiakum County, fit for the purposes of navigation, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

E. BAUMEISTER, Chairman.

I concur in this report: G. Garber.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House joint memorial No. 4, relating to the restoration to the public domain for settlement such lands as are not required for military purposes now embraced in the military reserves in San Juan County, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

E. BAUMEISTER, Chairman.

I concur in this report: G. Garber.

MR. PRESIDENT:

We, your Joint Committee on Appropriations, to whom was referred Committee bill No. 220, entitled "An act transferring certain funds from the charitable, education, penal and reform fund to the general fund," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

ED. S. HAMILTON, Chairman.

We concur in this report: J. P. Sharp, H. Rasher, Geo. H. Baker, E. Hammer, E. M. Rands, A. S. Ruth, G. B. Wilson, Jno. Earles.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 143, entitled "An act making an appropriation to reimburse persons who have surrendered certain contracts of sale to the State of Washington under an act of the Legislature of said state found on page 225 of Session Laws of 1901;" also Senate bill No. 102, entitled

"An act making an appropriation of \$70.50 for the relief of Victor E. Palmer," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that they do pass.

Respectfully submitted.

JOHN T. WELSH, Chairman.

We concur in this report: Geo. J. Hurley, S. T. Smith, Lincoln Davis.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 171, entitled "An act making an appropriation for rent of room and vault in the southeast corner of the basement of the Thurston county courthouse from May 13, 1893, to May 25, 1901;" also Senate bill No. 193, entitled "An act for the relief of Thurston County," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that they be referred to the Appropriation Committee.

Respectfully submitted.

JOHN T. WELSH, Chairman.

We concur in this report: Geo. J. Hurley, S. T. Smith, Lincoln Davis.
The report was adopted.

MR. PRESIDENT:

We, your Committee on Dykes, Drains and Drainage, to whom was referred Senate bill No. 129, entitled "An act providing for the manner of paying warrants issued under an act of the Legislature of the State of Washington entitled 'An act to provide for the construction, repairing and protection of drains and ditches for agricultural, sanitary and domestic purposes,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted.

E. HAMMER, Chairman.

We concur in this report: J. R. O'Donnell, H. E. McKenney.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judicary, to whom was referred Senate bill No. 173, entitled "An act authorizing the judges of the superior courts to appoint special prosecuting attorneys," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Section 1, line 2, of printed bill, after the word "cause" and before the word "may" insert the following: "under any indictment presented by a grand jury."

Respectfully submitted.

HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, J. R. Welty, H. E. McKenney, E. B. Palmer.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 125, entitled "An act relating to the Washington State Historical Society, creating it the trustee of the state for certain purposes, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

ED. S. HAMILTON, Chairman.

We concur in this report: J. P. Sharp, Huber Rasher, Geo. H. Baker, E. M. Rands, A. S. Ruth, G. B. Wilson, Jno. Earles, E. Hammer.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred House bill No. 147, entitled "An act to prohibit the maintaining of gambling resorts, declaring the same a felony and prescribing a penalty therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted.

RICHARD M. KINNEAR, Chairman.

We concur in this report: John T. Welsh, C. F. Clapp, Geo. J. Hurley, Lincoln Davis.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred House bill No. 26, entitled "An act amending section 1 of an act entitled "An act to prohibit the maintaining, conducting, operating, playing or using nickel-in-the-slot machines or other devices of like character wherein there enters an element of chance," have had the same under consideration, and we respectfully report the same back to the Senate with the amendments to be as follows:

In line 1 of the title of the printed bill, after the word "act" and preceding the word "to" insert the words "entitled 'An act.'"

In line 3 of the title of the printed bill, after the word "chance" insert quotation marks ("").

In section 1, line 1, of the printed bill, after the word "act" and preceding the word "prohibiting" insert the words "entitled 'An Act.'"

In section 1, line 3, of the printed bill, after the word "chance" insert the quotation marks ("").

Respectfully submitted.

RICHARD M. KINNEAR, Chairman.

We concur in this report: John T. Welsh, C. F. Clapp, Geo. J. Hurley, Lincoln Davis.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Commerce, to whom was referred Senate bill No. 204, entitled "An act providing for the incorporation and regula-

tion of mutual, casualty insurance companies and associations," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Judiciary Committee.

Respectfully submitted,

C. F. CLAPP, Chairman.

We concur in this report: E. Baumeister, A. Hemrich.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred House bill No. 167, entitled "An act fixing the time from which the term of the sentence of persons convicted of felony shall commence to run," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

STANLEY HALLETT, Chairman.

We concur in this report: G. Garber, O. A. Tucker, Grant C. Angle, S. M. CeCrone.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred House bill No. 15, entitled "An act to prohibit the carrying on the business of barbering on Sunday, and providing a penalty for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

STANLEY HALLETT, Chairman.

We concur in this report: O. A. Tucker, S. M. LeCrone.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House bill No. 157, entitled "An act to amend section 11 of an act entitled, 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands,'" etc.; also House bill No. 62, entitled 'An act providing for the appointment and qualification of an assistant commissioner of public lands, and declaring an emergency;' also Senate bill No. 183, entitled "An act granting to the Ilwaco Railway & Navigation Company the right to construct and maintain a log boom and storage boom for logs," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that they do pass.

Respectfully submitted,

W. G. POTTS, Chairman.

We concur in this report: Warren W. Tolman, Grant C. Angle, S. T. Smith, J. R. O'Donnell.

On motion of Senator Hamilton, a letter from Congressman W. L. Jones, in reference to a game preserve bill, now pending in Congress, was referred to the Committee on Miscellaneous.

Senator Palmer moved to substitute the name of Walter Janney as assistant engrossing clerk in place of Charles Powers, who declined to serve, and that he be allowed two days' extra pay for work already performed. The motion was adopted, and Mr. Janney was elected by the following vote:

Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—37.

Absent or not voting were: Senators Graves, Kinnear, Reser, Splawn and Tucker—5.

OLYMPIA, WASH., February 24, 1903.

The Honorable President of the Senate, Senate Chamber, Olympia, Wash.:

SIR—I have the honor to inform you that the Governor has this day approved the following:

Senate bill No. 167, entitled "An act making appropriations for the maintenance and sundry expenses for the various state educational institutions for the fiscal term beginning April 1, 1903, and ending March 31, 1905."

Truly yours,

J. HOWARD WATSON, Secretary to the Governor.

OLYMPIA, WASH., February 24, 1903.

To the Honorable the Senate of the State of Washington, Olympia, Wash.:

GENTLEMEN—In accordance with section 11, article 3, of the constitution of this state, I herewith transmit a list of the pardons, commutations and remissions of fines granted during the biennial period since the last report, including those granted by Governor John R. Rogers.

Respectfully yours,

HENRY MCBRIDE, Governor of Washington.

PARDONS.

By Governor John R. Rogers:

HENRY SURRY.—Pardon granted and fine remitted January 26, 1901. Surry was convicted in King county upon the charge of assault and battery upon

Edward May, and was sentenced January 30, 1899, to two months imprisonment in jail and to pay a fine of \$100. Surry had been a peace officer and fired a shot at May while the latter was fleeing under suspicious circumstances, the shot taking effect in the latter's leg. Intervention was recommended by the trial judge, prosecuting attorney, mayor of Seattle, chief of police of that city and other officials.

MORRIS OLSON.—Sentence commuted to one year, January 28, 1901. Olson was sentenced in Walla Walla county June 26, 1900, to two years in the State Penitentiary for burglary. It was shown that Olson was an ignorant young man under the influence of men older in years and in crime; that at the time of his pardon he was suffering from a severe knife stab in the neck, inflicted by a vicious prisoner, and the sentence was commuted upon recommendation of the trial judge, prosecuting attorney and chief of police of Walla Walla.

SEWARD J. PARKS.—Sentence commuted to six months in jail, February 9, 1901. Parks was sentenced in Spokane county September 21, 1900, to imprisonment in the county jail for one year for embezzlement. He was a young man, of good family connections who had been led astray by fast associations; it was his first offense; the amount embezzled was small, and at the time of the commutation of sentence he was suffering from inflammatory rheumatism.

ISAAC W. ALLDS.—Pardon granted April 10, 1901. Allds was sentenced from Whatcom county to the State Penitentiary June 27, 1898, for the crime of robbery for the period of ten years. A petition for clemency was presented signed by the trial judge, the prosecuting attorney, the sheriff and others, and upon the hearing it was shown that there had been no trial by jury, Allds having entered a plea of guilty; that later developments having indicated that the prosecuting witness was of questionable character—the sum of money claimed to have been lost being greatly in excess of the actual amount, the sentence was therefore more severe than the case warranted.

JAMES ROBINSON.—Pardon granted December 16, 1901. Robinson was sentenced from Snohomish county to 19 years in the State Penitentiary for murder in the second degree, sentence being pronounced February 12, 1896. Robinson was 7½ years of age when sent to the penitentiary. After serving nearly six years of his sentence, actual time, a petition was presented signed by the trial judge and numerous citizens asking for his release on account of his feeble condition and his extreme old age.

DANIEL BOYD.—Three months' commutation allowed May 2, 1901. Boyd was sentenced December 16, 1891, from Cowlitz county, to 15 years in the State Penitentiary for manslaughter. Commutation was granted upon the recommendation of the Superintendent of the Penitentiary under the provisions of Chapter LXXIV, Act of 1897, Sec. 2, entitled: "Time Allowance for Good Behavior of Convicts."

L. H. SHAFFER.—One month commutation of sentence allowed May 2, 1901. Shaffer was sentenced February 21, 1899, from Spokane county, to three years in the State Penitentiary for burglary. Commutation was granted upon the recommendation of the Superintendent of the Penitentiary under the provisions of Chapter LXXIV, Act of 1897, Sec. 2, entitled: "Time Allowance for Good Behavior of Convicts."

JOHN F. HURN.—Sentence commuted to 21 years May 6, 1901. Hurn was sentenced in Walla Walla county, May 31, 1888, to be hanged for murder in the first degree; thereafter a respite was granted and on September 13, 1888, the sentence was commuted by the Governor of the Territory to life imprisonment. Hurn's mother was the keeper of a hotel, which was burned and human life destroyed in the fire. Hurn and his mother being convicted of the crime of murder. It was shown that Hurn was a young man when the crime was com-

mitted and that undoubtedly he was the tool of older and baser people; that it was his first crime; that he had a wife and a son—the latter now 16 years of age, devotedly awaiting his liberation. Intervention was prayed for by the prosecuting attorney, the Superintendent of the State Penitentiary and numerous citizens of Walla Walla.

JOHN W. HARMON.—Sentence commuted to eight years May 8, 1901. Harmon was sentenced from Spokane county December 5, 1895, to ten years in the State Penitentiary for stealing meat cattle. It was shown in the application that he was young when convicted, and the tool of older men who had since been convicted and punished. Executive clemency was urged by the trial judge and numerous citizens.

MANUEL PAYNE.—Pardon granted July 25, 1901. Payne was sentenced January 13, 1892, from Clarke county, to 20 years in the State Penitentiary for assault with intent to commit rape. He was an old man. Governor Rogers made a personal investigation and was convinced that the prisoner was worthy. Recommendations were made by the trial judge, the prosecuting attorney who conducted the case, and others.

LADD A. KNAPP.—Pardoned August 2, 1901. Knapp was sentenced December 21, 1899, from Walla Walla county, to seven years imprisonment in the State Penitentiary for the crime of rape. From later developments there was grave doubt of his guilt, and the Governor was asked to intervene in behalf of Knapp, the petition being signed by the trial judge, the prosecuting attorney who conducted the case, the sheriff, and eleven of the jurors who returned the verdict.

GEORGE A. WEST.—Pardon granted August 23, 1901. West was sentenced from King county in 1900 to imprisonment in the State Penitentiary for five years for robbery. Pardon was granted after about 13 months' imprisonment in view of the fact that West rendered valuable aid in the conviction at Dawson, N. W. T., of George O'Brien, the murderer of Linn Relfe and others, and clemency was asked by the trial judge, the prosecuting attorneys who conducted the case, the sheriff, three of the judges of the Superior Court of King county, and many other citizens.

STEPHEN P. BURNS.—Sentence commuted to eleven months August 27, 1901. Burns was sentenced October 4, 1900, to twelve months imprisonment in the Pierce county jail for receiving money under false pretences. Commutation was asked for by the trial judge, the prosecuting attorney who conducted the case, the sheriff and others, there being no good time allowance in county jail sentences.

FRANK GABY.—Pardon granted September 9, 1901. Gaby was sentenced from Snohomish county on December 16, 1897, to ten years imprisonment in the State Penitentiary for manslaughter. Letters were received by the Executive from the trial judge and prosecuting attorney praying for a pardon, the statement being made by the former that the prosecuting attorney had assured him he was convinced "that testimony could and should have been produced on the trial in behalf of the defendant which, had it been, would have resulted in a verdict of acquittal."

JOSEPH TAVARES, JR.—Sentence commuted to eight months in county jail September 3, 1901. Tavares was sentenced February 7, 1901, in Adams county, to imprisonment in the State Penitentiary for twelve months for altering brands upon horses with intent to prevent their identification. It was shown the prisoner was but slightly over 16 years old, that he had always borne a good character, but was influenced by a man who had also been convicted for the same crime. Executive clemency was recommended by the trial judge, the prosecuting attorney, the sheriff, the prosecuting witness and others.

THOMAS C. JORDAN.—Pardon granted and amount of fine remaining remitted December 2, 1901. Jordan was sentenced September 26, 1901, to pay a fine of \$25 and costs—amounting to \$280—for the crime of assault. He had served over two months in the county jail, being unable to pay the fine, and a pardon was recommended by the presiding judge of Lewis county, the prosecuting attorney, eleven of the jurors, and others.

ALBERT SILFE.—Pardon granted December 7, 1901. Silfe was sentenced November 12, 1900, from King county, to three years in the State Penitentiary for grand larceny. At the time of the application Silfe had been confined in the King county jail since September 27, 1900, a period of over fourteen months. The action granting a pardon was taken upon a presentation that Silfe may have been wrongly convicted, the evidence being of a circumstantial character. The petition was signed by the trial judge, the prosecuting attorney, and the prosecuting witness.

HARRY MILLER.—Sentence commuted to 18 years December 16, 1901. Miller was sentenced March 14, 1890, from Pierce county, to twenty years in the State Penitentiary for murder in the second degree. The evidence was of a circumstantial character and the prisoner always claimed that the man he killed was committing burglary in his room at the time and was a stranger to him. In the opinion of the trial judge, the prosecuting attorney and others there was an element of doubt regarding Miller's guilt of murder, and they therefore joined in a recommendation for commutation of his sentence.

PATRICK DUNNIGAN.—Sentence commuted to nine years May 3, 1901. Dunnigan was sentenced in December, 1895, from Whitman county to a term of 13 years in the State Penitentiary for the crime of murder in the second degree. The petition for commutation was signed by the trial judge, the prosecuting attorney, the Superintendent of the Penitentiary and a large number of citizens of Whitman county.

By Governor Henry McBride:

ARTHUR L. FERRY.—Pardon granted January 29, 1902. Ferry was sentenced in King county April 11, 1901, to a term of one year in the State Penitentiary for the crime of burglary. He was a young man of previous good character, and, while in the King county jail, prior to his transfer to the penitentiary, was a trusty. His record in the State Penitentiary was good. Pardon was granted a few days before the time for his regular release in order to restore to him his civil rights, and was recommended by the trial judge, the prosecuting attorney and other citizens of Seattle.

ALLEN K. JAMES.—Pardon granted from Thurston county jail March 5, 1902. James was sentenced November 25, 1901, to imprisonment in the Thurston county jail for the term of eight months for the crime of obtaining money under false pretenses. Upon a showing from the county physician and others that James' health had been impaired by confinement in the jail—owing to the poor ventilation and bad sanitation of that prison—and that to remain therein for the full term was a menace to the life of the prisoner, a pardon was granted.

EVANS MCAFEE.—Sentence commuted to 18 years and 10 months March 6, 1902. McAfee was sentenced in Kittitas county April 2, 1900, to a term of 20 years in the State Penitentiary for the crime of murder in the second degree. During all the years of his confinement McAfee had been a well-behaved prisoner, serving a long time as a trusty and never violating the confidence reposed in him. Clemency was recommended by Superintendent Catron and other officers of the prison, members of the State Board of Control, and others.

GEORGE PRICE.—Pardon granted April 16, 1902. Price was an Indian, convicted in Snohomish county November 15, 1901, and sentenced to a term of one year in the State Penitentiary for the crime of manslaughter. Letters and petitions received from the county attorney, sheriff and others, stated that Price had been a sober, and hard-working Indian, that the death of the mother

was more an accident than a crime and that in consideration of this the jury recommended the defendant to the leniency of the Court. When Price was taken to the penitentiary the doctor there found him suffering from symptoms of tuberculosis. At the time of the application for pardon Price was in the prison hospital, where he had been since February 15, 1902, suffering from acute pulmonary tuberculosis in an advanced stage. The Superintendent of the State Penitentiary recommended that Price be pardoned and the penitentiary physician gave it as his opinion that the patient would not live 60 days, as he was growing rapidly weak.

ARTHUR GAGER.—Pardon granted May 17, 1902, from King county jail. Gager was sentenced February 17, 1902, to one year in the State Penitentiary for the crime of burglary. He was 18 years old. His crime was the breaking of a lock on a sail boat and taking from the vessel a rudder and sail while going, it is claimed, on a hunting trip. The trial judge and prosecuting attorney recommended the pardon, it being shown that Gager's friends had arranged for him to enlist in the United States Navy. At the time of his arrest Gager held an honorable discharge from the U. S. steamer Pathfinder.

VICTOR OSBORNE.—Pardon granted June 25, 1902. Osborne was a young man convicted in Pierce county on the 27th day of March, 1901, and was sentenced to the term of one year and six months in the State Penitentiary for the crime of attempt to commit burglary. He was convicted by reason of having in his possession when arrested a knife that had been broken in an attempt to open a lock, the broken piece being found in the door. After Osborne's conviction a confession was made by a criminal, convicted of other burglaries, that he had attempted to commit the crime for which Osborne had been convicted and had thrown the knife away as it was broken and useless to him. The pardon was issued one day before the expiration of the boy's sentence in order to restore to him his civil rights.

FRANK WILLIAMS.—Pardon from King county jail, granted August 13, 1902. Williams was sentenced November 23, 1901, in King county, to imprisonment in the jail of that county for the term of one year for the crime of tampering with a witness. Williams was a "trusty" in the jail and at one time disclosed to the sheriff information that a jail delivery had been planned and that a revolver had been smuggled in to one of the desperadoes then in jail. By reason of this information the sheriff was able to frustrate the plans of the prisoners and the revolver was secured without loss of life. The recommendation for Executive clemency came from the sheriff's officers and was concurred in by the trial judge, the prosecuting attorney, sheriff and others.

FRANK VIDAL.—Pardon granted September 25, 1902. Vidal was sentenced from King county November 8, 1901, for a term of five years in the penitentiary for the crime of burglary. Developments after his conviction showed that while Vidal was convicted of burglary he was merely guilty of petit larceny. A pardon was recommended by the trial judge, the prosecuting attorney and others.

GEORGE RAND.—Pardon, from Stevens county jail, granted September 29, 1902. Rand was on May 29, 1902, fined \$500 by the judge of the Superior Court of Stevens county, and ordered committed to jail pending payment, for interfering with telephone communications. The trial judge, prosecuting attorney, members of the Board of County Commissioners, various county officials, attorneys and business men petitioned for Rand's pardon as he was unable to pay the fine and had already been severely punished.

JOHN E. MAINES.—Pardon granted September 30, 1902. Maines was sentenced from Walla Walla county to two years and nine months in the State Penitentiary for the crime of larceny by embezzlement. He was released under the parole law November 1, 1901, and thereafter lived an upright life in Vancouver. His mother was taken seriously ill and it was necessary that she be removed to Southern California. She was dependent upon the aid and assistance

of the prisoner who was prevented from leaving the State of Washington by the parole law. The pastors of several churches, many church workers, the chief of police and many officials of Vancouver asked for a pardon in order that Maines might accompany his mother.

WILLIAM MILBY.—Pardon from Kittitas county jail, granted October 11, 1902. Milby was sentenced March 28, 1901, to a term of six months in the jail of Kittitas county and to pay a fine of \$250 for the crime of attempting to influence a voter. He had already served about eight months imprisonment, was old, poor and unable to pay the balance of the fine, and his health was being undermined by close confinement. The pardon was asked for by the trial judge, the prosecuting attorney and a number of leading citizens of Kittitas county who believed that Milby had been sufficiently punished.

FRANK LAVERGNE.—Pardon granted November 19, 1902.—LaVergne was sentenced in October, 1895, from Yakima county, to a term of twenty years in the State Penitentiary for the crime of manslaughter. On May 15, 1900, he was released on parole and took up his residence with his family in Pierce county, where he continued to faithfully observe the parole law and to support his family. A pardon was asked for and recommended by the trial judge, the prosecuting attorney, nine of the jurors and a large number of leading citizens.

STEVE LYTS.—Pardon granted November 20, 1902. Lyts was sentenced January 5, 1900, in Snohomish county, to a term of ten years in the penitentiary for the crime of grand larceny. Executive clemency was recommended by the trial judge, the prosecuting attorney, the sheriff, the prosecuting witness and others. The prosecuting witness under oath stated that he was mistaken in charging Lyts with the crime and that he was entirely innocent of the crime of which he was convicted.

A. P. VANCE.—Sentence commuted December 31, 1902. Vance was sentenced November 13, 1901, by the judge of the Superior Court in and for Pierce county, to the death penalty for the crime of murder in the first degree, and, later, the 9th day of January, 1903, was fixed as the day on which the death penalty should be executed. Executive clemency was asked by the jurors who tried the case and was recommended by about eighty practicing attorneys of Tacoma and by a large number of leading citizens of Pierce county. The sentence of death was commuted to imprisonment for life in the State Penitentiary.

CHARLES J. EDWARDS.—Pardoned January 7, 1903. Edwards was sentenced from King county June 22, 1901, to a term of three years in the State Penitentiary. On January 7 it was reported by the Superintendent of the Penitentiary that Edwards had been in the prison hospital for several months suffering from tuberculosis, and that the prison physician had reported that he could not live. Edwards had friends in California who were willing to take charge of him. A pardon was granted at once, but Edwards began to sink rapidly and died in the prison hospital January 14.

JOHN O'DAY.—Pardoned February 14, 1903. O'Day was sentenced on July 9, 1902, to a term of three years in the State Penitentiary for the crime of robbery. He had previously lived in Wyoming, where he had borne a good character. This was said to be his first offense. He was an engineer, but was unable to secure work, and it was shown that he was driven to the crime by seeing his family in want. The appeal for clemency was made by the wife of O'Day, who was compelled to care for and support four small children, the eldest being six years.

J. M. HOSHER.—Pardon from King county jail, granted February 14, 1903. Hoshier was sentenced to one year in the King county jail about April 16, 1902, having been convicted of the crime of embezzlement. Executive clemency was asked by the trial judge, and a large number of reputable citizens of King county.

CIVIL RIGHTS.

Civil rights were restored to the following named persons upon recommendation of the superintendent of the State Penitentiary at the time of their release from custody, their conduct during imprisonment having been such as to inspire the superintendent with a belief in their reformation:

<i>Name.</i>	<i>Date of Restoration.</i>	<i>Name.</i>	<i>Date of Restoration.</i>
Francis See.....	Jan. 22, 1901	Wm. Barrett.....	Mar. 25, 1902
R. J. MacDonald.....	Jan. 21, 1901	Fred Bruce.....	Mar. 25, 1902
Wm. C. Eddon.....	Feb. 21, 1901	Jas. Hfusworth.....	April 22, 1902
John Burns.....	March 22, 1901	John Ryder.....	April 22, 1902
Chas. Auer.....	March 22, 1901	Chas. Byers.....	April 22, 1902
Fred Muller.....	May 20, 1901	Wm. Hogan.....	April 22, 1902
James W. Bailey.....	June 20, 1901	Jas. Leake.....	April 22, 1902
C. H. Cummings.....	June 20, 1901	Jas. Woodruff.....	May 27, 1902
R. P. Minter.....	June 20, 1901	T. I. McGregor.....	May 24, 1902
W. H. Anderson.....	July 22, 1901	Harry Elswood.....	June 20, 1902
Chas. Craemer.....	July 22, 1901	S. C. Hargrave.....	June 20, 1902
Wm. Myers.....	Aug. 21, 1901	A. Woods.....	June 21, 1902
George Weston.....	Aug. 21, 1901	D. E. Lattin.....	July 23, 1902
J. W. Marshall.....	Sep. 21, 1901	F. A. Hendricks.....	July 23, 1902
John Jackson.....	Oct. 21, 1901	Geo. Beeman.....	Aug. 25, 1902
John Hurn.....	Nov. 21, 1901	Gilbert Hofsford.....	Sep. 30, 1902
Pat Dunnigan.....	Nov. 21, 1901	H. Henderson.....	Sep. 30, 1902
C. H. Kenney.....	Nov. 21, 1901	H. E. Sturgeon.....	Sep. 30, 1902
A. E. Feeser.....	Dec. 1, 1901	Wm. Cossalman.....	Oct. 23, 1902
E. B. Mendenhall.....	Dec. 9, 1901	Philip Saving.....	Oct. 23, 1902
Albert Briggs.....	April 17, 1901	C. C. Lane.....	Oct. 23, 1902
Walter Barnett.....	Jan. 22, 1902	John D. Murray.....	Nov. 20, 1902
Arch McGilvery.....	Jan. 22, 1902	Wm. Jacobs.....	Nov. 20, 1902
John Bolock.....	May 20, 1901	Frank J. Walker.....	Jan. 22, 1903
Ed Brovard.....	July 22, 1901	Wm. E. Cartler.....	Jan. 22, 1903

INTRODUCTION OF BILLS.

Senate bill No. 214, by Senator Tucker: An act authorizing the common councils of cities of the first class to redistrict such cities into wards.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Education.

Senate bill No. 215, by Senator Potts: An act to further an industrial and agricultural exposition in the State of Washington, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Agriculture.

Senate bill No. 216, by Senator Wilson: An act authorizing the board of regents of the State Agricultural College and School of Science to withdraw from sale lands set apart for the use and support, establishment and maintenance of the State Agricultural College and School of Science, together with the timber, stone, fallen timber, hay, or gravel or other valuable material situated on the said lands.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on State Granted, School and Tide Lands.

Senate bill No. 217, by Senator LeCrone: An act in relation to the support of the poor indigent, and establishing liabilities of counties in reference thereto, and providing for the enforcement thereof.

The bill was read the first time; and, on motion of Senator LeCrone, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on State Charitable Institutions.

Senate bill No. 218, by Senator LeCrone: An act regulating the allotment and expenditure of the road and bridge fund in counties in which there is a city of the first class.

The bill was read the first time; and, on motion of Senator LeCrone, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Senate bill No. 219, by Senator Rands: An act authorizing the State Board of Equalization to investigate and report on the best method of taxing all property in the State of Washington, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Rands, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 220, by Committee on Appropriations: An act transferring certain funds from the charitable, educational, penal and reform fund to the general fund.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second

time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 221, by Senator Clapp: An act providing for state aid in preventing overflow of rivers and streams in the State of Washington, and in protecting the banks and channels of rivers and streams in the State of Washington, and creating a fund and making an appropriation therefor, and providing a method of expending the same, and the manner of making and enforcing contracts thereunder.

The bill was read the first time; and, on motion of Senator Clapp, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 222, by Senator Rands: An act for the relief of W. W. McCredie.

The bill was read the first time, and on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, ordered not printed, and referred to the Committee on Appropriations.

GENERAL FILE.

Senate bill No. 172, by Senator Rands, "An act providing for the organization and government of river improvement districts, and levying a tax," etc., was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Sharp, Smith, Stansell, Stewart, Sumner, Tolman, Welsh, Welty, Wilson, Mr. President—33.

Absent or not voting were: Senators Baker, Graves, Kinnear, Reser, Ruth, Splawn, Tucker, Van de Vanter, Warburton—9.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Sharp, Smith, Stan-

sell, Stewart, Sumner, Tolman, Van de Vanter, Welsh, Welty, Wilson, Mr. President—33.

Absent or not voting were: Senators Baker, Graves, Kinnear, Rasher, Reser, Ruth, Splawn, Tucker, Warburton—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Rands, the rules were suspended, and the bill ordered transmitted immediately to the House.

Senate bill No. 152, by Senator O'Donnell, "An act relating to the tide lands of the city of Hoquiam, and providing for the platting, appraisalment and sale thereof," etc., was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Sharp, Smith, Stansell, Sumner, Tolman, Van de Vanter, Welsh, Wilson, Mr. President—32.

Absent or not voting were: Senators Cornwell, Graves, Kinnear, Reser, Ruth, Splawn, Stewart, Tucker, Warburton, Welty—10.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Sharp, Smith, Stansell, Sumner, Tolman, Warburton, Welsh, Welty, Wilson, Mr. President—32.

Absent or not voting were: Senators Cornwell, Graves, Kinnear, Rasher, Reser, Ruth, Splawn, Stewart, Tucker, Van de Vanter—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator O'Donnell, the rules were suspended and the bill ordered transmitted immediately to the House.

House bill No. 132, by Mr. Collins, "An act providing for the search for and seizure of liquors received, kept or used contrary to law," etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Davis, Earles, Garber, Hallett, Hammer, Hemrich, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rasher, Sharp, Smith, Stansell, Stewart, Sumner, Tolman, Welsh, Welty, Wilson, Mr. President—28.

Senators Hamilton, Hurley, O'Donnell and Warburton voted nay.

Absent or not voting were: Senators Crow, Graves, Hailey, Kinnear, Rands, Reser, Ruth, Splawn, Tucker, Van de Vanter.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 175, by Mr. Lyons, "An act amending sections 3 and 6 of an act entitled 'An act relating to justices of the peace and constables in cities of the first class,'" etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rasher, Ruth, Sharp, Smith, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Welsh, Welty, Wilson, Mr. President—32.

Absent or not voting were: Senators Cornwell, Graves, Hemrich, Kinnear, Moore, Rands, Reser, Splawn, Tucker, Warburton—10.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Ruth, Sharp, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—32.

Senator Tolman voted nay.

Absent or not voting were: Senators Cornwell, Graves, Kinnear, McKenney, Rasher, Reser, Smith, Splawn, Tucker—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 102, by Mr. York, entitled "An act providing for

the enforcing of the lien and collection of delinquent assessments for local improvements," etc.

The bill, with majority and minority reports, was read.

Senator Hamilton moved the adoption of the majority report.

Senator Palmer moved as an amendment that the minority report be substituted for the majority report.

Senators Tolman, Welty, Stewart, Hallett, Rands, Moultray and Ruth demanded a roll call on the motion of Senator Palmer to substitute the minority for the majority report.

The motion to adopt the minority report failed by the following vote:

Those voting yea were: Senators Angle, Crow, Hallett, McKenney, Moore, Palmer, Potts, Rasher, Smith, Tolman, Wilson—11.

Those voting nay were: Senators Baker, Baumeister, Clapp, Cornwell, Davis, Earles, Garber, Hamilton, Hammer, Hemrich, Hurley, LeCrone, Moultray, O'Donnell, Rands, Ruth, Sharp, Stansell, Stewart, Sumner, Van de Vanter, Warburton, Welsh, Welty and Mr. President—25.

Absent or not voting were: Senators Graves, Hailey, Kinnear, Reser, Splawn, Tucker—6.

On motion of Senator Stewart, the bill was indefinitely postponed.

The hour having arrived for the consideration of Senate bill No. 121, Senator Hallett moved that the vote by which Senate bill No. 121, by Senator Hallett, entitled "An act to amend sections 2933 and 2934 of Ballinger's Annotated Codes and Statutes of Washington, relating to the regulations, restraining, licensing or prohibition of the sale or disposal of intoxicating liquors," passed, be reconsidered.

Senator Hamilton moved that the bill be again placed on third reading for amendment.

Senators Hallett, Moultray and Tolman demanded a call of the Senate.

The secretary called the roll, all members being present except Senators Graves, Reser, Splawn and Tucker, excused.

On motion of Senator Hamilton, further call of the Senate was dispensed with.

Senator Hamilton renewed his motion to again place the bill on third reading.

The motion prevailed.

Senator Van de Vanter moved to amend section 1, line 8, by striking the word "six," as amended by the committee, and inserting the word "three."

The motion was lost.

Senator Hamilton moved to amend section 1, line 8, by striking the word "six," as amended by the committee, and inserting the word "five."

The motion was lost.

Senator Ruth moved to amend section 1, line 8, by striking the word "six," as amended by the committee, and inserting the word "four."

The motion prevailed.

Senator Hemrich moved to amend section 1, lines 8 and 9, by striking the word "fifteen" and inserting the words "one thousand."

The motion prevailed.

Senator Moultray moved to amend section 1, lines 8 and 9, by striking the word "fifteen" and inserting the words "twelve hundred and fifty."

The amendment prevailed.

On motion of Senator Hammer, section 2, line 8, was amended by striking the word "six" and inserting the word "five."

Also, in section 2, line 9, by striking the word "fifteen" and inserting "twelve hundred and fifty."

The motion prevailed.

Senator Sharp moved to strike out section 2.

The motion was lost.

On motion of Senator Tolman, the rules were suspended, the bill placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Hallett, Hammer, McKenney, Moore, Moultray, Rasher, Ruth, Sharp, Smith, Stewart, Sumner, Tolman, Warburton, Welsh, Welty, Wilson, Mr. President—24.

Those voting nay were: Senators Baker, Davis, Hailey, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, O'Donnell, Potts, Rands, Stansell and Van de Vanter—13.

Absent or not voting were: Senators Graves, Palmer, Reser, Splawn, Tucker—5.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hallett, the rules were suspended and the bill was ordered transmitted immediately to the House.

The hour having arrived for the consideration of Senate bill No. 70, by Senator Hammer, entitled "An act to amend section 3753 of Ballinger's Annotated Codes and Statutes of Washington, relating to drainage districts," the bill was read the third time.

On motion of Senator Hammer, the rules were suspended, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Baker, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Potts, Rands, Rasher, Ruth, Sharp, Smith, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—35.

Absent or not voting were: Senators Angle, Baumeister, Graves, Palmer, Reser, Splawn, Tucker—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hammer, the rules were suspended and the bill ordered transmitted immediately to the House.

Senate bill No. 73, by Senator Ruth, entitled "An act relating to the public schools of the State of Washington, and to prescribe penalties for unlawfully disclosing any question or questions prepared for the examination of teachers or eighth grade pupils, and for assisting such pupils to answer questions propounded; for the failure of county superintendents to make reports in accordance with law," etc., was read the third time.

On motion of Senator Ruth, section 13 was stricken and the following substitute inserted in lieu thereof:

Sec. 13. Any teacher, principal or superintendent who shall knowingly report, cause to be reported, or permit to be reported, the presence of any pupil or pupils at school when such pupil or pupils were absent, or when school is not in session, shall forfeit

his certificate or subject it to revocation by the Superintendent of Public Instruction, and the same shall not be restored or a new one granted within one year after such forfeiture or revocation. *Provided*, That if the teacher, principal or superintendent shall be the holder of a state certificate, life diploma or normal school diploma, it shall be the duty of the State Board of Education to declare such forfeiture or revocation.

Senate bill No. 176, by Senator Angle, entitled "An act to amend section 18 of 'An act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency,'" etc., was read the third time.

On motion of Senator Angle, the rules were suspended, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Crow, Davis, Earles, Garber, Hailey, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Ruth, Sharp, Smith, Stansell, Stewart, Sumner, Tolman, Warburton, Welsh, Wilson, Mr. President—30.

Those voting nay were: Senators Baumeister, Hallett, Moultray and Welty—4.

Absent or not voting were: Senators Cornwell, Graves, Kinnear, Rasher, Reser, Splawn, Tucker, Van de Vanter—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Palmer, at 12:10 o'clock the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

President Smith called the Senate to order at 2 o'clock p. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Graves, excused, and Senator Reser, excused until Monday.

INTRODUCTION OF HOUSE BILLS.

House bill No. 126, by Mr. King: An act making appropriation for certain deficiencies for fiscal periods prior to March 31, 1903, and for other purposes.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 367, by Committee on Game and Game Fish: An act to regulate fishing for trout, providing a penalty for the violation thereof, prescribing the duty of the State Game Warden and his deputies in relation thereto, and establishing the rule of evidence in cases arising under this act.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 153, by Mr. Hare: An act appropriating money for the reimbursement of Yakima County for moneys erroneously paid into the state treasury by said county.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 138, by Mr. Megler: An act providing for the payment of a bounty for the killing of the common seal (*phoca vitulina*) and sea lions, and making an appropriation therefor.

House bill No. 130, by Mr. Child: An act relating to the sale of certain articles of merchandise, providing for licensing the same, and providing a penalty for the violation thereof."

The bill was read the first time; and, on motion of Senator Rasher, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Manufactures.

House bill No. 248, by Mr. King: An act to appropriate \$29.95 for the relief of Mr. Billings.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 242, by Mr. Dickson: An act authorizing the State Auditor to give Kittitas County, Washington, credit on tax roll account for the year 1901.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 323, by Committee on Medicine, Surgery and Hygiene: An act to amend section 1 of an act entitled "An act to amend section 2615 of volume 1, Hill's Annotated Statutes and Codes of Washington, relating to State board of Health," approved March 16, 1897, being section 7542 of Pierce's Code.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Medicine, Dentistry and Hygiene.

House bill No. 48, by Mr. Henry: An act to provide for the issuance of licenses to honorably discharged soldiers, sailors and marines of the military and naval service of the United States in the late war of the rebellion who desire to carry on the business of peddler.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 177, by Mr. Tibbitts: An act providing for the protection of orphans, homeless, neglected or abused children, and conferring powers upon judges of the superior court, the county commissioners and charitable societies to receive, control and dispose of the same, and repealing an act entitled "An act for the protection of orphan, homeless, neglected or abused children, and conferring powers upon the judges of the superior court, the county commissioners and charitable societies to receive, control and dispose of the same, and declaring an emergency," approved February 14, 1899.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 320, by Committee on Revenue and Taxation: An act to provide for notices of assessment and of the time and place of meeting of the county board of equalization.

The bill was read the first time; and, on motion of Senator Warburton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 238, by Mr. Eidemiller: An act authorizing the board of county commissioners of the several counties of the State of Washington to dedicate to the public land for public streets and alleys in incorporated cities and towns, through property belonging to the several counties of the State of Washington.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House substitute bill No. 49, by Committee on Medicine, Surgery and Hygiene: An act for the prevention of the spread of contagious diseases, defining the methods and fixing the penalty for the violation, and repealing sections in conflict with this act.

The bill was read the first time; and, on motion of Senator LeCrone, the rules were suspended, the bill was read a second time by title, ordered printed, and referred to the Committee on Medicine, Dentistry and Hygiene.

House bill No. 214, by Mr. Gleason: An act to provide for the payment of expenses incurred in compliance with an act entitled "An act to provide for the establishment and creation of drainage districts, and the construction and maintenance of a system of drainage, and to provide for the means of payment thereof, and declaring an emergency," approved March 20, 1895.

The bill was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Dykes, Drains and Drainage.

House bill No. 44, by Mr. Jones: An act to provide for the employment of attorneys-at-law by boards of directors of school districts having a population of more than twenty thousand persons, and to provide for the compensation therefor.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

House bill No. 20, by Mr. Lindsley: An act amending sections 1451 and 1453 of Ballinger's Code and Statutes of Washington, relating to the registration of voters.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second

time by title, and referred to the Committee on Municipal Corporations.

House bill No. 112, by Mr. Lindsley: An act to amend an act entitled "An act in relation to garnishments in justice courts,," approved January 31, 1888, and repealing section 4 of said act.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 4, by Mr. Jones: An act to create a State Board of Accountancy, and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of "Certified Public Accountant," and to provide the penalty for violation of the provisions thereof.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Miscellaneous.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 25, 1903.

MR. PRESIDENT:

The House has passed House joint resolution No. 14, in regard to appointing a committee to draft a bill providing for the division of the judicial district comprising Adams, Lincoln, Chelan, Ferry, Okanogan and Douglas counties.

Also Senate bill No. 16, amending an act for the creating of the office of state veterinary surgeon.

Also House bill No. 112, amending an act in relation to garnishments in justice's courts.

Also House bill No. 4, to create a state board of accountancy.

Also House bill No. 20, amending sections 1451 and 1453 of Ballinger's Code.

Also House bill No. 44, to provide for the employment of attorneys by board of school directors.

Also House bill No. 177, for the protection of orphan and homeless children.

Also House bill No. 214, to provide for the expenses in drainage districts.

Also House bill No. 49, relating to public health.

Also House bill No. 48, to provide for the issuance of licenses to honorably discharged soldiers.

Also House bill No. 238, authorizing the board of county commissioners to dedicate to the public land for street purposes.

Also House bill No. 320, to provide for notice of assessment.

Also House bill No. 323, amending section 2615 of volume I. of Hill's Code.

Also House bill No. 153, for the reimbursement of Yakima County.

Also House bill No. 138, providing for a payment of bounty for killing seal and sea lion.

Also House bill No. 130, relating to the sale of certain articles of merchandise.

Also House bill No. 242, giving Kittitas County credit on tax roll for 1901.

Also House bill No. 248: An act for the relief of Mr. Billings.

Also House bill No. 126, making appropriations for certain deficiencies.

Also House bill No. 367: An act to regulate fishing for trout, and providing a penalty.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

OLYMPIA, WASH., February 25, 1903.

MR. PRESIDENT:

The Speaker has signed House memorial No. 1, relative to the enactment of a law restricting the operations of such trusts as are oppressive, etc.

Also House bill No. 6, relating to the tide lands of Aberdeen.

Also House memorial No. 7, relative to the lands within the Quinault valley.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, WASH., February 25, 1903.

The Honorable the President of the Senate, Senate Chamber, Olympia, Wash.:

SIR—I have the honor to inform you that the Governor has this day approved the following:

Senate memorial No. 8, being in relation to the 4 per cent. bonus in Pacific Coast naval contracts.

Senate bill No. 199, entitled "An act making an appropriation for defraying the expenses of the celebration of the 50th anniversary of the formation of the Territory of Washington."

Truly yours,

J. HOWARD WATSON, Secretary to the Governor.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill

No. 56, entitled "An act relating to the defense of the Statute of Limitations and amending section 35 of the Code of 1881."

Senate bill No. 117, entitled "An act providing for the rate of interest to be paid Jefferson County bonds."

Senate memorial No. 6, relating to a canal from Puget Sound to Gray's Harbor.

Has compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: O. A. Tucker, H. E. McKenney.

Senate bill No. 202, by Senator Cornwell, entitled "An act relating to the employment of convicts," was read the third time.

On motion of Senator Hallett, section 1, line 4, was amended by inserting a comma after the word "crushing," and striking the word "or," and inserting after the word "preparation" the words "or handling."

On motion of Senator Cornwell, the rules were suspended, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hammer, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Wilson, Mr. President—34.

Absent or not voting were: Senators Graves, Hamilton, Hemrich, Kinnear, Palmer, Potts, Reser, Welty—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 136, by Senator Garber, entitled, "An act to provide for the acceptance by the State of Washington, from the United States, of certain lands, etc., was read the third time by sections.

On motion of Senator Tolman section 3, line 13, was amended by striking out the word "directors" and inserting the word "trustees" in lieu thereof.

On motion of Senator Moore, section 3, line 3, was amended by striking the words "this act" and inserting the words "said acts" in lieu thereof.

On motion of Senator Hallett, section 4, line 3, was amended by inserting a comma after the word "proposal."

On motion of Senator Moore, section 8, line 3, was amended by making the word "act" to read "acts."

On motion of Senator Sharp, the bill was made a special order for Thursday, February 26, 1903, at 10:30 o'clock a. m.

The hour having arrived for the consideration of Senate bill No. 208, by Joint Committee on Banks and Banking, entitled "An act relating to banking, and regulating foreign corporations doing a banking business within this state," with the majority and minority reports.

On motion of Senator Tolman, the bill was read the third time by sections.

On motion of Senator Warburton, section 7 was stricken from the bill.

On motion of Senator Tolman, section 8 was stricken from the bill.

Senator Warburton moved to strike section 9 from the bill.

The motion was lost.

Senator Baker moved that the bill be indefinitely postponed.

The motion was lost.

On motion of Senator Hamilton, the vote was reconsidered by which section 7 was stricken.

Section 7 was again stricken.

Senator Tolman moved the adoption of the majority report.

Senator Tucker moved as an amendment that the minority report be substituted for the majority report.

The amendment prevailed.

Senator Baker moved that the bill be indefinitely postponed.

Roll call was demanded by Senators Stewart, Hurley, Crow, LeCrone, Moultray, Hallett and Hamilton on the motion to indefinitely postpone.

The motion to indefinitely postpone prevailed by the following vote:

Those voting yea were: Senators Baker, Baumeister, Earles, Hammer, Henrich, Kinnear, LeCrone, McKenney, O'Donnell, Potts, Rands, Ruth, Splawn, Stansell, Stewart, Sumner, Tucker, Welsh, Welty, Mr. President—20.

Those voting nay were: Senators Angle, Clapp, Crow, Davis,

Garber, Hailey, Hallett, Hamilton, Hurley, Moore, Moultray, Palmer, Rasher, Sharp, Smith, Tolman, Van de Vanter, Warburton and Wilson—19.

Absent or not voting were: Senators Cornwell, Graves, Reser—3.

Senator Welsh submitted the following in explanation of his vote on the above bill, and requested it to be made of record.

“Since sections 7 and 8 of Senate bill No. 208 have been stricken, I must vote against the bill, for without said sections the act, in my judgment, would be a useless piece of legislation; therefore I vote aye.”

House joint resolution No. 14, by Mr. Cameron, relating to the division of the judicial district of Ferry, Lincoln, Adams, Douglas, Okanogan and Chelan Counties, was read, and, on motion of Senator Sharp, was adopted.

Walter Janney was sworn in by the President as assistant engrossing clerk.

On motion of Senator Tolman, at 4 o'clock p. m. the Senate adjourned until Thursday, February 26, 1903, at 10 o'clock a. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

FORTY-SIXTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 26, 1903. }
10 o'clock a. m.

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Graves, Reser and Stewart, excused.

Rev. Henry L. Badger offered prayer.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 26, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 73, entitled "An act relating to the public schools of the State of Washington," etc, have compared same with original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, E. Hammer, O. T. Cornell.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 26, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 16, entitled "An act to amend certain sections providing for the creation of the office of State Veterinary Surgeon," have compared the same with the engrossed bill, and find it correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: H. E. McKenney, A. S. Ruth.

The President signed Senate memorial No. 6, Senate bill No. 117, Senate bill No. 56 and Senate bill No. 16.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 25, 1903.

MR. PRESIDENT:

We, your Committee on Manufactures, to whom was referred House bill No. 130, entitled "An act relating to the sale of certain articles of merchandise, providing for licensing the same, and prescribing a penalty for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. HEMRICH, Chairman.

We concur in this report: C. F. Clapp, G. B. Wilson, S. T. Smith.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., February 26, 1903.

MR. PRESIDENT:

The House has concurred in Senate amendments to the following bills:

House bill No. 31, entitled "An act authorizing certain cities and towns to construct sewers and drains."

Also, House bill No. 163, amending Ballinger's Code relative to municipal corporations.

Also, House bill No. 164, amending Ballinger's Code relative to municipal corporations.

Also, House substitute bill No. 79, entitled "An act providing for a Superior Judge for the counties of Chelan, Douglas, Okanogan and Ferry, in the State of Washington," and declaring an emergency.

Also, House bill No. 404, entitled "An act to provide for the purchase of additional land for the School of Defective Youth."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

GENERAL FILE.

Senate bill No. 73, by Senator Ruth, entitled "An act relating to the public schools of the State of Washington, and to prescribe penalties for unlawfully disclosing any question or questions prepared for the examination of teachers," etc., was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Cornwell, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Tolman, Warburton, Welsh, Welty, Wilson, Mr. President—33.

Absent or not voting were: Senators Baumeister, Davis, Graves, Hemrich, Reser, Stewart, Sumner, Tucker, Van de Vanter—9.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hamilton, Hammer, Hurley, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Ruth, Sharp, Splawn, Stansell, Tolman, Van de Vanter, Welsh, Welty, Wilson, Mr. President—29.

Absent or not voting were: Senators Baker, Cornwell, Graves, Hallett, Hemrich, Kinnear, McKenney, Rasher, Reser, Smith, Stewart, Sumner, Tucker, Warburton—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Amended Senate bill No. 165, by Senator Potts, was read the third time and referred to the Engrossing Committee.

Senate bill No. 192, by Senator Wilson, entitled "An act creating in the state treasury a fund to be known as the current fund of the Agricultural College and School of Science," was read the third time and passed over until tomorrow, retaining its place on calendar.

On motion of Senator Hamilton, the Senate resolved itself into a Committee of the Whole to consider substitute Senate bill No. 89, by Committee on Mines and Mining, entitled "An act to provide for marking and labeling and inspecting all barrels, tanks, cans, etc., containing petroleum oils offered or exposed for sale within this state," etc.

The bill was considered in the Committee of the Whole, Senator Moultray in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendments:

Section 4, line 7, was amended by adding the words "per annum" at end of line.

Section 6, line 5, was amended by adding the words "of the state" at end of line.

Section 7, line 2, was amended by inserting the words "eighteen hundred."

The report was adopted.

On motion of Senator LeCrone, the rules were suspended, the reading had in the Committee of the Whole considered the third reading, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—36.

Absent or not voting were: Senators Baker, Graves, Hemrich, Reser, Stewart, Sumner—6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator LeCrone moved that the rules be suspended and Senate bill No. 89 ordered transmitted immediately to the House.

Senator Tolman moved as an amendment that all bills passed to-day be transmitted immediately to the House.

The amendment prevailed.

The hour having arrived for the consideration of Senate bill No. 136, by Senator Garber, entitled "An act to provide for the acceptance by the State of Washington from the United States of certain lands, and providing for the reclamation," etc., the reading was resumed from section 10.

On motion of Senator Tolman, section 16, line 17, between the words "published" and "in," was amended by inserting the words "once a week."

On motion of Senator Garber, the rules were suspended, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Splawn, Stansell, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—34.

Absent or not voting were: Senators Baker, Graves, LeCrone, Moultray, Reser, Smith, Stewart and Sumner—8.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hammer, Hurley, Kinnear, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—29.

Absent or not voting were: Senators Cornwell, Graves, Hailey, Hemrich, LeCrone, Moultray, Reser, Smith, Splawn, Stansell, Stewart, Sumner, Warburton—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 194, by Senator Palmer, entitled "An act to amend section 3 of an act entitled 'An act to provide against the adulteration of food and fraud in the sale thereof; creating a State Board of Food Commission, defining their duties,'" etc., was read the third time.

On motion of Senator Tolman, section 1, subdivision 9, line 42,

was amended by striking the colon after the word "adulterated" and inserting a comma in lieu thereof, and striking the capital "I" and inserting a small "i" in lieu thereof.

On motion of Senator Palmer, the rules were suspended, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hamilton, Hurley, LeCrone, Moore, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Splawn, Stansell, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—27.

Absent or not voting were: Senators Cornwell, Graves, Hallett, Hammer, Hemrich, Kinnear, McKenney, Moultray, O'Donnell, Reser, Smith, Stewart, Sumner, Van de Vanter, Warburton—15.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 404, by Mr. Ranck and Mr. Parcel, entitled "An act providing for the purchase of additional lands adjoining the grounds upon which is located the main building of the School for Defective Youth, and making an appropriation," was, on motion of Senator Rands, substituted for Senate bill 190, by Senator Rands, entitled "An act to provide for the purchase of additional land adjoining the grounds upon which is located the main building of the School for Defective Youth," etc.

On motion of Senator Rands, House bill No. 404 was read the first and second time by title and referred to the Committee of the Whole.

On motion of Senator Hamilton, the Senate resolved itself into a Committee of the Whole to consider House bill No. 404, Senate bills Nos. 102, 143, 125 and 220.

The bills were considered in the Committee of the Whole, Senator Moore in the chair.

Senate bill No. 220 was reported back to the Senate with the recommendation that it do pass.

The report was adopted.

On motion of Senator Rands, the rules were suspended, the reading had in the Committee of the Whole was considered the

third reading, and House bill No. 404 was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hammer, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Ruth, Sharp, Smith, Stansell, Van de Vanter, Welsh, Welty, Wilson, Mr. President—30.

Absent or not voting were: Senators Graves, Hailey, Hemrich, Kinnear, Rasher, Reser, Splawn, Stewart, Sumner, Tolman, Tucker, Warburton—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hamilton, the rules were suspended, the reading had in Committee of the Whole was considered the third reading, and Senate bill No. 220 was considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—34.

Absent or not voting were: Senators Cornwell, Crow, Graves, Hemrich, Reser, Stansell, Stewart, Warburton—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Rands, the rules were suspended and the bill ordered transmitted immediately to the House.

On motion of Senator Tolman, Senate Bill No. 190 was indefinitely postponed.

On motion of Senator Welsh, the rules were suspended, the reading had in the Committee of the Whole was considered the third reading, and Senate bill No. 102 was considered engrossed, placed upon its final passage and passed by the following vote.

Those voting yea were: Senators Baumeister, Clapp, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hammer, Hurley, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—29.

Voting nay: Senator Tolman—1.

Absent or not voting were: Senators Angle, Baker, Cornwell, Graves, Hailey, Hemrich, Kinnear, Moultray, Reser, Stewart, Sumner, Warburton—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Welsh, the rules were suspended, the reading had in the Committee of the Whole considered the third, and Senate bill No. 143 was considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hammer, Hurley, Le-Crone, McKenney, Moore, O'Donnell, Palmer, Potts, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—29.

Senator Baker voted nay.

Absent or not voting were: Senators Clapp, Cornwell, Graves, Hailey, Hemrich, Kinnear, Moultray, Rands, Reser, Stewart, Sumner, Warburton—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 125, by Senator Hamilton, entitled "An act relating to the Washington State Historical Society; creating it the trustee of the state for certain purposes, and making an appropriation therefor."

On motion of Senator Hamilton, the rules were suspended, the reading had in Committee of the Whole considered the third reading, and Senate bill No. 125 was considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Davis, Earles, Garber, Hailey, Hamilton, Hammer, Hurley, Le-Crone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Tucker, Welsh, Welty, Wilson, Mr. President—27.

Senators Baker, Cornwell and Tolman voted nay—3.

Absent or not voting were: Senators Crow, Graves, Hallett, Hemrich, Kinnear, Moore, Rands, Reser, Stewart, Sumner, Tucker, Van de Vanter—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 129, by Senator Welty, entitled "An act providing for the manner of paying warrants issued under an act of the Legislature of the State of Washington entitled 'An act to provide for the construction, repairing and protection of drains and ditches for agricultural, sanitary and domestic purposes,'" etc., was read the third time, the rules were suspended, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Hailey, Hallett, Hamilton, Hammer, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—35.

Absent or not voting: Senators Garber, Graves, Hemrich, Kinnear, Reser, Stewart and Warburton—7.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Cornwell, Crow, Davis, Earles, Hailey, Hallett, Hamilton, Hammer, Hurley, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—33.

Absent or not voting were: Senators Baumeister, Garber, Graves, Hemrich, Kinnear, Moultray, Reser, Stewart, Warburton—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 173, by Senator Palmer, entitled "An act authorizing the judges of the superior courts to appoint special prosecuting attorneys," was read the third time.

On motion of Senator Palmer, the rules were suspended, the bill considered engrossed, placed upon its final passage and failed to pass by the following vote:

Those voting yea were: Senators Baumeister, Crow, Hallett, Hammer, Hurley, McKenney, Moultray, Palmer, Rands, Rasher, Smith, Splawn, Tolman, Welty—14.

Those voting nay were: Senators Angle, Baker, Clapp, Cornwell, Davis, Earles, Hailey, Hamilton, Hemrich, Kinnear, LeCrone, Moore, O'Donnell, Potts, Ruth, Sharp, Stansell, Sumner, Tucker, Van de Vanter, Welsh, Wilson, Mr. President—23.

Absent or not voting: Senators Garber, Graves, Reser, Stewart, Warburton—5.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, WASH., February 26, 1903.

To the Honorable, the Senate of the State of Washington, Senate Chamber, Olympia, Washington:

GENTLEMEN—I have the honor to submit herewith a list of appointments, subject to confirmation, made by Governor John R. Rogers:

REGENTS OF AGRICULTURAL COLLEGE AND SCHOOL OF SCIENCE.

Mr. J. W. Stearns, of Pullman, appointed to succeed himself for the term ending March 9, 1907.

Hon. Herman D. Crow of Spokane, appointed to succeed himself for the term ending March 9, 1907.

BOARD OF CAPITOL COMMISSIONERS.

Mr. Sol G. Simpson, of Shelton, appointed until the completion of the building.

Hon. Van R. Pierson, of Seattle, appointed until the completion of the building.

Hon. James McNeely, of Buckley, appointed until the completion of the building.

STATE FAIR COMMISSION.

Mr. A. B. Weed, North Yakima, appointed for the term ending March 22, 1905, succeeding Mr. F. D. Schnebley, term expired.

Hon. A. J. Splawn, North Yakima, appointed for term ending March 22, 1905, succeeding Mr. Matt Bertholet, term expired.

Mr. E. F. Benson, Tacoma, appointed for term ending March 22, 1903, succeeding W. L. McDonald, resigned.

TRUSTEES OF STATE NORMAL SCHOOL AT WHATCOM.

Mr. L. P. White, Whatcom, appointed for term ending June 12, 1905, vice Jere Neterer, resigned.

Hon. J. J. Edens, Whatcom, appointed for term ending June 12, 1907, to succeed himself, term expired.

PILOT COMMISSIONERS, STRAITS OF FUCA AND PUGET SOUND.

Mr. James Delgardno, appointed for term during Governor's pleasure, vice Horace Guputil, term expired.

STATE BOARD OF CONTROL.

Mr. Ernest Lister, appointed for term ending March 31, 1903—original appointment.

Mr. C. S. Reed, Seattle, appointed for term ending March 31, 1907—original appointment.

STATE BOARD OF EDUCATION.

Mrs. Clara Ryan, Vancouver, appointed for term ending the first Monday in March, 1903, vice W. J. Meredith, term expired.

Mrs. Carrie Rice Shaw, Tacoma, appointed for term ending the first Monday in March, 1903, vice J. L. Dumas, term expired.

Miss Sarah Lawton, Spokane, appointed for the term ending the first Monday in March 1903, vice F. H. Plumb, term expired.

Miss Grace Henderson, Oakesdale, appointed for the term ending the first Monday in March, 1903, vice Miss Esther Thomas, of Walla Walla, resigned.

The following is a list of appointments, subject to confirmation, made by me:

REGENTS UNIVERSITY OF WASHINGTON.

Hon. W. E. Schricker, Laconner, appointed for the term ending the second Monday in March, 1908, succeeding Hon. C. M. Easterday, of Tacoma, term expired.

Col. A. J. Blethen, Seattle, appointed for the term ending the second Monday in March, 1908, succeeding himself, term expired.

Hon. John H. Powell, Seattle, appointed for term ending second Monday in March, 1905, succeeding Hon. John P. Hoyt, of Seattle, resigned.

STATE FAIR COMMISSION.

J. E. Shannon, Esq., North Yakima, appointed for the term ending March 22, 1903, succeeding J. M. Baxter, of North Yakima, resigned.

STATE BOARD OF TRUSTEES OF NORMAL SCHOOL AT ELLENSBURG.

Dr. J. A. Mahan, Ellensburg, appointed for the term ending June 26, 1903, vice E. E. Wager, of Ellensburg, term expired.

BOARD OF TRUSTEES OF STATE NORMAL SCHOOL AT CHENEY.

Hon. Charles P. Lund, of Spokane, appointed for the term ending July 29, 1908, vice Hon. J. J. Browne, term expired.

Hon. J. J. Browne, Spokane, appointed for the term ending July 29, 1905, vice Joseph S. Allen, Spokane, resigned.

STATE FISH COMMISSIONER AND GAME WARDEN.

Tunis R. Kershaw, Esq., of Whatcom, appointed for the term ending the first Monday in March, 1906, vice A. C. Little, Esq., term expired.

STATE BOARD OF HEALTH AND BUREAU OF VITAL STATISTICS.

Elmer E. Heg, M. D., Seattle, appointed for term ending December 3, 1906, vice M. F. Ferry, term expired.

John M. Semple, M. D., Spokane, appointed for the term ending December 30, 1907, vice D. C. Newman, M. D., Spokane, term expired.

STATE LIBRARIAN.

Joe A. Gabel, Chehalis, appointed for term ending March 8, 1905, vice I. P. Callison, Esq., resigned.

STATE BOARD OF CONTROL.

Grant Neal, Esq., appointed for term ending March 31, 1905, vice Hon. Henry Drum, resigned.

Very Respectfully,

HENRY MCBRIDE, Governor,

On motion of Senator Tolman, the communication from the Governor was ordered printed and made a special order for Wednesday, March 4, 1903, at 11 o'clock a. m.

Senator Baker was excused until Monday.

On motion of Senator Ruth, at 12:10 o'clock the Senate adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

President Smith called the Senate to order at 2 o'clock p. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Baker, Graves and Stewart, excused.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., February 26, 1903.

MR. PRESIDENT:

The House has concurred in Senate amendment to House bill No. 175, "An act amending sections 3 and 6 of Chapter 85 of session laws of 1899," and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

Senate bill No. 183, by Senator Welsh, entitled "An act granting to the Ilwaco Railway & Navigation Company the right to construct and maintain a log boom and storage boom for logs on, and the right to occupy, etc., the town of Ilwaco," etc., was read the third time.

On motion of Senator Welsh, the rules were suspended, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Earles, Garber, Hailey, Hamilton, Hemrich, Hurley, LeCrone, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—28.

Senator Moultray voted nay.

Absent or not voting were: Senators Baker, Crow, Davis, Graves, Hallett, Hammer, Kinnear, McKenney, Moore, Reser, Stewart, Sumner, Warburton—13.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Smith, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—30.

Senator Moultray voted nay.

Absent or not voting were: Senators Graves, Hallett, Hammer, McKenney, Reser, Sharp, Splawn, Stansell, Stewart, Sumner, Warburton—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House memorial No. 10, by Mr. Megler, petitioning Congress to place Gray's River upon the list of streams to be surveyed and examined, etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Potts, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Sumner, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—33.

Absent or not voting were: Senators Baker, Cornwell, Graves, Kinnear, Palmer, Reser, Stewart, Van de Vanter, Warburton—9.

House memorial No. 4, by Mr. Thacker, relating to government reserves in San Juan County, etc.,

The memorial was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Ruth, Sharp, Smith, Splawn, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—34.

Absent or not voting: Senators Baker, Cornwell, Crow, Graves, Rasher, Reser, Stewart and Warburton—8.

House bill No. 147, by Mr. Lewis, entitled "An act to prohibit the maintaining of gambling resorts, declaring the same a felony, and prescribing a penalty therefor."

Senator Davis moved that the bill be made a special order for Tuesday, March 3, 1903, at 3 o'clock p. m.

Senators Tolman, Hallett, Moultray, Hammer, Garber, Welsh and Warburton demanded a roll call on the motion to make House bill No. 147 a special order.

The motion to make House bill No. 147 a special order failed to receive the necessary two-thirds majority by the following vote:

Those voting yea were: Senators Baumeister, Clapp, Cornwell, Davis, Earles, Hailey, Hamilton, Hemrich, Hurley, Kinneer, LeCrone, O'Donnell, Potts, Rands, Ruth, Stansell, Stewart, Van de Vanter, Welsh—19.

Those voting nay were: Senators Angle, Crow, Garber, Hallett, Hammer, McKenney, Moore, Moultray, Palmer, Rasher, Sharp, Smith, Splawn, Tolman, Tucker, Warburton, Welty, Wilson, Mr. President—19.

Absent or not voting: Senators Baker, Graves, Reser and Stewart—4.

The bill was placed on third reading.

Senator Rands moved to amend section 1, line 2, by inserting between the words "not" and "any" the words "or any person who shall play or participate in."

Roll call was demanded by Senators Tolman, Moultray, Hallett, Ruth, Rands, Hamilton and Garber.

The roll was called, and the amendment lost by the following vote:

Those voting yea were: Senators Cornwell, Davis, Earles, Hamilton, Hemrich, Hurley, Kinneer, LeCrone, O'Donnell, Potts, Rands, Ruth, Stansell, Sumner, Tucker, Van de Vanter, Welsh, Mr. President—18.

Those voting nay were: Senators Angle, Baumeister, Clapp, Crow, Garber, Hallett, Hammer, McKenney, Moore, Moultray, Palmer, Rands, Sharp, Smith, Splawn, Tolman, Warburton, Welty, Wilson—19.

Absent or not voting were: Senators Baker, Graves, Hailey, Reser and Stewart—5.

Senator Clapp moved that the bill be indefinitely postponed.

Roll call was demanded by Senators Tolman, Welty, Moultray, Hallett, Hammer, Ruth and Rasher.

The roll was called, and the motion to indefinitely postpone failed by the following vote:

Those voting yea were: Senators Clapp, Davis, Earles, Hamilton, Hemrich, Hurley, Kinnear, O'Donnell, Rands, Sharp, Stansell, Sumner, Van de Vanter—13.

Those voting nay were: Senators Angle, Baumeister, Cornwall, Crow, Garber, Hailey, Hallett, Hammer, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rasher, Ruth, Smith, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—24.

Absent or not voting: Senators Baker, Graves, Reser, Splawn and Stewart—5.

Senator Hamilton moved to amend section 1, line 1, after the word "conduct" by inserting the words "or allowed to be conducted upon property owned by him or under his control or."

The amendment prevailed.

Senator Hamilton moved to amend section 1, line 8, by inserting after the word "device" the words "or who shall have in their possession, or upon or about their person or premises, cards, dice or any other device or instrument used in playing or gaming."

Roll call was demanded by Senators Hallett, Moultray, Moore, Palmer, Tolman, Crow and Rands.

The roll was called and the amendment lost by the following vote:

Those voting yea were: Senators Clapp, Davis, Earles, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, O'Donnell, Potts, Rands, Ruth, Stansell, Sumner, Van de Vanter, Welsh—16.

Those voting nay were: Senators Angle, Baumeister, Cornwall, Crow, Garber, Hailey, Hallett, Hammer, McKenney, Moore, Moultray, Palmer, Rasher, Sharp, Smith, Splawn, Tolman, Tucker, Warburton, Welty, Wilson, Mr. President—22.

Absent or not voting were: Senators Baker, Graves, Reser and Stewart—4.

Senator Davis moved to amend section 1, line 8, after the word

“a” by inserting the word “misdemeanor,” and by striking out all the words in lines 9 and 10 after the word “be,” in line 9, and inserting the words “fined not less than five dollars nor more than one thousand dollars.”

Roll call was demanded by Senators Tolman, Hallett, Palmer, Welty, Moultray, Hammer and Crow.

The roll was called, and the amendment was lost by the following vote:

Those voting yea were: Senators Clapp, Davis, Earles, Hemrich, Hurley, Kinnear, Potts, Sharp, Sumner, Van de Vanter—10.

Those voting nay were. Senators Angle, Baumeister, Cornwell, Crow, Garber, Hailey, Hallett, Hammer, LeCrone, McKenney, Moore, Moultray, Palmer, Rasher, Ruth, Smith, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—22.

Absent or not voting: Senators Baker, Graves, Hamilton, O'Donnell, Rands, Reser, Splawn, Stansell, Stewart and Warburton—10.

Senator Ruth moved to amend section 1, line 4, after the word “tan” by inserting the word “raffle.”

The amendment prevailed.

Senator Hamilton moved to amend section 1, line 4, by inserting the word “lottery” after the word “banking.”

Roll call was demanded by Senators Moultray, Hallett, Moore, Hammer, Ruth, LeCrone and Garber.

The roll was called, and the amendment prevailed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, O'Donnell, Potts, Rands, Rasher, Ruth, Sharp, Splawn, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—22.

Those voting nay were: Senators Hailey, Hallett, Moultray, Palmer, Smith and Stewart—6.

Absent or not voting were: Senators Baker, Graves, Reser and Stewart—4.

Senator Van de Vanter moved to amend section 1, line 4, by adding after the word “banking” the words “or any bucket shop.”

Roll call was demanded by Senators Tolman, Moultray, Hallett, Hammer, LeCrone, Smith and Crow.

The roll was called, and the amendment failed to prevail by the following vote:

Those voting yea were: Senators Clapp, Davis, Earles, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, O'Donnell, Potts, Rands, Ruth, Stansell, Sumner, Van de Vanter, Welsh, Mr. President—17.

Those voting nay were: Senators Angle, Baumeister, Cornwell, Crow, Garber, Hailey, Hallett, Hammer, McKenney, Moore, Moultray, Palmer, Rasher, Smith, Splawn, Stansell, Tolman, Tucker, Warburton, Welty, Wilson—21.

Absent or not voting: Senators Baker, Graves, Reser and Stewart—4.

Senator Hamilton moved to amend section 1, line 7, by inserting after the word "garden" the words "fair grounds."

The amendment prevailed.

Senator Moultray moved that the bill be placed on final passage.

Senator Hamilton moved to adjourn.

Roll call was demanded by Senators Hallett, Moultray, Crow, Smith, LeCrone, Moore and Garber.

The roll was called, and the motion to adjourn failed by the following vote:

Those voting yea were: Senators Baumeister, Clapp, Davis, Earles, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, O'Donnell, Potts, Rands, Ruth, Stansell, Sumner, Van de Vanter, Welsh—17.

Those voting nay were: Senators Angle, Crow, Garber, Hallett, Hammer, McKenney, Moore, Moultray, Palmer, Rasher, Sharp, Smith, Splawn, Tolman, Tucker, Warburton, Welty, Wilson, Mr. President—19.

Absent or not voting: Baker, Cornwell, Graves, Hailey, Reser and Stewart—6.

The motion to place bill on final passage prevailed.

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Cornwell, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, LeCrone, McKenney, Moore, Moultray, Palmer, Potts,

Rasher, Ruth, Splawn, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—28.

Those voting nay were: Senators Clapp, Davis, Hemrich, Kinnear, O'Donnell, Rands, Sharp, Smith, Stansell, Sumner—10.

Absent or not voting: Senators Baker, Graves, Reser and Stewart—4.

Senator Van de Vanter gave notice that at the proper time he would move for a reconsideration of the vote by which Senate bill No. 147 was passed.

On motion of Senator Warburton, at 3:30 p. m. the Senate adjourned until Friday, February 27, 1903, at 10 o'clock a. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

FORTY-SEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February 27, 1903. }
10 o'clock a. m. }

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Baker, Graves and Reser, excused.

Rev. A. G. Sawin offered prayer.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER.
OLYMPIA, WASH., February 27, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 165, entitled "An act to amend section 31 of an act entitled 'An act to regulate and license insurance in this state,'" etc., have compared same with the original bill and find it correctly engrossed.

Also, Senate bill No. 136, entitled "An act to provide for the acceptance by the State of Washington, from the United States, of certain

lands, and providing for the reclamation, occupation and disposal of the same," etc., have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, E. Hammer.

REPORTS OF STANDING COMMITTEES.

OLYMPIA, WASH., February 26, 1903.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 70, entitled "An act providing for the compulsory attendance in school of children between the age of eight and fifteen years, and prescribing a penalty."

Also House bill No. 119, entitled "An act compelling the attendance of children at school where tuition, food and clothing are furnished at the expense of the United States or the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that they do pass.

Respectfully submitted,

S. M. LeCRONE, Chairman.

We concur in this report: Grant C. Angle, G. B. Wilson, A. S. Ruth.

OLYMPIA, WASH., February 26, 1903.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred House bill No. 44, entitled "An act to provide for the employment of attorneys at law by the board of directors of school districts having a population of more than 20,000 persons, and to provide for compensation thereof," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted,

S. M. LeCRONE, Chairman.

We concur in this report: Grant C. Angle, Geo. B. Wilson, A. S. Ruth,

MR. PRESIDENT:

I, a minority of your Committee on Education, to whom was referred House bill No. 44, entitled "An act to provide for the employment of attorneys at law by the board of school directors of school districts having a population of more than twenty thousand, and to provide for the compensation thereof," have had the same under consideration, and I respectfully report the same back to the House, with the recommendation that it do not pass.

Respectfully submitted,

WARREN W. TOLMAN.

On motion of Senator Tolman the bill, with the two reports, was placed on general file.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 93, entitled "An act to enable school boards of cities having a population of 10,000 or more inhabitants to maintain parental or truant schools, and amending section 93 of the Code of Public Instruction," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass as amended:

Strike all of section 13.

Respectfully submitted,

S. M. LECRONE, Chairman.

We concur in this report: Grant C. Angle, G. B. Wilson, A. S. Ruth.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 189, entitled "An act to change the name of the Washington Agricultural College Experiment Station and School of Science," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass as amended:

In title, strike all section after the words "College of," and insert in lieu thereof the word "Washington."

Section 1, line 2, strike all of section after the words "College of," and insert in lieu thereof "Washington."

In section 3, line 2, strike all section after the words "College of," and insert in lieu thereof "Washington."

Strike section 4.

Respectfully submitted,

S. M. LECRONE, Chairman.

We concur in this report: Grant C. Angle, G. B. Wilson, A. S. Ruth.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 19, entitled "An act prescribing a limit upon the assessment of abutting property for local improvements, and providing a method of computation for improvement districts, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted,

WARREN W. TOLMAN, Chairman.

We concur in this report: Wm. Hickman Moore, T. B. Sumner, J. R. O'Donnell, W. R. Moultray, C. F. Clapp, R. M. Kinnear.

MR. PRESIDENT:

We, your committee on Medicine, Dentistry, Surgery and Hygiene, to whom was referred substitute House bill No. 49, entitled "An act for

the prevention or the spread of contagious diseases; defining the methods and fixing the penalty for the violation, and repealing sections in conflict with this act."

Also, House bill No. 323, entitled "An act to amend section 1 of an act entitled 'An act to amend section 2615 of volume 1, Hill's Annotated Statutes and Codes of Washington, relating to State Board of Health,' " approved March 16, 1897, being section 7542 of Pierce's Code.

Have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that they do pass.

Respectfully submitted,

G. B. WILSON, Chairman..

We concur in this report: S. M. LeCrone, Jno. Earles.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Surgery and Hygiene, to whom was referred Senate bill No. 197, entitled "An act to define and regulate the practice of optometry, and for the creation of a board of examiners in optometry, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do not pass.

Respectfully submitted,

G. B. WILSON, Chairman.

We concur in this report: Jno. Earles, S. M. LeCrone.

The report was adopted.

On motion of Senator Tolman the bill was indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Dykes, Drains and Drainage, to whom was referred House bill No. 214, entitled "An act to provide for the payment of expenses incurred in compliance with an act entitled 'An act to provide for the establishment and creation of drainage districts, and the construction and maintenance of a system of drainage, and to provide for the means of payment thereof, and declaring an emergency,' approved March 20, 1895, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted,

E. HAMMER, Chairman.

We concur in this report: H. E. McKenney, J. R. O'Donnell.

MR. PRESIDENT:

We, your Committee on Labor and Statistics, to whom was referred House bill No. 90, entitled "An act declaring it to be a part of the public policy of the State of Washington that all public work for it, or any political subdivision created by the laws, shall be performed in

work days of not more than eight hours," etc., have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted,

S. WARBURTON, Chairman.

We concur in this report: Warren W. Tolman, Jno. Earles, J. R. O'Donnell, Wm. Hickman Moore, Herman D. Crow, O. A. Tucker.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 155, entitled "An act to provide for the collection, exhibition and maintenance of the products of the State of Washington at the Lewis and Clark Centennial at Portland, Oregon." have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass, with the following amendment:

In section 10, line 2, of the original bill strike the amount "\$100,000" and insert "\$50,000" in lieu thereof.

ED. S. HAMILTON, Chairman.

We concur in this report: R. M. Kinnear, E. M. Rands, O. T. Cornwell, G. B. Wilson, H. Rasher, Jno. Earles.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 160, entitled "An act to provide for the collection, installation and maintenance of an exhibit of the resources of Washington," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: G. H. Baker, E. Hammer, E. M. Rands, R. M. Kinnear, O. T. Cornwell, H. Rasher, John Earles, G. B. Wilson.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 160, entitled "An act amending section 29 of an act entitled 'An act to provide for the assessment and collection of taxes in the State of Washington,' approved March 15, 1899, and amending sections 58, 83 and 104 of 'An act to provide for the assessment and collection of taxes in the State of Washington,' approved March 15, 1897, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

Amend the title by striking the title in the printed and engrossed bill and substituting therefor the following title:

"An act amending section 29 of an act entitled 'An act amending an

act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897, by amending sections 3, 5, 21, 43, 60, 61, 68, 71, 72, 76, 77, 82, 84, 96, 98, 102, 103, 107, 111, 116 and 119, and repealing sections 100, 101, 105, 110, 113, 115, 119 $\frac{3}{4}$, 120 $\frac{1}{4}$, 120 $\frac{1}{2}$ and 120 $\frac{3}{4}$ to said act, and declaring an emergency,' 119 $\frac{3}{4}$, 120 $\frac{1}{4}$, 120 $\frac{1}{2}$ and 120 $\frac{3}{4}$ to said act, and declaring an emergency,' approved March 15, 1899, and amending sections 58, 83 and 104 of an act entitled 'An act to provide for the assessment and collection of taxes in the State of Washington,' approved March 15th, 1897, and declaring an emergency."

Amend section 1 of said bill by striking all of lines 1 and 2, and all of line 3 preceding the words "real property," and by inserting in lieu thereof the following:

Section 1. That section 29 of an act entitled "An act amending an act entitled 'An act to provide for the assessment and collection of taxes in the State of Washington,' approved March 15, 1897, by amending sections 3, 5, 21, 43, 60, 61, 68, 71, 72, 76, 77, 82, 84, 96, 98, 102, 103, 107, 111, 116 and 119, and repealing sections 100, 101, 105, 106, 110, 113, 115, 117, 118 and 121 thereof, and by adding sections 97 $\frac{1}{2}$, 119 $\frac{1}{4}$, 119 $\frac{1}{2}$, 119 $\frac{3}{4}$, 120 $\frac{1}{4}$, 120 $\frac{1}{2}$ and 120 $\frac{3}{4}$ to said act, and declaring an emergency," approved March 15, 1899, is hereby amended to read as follows: "Section 29. Section 119 $\frac{3}{4}$ is hereby added to said act, to read as follows: 'Section 119 $\frac{3}{4}$.'

Respectfully submitted,

T. B. SUMNER, Chairman.

We concur in this report: Ed. S. Hamilton, Jno. Earles, John T. Welsh, J. R. O'Donnell, S. Warburton, Herman D. Crow, O. A. Tucker, M. E. Stansell, O. T. Cornwell.

The report was adopted.

OLYMPIA, WASH., February 27, 1903.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 147, entitled "An act prohibiting the sale, offering for sale, giving away or otherwise disposing of cigarettes, cigarette paper or substitute for the same, and providing penalties therefor," have had the same under consideration, and we respectfully report an amended bill to the Senate with the recommendation that the amended bill do pass.

Respectfully submitted,

STANLEY HALLETT, Chairman.

We concur in this report: Grant C. Angle, O. A. Tucker, G. Garber.

On motion of Senator Hallett the report was adopted and the bill ordered placed on general file.

OLYMPIA, WASH., February 27, 1903.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision,

to whom was referred House bill No. 207, entitled "An act making application to the Congress of the United States of America to call a convention for proposing amendments to the Constitution of the United States of America, as authorized by Article V. of the Constitution," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

WILL G. GRAVES, Chairman.

We concur in this report: S. M. LeCrone, J. R. Welty, G. Garber, A. J. Splawn, John T. Welsh.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House Bill No. 55, entitled "An act to provide for the close season for trout fishing in the streams and lakes within the County of Chelan, and declaring an emergency."

Also Senate bill No. 137, entitled "An act to amend section 7386 of Ballinger's Annotated Codes and Statutes of the State of Washington, relating to the casting of sawdust and other lumber waste in water where fish resort to spawn."

We have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that they do pass.

Respectfully submitted,

A. T. VAN DE VANTER, Chairman.

We concur in this report: E. B. Palmer, Lincoln Davis, Grant C. Angle, John Welsh, T. B. Sumner, W. R. Moultray, E. Hammer, E. M. Rands.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 173, entitled "An act making deficiency appropriation for office rent for the State Fish Commissioner," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

A. T. VAN DE VANTER, Chairman.

We concur in this report: E. B. Palmer, Lincoln Davis, Grant C. Angle, W. R. Moultray, E. Hammer, John T. Welsh, T. B. Sumner.

On motion of Senator Hamilton the bill was referred to the Committee on Appropriations.

OLYMPIA, WASH., February 27, 1903.

MR. PRESIDENT:

We, a majority of your Committee on Fisheries, to whom was referred Senate bill No. 134, entitled "An act to amend sections 6, 7 and 7½ of an act entitled 'An act providing for the protection and propagation of the food fishes in the waters of the State of Washington, regu-

lating the catching and sale thereof, establishing licenses, fixing penalties, repealing laws, and declaring an emergency,' approved March 13, 1899. the same being chapter CXVII of the laws of 1899," have had the same under our consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

Respectfully submitted,

A. T. VAN DE VANTER, Chairman.

We concur in this report: Lincoln Davis, John T. Welsh, E. M. Rands, E. Baumeister.

OLYMPIA, WASH.. February 25, 1903.

MR. PRESIDENT:

We, a minority of your Committee on Fisheries, to whom was referred Senate bill No. 134, entitled "An act to amend sections 6, 7 and 7½ of an act entitled 'An act providing for the protection and propagation of the food fishes in the waters of the State of Washington, regulating the catching and sale thereof, establishing licences, fixing penalties, repealing conflicting laws, and declaring an emergency,' approved March 13, 1899, and the same being chapter CXVII of the laws of 1899," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 1, line 24, of printed bill, being line 41 of the original bill, by striking out all of said line, and insert in lieu thereof the words "for each gill net or drift net in the Columbia river district two dollars and fifty cents (\$2.50), in all other districts five dollars (\$5)."

Amend section 1, line 25, of the printed bill, being line 42 of original bill, by striking out all of said line and inserting in lieu thereof the words "for each set net in the Columbia river district two dollars and fifty cents (\$2.50), in all other districts five dollars (\$5)."

Amend section 3 by striking out all of lines 20 and 21 of the printed bill, being last three lines of the original bill, and insert in lieu thereof:

"For each cannery packing from 100,000 to 110,000 cases per annum, \$1100.

"For each cannery packing from 110,000 to 120,000 cases per annum, \$1200.

For each cannery packing from 120,000 to 130,000 cases per annum, \$1300.

"For each cannery packing from 130,000 to 140,000 cases per annum, \$1400.

"For each cannery packing from 140,000 to 150,000 cases per annum, \$1500.

"For each cannery packing from 150,000 to 160,000 cases per annum, \$1600.

"For each cannery packing from 160,000 to 170,000 cases per annum, \$1700.

"For each cannery packing from 170,000 to 180,000 cases per annum, \$1800.

"For each cannery packing from 180,000 to 190,000 cases per annum, \$1900.

"For each cannery packing from 190,000 to 200,000 cases per annum, \$2000.

"Rates on all canneries to be based upon pack of each preceding year. New *salmon* canneries shall pay a license of \$250 until their pack is definitely known."

Respectfully submitted,

T. B. SUMNER.
W. R. MOULTRAY.
GRANT C. ANGLE.
E. B. PALMER.
E. HAMMER.

OLYMPIA, WASH., February 26, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 186, entitled "An act to amend section 6403 of Ballinger's Code, in relation to bonds of guardians," etc.

Also Senate bill No. 185, entitled "An act to amend an act providing for appeals from the state land commissioners," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that they do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: John T. Welsh, J. R. Welty, S. Warburton, H. E. McKenney, Wm. Hickman Moore.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 51, entitled "An act to amend section 5248a of Ballinger's Code, relating to exemptions," have had the same under consideration, and respectfully report to the Senate that the House has reported an "amended bill," which is fully shown by the engrossed bill, and we respectfully recommend that the same do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: J. R. Welty, E. M. Rands, John T. Welsh, H. E. McKenney, Wm. Hickman Moore.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 95, entitled "An act relating to instructions to juries," have had the same under consideration, and respectfully report to the Senate that the House has reported an amended bill, as shown by the engrossed bill, and we, your committee, make the following Senate amendment to the engrossed bill:

Section 1, line 12, of the engrossed bill, strike the word "where" and insert the word "whether," and respectfully recommend the bill do pass as amended.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: John T. Welsh, J. R. Welty, H. E. McKenney, Wm. Hickman Moore, Warren W. Tolman.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 48, entitled "An act to provide for the issuance of licenses to honorably discharged soldiers and sailors to peddle," etc., have had the same under consideration, and we respectfully report to the Senate and recommend that the bill do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: John T. Welsh, J. R. Welty, S. Warburton, H. E. McKenney, Wm. Hickman Moore.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 112, entitled "An act to amend an act in relation to garnishment in justice courts," etc., have had the same under consideration, and respectfully report to the Senate and recommend the bill do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: John T. Welsh, J. R. Welty, S. Warburton, H. E. McKenney, Wm. Hickman Moore.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 97, entitled "An act relating to the issuance and service of writ of garnishment," etc., have had the same under consideration, and respectfully report to the Senate and recommend the bill do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: John T. Welsh, J. R. Welty, S. Warburton, H. E. McKenney, Wm. Hickman Moore.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 201, entitled "An act to require statements of fact and evidence produced in support of claims made to the Legislature against the state for money or property, and to perpetuate the record of the same," have had

the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, H. E. McKenney, E. M. Rands, Warren W. Tolman, John T. Welsh, Wm. Hickman Moore, S. Warburton.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred substitute House bill No. 107, entitled "An act giving a right of action for damages to certain persons for the death of a person killed in a duel," etc., have had the same under consideration, and we respectfully report to the Senate and recommend that the bill do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, H. E. McKenney, John T. Welsh, S. Warburton, Wm. Hickman Moore.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 59, entitled "An act defining criminal anarchy, and prescribing penalties," etc., have had the same under consideration, and we respectfully report to the Senate and recommend that the bill do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, H. E. McKenney, E. M. Rands, Warren W. Tolman, John T. Welsh, Wm. Hickman Moore, S. Warburton.

OLYMPIA, WASH., February 28, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 178, entitled "An act repealing chapter LIX., relating to the law of libel," etc., have had the same under consideration, and herewith make a majority and minority report:

We, a majority of your Committee on Judiciary, recommend that the bill be indefinitely postponed.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, Warren W. Tolman, S. Warburton, Wm. Hickman Moore.

We, a minority of your Committee on Judiciary, respectfully recommend that the bill be placed on general file.

Respectfully submitted,

JOHN T. WELSH.
H. E. MCKENNEY.
E. M. RANDS.

On motion of Senator Welsh the bill was ordered placed on general file, together with the two reports, and made a special order for Tuesday, March 3, 1903, at 3 o'clock p. m.

MR. PRESIDENT:

We, your Committee on Judicary, to whom was referred House bill No. 177, entitled "An act providing for the protection of orphan, homeless, neglected or abused children," etc., have had the same under consideration, and we respectfully report to the Senate and recommend the bill do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: John T. Welsh, J. R. Welty, S. Warburton, H. E. McKenney, Wm. Hickman Moore.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 26, 1903.

MR. PRESIDENT:

The Speaker has signed Senate bill No. 16, entitled "An act amending the act providing for the creation of the office of State Veterinary Surgeon."

Also Senate bill No. 56, entitled "An act relating to the defense of statute of limitations in certain cases."

Also Senate memorial No. 6, relative to the Puget Sound and Gray's Harbor canal.

Also Senate bill No. 117, for the relief of Jefferson County.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

GENERAL FILE.

Amended Senate bill No. 198, by Senator Davis: "An act to amend section 18 of an act entitled 'An act to provide for state grain weighing and grading, creating the office of State Grain Inspector, establishing a State Grain Commission and making an appropriation of \$2,000,' approved March 19, 1895," was read the third time, with majority and minority reports.

Senator Hamilton moved the adoption of the majority report that the amended bill pass.

Senator Warburton moved the adoption of the minority report that the bill do not pass.

The motion to adopt the minority report failed, and the motion to adopt the majority report prevailed.

On motion of Senator Hamilton the rules were suspended, the bill was read the third time by sections, placed upon its final passage, and failed to pass by the following vote :

Those voting yea were: Senators Angle, Clapp, Cornwell, Davis, Earles, Hemrich, Hurley, Kinnear, LeCrone, Rands, Ruth, Smith, Stansell, Sumner, Welsh, Welty—16.

Those voting nay were: Senators Baumeister, Crow, Garber, Hailey, Hallett, Hamilton, Hammer, Moore, Moultray, Palmer, Potts, Rasher, Sharp, Tolman, Tucker, Warburton, Wilson, Mr. President—18.

Absent or not voting were: Senators Baker, Graves, McKenney, O'Donnell, Reser, Splawn, Stewart and Van de Vanter—8.

Senator Welty moved that when the Senate do adjourn it should be until Monday, March 2, 1903, at 12 o'clock noon.

The motion prevailed.

The following resolution was offered by Senator Ruth and adopted :

RESOLVED, That the Senate Committee on Rules and Joint Rules be constituted a committee to prepare a daily calendar for the use of the Senate.

By unanimous consent the reconsideration of House bill No. 147 was passed until Tuesday, March 3, 1903.

Substitute Senate bill No. 156, by Committee on State Library: "An act creating a State Library Commission, prescribing its duties, providing for the appointment of a State Librarian and assistants, prescribing their duties, and repealing an act entitled 'An act to promote and establish the efficiency of free public libraries and for the purpose of establishing a State Library Commission and appropriating two thousand dollars for traveling library fund,' approved March 2, 1901."

On motion of Senator Welsh the bill was made a special order for Wednesday, March 4, 1903, at 3:30 o'clock p. m.

Substitute House bill No. 79, by special committee: "An act providing for a Superior Judge for counties of Chelan, Douglas and Okanogan," etc.

On motion of Senator Crow the rules were suspended, the bill read first and second time by title, and placed on general file. The rules were further suspended, the bill was read the third time by sections, placed on final passage, and passed by the following vote :

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—35.

Absent or not voting were: Senators Baker, Garber, Graves, Kinnear, Reser, Splawn and Stewart—7.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Hailey, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rasher, Ruth, Sharp, Smith, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—30.

Those voting nay were: Senators Angle, Hallett, Moore and Rands—4.

Absent or not voting were: Senators Baker, Garber, Graves, Hamilton, Kinnear, Reser, Splawn and Stewart—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF BILLS.

Senate bill No. 223, by Senator Rands: An act relating to escheats and forfeitures, to the establishing and quieting of title thereto and the disposition thereof, defining the duties and powers of the Attorney General in relation thereto, and amending section 5791 of Ballinger's Annotated Codes and Statutes of Washington, the same being section 713 of the Code of Washington Territory of 1881.

The bill was read the first time; and, on motion of Senator Moore, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 224, by Senator Rands: An act amending section 1635 of Ballinger's Annotated Codes and Statutes of Washington, relating to fees and compensation of Justices of the Peace.

The bill was read the first time; and, on motion of Senator

McKenney, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 225, by Senator Wilson: An act to amend sections 1, 3 and 4 of chapter LV. of the Session Laws of 1893, entitled "An act to regulate the practice of dentistry in the State of Washington, and declaring an emergency," and also amending section 1 of chapter CLII. of the Session Laws of 1901, entitled "An act to amend sections 4, 6, 8 and 11 of chapter LV of the Session Laws of 1893, entitled 'An act to regulate the practice of dentistry in the State of Washington, and declaring an emergency,' the same being sections 3025, 3027, 3029 and 3032 of volume 1 of Ballinger's Annotated Codes of the State of Washington, and to prohibit the practice of dentistry by persons not duly registered and licensed, and to provide for the punishment of violators thereof," and declaring an emergency.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Medicine, Dentistry and Hygiene.

Senate bill No. 226, by Senator Wilson: An act making an appropriation for the purpose of completing the chemistry building of the Washington Agricultural College and Experiment Station and School of Science, and for equipping and furnishing the same.

The bill was read the first time; and, on motion of Senator Wilson, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 227, by Senator Sharp: An act amending section 1 of an act entitled "An act prohibiting the sale of intoxicating liquors on or near the grounds of the University of Washington," approved March 19, 1895.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Educational Institutions.

Senate bill No. 228, by Senator Smith: An act appropriating three hundred dollars for the relief of H. C. Anderson.

The bill was read the first time; and, on motion of Senator Smith, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Claims and Auditing.

Senate bill No. 229, by Senator Crow: An act to amend section 6 of an act entitled "An act in relation to mortgages on certain kinds of property," approved November 10, 1879, being section 5870 of Ballinger's Annotated Codes and Statutes of Washington.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 230, by Senator Tucker: An act for the relief of Henry Sommers.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Claims and Auditing.

Senate bill No. 231, by Senator Palmer (by request): An act relating to corporations, foreign and domestic, and prescribing certain fees to be paid by corporations, foreign and domestic, and to repeal all acts and parts of acts in conflict therewith.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 232, by Senator Palmer (by request): An act relating to the indebtedness incurred under and by virtue of an act entitled "An act relating to state normal schools, and making an appropriation therefor," approved March 7, 1895, and making an appropriation therefor.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 233, by Senator Warburton: An act amending section 3 of an act entitled "An act to provide for the appoint-

ment, qualification and duties of Notaries Public, certifying their official acts, and declaring an emergency to exist."

The bill was read the first time; and, on motion of Senator Warburton, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 234, by Senator O'Donnell (by request): An act authorizing persons, firms or corporations organized for logging, the manufacture of lumber or other timber products, to improve and use the rivers, lakes and streams of this state, and for the purpose of providing means for the flotage of logs, timber and other timber products in such rivers, lakes and streams so improved, and to charge tolls for the flotage of the logs, timber and other timber products through such streams, lakes or rivers after the same are improved.

The bill was read the first time; and, on motion of Senator O'Donnell, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Commerce.

Senate bill No. 235, by Senator Palmer: An act making it unlawful for any person to take any salmon, shell fish or other food fish of any value from any pound net, set net, weir, fish wheel, gill net or other fishing appliance, or from any scow, lighter or boat containing the same, and providing the punishment therefor.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

GENERAL FILE.

Senate bill No. 165, by Senator Potts, entitled "An act to amend section 31 of an act entitled 'An act to regulate and license insurance in this state, and repealing existing laws in relation thereto, and declaring an emergency,' approved March 19, 1895, and declaring an emergency," was placed upon its final passage, and failed of passage by the following vote:

Those voting yea were: Senators Angle, Hamilton, Hemrich,

Moore, O'Donnell, Palmer, Potts, Stansell, Tucker, Welsh, Wilson, Mr. President—12.

Those voting nay were: Senators Baumeister, Clapp, Davis, Earles, Garber, Hallett, Hammer, Hurley, LeCrone, McKenney, Moultray, Rands, Rasher, Ruth, Sharp, Sumner, Tolman, Warburton, Welty—9.

Absent or not voting were: Senators Baker, Cornwell, Crow, Graves, Hailey, Kinnear, Reser, Smith, Splawn, Stewart and Van de Vanter—11.

Senator Ruth gave notice that at the proper time he would move for a reconsideration of the vote by which Senate bill 165 failed to pass.

Senate bill No. 192, by Senator Wilson, entitled "An act creating in the State Treasury a fund to be known as the current fund of the Agricultural College and School of Science."

The bill, with amendments, was read the third time; and, on motion of Senator Hamilton, the amended bill was ordered printed.

Senators Crow and Tolman were excused until Tuesday, March 3, 1903.

On motion of Senator Sharp, at 12:15 o'clock p. m., the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

The President called the Senate to order at 2 o'clock p. m., pursuant to adjournment.

The Secretary called the roll, all members being present except Senator Sumner, and Senators Crow, Hemrich, Hurley, Stansell and Tolman, excused.

House bill No. 167, by Mr. Morgan, entitled "An act fixing the time from which the term of sentence of persons convicted of felony shall commence to run, and repealing all acts and parts of acts in conflict herewith," was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Davis, Earles, Hailey, Hallett, Hamilton, Hammer,

Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Ruth, Sharp, Splawn, Stewart, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—30.

Those absent or not voting were: Senators Baker, Crow, Garber, Graves, Hemrich, Hurley, Rands, Reser, Smith, Stansell, Sumner, Tolman—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 15, by Mr. Lyons, entitled "An act to prohibit the business of barbering on Sunday, and providing a penalty for the violation thereof."

On motion of Senator Ruth House bill No. 15 was made a special order for Tuesday, March 3, 1903, at 11 o'clock a. m.

House bill No. 62, by Mr. Field, entitled "An act providing for the appointment of an assistant commissioner of public lands," etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Ruth, Sharp, Splawn, Stewart, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—29.

Absent or not voting were: Senators Baker, Crow, Graves, Hemrich, Hurley, Rasher, Reser, Smith, Stansell, Sumner, Tolman, Van de Vanter—13.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Davis, Earles, Garber, Hallett, Hamilton, Hammer, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Ruth, Sharp, Splawn, Stewart, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—30.

Those absent or not voting were: Senators Baker, Crow, Graves, Hailey, Hemrich, Hurley, Rasher, Reser, Smith, Stansell, Sumner, Tolman—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 157, by Mr. Craigie, entitled "An act to amend

section 11 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the State's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the State by the United States,' etc., was read the third time.

On motion of Senator Welty the bill was rereferred to the Committee on State Granted, School and Tide Lands.

House bill No. 26, by Mr. Lewis, entitled "An act amending section 1 of an act to prohibit the maintaining, conducting, operating, playing or using nickel-in-the-slot machines, or other devices of like character, wherein there enters an element of chance, being chapter CXLIX of the Session Laws of 1901."

On motion of Senator Palmer the bill was made a special order for Wednesday, March 4, 1903, at 2:30 o'clock p. m.

House bill No. 130, by Mr. Child, entitled "An act relating to the sale of certain articles of merchandise," etc., was read the third time.

On motion of Senator Palmer section 1, line 2, was amended by adding a comma after the word "ranges," and also inserting after the word "ranges" the word "pianos."

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Davis, Garber, Hallett, Hamilton, Kinnear, LeCrone, Moore, O'Donnell, Palmer, Potts, Rasher, Ruth, Sharp, Splawn, Stewart, Tucker, Welsh, Welty, Wilson, Mr. President—23.

Senator Rands voted nay.

Those absent or not voting were: Senators Baker, Cornwell, Crow, Earles, Graves, Hailey, Hammer, Hemrich, Hurley, McKenney, Moultray, Reser, Smith, Stansell, Sumner, Tolman, Van de Vanter, Warburton—18.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent was given to introduce committee report on Senate bill No. 69, "An act to regulate the growing and cultivating of oysters and other shell fish upon the lands and in the waters of the State of Washington," etc.

OLYMPIA, WASH., February 26, 1903.

MR. PRESIDENT:

We, a majority of your Committee on State Granted, School and Tide Lands, to whom was referred Senate bill No. 69, entitled "An act to regulate the growing and cultivating of oysters and other shell fish upon the lands and in the waters of the State of Washington, and to provide for the disposition of lands belonging to the State of Washington and waters of said state suitable therefor, and to create a state board of oyster land commission, defining its duties, making an appropriation therefor, repealing all conflicting laws, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

Respectfully submitted

W. G. PORTS, Chairman.

We concur in this report: Warren W. Tolman, J. P. Sharp, Grant C. Angle, J. R. O'Donnell.

OLYMPIA, WASH., February 26, 1903.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate bill No. 69, entitled "An act to regulate the growing and cultivating of oysters and other shell fish upon the lands and in the waters of the State of Washington, and to provide for the disposition of lands belonging to the State of Washington and waters of said state suitable therefor, and to create a state board of oyster land commissioners, defining its duties, making an appropriation therefor, repealing all conflicting laws, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended to read as follows:

In section 1, line 2, after the word "auditor" and before the word "and", insert the following words: "commissioner of public lands and superintendent of public instruction."

Add to section 3 the following words: "and each principal shall be responsible for the acts of his deputy."

In section 5, line 2, strike out the words "said board" and insert in lieu thereof the words "a majority of said commission."

Strike amendment to section 7.

Add to section 8 the following: "the sale shall be at public auction and be conducted in the same manner as now provided by law for the sale of other state lands."

In section 9 strike out all between the word "present," in line 2, and the word "an," in line 4, and insert after the word "present," in line 2, the words "to the commission."

Add to the section the following: "and no sale shall be made to any bidder failing to comply herewith."

We adopt the amendment to section 24 recommended by the Fisheries Committee.

Respectfully submitted,

W. G. Potts, Chairman.

We concur in this report: Warren W. Tolman, J. P. Sharp, Grant C. Angle, J. R. O'Donnell.

On motion of Senator Palmer the bill was made a special order for Tuesday, March 3, at 2:30 o'clock.

On motion of Senator Palmer, House bill No. 130 and all bills passed today were ordered transmitted immediately to the House.

Unanimous consent being given, on motion of Senator Rands, House bill No. 160, by Mr. Fletcher, "An act amending section 29 of an act entitled 'An act to provide for the assessment and collection of taxes in the State of Washington,' approved March 15, 1899," etc., was, under a suspension of the rules, read the third time, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Davis, Earles, Hallett, Hamilton, Hammer, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Splawn, Stewart, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—26.

Those absent or not voting were: Senators Baker, Cornwell, Crow, Garber, Graves, Hailey, Hemrich, Hurley, Kinnear, O'Donnell, Reser, Smith, Stansell, Sumner, Tolman and Van de Vanter—16.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Splawn, Stewart, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—32.

Absent or not voting were: Senators Baker, Crow, Graves, Hemrich, Hurley, Reser, Smith, Stansell, Sumner, Tolman—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hamilton, rule No. 61 was temporarily suspended.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASH., February 27, 1903.

*The Honorable the President of the Senate, Washington Legislature,
Olympia, Wash.:*

SIR—I have the honor to inform you that the Governor has this day approved the following:

Senate bill No. 16, entitled "An act to amend section 1 of and adding section 2½ and section 4½ to an act entitled 'An act providing for the creation of the office of state veterinary surgeon, and defining his duties,' approved March 22, 1895."

Senate bill No. 56, entitled "An act relating to the defense of the statute of limitations in actions brought by or for the benefit of the state or any of its municipalities, amending section 35 of the Code of Civil Procedure of Washington of 1881. the same being section 4807 of Ballinger's Annotated Codes and Statutes of Washington, and declaring an emergency."

Senate bill No. 117, entitled "An act providing for the rate of interest to be paid on bonds of Jefferson County and owned by the State of Washington, and declaring an emergency."

Senate memorial No. 6, relative to the proposed Puget Sound and Gray's Harbor Canal.

Respectfully submitted,

J. HOWARD WATSON, Secretary to the Governor.

COMMUNICATION FROM THE ATTORNEY-GENERAL.

February 27, 1903.

To the President and Members of the Senate of the State of Washington:

In answer to the resolution of your honorable body requesting an opinion as to the constitutionality of Senate bill No. 175, if enacted into a law, I have the honor to say:

That section 2, article 7 of the state constitution requires that the Legislature shall "provide by law a uniform and equal rate of taxation on all property in the state, according to its value in money, and shall prescribe such regulations by general law as shall secure a just valuation for taxation of all property, so that every person and corporation shall pay a tax in proportion to the value of his, her or its property. * * *"

Section 3 of the same article is as follows:

"The Legislature shall provide by general law for the assessing and levying of taxes on all corporation property as near as may be by the same methods as are provided for the assessing and levying of taxes on individual property."

We have been unable to find a constitutional provision in any other state similar to section 3, just quoted. It is a well established rule that

the Legislature has plenary power over the subject of taxation, except as restricted or limited by the constitution.

The constitution is a limitation upon the power of the Legislature, and not a grant.

All the provisions of the constitution must be read and considered together. Taxation shall be uniform and equal, all property in the state shall be taxed according to its value in money; the same methods, as near as may be, shall be followed for the assessing and levying of taxes on corporate property as on the property of individuals.

The proposed law does not, in our opinion, violate the equality or uniformity clauses of the constitution, but the constitutionality of that portion of the proposed act, which requires the county assessors to take the value of the property as certified to them by the tax commission as the prima facie value of the property to be assessed by such assessors, may well be doubted, as being in contravention of section 3, article 7, above set out, which requires corporate and individual property to be assessed by the same methods, as near as may be. The valuation might be certified by the tax commission for the information of the assessors. With the elimination of the objectionable provisions just mentioned, the investigation which our office has been able to give the question has not led us to the conclusion that the act would be otherwise unconstitutional.

Respectfully,

W. B. STRATTON, Attorney-General.

On motion of Senator Warburton the communication was referred to the Judiciary Committee.

The Secretary read the following letter:

LAKESIDE, WASH., February 20, 1903.

To the Hon. J. J. Smith, President of the Senate of the State of Washington:

DEAR SIR—We enclose herewith a true copy of a protest, the original of which has been this day forwarded to the Speaker of the House of Representatives at Olympia. The protest is against the passage of the bill introduced by the Hon. M. E. Field in the House of Representatives granting the town of Chelan the right to construct a breakwater across the outlet of Lake Chelan. You will confer a great favor on the signers of this protest if you will kindly send it to the committee to which said bill will be referred should it come to the Senate.

Thanking you in advance, we are very respectfully yours,

CHRIS JOHNSON
and others, signers of said protest.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 27, 1903.

MR. PRESIDENT:

The House has passed the following bills:

House bill No. 233, for the relief of Geo. A. Brooke.

House bill No. 133, for the relief of Franklin County.

House bill No. 161, relating to the election of school directors.

Senate bill No. 72, for the protection of employes in factories and mills.

House bill No. 338, amending an act regulating fraternal societies.

House bill No. 223, for the protection of shade trees.

House bill No. 136, regulating the taking of game.

House bill No. 251, relating to the enrollment of the militia.

House bill No. 140, amending section 943 of Ballinger's Code.

House bill No. 178, amending section 6 of an act entitled "An act establishing a state geological survey."

House bill No. 82, to protect property from forest fires.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

House bill No. 133, by Mr. Muse: An act for the relief of Franklin county, and making an appropriation.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 82, by Mr. Veness: An act to protect from fire, forests and other property, within the State of Washington, and creating forest fire warden, deputies, patrolmen and auxiliary commission.

The bill was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Substitute House bill No. 136, by Committee on Game and Game Fish: An act for the protection of game animals and birds of the State of Washington, defining violations thereof, and providing punishment for the same, etc.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Miscellaneous.

House bill No. 161, by Mr. Jones: An act relating to the election of school directors in cities of 10,000 inhabitants and over, etc.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Educational Institutions.

House bill No. 178, by Mr. Fields: An act amending an act establishing a geological survey, etc.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Mines and Mining.

House bill No. 251, by Mr. Thacker: An act relating to the enrollment of the militia, the organization, maintenance and discipline of the National Guard of the State of Washington, and for the public defense, etc.

The bill was read the first time; and, on motion of Senator Hallett, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Military.

House bill No. 223, by Mr. Parcel: An act for the protection of shade trees and hedges in public highways.

The bill was read the first time; and, on motion of Senator Moultray, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Agriculture.

House bill No. 140, by Mr. Johnson: An act to amend section 1 of an act entitled "An act amending section 943 of Ballinger's Codes of Washington, relating to assessments of local improvements."

The bill was read the first time; and, on motion of Senator Moultry, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 233, by Mr. Carle (by request): An act for the relief of George A. Brooke.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 338, by Insurance Committee: An act to amend

chapter CLXXIV., Session Laws of 1901, entitled "An act regulating fraternal beneficiary societies, orders or associations."

The bill was read the first time; and, on motion of Senator Stewart, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Corporations Other Than Municipal.

On motion of Senator Moore it was ordered that the time should be extended until Tuesday, March 3, 1903, to those who had given notice of intention to move for a reconsideration of the vote by which bills were passed.

On motion of Senator Palmer, at 3:15 o'clock the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

FIFTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, March 2, 1903. }
12 o'clock, noon.

President Smith called the Senate to order at 12 o'clock, noon, pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Angle, Hammer, Hemrich, O'Donnell, Smith, Sumner and Welty, and Senators Baker, Clapp, Graves, Kinnear, McKenney and Stansell, excused.

Rev. W. S. Crockett offered prayer.

On motion the reading of Friday's journal was dispensed with, and it was approved.

On motion of Senator Tolman, the rules were suspended, and the Senate proceeded to the sixth order of business.

INTRODUCTION OF BILLS.

Senate bill No. 236, by Senator Splawn: An act ordering the Commissioner of Public Printing to have printed and published

the fourth biennial report of the State Dairy and Food Commission, and appropriate money therefor.

The bill was read the first time; and, on motion of Senator Splawn, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 237, by Senator Palmer: An act empowering cities of the first class in this State to license and collect license fees from real estate, loan, investment, bond, lodging house, business investment, merchandise, or custom house brokers, to engage in their respective lines of business, and also empowering said cities to prescribe and collect fines and to impose penalties.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 238, by Senator Palmer: An act fixing the punishment for failure of certain officers to execute their duties.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 239, by Senator Palmer: An act relating to the orders, judgments and opinions of the Supreme Court of Washington, and the furnishing of copies thereof to the parties thereto.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 240, by Senator Ruth: An act to amend section 1 of an act entitled "An act authorizing the issuance of state bonds, and the investment of the permanent school funds therein, and declaring an emergency," approved March 18, 1899, and to amend section 2 of said act as amended, by an act entitled "An act to amend section 2 of an act entitled 'An act authorizing the issuance of state bonds and the investment of the permanent school funds therein,' and declaring an emergency," being chapter XLIV of the Session Laws of 1899, approved March 8, 1899, and de-

claring an emergency," being chapter CXXIX., session Laws of 1901.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on State Granted, School and Tide Lands.

Senate bill No. 241, by Senator LeCrone: An act to amend section 1 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the State's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the State by the United States; creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by articles 15 and 16 of the State Constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties, and making an appropriation therefore, and declaring an emergency," approved March 16, 1897.

The bill was read the first time; and, on motion of Senator LeCrone, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on State Granted, School and Tide Lands.

Senate bill No. 242, by Senator Potts: An act providing for the licensing of sailors' boarding houses; creating boards of commissioners for licensing the same, defining the duties of such board; fixing the license fees therefor; requiring bond for such license, providing for the revocation of such license, and for the prosecution of actions upon said bonds, and constituting the keeping of a sailors' boarding house without a license a misdemeanor, and prescribing penalties therefor.

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Commerce.

Senate bill No. 243, by Senator Potts: An act to amend section 1 of an act entitled "An act to amend sections 3 to 31, both inclusive, of an act entitled 'An act classifying the counties according to population, enumerating the county officers, fixing the salaries thereof, providing for deputies, collection of fees and

payment of salaries,' received by the Governor March 26, A. D. 1890," and declaring an emergency.

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 244, by Senator Hamilton: An act to amend section 1 of chapter CXIX. of the Session Laws of 1901, entitled "An act to create a State Board of Control, and to provide for the government, control and maintenance of the Western Washington Hospital for the Insane, the Eastern Washington Hospital for the Insane, the State Penitentiary, the State Reform School, the State Soldiers' Home, and the State School for Defective Youth; repealing all laws in conflict with this act, and declaring an emergency," approved March 16, 1901, making an appropriation and declaring an emergency.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 245, by Senator Warburton: An act submitting a proposed amendment to the Constitution of the State of Washington, by amending section 18 of article 12 thereof, relating to common carriers, and providing for the creation of a railway commission.

The bill was read the first time; and, on motion of Senator Warburton, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 246, by Senator Warburton: An act appropriating the sum of five thousand (\$5,000.00) dollars for the purpose of entertaining the President of the United States.

The bill was read the first time; and, on motion of Senator Warburton, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 247, by Senator Hamilton: An act relating to public printing and binding, and repealing an act entitled "An act to provide for the State printing and binding, fixing the meth-

ods and rules to govern the same, creating Commissioners of Public Printing and a State Printing Expert; also repealing the following: An act entitled 'An act to provide for the State printing and binding, fixing the compensation of the State Printer,' etc., approved February 19, 1890; also an act entitled 'An act to create the office of State Printer, to provide for the election,' etc., approved February 19, 1890; also an act entitled 'An act to amend sections 1 to 5 of an act to provide for the State printing and binding,' etc., approved March 9, 1893; also sections 3, 4, and 5 of an act entitled 'An act providing for uniform systems of public blanks for use in the counties of the State of Washington, and regulating the manufacture and sale thereof by the State,' approved March 6, 1897"; approved March 13, 1899.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate bill No. 248, by Senator Warburton (by request): An act to prohibit councilmen, corporation counsel, comptrollers, city engineers, or other city officers whatsoever of cities of the first class while in office, from introducing or causing to be introduced or lobbying for any bill, or in any way working for the passage of the same in the State Legislature, and providing a penalty therefor.

The bill was read the first time; and, on motion of Senator Warburton, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate bill No. 249, by Senator Moore: An act to amend section 3286 of the Code of Washington of 1881, said section being an amendment of section 12 of an act entitled "An act in relation to attorneys and counsellors at law," passed January 24, 1863; said section 3286 relating to attorneys' liens, and being chapter CCL. of Code of Washington, 1881, under the head of attorneys and counsellors at law, being section 3194 in Pierce's Washington Code, section 4772 in Ballinger's Annotated Codes and Statutes of Washington, and section 101 of volume 2, Hill's Annotated Statutes and Codes of Washington.

The bill was read the first time; and, on motion of Senator

Moore, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate memorial No. 9: Memorializing Congress to allow disabled soldiers of the United States who have quarters immediately outside the Washington State Soldiers' Home at Orting, to receive \$100 per annum, the same as veterans who actually reside in the Soldiers' Home.

The memorial was read the first time; and, on motion of Senator Stewart, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Memorials.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., February 27, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 175, entitled "An act concerning the assessment and collection of taxes," etc., have had the same under consideration, and respectfully report the same back to the Senate with the following amendments, and a majority and minority report:

Section 1, line 2, of the printed bill, strike the word "persons" and insert the word "citizens."

Section 1, line 7, add to the line "no more than two shall be taken from one political party."

Section 1, line 10, strike the words "which as" and insert the word "while."

Section 2, line 19, add the letter "s" to the word "session."

Section 2, line 20, strike the words "of their" and insert the word "its."

Section 3, line 2, strike the word "state" where it occurs between the words "the" and "tax," and capitalize the words "The Tax" and "Commission" and put the phrase "The Tax Commission of the State of Washington" in quotations.

Section 6, line 4, insert the word "a" between the words "of" and "misdemeanor."

Strike sections 7, 8 and 9 and change the number of succeeding sections to number consecutively from one up to the last number.

Section 11, line 12, strike period and insert a comma, and begin the word "the," which follows, with a small letter "t."

Section 12, line 4, strike the word "inquiry" and insert the word "Inquire."

Strike section 13 and place it at the last of the act.

Section 15, line 1, after the word "follows" insert the words "section 29."

Section 16, line 5, capitalize the words "Railroad Track."

Section 16, line 7, capitalize the words "Railroad Track."

Section 16, line 8, capitalize the words "Railroad Track."

Section 17, line 15 insert the word "which" between the words "year" and "shall."

Section 17, line 28, capitalize the words "Railroad Track."

Section 18, line 5, strike the word "or" after the word "assessor" and insert the word "and."

Section 18, line 7, capitalize the words "Railroad Track."

Section 18, line 15, capitalize the words "Railroad Track."

Section 19, line 4, capitalize the words "Railroad Track."

Section 19, line 16, capitalize the words "Railroad Track."

Section 19, line 17, strike the comma after the word "road" and insert the words "over which rolling stock is operated or used and its value per mile," and after the word "stock" strike the words "of each person, company or corporation."

Section 21, line 2, strike the figures "40 $\frac{1}{4}$ " and insert "40 $\frac{1}{2}$."

Section 22, line 24, after the word "directly" strike the word "on" and insert the word "in."

Section 22, line 38, strike the words "auditor of state" and insert the words "state auditor."

Section 23, line 10, strike the word "first" and insert the word "fifteenth" and the word "October" and insert the word "March," and between the words "sued" and "and" insert the word "for."

Section 24, line 10, after the word "requires" strike the word "or" and insert the word "and."

Section 25, line 7, strike the word "any" between the words "ease" and "shares" and insert the word "no."

Section 25, line 9, strike the letters "er" on word "commissioner" and capitalize same.

Section 25, line 11, after the word "shares" insert the word "to."

Section 25, line 12, strike the word "a" between the words "as" and "true" and insert the word "the."

Section 25, strike lines 14, 15, 16, 17 and 18 up to and including the word "corporation."

Section 25, line 18, strike the word "a" after the word "such" and capitalize the word "commission."

Section 25, line 24, strike the letters "er" on word "commissioner" and capitalize the word.

Section 25, line 28, between the words "as" and "ascertained" strike the word "before" and insert the word "above."

Section 25, line 38, strike the words "within the State of Washington."

Section 25, capitalize the word "commission" in lines 39, 42 and 44.

Section 26, line 8, strike the word "and" and insert the word "to."

Section 27, line 7, strike "40 1-8" and insert "40 1-7."

Section 28, line 16, strike the words "in and for Thurston County."

Section 28, line 20, strike the words "treasurer of state" and insert "state treasurer."

Section 28, line 22, strike words "in and for Thurston County."

Section 29, line 8, strike the words "at section 59."

Section 30, line 6, strike the words "auditor of state" and insert words "state auditor."

Section 30, line 11, strike words "auditor of state" and insert words "state auditor."

Section 30, line 15, strike the letter "s" on "boards."

Section 31, line 10, strike the letters "er" on "commissioner" and capitalize word "commissioner."

Section 31, line 16, strike words "auditor of state" and insert words "state auditor."

Section 31, line 33, strike words "auditor of state" and insert words "state auditor."

Section 32, line 15, strike the word "assessor" and insert "auditor."

Section 32, line 17, strike word "assessor" and insert "auditor."

And we, the majority of your Committee on Judiciary, respectfully recommend that it do pass.

Respectfully submitted,

HERMAN D. CROW,
S. WARBURTON,
WARREN W. TOLMAN.

And we, a minority of your Committee on Judiciary, respectfully recommend that the bill be indefinitely postponed, as in our opinion the same is unconstitutional.

Respectfully submitted,

E. M. RANDE,
E. B. PALMER,
JOHN T. WELSH.

Senator Warburton moved that the report go on general file, the rules be suspended, and the bill be made a special order for Thursday, March 5, 1903.

Senator Hamilton moved as an amendment that the bill be referred to the Committee on Revenue and Taxation.

Senator Hamilton's amendment prevailed.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1903.

MR. PRESIDENT:

We, your Committee on Dairy and Live Stock, to whom was referred Senate bill No. 52, entitled "An act relating to the herding or grazing of sheep on the lands or possessory claim of another, or within two miles thereof, and providing a penalty for its violation," have had the same

under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Title, lines 1 and 2, after the word "within" and before the word "thereof" strike out the words "two miles" and in lieu thereof insert the words "one mile."

Section 1, line 1, of printed bill, after the word "It" and before the word "lawful" strike out the words "is not" and insert in lieu thereof the following words: "shall not be on and after April 1, 1904."

Section 1, line 3, of printed bill, after the word "within" and before the word "of" strike out the words "two miles" and insert the words "one mile;" also in said line 3, after the word "such" and before the word "possessory" insert the words "land or."

Section 1, line 4, of printed bill, after the word "claims" add the following proviso: "Provided, however, that nothing herein shall be construed as preventing the owner of land from herding sheep on his own land, nor as preventing the owner or herder of sheep from driving them across unoccupied public lands within the said mile limit in order to reach and utilize adjacent lands belonging to the owner of said sheep."

Section 3, line 2, of printed bill, after the word "within" and before the word "of" strike out the words "two miles" and in lieu thereof insert the words "one mile."

Respectfully submitted,

A. J. SPLAWN, Chairman.

We concur in this report: Oscar E. Hailey, G. Garber, A. T. Van de Vanter.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Arid Lands and Irrigation, to whom was referred Senate bill No. 212, entitled "An act granting to irrigation companies rights of way over the state lands," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 1 by adding thereto the words: "Provided, That all damages to such lands shall be adjusted by the State Land Commissioner, and in no case shall there be paid less than ten dollars (\$10.00) per acre for such land as is occupied by such right of way."

Respectfully submitted,

G. GARBER, Chairman.

We concur in this report: J. P. Sharp, A. J. Splawn, O. E. Hailey, Wm. Hickman Moore, O. T. Cornwell, Grant C. Angle.

On motion of Senator Sharp the report was adopted and the bill ordered placed on general file.

OLYMPIA, WASH., February 27, 1903.

MR. PRESIDENT:

We, your Joint Committee on Appropriations, to whom was referred Senate bill No. 184, entitled "An act to appropriate money for the erection and completion of the state capitol building and for the finishing of the same, and for the payment of interest on warrants drawn on the capitol building fund, and for the payment of extra claims of the contractors," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass amended as follows:

The title to be amended to read as follows: "An act appropriating money for the erection, completion, finishing and furnishing of the state capitol building and grounds, and for the payment of extra claims of the contractors, and guaranteeing the payment of interest on warrants drawn on the capitol building fund."

Section 2, line 2, of the printed bill, strike the sum "\$115,455.65" and insert the amount \$101,500."

Section 2, line 5, after the word "annex" insert the words "provided, that no part of said sum hereby appropriated shall be paid except on judgment obtained."

Section 2, line 11, of the printed bill, after the word "and" strike the words "other furniture" and insert the word "fixtures."

Section 2, line 15, of the printed bill, after the word "company" strike the rest of the section down to the word "all," in line 18, same section.

Section 3, line 5, of the printed bill, strike the word "five" and insert the word "four."

Section 6, line 4, of the printed bill, after the word "appropriated" add the words "provided, that no deficiency, actual or constructive, shall be incurred for the completion of said building."

Strike all of section 7 of the printed bill.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: J. P. Sharp, G. B. Wilson, O. T. Cornwell, A. S. Ruth, E. M. Rands, Jno. Earles.

The report was adopted.

On motion of Senator Rands, at 12:30 o'clock p. m. the Senate adjourned until Tuesday, March 3, 1903.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

FIFTY-FIRST DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, March 3, 1903. }
10 o'clock a. m. }

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Graves, Hailey and Stansell, excused.

Rev. W. S. Crockett offered prayer.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

On motion of Senator Tolman, the reconsideration of the vote by which House bill No. 147 passed was made a special order for Wednesday, March 4, at 3 o'clock p. m.

Ex-Governor Savage of Nebraska was invited to a seat with the President.

Ex-Governor Miles C. Moore was invited to a seat with the President.

On motion of Senator Hamilton the vote by which Senate bill No. 198, by Senator Davis, entitled "An act to amend section 18 of an act entitled 'An act to provide for state grain weighing and grading, creating the office of State Grain Inspector, establishing a State Grain Commission, and making an appropriation of \$2,000.00,' approved March 19, 1895," was passed, was reconsidered, and the bill again failed to pass by the following vote:

Those voting yea were: Senators Baker, Clapp, Davis, Earles, Hamilton, Hemrich, LeCrone, Ruth, Smith, Stewart, Sumner, Welsh—12.

Those voting nay were: Senators Angle, Baumeister, Cornell, Crow, Garber, Hallett, Hurley, Kinnear, McKenney, Moultray, Palmer, Potts, Rands, Rasher, Reser, Sharp, Splawn, Tolman, Tucker, Van de Vanter, Warburton, Welty, Wilson, Mr. President—24.

Absent or not voting: Senators Graves, Hailey, Hammer, Moore, O'Donnell and Stansell—6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 3, 1903.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred House bill No. 4, entitled "An act to create a State Board of Accountancy, and prescribe its duties and powers, to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accounts, and to provide the penalty for violations of the provisions thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

R. M. KINNEAR, Chairman.

We concur in this report: Geo. J. Hurley, C. F. Clapp, Lincoln Davis, John T. Welsh.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 219, entitled "An act authorizing and requiring the State Board of Equalization to investigate and report," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to Committee on Public Revenue and Taxation.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: E. M. Rands, Geo. H. Baker, H. Rasher, E. Hammer, J. P. Sharp, R. M. Kinnear, S. A. Ruth, G. B. Wilson.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Corporations Other Than Municipal, to whom was referred Senate bill No. 127, entitled "An act to provide for the incorporation, operation and management of co-operative associations," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

E. M. RANDS, Chairman.

We concur in this report: Geo. J. Hurley, E. B. Palmer, C. F. Clapp, T. B. Sumner, R. M. Kinnear, Herman D. Crew, W. P. Reser, A. S. Ruth.

The report was adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 2, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 72, entitled "An act for the protection of employes in factories," etc., have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: J. R. O'Donnell, O. A. Tucker.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 3, 1903.

MR. PRESIDENT:

The House has passed the following bills:

House bill No. 65, amending certain sections relating to the general uniform system of public schools.

House bill No. 187, To provide for the selection of candidates by popular vote.

House bill No. 129, Prohibiting authorized fire insurance companies for reinsuring unauthorized companies.

House bill No. 205, Relating to recognizances, stipulations, bonds and undertakings.

House bill No. 356, Amending an act relating to justices of the peace and constables in cities having more than 5000 inhabitants.

House bill No. 328, Authorizing towns of the fourth class to select and designate an official newspaper.

House bill No. 239, Regulating actions for damages for personal injuries.

House bill No. 159, Amending section 1406 of Ballinger's Code.

House bill No. 191, Providing cumulative punishment for criminals.

House bill No. 71, Amending an act relating to building and loan associations.

House bill No. 225, Amending an act regulating fire insurance companies.

Senate bill No. 49, Amending an act in relation to attachments and garnishments.

Senate bill No. 112, For the relief of the Washington State Sugar

Senate memorial No. 7, Relating to Duwamish river.

Senate bill No. 152, An act relating to the tide lands of Hoquiam.

Senate bill No. 70, Amending section 39 of chapter CXV. of the session laws of 1895.

The House has also concurred in Senate amendment to House bill No. 130.

Also, the Speaker has signed House bill No. 132, entitled "An act providing for a search warrant for liquor kept contrary to law."

Also, House memorial No. 10, Asking that Gray's river be surveyed and examined for improvements.

Also House bill No 31, An act amending the act authorizing cities and towns to construct sewers.

Also House bill No. 163, Amending the act providing for the organization of municipal corporations.

Also House memorial No. 4, For the restoration of certain lands in San Juan county.

Also House bill No. 175, Amending an act relating to Justices of the Peace and Constables.

Also House substitute bill No. 79, Providing for a Superior Judge for the counties of Chelan, Douglas, Okanogan and Ferry.

Also House bill No. 164, Providing for the organization of municipal corporations.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

GENERAL FILE.

House bill No. 70, by Mr. Gunderson, entitled "An act providing for the compulsory attendance in school of children between the ages of 8 and 15 years, and prescribing penalties, and repealing all acts and parts of acts in conflict herewith," was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hammer, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Reser, Ruth, Sharp, Smith, Splawn, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Wilson, Mr. President—33.

Senator Welty voted nay.

Absent or not voting were: Senators Graves, Hailey, Hemrich, Kinnear, Rands, Rasher, Stansell, Warburton—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 44, by Mr. Jones, entitled "An act to provide for the employment of attorneys-at-law by boards of directors of school districts having a population of more than 20,000 persons, and to provide for the compensation therefor."

Senator Hamilton moved that the bill, together with the reports, be indefinitely postponed.

Senator Ruth moved as an amendment that the majority report be adopted.

The amendment failed and the bill and reports were indefinitely postponed.

House bill No. 93, by Mr. Jones, entitled "An act to enable school boards in cities having a population of 10,000 or more inhabitants to establish and maintain parental or truant schools, and amending section 92 of the Code of Public Instruction."

On motion of Senator Sharp, the bill was indefinitely postponed.

House bill No. 119, by Mr. Gunderson, entitled "An act compelling the attendance of children at schools where tuition, lodging, food and clothing are furnished at the expense of the United States or the State of Washington," was read the third time.

On motion of Senator Crow, section 1, lines 1 and 2, were amended by striking the words "or the State of Washington;" also line 4 by striking the words "or the State of Washington," and whenever they occur in the bill.

On motion of Senator Moore, section 2, line 1, was amended by striking, after the word "charge," the words "and a copy of this act."

On motion of Senator Crow, the title was amended by striking the words "or the State of Washington."

On motion of Senator Crow, further action on the bill was suspended until tomorrow, and the bill retained its place on the calendar.

The hour having arrived for the consideration of House bill No. 15, by Mr. Lyons, entitled "An act to prohibit the carrying on the business of barbering on Sunday, and providing a penalty for the violation thereof," made a special order for this time, the bill was read the third time.

Senator Hammer moved to amend section 2, line 5, by adding the words, "*Provided*, the provisions of this act shall not apply to towns of less than 5000 inhabitants."

The amendment was lost.

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker Baumeister,

Cornwell, Crow, Davis, Earles, Hallett, Hamilton, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, Potts, Reser, Ruth, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—27.

Those voting nay were: Senators Clapp, Garber, Hammer, O'Donnell, Palmer, Rands, Rasher, Sharp, Smith, Splawn, Van de Vanter—11.

Absent or not voting: Senators Graves, Hailey, Hemrich and Stansell—4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 214, by Mr. Gleason, entitled "An act to provide for the payment of expenses incurred in compliance with an act entitled 'An act to provide for the establishment and creation of drainage districts,' " etc., was read the third time by sections, and further action deferred until after recess.

The president signed House bill No. 132, House memorial No. 10, House bill No. 31, House bill No. 163, House memorial No. 4, House bill No. 175, substitute House bill No. 79, House bill No. 161 and Senate bill No. 72.

Unanimous consent was given Senator Ruth to introduce the following resolution out of order:

Resolved, by the Senate of the State of Washington, That the sergeant-at-arms be and is hereby instructed to procure for the use of the members of the Senate, the secretary and the sergeant-at-arms, each \$3 worth of postage stamps; provided, that the senator from the Twenty-second district be excluded from the provisions of this resolution.

Senator Ruth moved the adoption of the resolution.

Senator Hamilton moved that it be laid on the table.

Senator Hamilton's motion prevailed.

On motion of Senator Palmer, at 12 o'clock the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION.

President Smith called the Senate to order at 2 o'clock p. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Graves, excused.

Unanimous consent being given, Senator Palmer moved that the final vote on House bill No. 214 be deferred until tomorrow.

The motion prevailed.

Unanimous consent was given, and, on motion of Senator Moore, House bill No. 93 was ordered to be again placed on the calendar for further action tomorrow.

House bill No. 19, by Mr. Raine, entitled "An act prescribing a limit upon the assessment of abutting property for local improvements and providing a method of computation for improvement districts, and declaring an emergency," was read the third time.

Senator Warburton moved to amend section 1, line 1, by inserting after the word "town" and before the word "to" the words "upon presentation of a petition therefor by the owners of at least 51 per cent. of the property to be affected, and not otherwise."

The amendment was lost.

Senator Rands moved to amend section 1, line 1, by striking the words "or town" and inserting "of the first class."

Senator Moultray moved as an amendment to the amendment that section 1, line 1, be amended by striking the words "or town" and inserting the words "of the first, second and third class."

Senator Hallett moved as a substitute to the amendment of the amendment that section 1, line 1, be amended by striking the words "or town" and inserting the words "of the first and second class."

The substitute to the amendment of the amendment failed to prevail, and the amendment to the amendment carried.

Senator Moore moved the following amendments, which prevailed:

In line 7 of the engrossed bill strike out the words "or town" and insert in lieu thereof the words "of the first, second or third class."

In line 1, of section 3, strike out the words "or town" and insert in lieu thereof the words "of the first, second or third class."

In line 3, of section 3, of the engrossed bill, strike out the words "or town" and insert in lieu thereof the words "of the first, second or third class."

Amend the title by inserting in second line of engrossed bill, after the word "improvements," the words "in cities of the first, second and third class."

The bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Davis, Earles, Garber, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—34.

Senators Potts, Van de Vanter and Warburton voted nay—3.

Absent or not voting were: Senators Crow, Graves, Hailey, Hallett and Rands—5.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Rands, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—34.

Senators Potts and Warburton voted nay—2.

Absent or not voting were: Senators Graves, Hailey, Hallett, Rasher, Reser and Van de Vanter—6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Tucker, the rules were suspended and House bill No. 19 was ordered transmitted immediately to the House.

The hour having arrived for consideration of Senate bill No. 69, by Senator Sumner, entitled "An act to regulate the growing and cultivating of oysters and other shell fish upon the lands and in the waters of the State of Washington," etc., with majority and minority reports.

Senator Palmer moved the adoption of the majority report of the Fisheries Committee.

Senator Tolman moved that the bill be continued and made a special order for 2:30 o'clock p. m. tomorrow.

The motion to make the bill a special order prevailed.

The hour having arrived for consideration of Senate bill No. 178, by Senator Hurley, entitled "An act repealing chapter LIX., Session Laws of 1899, same being an act entitled 'An act relating

to the law of libel and providing for opportunity of retraction of libels,' and declaring an emergency," with majority and minority reports.

Senator Hurley moved the adoption of the minority report.

Senator Tolman moved as an amendment the adoption of the majority report.

The amendment was lost, and the minority report was adopted.

On motion of Senator Baker, the rules were suspended, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Baker, Baumeister, Cornwell, Davis, Earles, Hailey, Hamilton, Hurley, Kinneer, LeCrone, McKenney, O'Donnell, Potts, Rands, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—26.

Those voting nay were: Senators Angle, Clapp, Crow, Garber, Hallett, Hammer, Moore, Moultray, Palmer, Rasher, Reser, Tolman, Warburton—13.

Absent or not voting were: Senators Graves, Hemrich and Sumner—3.

The emergency clause passed by the following vote:

Those voting yea were: Senators Baker, Baumeister, Cornwell, Davis, Earles, Hailey, Hamilton, Hurley, Kinneer, LeCrone, McKenney, O'Donnell, Palmer, Potts, Rands, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—28.

Those voting nay were: Senators Angle, Clapp, Crow, Garber, Hallett, Hammer, Moore, Moultray, Rasher, Reser, Tolman, Warburton—12.

Absent or not voting were: Senators Graves and Hemrich.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Mr. President moved that the rules be suspended and the bill ordered transmitted immediately to the House.

Roll call was demanded by Senators Tolman, Moore, Crow, Warburton, Moultray, Hamilton and Cornwell on the motion for a suspension of the rules.

The roll was called, and the motion to suspend the rules prevailed by the following vote:

Those voting yea were: Senators Baker, Baumeister, Cornwell, Davis, Earles, Hailey, Hamilton, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Palmer, Potts, Rands, Ruth, Sharp, Smith, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—28.

Those voting nay were: Senators Angle, Clapp, Crow, Garber, Hallett, Hammer, Moore, Moultray, Rasher, Reser, Tolman, Warburton—12.

Absent or not voting were: Senators Graves and Hemrich—2.

And the bill was ordered transmitted immediately to the House. House bill No. 201, by Mr. Raine, entitled "An act to require statements of fact and evidence produced in support of claims made to the Legislature against the state for money or property, and to perpetuate the record of the same," was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Welsh, Welty—29.

Absent or not voting were: Senators Cornwell, Davis, Graves, Hemrich, Kinnear, McKenney, Rands, Tolman, Tucker, Van de Vanter, Warburton, Wilson, Mr. President—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Substitute House bill No. 107, by Mr. Gleason, entitled "An act giving a right of action for damages to certain persons for the death of a person killed in a duel, or caused by the wrongful act or negligence of any person, persons, company or corporation, and repealing all acts or parts of acts in conflict therewith," was read the third time, placed upon its final passage and failed to pass by the following vote:

Those voting yea were: Senators Angle, Crow, Hallett, McKenney, Moore, Moultray, Palmer, Reser, Tolman, Welty—10.

Those voting nay were: Senators Baker, Baumeister, Clapp, Davis, Earles, Hailey, Hammer, Hemrich, Hurley, LeCrone, O'Donnell, Potts, Rands, Rasher, Sharp, Smith, Stansell, Stewart, Sumner, Van de Vanter—20.

Absent or not voting: Senators Cornwell, Garber, Graves,

Hamilton, Kinnear, Ruth, Splawn, Tucker, Warburton, Welsh, Wilson and Mr. President—12.

House bill No. 59, by Mr. Cole, entitled "An act defining criminal anarchy, and prescribing penalties for those who advocate, advise or teach criminal anarchy," etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Welsh, Welty, Wilson, Mr. President—33.

Absent or not voting were: Senators Clapp, Graves, Kinnear, McKenney, Rasher, Sumner, Tucker, Van de Vanter, Warburton—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 55, by Mr. Field, entitled "An act to provide for the close season for trout fishing in the streams and lakes within the county of Chelan, and declaring an emergency," was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hamilton, Hammer, Hemrich, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Welsh, Wilson, Mr. President—29.

Senator Welty voted nay.

Absent or not voting were: Senators Cornwell, Graves, Hallett, Hurley, Kinnear, LeCrone, McKenney, Rands, Sumner, Tucker, Van de Vanter, Warburton—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 173, by Mr. Hunter, entitled "An act making deficiency appropriation for office rent for the State Fish Commissioner."

On motion of Senator Hamilton, the bill was referred to the Appropriations Committee.

House bill No. 90, by Mr. Carle, entitled "An act declaring it

to be a part of the public policy of the State of Washington that all public work for it, or any political subdivision created by its laws, shall be performed in work days of not more than eight hours each," etc., was read the third time, placed upon its final passage and passed by the following vote :

Those voting yea were: Senators Baker, Crow, Davis, Earles, Garber, Hamilton, Hammer, Hemrich, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Smith, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—29.

Senators Hurley and Sharp voted nay.

Absent or not voting were: Senators Angle, Baumeister, Clapp, Cornwell, Graves, Hailey, Hallett, McKenney, Rands, Splawn, Stansell—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Substitute Senate bill No. 11, by the Judiciary Committee, entitled "An act increasing the number of supreme judges to seven," was read the third time placed upon its final passage and failed to pass by the following vote :

Senators Crow, Ruth, Van de Vanter and Welsh voted yea—4.

Those voting nay were: Senators Angle, Baker, Baumeister, Clapp, Davis, Earles, Garber, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Potts, Rands, Rasher, Reser, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Warburton, Welty, Wilson, Mr. President—32.

Absent or not voting were: Senators Cornwell, Graves, Hailey, McKenney, Palmer and Sumner—6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Hamilton gave notice that at the proper time he would move for a reconsideration of the vote by which Senate substitute bill No. 11 failed to pass.

Senator Hurley was excused.

Senate bill No. 137, by Senator Hammer, entitled "An act relating to the casting of sawdust and other lumber waste in the waters where fish resort to spawn," etc., was read the third time.

On motion of Senator Hammer, the rules were suspended, the

bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Cornwell, Crow, Davis, Earles, Garber, Hallett, Hammer, Hemrich, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—34.

Senator Hamilton voted nay.

Absent or not voting were: Senators Clapp, Graves, Hailey, Hurley, Kinnear, Van de Vanter, Warburton—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 189, by Senator Crow, entitled "An act to change the name of the Washington Agricultural College Experiment Station and School of Science," etc., was read the third time and referred to the Engrossing Committee.

House bill No. 177, by Mr. Tibbetts, entitled "An act providing for the protection of orphan, homeless, neglected or abused children," etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hammer, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Welty, Wilson—27.

Absent or not voting were: Senators Baker, Clapp, Cornwell, Graves, Hailey, Hemrich, Hurley, Kinnear, Rands, Rasher, Sumner, Van de Vanter, Warburton, Welsh, Mr. President—15.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 2, 1903.

MR. PRESIDENT:

The Speaker has signed House bill No. 404, entitled "An act to provide for the purchase of additional land for the School of Defective Youth."

Also House bill No. 62, entitled "An act providing for the appointment of an Assistant Commissioner of Public Land."

Also House bill No. 167, entitled "An act fixing the time of sentence of criminals," etc.

Also House bill No. 130, entitled "An act relating to the sale of certain articles of merchandise."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

House bill No. 239, by Mr. Comstock: An act regulating the institutions of actions for damages for personal injuries and death by wrongful act against cities of the first class.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 205, by Mr. Raine: An act relating to recognizances, stipulations, bonds and undertakings, and to allow certain corporations to be accepted as surety thereon.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 356, by Mr. Cole: An act to amend an act entitled "An act in relation to justices of the peace and constables," etc.

The bill was read the first time; and, on motion of Senator Moultray, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 129, by Mr. Raine: An act prohibiting authorized fire insurance companies from reinsuring unauthorized fire insurance companies on risks covering property located in this state.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 159, by Mr. Zenkner: An act relating to transmitting election returns from precincts to the county auditor, etc.

The bill was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 71, by Mr. Thompson: An act to amend sections 1, 4, 6, 5, 25, 31 and 39 of an act entitled "An act relating to building, loan and saving associations," etc.

The bill was read the first time; and, on motion of Senator LeCrone, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Corporations other than Municipal.

Substitute House bill No. 225, by Committee on Insurance: An act providing for the incorporation and regulation of mutual fire insurance companies and associations, etc.

The bill was read the first time; and, on motion of Senator LeCrone, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Corporations other than Municipal.

House bill No. 187, by Mr. Jones: An act to provide for the selection of candidates for elections by popular vote, and relating to election.

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Election and Privileges.

Substitute House bill No. 191, by Mr. Kees: An act fixing the penalty for persons convicted a second and a third time of felony, etc.

The bill was read the first time; and, on motion of Senator Cornwell, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Penal and Reformatory Institutions.

House bill No. 328, by Mr. Moldstad: An act authorizing towns of the fourth class to select and designate an official newspaper, etc.

The bill was read the first time; and, on motion of Senator Moultray, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 65, by Mr. Gunderson (by request): An act amending 37 sections of the Code of Public Instruction and repealing certain sections of the same.

The bill was read the first time; and, on motion of Senator

Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

On motion of Senator Hamilton, all bills passed today were ordered transmitted immediately to the House.

On motion of Senator Baker, at 4:30 o'clock the Senate adjourned until Wednesday, March 4, 1903, at 10 o'clock a. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

FIFTY-SECOND DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, March 4, 1903. }
10 o'clock a. m.

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Graves and Hemrich, excused.

Rev. W. S. Crockett offered prayer.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

The following resolution was offered by the Judiciary Committee and adopted:

WHEREAS, it has been necessary to rent a typewriter for the use of the Clerk of the Judiciary Committee; therefore, be it

Resolved, That the sergeant-at-arms is hereby instructed to pay the sum of \$10 for the rent of said typewriter.

The following resolution was offered by Senator Tolman, read by the secretary, and, on motion of Senator Tolman, temporarily laid over:

WHEREAS, There has been referred to the Committee on Railroads and Transportation Senate bill No. 2, commonly known as the "three cent rate bill"; Senate bill No. 35, commonly known as the "anti-pass bill"; Senate bill No. 157, commonly known as the "elective railroad commission bill"; Senate bill No. 158, relating to the burden of proof in suits brought for the recovery of damages for stock killed on railways, and House bill No. 24, being the same as Senate bill No. 2,

and providing for a rate of three cents per mile for transporting passengers in this State, and,

WHEREAS, Said committee has been called together but once during this session of the Legislature, has never considered said bills or either of them, and those interested therein are unable to secure the action of said committee thereon, and,

WHEREAS, The people of this State, without regard to politics, are interested in said measures, and desirous of seeing them enacted into laws, and,

WHEREAS, This session is drawing to a close, and immediate action by this body is necessary if the pledges which have been made to the people by both parties alike are to be kept, and,

WHEREAS, No member of this body seeks, or should seek, to avoid the responsibility of acting upon said measure, and each desires by his vote to show to the people that he has done all in his power to carry out the pledges of his party platform; therefore, be it

Resolved, That said bills and each of them be and hereby is withdrawn from said committee and placed upon the Senate calendar, to be acted upon when reached in all respects as though each of said bills had been reported on general file by said committee and placed upon the calendar by the Committee on rules.

The President signed House bill Nos. 130, 404, 62 and 167.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER.

OLYMPIA, WASH., March 4, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 178, entitled "An act repealing chapter LIX, Session Laws of 1899," same being an act entitled "An act relating to the laws of libel," etc.

Also Senate bill No. 189, entitled "An act to change the name of the Washington Agricultural College, Experiment Station and School of Science," etc.

Have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report: C. L. Stewart, E. Hammer.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., March 4, 1903.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 187, entitled "An act amending section 943 of

Ballinger's Code," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WARREN W. TOLMAN, Chairman.

We concur in this report: Wm. Hickman Moore, C. F. Clapp, W. R. Moultray, T. B. Sumner, W. G. Potts.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 188, entitled "An act to amend certain sections of an act entitled 'An act to enable cities of the first class to exercise the right of eminent domain,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Strike section 1, and number section 2 number 1, and the following sections accordingly.

WARREN W. TOLMAN, Chairman.

We concur in this report: Wm. Hickman Moore, C. F. Clapp, W. R. Moultray, T. B. Sumner, W. G. Potts.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 20, entitled "An act amending sections 1451 and 1453 of Ballinger's Codes and Statutes of Washington, relating to the registration of voters," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

WARREN W. TOLMAN, Chairman.

We concur in this report: Wm. Hickman Moore, C. F. Clapp, W. R. Moultray, T. B. Sumner, W. G. Potts.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 238, entitled "An act authorizing the board of county commissioners of the several counties to dedicate land for public streets," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WARREN W. TOLMAN, Chairman.

We concur in this report: Wm. Hickman Moore, C. F. Clapp, W. R. Moultray, T. B. Sumner, W. G. Potts.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 228, entitled "An act appropriating three hundred dollars for the relief of H. C. Anderson," have had the same under consid-

eration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. WELSH, Chairman.

We concur in this report: Lincoln Davis, Geo. J. Hurley, S. T. Smith.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred House bill No. 150, entitled "An act for the relief of Dora L. Tibbitts, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN T. WELSH, Chairman.

We concur in this report: Lincoln Davis, Geo. J. Hurley, S. T. Smith.

MR. PRESIDENT:

We, your Joint Committee on Claims and Auditing, to whom was referred the claims of The Standard Furniture Co., Frederick & Nelson, Chapman Bros. & Co. and W. A. Ritchie, have had the same under consideration, and we respectfully report the same back to the Appropriation Committee with the recommendation that the following amounts be allowed and paid out of the Capitol Building Funds:

Frederick & Nelson	\$ 3,433.50
Standard Furniture Co.	6,690.00
Chapman Bros. & Co.	2,646.96
W. A. Ritchie	634.34
Total	\$13,404.80

JOHN T. WELSH, Chairman.

We concur in this report: Lincoln Davis, Geo. J. Hurley, S. T. Smith.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 169, entitled "An act for the relief of E. G. Bickerton for services as a licensed auctioneer in the matter of the sale of certain school land in King County," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In section 1, lines 1 and 2, of the printed bill, strike the words and figures "four thousand two hundred and three and eighty hundredths dollars (\$4,203.80)," and insert in lieu thereof the words and figures "two thousand dollars (\$2,000)."

In line 2 of section 2 of the printed bill strike the words and figures "four thousand two hundred and three and eighty hundredths dollars

(\$4,203.80),” and insert in lieu thereof the words and figures “two thousand dollars (\$2,000.00).”

JOHN T. WELSH, Chairman.

We concur in this report: Lincoln Davis, Geo. J. Hurley, S. T. Smith.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Military Affairs, to whom was referred House bill No. 251, entitled “An act relating to the enrollment of the militia, and providing therefor,” have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WM. HICKMAN MOORE, Chairman.

We concur in this report: S. M. LeCrone, M. E. Stansell, S. J. Splawn, W. G. Potts, C. L. Stewart.

MR. PRESIDENT:

We, your Committee on Corporations Other Than Municipal, to whom was referred substitute House bill No. 225, entitled “An act providing for the incorporation and regulation of mutual fire insurance,” etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDES, Chairman.

We concur in this report: E. B. Palmer, R. M. Kinnear, A. S. Ruth, C. F. Clapp, M. P. Reser, Geo. J. Hurley, Herman D. Crow.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 223, entitled “An act for the protection of shade trees and hedges on public highways,” have had the same under consideration, and we report the same back to the Senate with the recommendation that it be indefinitely postponed.

J. P. SHARP, Chairman.

We concur in this report: S. J. Splawn, M. E. Stansell, E. Hammer, O. T. Cornwell.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 144, entitled “An act providing for a system of grammar school examination, prescribing the duties of the Superintendent of Public Instruction and of County Superintendents relative thereto.”

Also, Senate bill No. 214, entitled “An act authorizing the common council of cities of the first class to redistrict such cities into wards.”

Have had the same under consideration, and we respectfully report

the same back to the Senate with the recommendation that they be placed on general file.

S. M. LECRONE, Chairman.

We concur in this report: Grant C. Angle, A. S. Ruth, O. A. Tucker, G. B. Wilson.

The report was adopted.

MR. PRESIDENT:

We, a majority of your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 219, entitled "An act authorizing and requiring the State Board of Equalization to investigate and report on the best method of taxing all property," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

T. B. SUMNER, Chairman.

We concur in this report: M. E. Stansell, O. A. Tucker, John T. Welsh, J. R. O'Donnell, Jno. Earles, Ed. S. Hamilton.

MR. PRESIDENT:

I, a minority of your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 219, entitled "An act authorizing and requiring the State Board of Equalization to investigate and report on the best method of taxing property," etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do not pass.

S. WARBURTON.

The majority report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 211, entitled "An act for the protection of hotels, boarding houses," etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that the bill do pass, with the following amendments:

In title, strike the title and insert the following as the title: "An act for the protection of hotel, boarding house and lodging house keepers, and providing a penalty."

The blank spaces in lines 7 and 8 have been filled to read as follows: "Less than \$10 nor more than \$50, or imprisonment in the county jail not less than 10 days nor more than 50 days."

HERMAN D. CROW, Chairman.

We concur in this report: John T. Welsh, E. B. Palmer, E. M. Rands, H. E. McKenney, Warren W. Tolman, Wm. Hickman Moore.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 235, entitled "An act making it unlawful for any person to take

salmon or other fish from any net," etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that as amended it be placed on general file:

Title, line 1, strike the words "or persons" and "shell fish."

Section 1, line 1, strike words "or persons" and "shell fish."

Section 1, line 5, after the word "by" strike out the remainder of the section and insert the following in lieu thereof: "a fine not exceeding \$100, or imprisonment in the county jail not exceeding thirty days."

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, E. M. Rands, John T. Welsh, H. E. McKenney, Wm. Hickman Moore.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 224, entitled "An act amending section 1635 of Ballinger's Code, relative to fees, etc., of justices of the peace," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In section 1, line 24, strike out the words "less than," and after the word "hour" add the words "or less."

In section 1, line 25, strike out the words "if more than one hour, per hour," and insert the words "for each additional hour or part thereof."

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, E. M. Rands, John T. Welsh, H. E. McKenney, Warren W. Tolman, Wm. Hickman Moore.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 41, entitled "An act to provide for the alteration, replat or vacation of any townsite," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

HERMAN D. CROW, Chairman.

We concur in this report: Wm. Hickman Moore, E. B. Palmer, E. M. Rands, John T. Welsh, H. E. McKinney, Warren W. Tolman.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 231, entitled "An act relating to corporations, foreign and domestic, and prescribing certain fees to be paid," etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In section 1, line 17, after the word "educational" insert the word "charitable."

In section 2, strike the sentence which begins with the word "Provided," in line 3, and ends with the word "dollars," in line 5.

In section 2, line 13, after the word "educational" insert the word "charitable."

In section 3, line 7, strike the word "director" and insert the word "trustee."

In section 7, line 10, after the word "educational" insert the word "charitable."

In section 8, line 18, strike the word "forty" and the figures "40," and insert the words "fifty" and the figures "50."

In section 9, line 7, strike the period and insert a comma, and add the words "but shall not be pleaded as a defense on behalf of said corporation."

In section 12, line 3, strike the words "Masonic lodges, Odd Fellows' lodges or others."

In section 12, line 4, strike the words "or to insurance or surety companies."

In section 13, line 1, strike the words "The Secretary of State," and begin the word "upon," which follows, with a capital letter "U."

Strike section 15, and insert as section 15 "An emergency exists and this act takes effect immediately."

HERMAN D. CROW, Chairman.

We concur in this report: Wm. Hickman Moore, E. B. Palmer, E. M. Rands, H. E. McKenney, Warren W. Tolman.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 180, entitled "An act providing for the organization of mutual, marine and fire insurance companies," etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In section 2, line 4, between the words "pay" and "their" insert the words "the full amount of."

In section 2, line 5, strike out the words "and approved by the Auditor of State," and insert the following: "the Insurance Commissioner, and twenty-five per cent of the full amount of such subscription shall have been paid in cash, and a certificate filed with the Insurance Commissioner showing said payment of said part of said subscription."

In section 2, line 9, after the word "certified" insert the words "and paid."

In section 2, line 11, after the word "company" strike out the balance of the section and add the following: "and not otherwise. Provided, That the liability of each subscriber shall continue until his subscrip-

tion shall have been fully paid, notwithstanding a sale, transfer or assignment of his said subscription or any interest therein, and the assignee shall be jointly and severally liable upon such subscription so assigned."

In section 3, line 16, strike out the words "As such profits accumulate and are invested, subscriptions of an equal amount may be cancelled."

In same section, line 20, strike out the word "insure" and insert the word "issue."

In section 4, line 4, after the word "notice" insert the words "to his last known address."

HERMAN D. CROW, Chairman.

We concur in this report: John T. Welsh, E. B. Palmer, E. M. Rands, H. E. McKenney, Warren W. Tolman, Wm. Hickman Moore.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred House substitute bill No. 136, entitled "An act for the protection of game animals and birds of the State of Washington, defining violations thereof, and providing punishment for the same, and providing a game fund of all fines collected under this act, and repealing all acts and parts of acts in conflict with the provisions of this act," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended, the amendments to be as follows:

In line 2 of section 1 of the printed bill, after the word "if" strike out the word "November" and insert in lieu thereof "December."

In line 3 of section 1, after the word "deer" insert the words "or caribou."

In line 2 of section 2, after the word "elk" strike out the word "deer."

In line 2 of section 2, after the word "moose" strike out the word "caribou."

In line 4 of section 6 add the following: "Provided that the above mentioned birds shall not be fired at from any gasoline or naphtha launch, steam launch, or other boat propelled otherwise than by hand."

R. M. KINNEAR, Chairman.

We concur in this report: John T. Welsh, C. F. Clapp, Lincoln Davis, Geo. J. Hurley.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Commerce, to whom was referred Senate bill No. 234, entitled "An act authorizing persons, firms or corporations organized for logging, the manufacture of lumber or other timber products, to improve and use the rivers, lakes and streams of this State," etc., have had the same under consideration, and we respect-

fully report the same back to the Senate with the recommendation that it do pass as amended, the amendments to be as follows:

In line 28 of section 1 of the printed bill, after the word "plat" strike out the period (.) and add the following words, "as hereinafter provided for."

In line 10 of section 2, after the word "provided" strike out the period (.), and add the following words: "In case the parties are unable to agree as to what compensation shall be charged under this act for floatage, as herein provided, the person, firm or corporation owning the improvement herein contemplated shall appoint one disinterested taxpayer of the county where the controversy arises; the person, firm or corporation floating such logs, timber or timber products may appoint one such taxpayer, and the two shall name a third, and the three so selected shall decide what is reasonable compensation, what amount shall be allowed, awarded and fixed by such arbitrators, and which finding shall have the same force and effect as arbitration under the statutes of this State, and pending the arbitration herein mentioned the right to file and claim lien in this act provided, shall be preserved and continued in full force and effect.

In line 3 of section 6 of the printed bill, after the letter "a" strike out the word "specified" and insert in lieu thereof the word "specific" (correct in original bill).

In line 9 of section 6, after the word "thereto" strike out the comma (,).

In line 10 of section 6, after the divided word "pur-poses" insert a comma (,).

C. F. CLAPP, Chairman.

We concur in this report: A. Hemrich, E. Baumeister.

The report was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 4, 1903.

MR. PRESIDENT:

The House has passed the following bills:

House bill No. 299, to repeal an act to provide for the setting aside of certain school lands.

House bill No. 279, amending section 7038 of Ballinger's Code.

House bill No. 317, amending an act to define the duties and provide for the assistance of the Secretary of State.

House bill No. 254, amending section 4854 of Ballinger's Code.

House bill No. 295, providing for the settlement of taxes assessed against mining properties.

House bill No. 34, authorizing the taking of private property for school districts.

House bill No. 75, amending section 21 of chapter LXXI of the laws of 1897.

Senate bill No. 80, amending an act to establish a state fair.

Senate bill No. 93, an act to provide for the arbitration and settlement of differences between employers and employees, etc.

House bill No. 271, creating a State Oyster Land Commission.

House bill No. 124, an act to establish a probate law.

House bill No. 63, providing for the protection of game fish.

And the same are herewith transmitted.

STORRY BUCK, Clerk of the House.

Substitute House bill No. 136, by Committee on Game and Game Fish, entitled "An act for the protection of game animals and birds of the State of Washington," etc.

On motion of Senator Palmer, the rules were suspended and the bill placed on third reading.

Senator Ruth moved as an amendment that the proviso in section 7 be stricken.

The amendment was lost.

On motion, the rules were further suspended, the bill placed upon its final passage and passed by the following vote :

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—39.

Senator Tucker voted nay.

Absent or not voting were: Senators Graves and Hemrich.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Tolman moved the adoption of the resolution by Senator Tolman relative to bills referred to the Committee on Railroads and transportation.

Senator Baker moved as an amendment that the resolution be laid on the table.

Roll call was demanded by Senators Tolman, Moultray, Hallett, Baker, Moore, LeCrone and Rands.

The roll was called and the motion to lay on the table prevailed by the following vote :

Those voting yea were: Senators Baker, Baumeister, Cornwell, Davis, Hailey, Hamilton, Kinnear, LeCrone, O'Donnell, Palmer, Potts, Rands, Ruth, Smith, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Mr. President—22.

Those voting nay were: Senators Angle, Crow, Garber, Hallett, Hammer, Hurley, McKenney, Moore, Moultray, Rasher, Reser, Sharp, Splawn, Tolman, Warburton, Welty, Wilson—17.

Absent or not voting were: Senators Earles, Graves and Hemrich—3.

The hour having arrived for the consideration of the appointments of Governors McBride and Rogers, on motion of Senator Tolman, Hon. H. D. Crow, of Spokane, to succeed himself as regent of the State Agricultural College and School of Science for the term ending March 9, 1907, was confirmed in open session by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—39.

Absent or not voting were: Senators Crow, Graves and Hemrich.

On motion of Senator Tolman, Hon. A. J. Splawn, of North Yakima, appointed as member of State Fair Commission for term ending March 22, 1905, was confirmed in open session by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—39.

Senator Welty moved that the confirmation of appointments by Governors McBride and Rogers be suspended until Friday, March 6, 1903, at 2 o'clock p. m.

The motion failed to prevail.

The Senate resolved itself into executive session to consider the appointments of Governors McBride and Rogers.

The appointments made by Governor John R. Rogers, subject to confirmation by the Senate, were as follows :

Mr. J. W. Stearns, of Pullman, appointed to succeed himself, for the term ending March 9, 1907, as regent of State Agricultural College and School of Science, was confirmed by the Senate by the following vote: Yeas, 39; absent or not voting, 3.

The Senate refused to confirm the appointment of Mr. Sol G. Simpson, of Shelton, appointed until the completion of the building as a member of the Board of Capitol Commissioners, by the following vote: Yeas, 12; nays, 28; absent or not voting, 2.

The Senate refused to confirm the appointment of Hon. Van R. Pierson, of Seattle, appointed until the completion of the building as a member of the Board of Capitol Commissioners by the following vote: Yeas, 12; nays, 28; absent or not voting, 2.

The Senate refused to confirm the appointment of Hon. James McNeely, of Buckley, appointed until the completion of the building as a member of the Board of Capitol Commissioners by the following vote: Yeas, 12; nays, 28; absent or not voting, 2.

The Senate confirmed the appointment of Mr. A. B. Weed, North Yakima, appointed for term ending March 22, 1905, succeeding Mr. F. D. Schnebley, term expired, as member of State Fair Commission, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Mr. E. F. Benson, Tacoma, appointed for term ending March 22, 1903, succeeding Mr. W. L. McDonald, resigned, as a member of the State Fair Commission, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Mr. L. P. White, Whatcom, appointed for term ending June 12, 1905, vice Hon. Jere Neterer, resigned, as a trustee of the State Normal School at Whatcom, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Hon. J. J. Edens, Whatcom, appointed for term ending June 12, 1907, to succeed himself, term expired, as a trustee of State Normal School at Whatcom by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Mr. James Delgardno, appointed for term during Governor's pleasure, vice Horace Gup-til, term expired, as pilot commissioner Straits of Fuca and Puget Sound, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Mr. Ernest Lister, appointed for term ending March 31, 1903 (original appointment), as a member of State Board of Control, by the following vote: Yeas, 37; nays, 2; absent or not voting, 3.

The Senate confirmed the appointment of Mr. C. S. Reed, Seattle, appointed for term ending March 31, 1907 (original appointment), as a member of State Board of Control, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Mrs. Clara Ryan, Vancouver, appointed for the term ending the first Monday in March, 1903, vice W. J. Meredith, term expired, as a member of the State Board of Education, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Mrs. Carrie Rice Shaw, Tacoma, appointed for term ending the first Monday in March, 1903, vice J. L. Dumas, term expired, as a member of the State Board of Education, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Mrs. Sarah Lawton, Spokane, appointed for the term ending the first Monday in March, 1903, vice F. H. Plumb, term expired, as a member of the State Board of Education, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Miss Grace Henderson, Oakesdale, appointed for the term ending the first Monday in March, 1903, vice Miss Esther Thomas, of Walla Walla, resigned, as a member of the State Board of Education, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed or refused to concur in the following appointments by Governor McBride, as follows:

The Senate confirmed the appointment of Hon. W. E. Schricker, LaConner, appointed for the term ending the second Monday in March, 1908, succeeding Hon. C. M. Easterday, of Tacoma, term expired, as regent of the University of Washington, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate refused to confirm the appointment of Col. A. J. Blethen, Seattle, appointed for the term ending the second Monday in March, 1908, succeeding himself, term expired, as regent of the University of Washington, by the following vote: Yeas, 18; nays, 22; absent or not voting, 2.

The Senate confirmed the appointment of Hon. John H. Powell, Seattle, appointed for term ending second Monday in March, 1905, succeeding Hon. John P. Hoyt, of Seattle, resigned, as regent of the University of Washington, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of J. E. Shannon, Esq., North Yakima, appointed for the term ending March 22, 1903, succeeding J. M. Baxter, of North Yakima, resigned, as a member of the State Fair Commission, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Dr. J. A. Mahan, Ellensburg, appointed for the term ending June 26, 1908, vice E. E. Wager, of Ellensburg, term expired, as a member of the Board of Trustees of State Normal School at Ellensburg, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Hon. Charles P. Lund, of Spokane, for the term ending July 29, 1908, vice Hon. J. J. Browne, term expired, as a member of the Board of Trustees of State Normal School at Cheney, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Hon. J. J. Browne, Spokane, appointed for term ending July 29, 1905, vice Joseph S. Allen, Spokane, resigned, as a member of the Board of Trustees of State Normal School at Cheney, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Tunis R. Kershaw, Esq., of Whatcom, appointed for the term ending the first Monday in March, 1906, vice A. C. Little, Esq., term expired, as State Fish Commissioner and Game Warden, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Elmer E. Heg, M. D., Seattle, appointed for term ending December 3, 1906, vice M. F. Ferry, term expired, as a member of the State Board of Health

and Bureau of Vital Statistics, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of John M. Semple, M. D., Spokane, appointed for the term ending December 30, 1907, vice D. C. Newman, M. D., Spokane, term expired, as a member of the State Board of Health and Bureau of Vital Statistics, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Joe A. Gabel, Esq., Chehalis, appointed for term ending March 8, 1905, vice I. P. Callison, Esq., resigned, as State Librarian, by the following vote: Yeas, 40; absent or not voting, 2.

The Senate confirmed the appointment of Grant Neal, Esq., appointed for term ending March 31, 1905, vice Hon. Henry Drum, resigned, as a member of the State Board of Control, by the following vote: Yeas, 40; absent or not voting, 2.

On motion, at 12 o'clock noon the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

President Smith called the Senate to order at 2 o'clock p. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Graves, excused.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 3, 1903.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 160, amending section 29 of "An act providing for the assessment and collection of taxes." Also, the Speaker has signed Senate bill No. 72, entitled "An act providing for the protection of employes in factories."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORTS OF SPECIAL COMMITTEE.

OLYMPIA, WASH., March 4, 1903.

To the Honorable President and Members of the Senate, and the Honorable Speaker and Members of the House of Representatives, Eighth Washington Legislature:

GENTLEMEN—Your Committee, appointed to investigate the charge

of fraud or collusion in connection with the state printing, beg leave to report as follows:

The House committee, consisting of Messrs. Levy, Gunderson and Lindsley, after their appointment, held three meetings, and at such meetings had before it as witnesses the following: Hon. Sam H. Nichols, Secretary of State; Hon. John D. Atkinson, State Auditor; Messrs. G. W. Hopp, Gwin Hicks, J. O'B. Scobey. After the appointment of the Senate committee, consisting of Senators Angle, Tucker and LeCrone, the two committees met in joint session, Senator Angle as chairman of such joint committee.

At the joint sessions the joint committee had before it and examined at different times the following witnesses: H. C. Piggott, S. A. Madge, P. L. Allen, A. B. Howe, Ethan Allen, Gwin Hicks and F. T. Houghton.

Mr. F. M. Halstead, House Clerk, attended upon the committee and took down the testimony of the respective witnesses in shorthand, and is now, under the direction of the committee, transcribing the same, to be filed with this report.

Your committee went as fully into the investigation of the actual facts in connection with the printing award made by the State Printing Board in June 1902, as could be done with the information the committee had to begin with, and the evident reluctance and neglect of the different witnesses to give your committee a candid and fair statement of the facts as they were. After absolute denials of any knowledge of facts, and positive contradictions in different witnesses' testimony (as will appear from the record of said testimony), your committee succeeded in getting from all witnesses an admission of certain material and important facts, which are the real basis of the charge which the committee was appointed to investigate. After a very full and careful consideration of all the evidence before the committee, your committee, as a conclusion therefrom, find the following facts to be proven:

1st. That the State Printing Board adopted and used the blank on which bids were submitted from the blank in use in Minnesota, from which the present law governing state printing was taken.

2d. That the State Printing Board employed the same method in tabulating and determining the bids in 1902 that had been followed by the board in 1901, and that all bidders were, or ought to have been, familiar with such established method.

3rd. That, according to the method and system of tabulating and determining bids established by the State Printing Board, the contracts for state printing were awarded by said board in 1902 to the lowest bidder in each instance.

4th. That each of the bidders in 1902 secured the award to them of the contract for the class of printing bid on by them, except the Olympia Tribune Publishing Company, of Olympia, which was the highest bidder, as determined by said board.

5th. That, after the printing contracts had been awarded, the said Olympia Tribune Publishing Company, by and through Messrs. Madge and Scobey, its officers and agents, claimed and insisted to the successful bidders, that it, the Olympia Tribune Publishing Company, was the lowest bidder, and threatened to bring suit to compel the award to it of the contract for the state printing, and, whether such suit should succeed or not, to thereby harrass, delay and prevent the successful bidders, as determined by the board, from obtaining early consummation of the contract awarded to them, and to hinder them in obtaining and completing the work under their respective bids. That, induced by such threats, and in fear of the delay which such suit would entail, the successful bidders at such time, in consideration of the agreement by Madge and Scobey not to bring the threatened suit, agreed to, and did, pay to S. A. Madge, for the Olympia Tribune Publishing Company, the sum of \$1,500, as follows: Gwin Hicks, Olympia, \$300; Inland Printing Company of Spokane, \$300; Metropolitan Press of Seattle, \$300; Allen & Lamborn of Tacoma, \$300, and Pioneer Binding & Printing Company, Tacoma, \$300. That, in this connection, it was denied by Mr. Gwin Hicks that the \$300 paid by him was on his own account, but he insists that the \$300 then paid by him was to make up a deficit not then had by the other bidders, and was to be repaid to him in equal sums of \$75 each by the other four successful bidders; but, it appearing from the testimony that such sum has not been paid to Gwin Hicks, and that he has made no demand therefor, the committee is of the opinion that the \$300 paid by Gwin Hicks was on the same terms and conditions, and for the same consideration, as that paid by the other bidders.

6th. That the contracts awarded by the board in 1902 were, and are, in fact, at prices slightly lower than the present existing rates for commercial printing of a similar class in the cities of Seattle, Tacoma and Spokane, and that the contracts as awarded will earn to the respective bidders securing them a profit of from 25 to 35 per cent on the amount of their contracts.

7th. That, while no direct testimony to the fact could be secured by your committee, the natural inference to be drawn from the testimony and the facts thoroughly proved, is that there was collusion between all the bidders, except the Olympia Tribune Publishing Company, previous to the submitting of their bids, to the following effect:

a That Gwin Hicks, because of his having an equipped plant at Olympia, should be allowed to submit the lowest bid for printing in the first class.

b That the other bidders should be allowed to submit the lowest bids and secure the contract to them, respectively, of the awards which were later awarded to them.

From the whole investigation conducted by your committee, and the facts developed by such investigation, it is the opinion of your commit-

tee that the present law governing the state printing is, if properly construed, adequate and sufficient in general to cover the subject, but that the system and method of making, tabulating and determining bids, as adopted and established by the State Printing Board in 1901, and followed in 1902, is not the proper one, and is not consistent with the provisions of the statute (section 7757, Pierce's Code) in that respect.

The statute provides "* * * The contract shall be let to the person who shall bid to execute the work at the greatest per centum of discount from the maximum prices established by law, such per centum of discount to be uniform on every item of work * * *"

Instead of requiring bidders to discount every item a uniform per centum, according to the plain provisions of the statute, the board accepted and considered bids, and awarded contracts thereon, where the discount was not uniform, but where the bidder would slightly discount the items which almost wholly comprised the class of work for which the bid was submitted, and would largely discount the items of no particular consideration in such class, thereby bringing the average discount of all items to a large per centum on the face, indicating a liberal discount from maximum rates, while in fact, the bid being submitted for one class, the real discount from the maximum rate would be, and was, very small.

By such methods collusion between bidders was and is invited. It was, and is, easy for bidders to agree on the class for which each will make particular effort to secure, and to give the appearance of competitive bidding, when, in fact, there is no competition. The testimony before the committee clearly shows the system, method and plan adopted by the State Printing Board in 1901, and followed in 1902, for the computing, tabulating and determining of bids, was the suggestion and recommendation of Mr. Houghton, the State Printing Expert, who is the adviser and secretary of said board.

Your committee would recommend that section 3 of "An act to provide for the state printing and binding," etc., approved March 13, 1899, being section 7757 of Pierce's Code, be amended by adding to said section the following proviso:

"Provided, further, that if it shall appear to the satisfaction of said board that such bids are collusive, it shall refuse to consider such bids, and shall readvertise for sealed bids, as hereinbefore provided."

We present and file herewith the report of W. W. McGuire, expert employed by the House committee to assist it in its investigation.

Respectfully submitted,

GRANT C. ANGLE,

S. M. LECRONE,

O. A. TUCKER,

Senate Committee.

L. LEVY,

G. B. GUNDERSON,

J. B. LINDSLEY,

House Committee.

SUPPLEMENTAL REPORT.

OLYMPIA, WASH., March 4, 1903.

To the Honorables, the President and Members of the Senate, and to the Speaker and Members of the House of Representatives:

GENTLEMEN—While the undersigned concurs in the general report, it is desired by me that the Legislature be placed in possession of further facts not fully mentioned in the general committee report.

Having estimated the general amount in the aggregate of printing for the past year, I find that the sum of money expended is about \$40,000.00, and the per centage paid for composition and presswork, which are the main items of the printing contracts, amount up to about 90 per cent of the total expenditure. This will bring that amount to about \$35,000.00.

By the closest estimates made I find that the bid of the Olympian Printing Co. on that class of work would be about 20 per cent less than the other so-called lowest bidders. Therefore, 20 per cent. deducted from the \$35,000.00 would be a saving of \$7,000.00. On the other 10 per cent. of the work I find that the other bidders, or so-called lowest bidders, bid about 25 per cent. less, or about \$1250.00 less than the Olympian bid, which, after deducting same from the \$7,000.00, would still leave the Olympian bid \$5,750.00 lower than the amount of the so-called lowest bidders. In fact, to a person looking into the matter thoroughly, it would appear that the matter had been gerrymandered.

Further, that the evidence before the committee shows that Expert Houghton had the matter under supervision according to the Minnesota law and its requirements. I find that such law has not been complied with in so far that the discount percentage has not appeared to be uniform in the bids.

I further find from Mr. Houghton's statement that he has put in only about one-third of his time in attending to the duties of his office, and believe that he should be paid accordingly.

Further, that Mr. Gwinn Hicks testified before your committee on two occasions, and on the second occasion he admitted, in reply to a question by Mr. Lindsley, that he had testified falsely at his previous examination. But claimed that he had been urged to do so (like Adam in the Bible). Hicks' evidence also shows that he had raised on the price of a bid on work amounting to about \$11,000.00, nearly, or about 18 per cent. The amount of difference to the State would therefore be about \$2000. Whether the raise was legal or not I am unable to determine, and believe that the same should be referred to the Attorney General.

Further, while I believe that the position of the Olympian is a legitimate one, in accepting \$1,500.00, I desire to say that I believe its bid was far lower than the so-called lowest bidders. I further believe that by the collusion of the contracting printers the State of Washington will, by careful estimate, be the loser by about \$5,750.00, which I esti-

mate the Olympian's bid would have saved to the State. Which said sum I recommend should be deducted from the bills of the contracting printers pro rata.

Respectfully submitted,

L. LEVY.

Senator Tucker moved that the report of the committee, exclusive of the supplemental report, be accepted.

Senator Hamilton moved as an amendment that the supplemental report be included.

The amendment prevailed, and the two reports ordered spread on the records.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER.

OLYMPIA, WASH., March 4, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 112, entitled "An act for the relief of the Washington State Sugar Company."

Also, Senate bill No. 70, entitled "An act relating to drainage districts."

Also, Senate bill No. 49, entitled "An act to amend section 6 of an act entitled "An act in relation to attachments and garnishments."

Also, Senate bill No. 152, entitled "An act relating to the tide lands of the city of Hoquiam," etc.

Also, Senate memorial No. 7, To the Honorable the Senate and House of Representatives of the United States, relating to the dredging of the Duwamish, White and Black rivers.

Have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: H. E. McKenney, J. R. O'Donnell.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., March 4, 1903.

MR. PRESIDENT:

We, your Committee on Corporations Other Than Municipal, to whom was referred House bill No. 71, entitled "An act to amend sections 1, 4, 6, 25, 31 and 39 of an act entitled "An act relating to building, loan and savings associations doing a general business," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. RANDS, Chairman.

We concur in this report: Geo. J. Hurley, C. F. Clapp, E. B. Palmer, R. M. Kinnear, Herman D. Crow, W. P. Reser, T. B. Sumner.

MR. PRESIDENT:

We your Committee on Corporations Other Than Municipal, to whom was referred House bill No. 338, entitled "An act to amend chapter CLXXIV, Session Laws of 1901, entitled 'An act regulating fraternal beneficiary societies, orders or associations,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it pass as amended:

Amend title to read as follows: "An act to amend section 1 of an act entitled 'An act regulating fraternal, beneficiary societies, orders or associations,' approved March 18, 1901."

In section 1, line 1, strike words commencing with second section 1 and ending with figures "1901," and insert in lieu thereof the following: "That section 1 of an act entitled 'An act regulating fraternal beneficiary societies, orders and associations,' approved March 18, 1901."

E. M. RANDS, Chairman.

We concur in this report: Geo. J. Hurley, W. F. Ciapp, W. P. Reiser, E. B. Palmer, Herman D. Crow, A. S. Ruth, T. B. Sumner.

The report was adopted.

MR. PRESIDENT:

We, a majority of your Joint Committee on Appropriations, to whom was referred Senate bill No. 146, entitled "An act to provide for the redemption of scrip issued by the commissioners for the State of Washington to the Trans-Mississippi and International Exposition at Omaha," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: J. P. Sharp, O. T. Cornwell, E. Hammer, A. S. Ruth.

MR. PRESIDENT:

We, a minority of your Joint Committee on Appropriations, to whom was referred Senate bill No. 146, entitled "An act to provide for the redemption of scrip issued by the commissioner for the State of Washington to the Trans-Mississippi and International Exposition at Omaha," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

R. M. KINNEAR.

G. B. WILSON.

H. RASHER.

JOHN EARLES.

E. M. RANDS.

GEO. H. BAKER.

On motion of Senator Hamilton, the bill, together with the two reports, was made a special order for Thursday, March 5, 1903, at 2 o'clock p. m.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 171, entitled "An act making an appropriation for rent of room and vault in southeast corner of basement of the Thurston county court house," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

ED. S. HAMILTON, Chairman.

We concur in this report: O. T. Cornwell, J. P. Sharp, H. Rasher, R. M. Kinnear, E. Hammer, Geo. H. Baker, G. B. Wilson, John Earles, E. M. Rands.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 233, entitled "An act to appropriate \$29.95 for the relief of M. Billings."

Also House bill No. 91, entitled "An act making an appropriation for the relief of H. A. Percival for indexing the Session Laws."

Also House bill No. 233, entitled "An act for the relief of, Geo. A. Brooke."

Have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that they do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: O. T. Cornwell, J. P. Sharp, H. Rasher, R. W. Kinnear, E. Hammer, Geo. H. Baker, G. B. Wilson, A. S. Ruth, John Earles.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 153, entitled "An act appropriating money for the reimbursement of Yakima county for money erroneously paid into the state treasury by said county."

Also House bill No. 242, entitled "An act authorizing the State Auditor to give Kittitas county, Washington, credit on tax roll account for the year 1901."

Also Senate bill No. 193, entitled "An act for the relief of Thurston county."

Also House bill No. 133, entitled "An act for the relief of Franklin county, and making an appropriation therefor."

Have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that they do pass.

Respectfully submitted,

O. T. CORNWELL.
H. RASHER.
J. P. SHARP.
R. M. KINNEAR.
E. HAMMER.
GEO. H. BAKER.
G. B. WILSON.
A. S. RUTH.
JOHN EARLES.

Senator Hamilton stated that he had not signed the reports of House bill No. 153, House bill No. 242, Senate bill No. 193, House bill No. 133, and reserved the right to oppose the bills.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 87, entitled "An act for the relief of Frank T. Reed for money expended while superior judge of the State of Washington, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: O. T. Cornwell, J. P. Sharp, R. M. Kinnear, E. Hammer, Geo. H. Baker, G. B. Wilson, H. Rasher, A. S. Ruth, John Earles.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 226, entitled "An act making an appropriation for the purpose of completing the chemistry building of the Washington Agricultural College," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: O. T. Cornwell, H. Rasher, R. M. Kinnear, E. Hammer, Geo. H. Baker, G. B. Wilson, A. S. Ruth, John Earles.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 126, entitled "An act making an appropriation for certain deficiencies for fiscal periods prior to March 31, 1903, and for other purposes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: J. P. Sharp, R. M. Kinnear, O. T. Cornwell, E. Hammer, G. B. Wilson.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 113, entitled "An act appropriating money for the payment of certain judgments against the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted, ED. S. HAMILTON, Chairman.

We concur in this report: J. P. Sharp, R. M. Kinnear, O. T. Cornwell, E. Hammer, G. B. Wilson, E. M. Rands.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred House bill No. 191, entitled "An act fixing the penalty for persons convicted a second and third time of felony, and providing a mode of procedure in such cases," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted, O. T. CORNWELL, Chairman.

We concur in this report: A. J. Splawn, W. G. Potts, R. M. Kinnear, W. P. Reser.

Sent to the Judiciary Committee.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred House bill No. 231, entitled "An act changing the name of the State Reform School to the State Industrial School," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted, O. T. CORNWELL, Chairman.

We concur in this report: A. J. Splawn, W. G. Potts, R. M. Kinnear, W. P. Reser.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 209, entitled "An act declaring women eligible to the office of notary public," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted, HERMAN D. CROW, Chairman.

We concur in this report: Warren W. Tolman, E. B. Palmer, E. M. Rands, R. M. Kinnear, H. E. McKenney.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 9, "Relating to the support of disabled soldiers and sailors of the United States outside of the Washington State Soldiers' Home at Orting," have had the same under consideration, and we

respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

E. BAUMEISTER, Chairman.

We concur in this report: Wm. Hickman Moore, G. Garber.

The secretary read the following communication:

Gentlemen of the State Senate, the House of Representatives, and the Press of Washington:

Mrs. M. D. Owings and son, Mr. Frank C. Owings, desire to express their sincere gratitude for the kindness and sympathy extended by you to them in their recent bereavement, and to the Senate especially for the beautiful floral offering in honor of the memory of Colonel W. H. Owings, one who was always a most loyal and patriotic citizen.

Olympia, March 2, 1903.

Senator Hamilton moved the acceptance of the communication and that it be entered upon the records.

The motion prevailed.

The hour having arrived for consideration of House bill No. 26, by Mr. Lewis, entitled "An act to prohibit the operation, playing, etc., of nickel-in-the-slot machines," etc., the bill was read the third time.

Senator Hemrich moved that section 1, line 8, be amended by striking the words at beginning of line, "or for any property or thing of value whatever."

The amendment failed to prevail, and the bill was again placed on its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, Splawn, Stewart, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—35.

Those voting nay were: Senators Davis, Hemrich, Kinnear, Stansell, Sumner, Van de Vanter—6.

Absent or not voting—Graves—1.

The hour having arrived for consideration of Senate bill No. 69, by Senator Sumner, entitled "An act to regulate the growing and cultivation of oysters, etc., upon the land and in the waters of the State of Washington," etc., the bill, with majority and minority reports:

Majority report from the Committee on State Granted, School and Tide Lands, that the bill do not pass.

Minority report that the bill go on general file.

Majority report of the Fisheries Committee, that the bill do pass, with amendments.

Minority report that the bill do not pass.

Senator Palmer moved the adoption of the majority report of the Fisheries Committee.

Senator Angle moved as an amendment that House substitute bill No. 271 be substituted for Senate bill No. 69 and reports.

Roll call was demanded by Senators Angle, Tolman, Welty, Welsh, Moultray, Hammer and LeCrone on the motion to substitute House bill No. 271 for Senate bill No. 69.

The roll was called, and the motion to substitute House bill No. 271 for Senate bill No. 69 prevailed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Cornwall, Crow, Garber, Hailey, Hallett, LeCrone, McKenney, Moore, O'Donnell, Potts, Rasher, Reser, Ruth, Sharp, Stansell, Stewart, Tolman, Warburton, Welsh, Welty—22.

Those voting nay were: Senators Baker, Clapp, Davis, Earles, Hamilton, Hammer, Hemrich, Hurley, Kinnear, Moultray, Palmer, Rands, Smith, Sumner, Tucker, Van de Vanter, Wilson, Mr. President—18.

Absent or not voting were: Senators Graves and Splawn—2.

The bill was read first and second times; and, on motion of Senator Palmer, the bill was rereferred to the Fisheries Committee.

The hour having arrived for consideration of House bill No. 147, by Mr. Lewis, entitled "An act to prohibit the maintaining of gambling resorts, declaring the same a felony, and prescribing a penalty therefor," on motion of Senator Van de Vanter the vote by which House bill No. 147 was passed was reconsidered.

On motion of Senator Tolman the following petitions and telegrams were read by the Secretary and ordered spread upon the records:

Senators E. B. Palmer, A. T. Van de Vanter and Cyrus F. Clapp each received a copy of the following telegram:

SEATTLE, WASH., March 4, 1903.

To Senator E. B. Palmer, Olympia, Wash.:

We urge you to favor reconsideration of bill making gambling a

felony. This measure is drastic and will afford opportunity for increased corruption. The present law is adequate, and if enforced will result in complete suppression of gambling, as evidenced by the condition prevailing here today.

Schwabacher Bros & Co., Inc., by S. Aronsen, secretary and treasurer; Mitchell, Lewis & Staver Company, by F. M. Mitchell; M. & K. Gottstein, by K. Gottstein; Lawrence L. Moore Company, by F. J. Victor; Wittler-Corbin Machine Company, by W. J. Corbin, manager; Kreilelshimer Bros.; W. S. Grinsfelder Company, by W. S. Grinsfelder; Golden Rule Bazaar Company, by H. J. Burnstein, secretary; Jacob Furth, president Puget Sound National Bank; R. R. Spencer, National Bank of Commerce; J. D. Hoge, Jr., First National Bank; A. L. Cohen; W. H. Howard Company, by W. R. Williams, agent; A. H. Harrison & Co.; Albert Hansen, Schwabacher Hardware Company, by Geo. S. Schwabacher; Riverside Stone Company, by Bell, Price & Co.; Grant & Williams, by Sam. A. Williams; National Grocery Company; P. Pendleton, Jr.; Independent Brewing Company, by Lobe & Moyses, managers; Columbia River & Northern Railway Company, by U. Z. Ellery, manager; The Leslie-Henry Company, by J. C. Leslie; Edward Rosenberg; Hardy & Hall Arms Company, by Wm. Hardy; Goldberg Bros., Inc., by H. K. Goldberg; Seller & Co., by Sol. Fredenthal; Henry Fuhrman; Hotel Northern, by R. R. Nickson; L. Goldstein; Laconner Trading Transportation Company, by Joshua Green, president; T. H. Buck & Co., Inc.; Williams Bros.; J. Michaels; D. & A. Coblentz; J. J. Haggarty & Co.; J. B. Webber & Co.; Higlivance Wine Company, by S. Higlivance; Standard Furniture Company, by Ralph A. Schoenfeld, secretary; Frank Atwood; Globe Wall Paper Company; Olympus Cafe, by J. R. Walker, proprietor; Albert Hambach; W. S. Williams; Joe Rosenberg; Will H. Morris, attorney; John F. Dorr, attorney; J. P. Gleason, president American Savings Bank; M. Prager & Co.; Sherman, Clay & Co., by C. H. Meyer.

SEATTLE, WASH., March 4, 1903.

To Senator A. T. Van de Vanter, Olympia, Wash.:

We urge you to favor reconsideration of bill making gambling a felony. This measure is drastic and will afford opportunity for increased corruption. The present law is adequate, and if enforced will result in complete suppression of gambling, as evidenced by the condition prevailing here today.

Schwabacher Bros. & Co., Inc., by S. Aronsen, secretary and treasurer; Mitchell, Lewis & Staver Company, by F. M. Mitchell; M. & K. Gottstein, by K. Gottstein; Lawrence L. Moore Company, by F. J. Victor; Wittler-Corbin Machine Company, by W. J. Corbin, manager; Kreilelshimer Bros.; W. S. Grinsfelder Company, by W. S. Grinsfelder; Golden Rule Bazaar Company, by H. J. Burnstein, secretary; Jacob Furth, president Puget Sound National Bank; R. R. Spencer, National Bank of Commerce; J. D. Hoge, Jr., First National Bank; A. L. Cohen;

W. H. Howard Company, by W. R. Williams, agent; A. H. Harrison & Co.; Albert Hansen, Schwabacher Hardware Company, by Geo. S. Schwabacher; Riverside Stone Company, by Bell, Price & Co.; Grant & Williams, by Sam. A. Williams; National Grocery Company; P. Pendleton, Jr.; Independent Brewing Company, by Lobe & Moyse, managers; Columbia River & Northern Railway Company, by U. Z. Ellery, manager; The Leslie-Henry Company, by J. C. Leslie; Edward Rosenberg; Hardy & Hall Arms Company, by Wm. Hardy; Goldberg Bros., Inc., by H. K. Goldberg; Seller & Co., by Sol. Fredenthal; Henry Fuhrman; Hotel Northern, by R. R. Nickson; L. Goldstein; Laconner Trading Transportation Company, by Joshua Green, president; T. H. Buck & Co., Inc.; Williams Bros.; J. Michaels; D. & A. Coblentz; J. J. Haggarty & Co.; J. B. Webber & Co.; Higlivance Wine Company, by S. Higlivance; Standard Furniture Company, by Ralph A. Schoenfeld, secretary; Frank Atwood; Globe Wall Paper Company; Olympus Cafe, by J. R. Walker, proprietor; Albert Hambach; W. S. Williams; Joe Rosenberg; Will H. Morris, attorney; J. P. Gleason, president American Savings Bank; M. Prager & Co.; Sherman, Clay & Co., by C. H. Meyer.

SEATTLE, WASH., March 4, 1903.

To Senator Cyrus Clapp, Olympia, Wash.:

We urge you to favor reconsideration of bill making gambling a felony. This measure is drastic and will afford opportunity for increased corruption. The present law is adequate, and if enforced will result in complete suppression of gambling, as evidenced by the condition prevailing here today.

Schwabacher Bros. & Co., Inc., by S. Aronsen, secretary and treasurer; Mitchell, Lewis & Staver Company, by F. M. Mitchell; M. & K. Gottstein, by K. Gottstein; Lawrence L. Moore Company, by F. J. Victor; Wittler-Corbin Machine Company, by W. J. Corbin, manager; Kreilshimer Bros.; W. S. Grinsfelder Company, by W. S. Grinsfelder; Golden Rule Bazaar Company, by H. J. Burnstein, secretary; Jacob Furth, president Puget Sound National Bank; R. R. Spencer, National Bank of Commerce; J. D. Hoge, Jr., First National Bank; A. L. Cohen; W. H. Howard Company, by W. R. Williams, agent; A. H. Harrison & Co.; Albert Hansen, Schwabacher Hardware Company, by Geo. S. Schwabacher; Riverside Stone Company, by Bell, Price & Co.; Grant & Williams, by Sam. A. Williams; National Grocery Company; P. Pendleton, Jr.; Independent Brewing Company, by Lobe & Moyse, managers; Columbia River & Northern Railway Company, by U. Z. Ellery, manager; The Leslie-Henry Company, by J. C. Leslie; Edward Rosenberg; Hardy & Hall Arms Company, by Wm. Hardy; Goldberg Bros., Inc., by H. K. Goldberg; Seller & Co., by Sol. Fredenthal; Henry Fuhrman; Hotel Northern, by R. R. Nickson; L. Goldstein; Laconner Trading Transportation Company, by Joshua Green, president; T. H. Buck & Co., Inc.; Williams Bros.; J. Michaels; D. & A. Coblentz; J. J. Haggarty & Co.; J. B. Webber & Co.; Higlivance Wine Company, by S. Higl-

vance; Standard Furniture Company, by Ralph A. Schoenfeld, secretary; Frank Atwood; Globe Wall Paper Company; Olympus Cafe, by J. R. Walker, proprietor; Albert Hambach; W. S. Williams; Joe Rosenberg; Will H. Morris, attorney; J. P. Gleason, president American Savings Bank; M. Prager & Co.; Sherman, Clay & Co., by C. H. Meyer.

SEATTLE, WASH., March 2, 1903.

To the Hon. Wm. H. Moore, Olympia, Wash.:

We urge you to oppose reconsideration of the bill making gambling a felony. We believe that as a business proposition the law ought to stand.

B. C. Van Houten, Robert Moran, M. A. Gottstein, J. M. Frink, L. C. Gilman, Stewart & Holmes Drug Company, Seattle Hardware Company, Spelger & Hurlbut, W. B. Hutchinson Company, Daulton Carpet Company, Struve, Allen, Hughes & McMicken, A. P. Mitten, Peters & Rowell, Crawford & Conover.

SEATTLE, WASH., March 2, 1903.

To the Hon. E. B. Palmer, Olympia, Wash.:

We urge you to oppose reconsideration of the bill making gambling a felony. We believe that as a business proposition the law ought to stand.

B. C. Van Houten, Robert Moran, M. A. Gottstein, J. M. Frink, L. C. Gilman, Stewart & Holmes Drug Company, Seattle Hardware Company, Spelger & Hurlbut, W. B. Hutchinson Company, Daulton Carpet Company, Struve, Allen, Hughes & McMicken, A. P. Mitten, Peters & Rowell, Crawford & Conover.

SPOKANE, WASH., March 2, 1903.

Spokane County Delegation, the Senate, Olympia, Wash.:

GENTLEMEN: We would respectfully urge you to work and vote for the reconsideration of the anti-gambling bill.

The Grote-Rankin Company, per F. H. Grote, president; F. H. Grote, Holley, Mason, Marks & Co., Howell Peel; White House Clothing Company, W. W. Dreyfoos, Joseph A. White, O. C. Jensen, J. C. Byrd, J. Monaghan, C. S. Penfield, R. J. Hurd & Co., M. & S. Schulein, William J. Harris, The Hill Shoe Company, by Geo. T. Crane; Geo. T. Crane, The Sloane-Paine Company, Whitehouse Company, by F. E. Goodall, president; H. J. Kressly, F. H. Graves, Sullivan, Nuzum & Nuzum, E. D. Sanders, LeRoy Waller, F. C. Eldred, P. Clark, M. R. Galusha & Son, Henry B. Luhn, Philip McArdle, S. Seitenbach, Alonzo M. Murphey, Exchange National Bank, by E. J. Dyer, president; E. J. Dyer, The Traders' National Bank, by A. Kuhn, vice president; Centennial Mills Company, O. G.; M. M. Cowley, Geo. M. Forster, Spokane Brewing & Malting Company, J. E.; W. J. C. Wakefield, H. M. Stephens, Post, Avery & Higgins, M. Sellers & Co., Inc., Fred B. Grinnell, E. B. Hyde, A. S. Crowder, Austin Corbin 2d, Sam'l R. Stern, Peter Larson, B. L. Gordon Company, Benham & Griffith, Kelley-Clarke Company, D. Holzman & Co., J. A. Schiller, Diamond Ice & Fuel Company, by F. W.

Branson; F. W. Branson, L. M. Davenport, Ryan & Newton Company, by L. M. Davenport, vice president; John W. Graham & Co., John W. Graham, president; Jones & Dillingham, P. S. Byrne, I. N. Peyton, Frank P. Hogan, L. B. Whitten, J. W. Gould, C. H. Doughten, Hotel Spokane, S. W. Norman; J. F. Reddy, Northwestern & Pacific Hypotheekbank (Northwestern & Pacific Mortgage Company), per Thomas G. Thomson, director and attorney-in-fact; Chicago Clothing Company, H. C. Hayward, Auditorium; The Washington Water Power Company, by Henry M. Richards, president.

SPOKANE, WASH., March 3, 1903.

To Senator Herman D. Crow:

We and hundreds others join names sent Senator Tolman opposing reconsideration of bill making gambling a felony. R. B. Paterson, J. M. Comstock, Kemp & Hebert, E. P. Jamieson, Yancey-Williams Company, George Hill, Walter Leigh.

SPOKANE, WASH., March 4, 1903.

To Senator Stanley Hallett, Senate:

God help you not to reconsider the anti-gambling bill.

SPOKANE W. C. T. U. FEDERATION.

SPOKANE, WASH., March 2, 1903.

To the Hon. George J. Hurley, Senate:

Our business men are strongly opposed to gambling bill now before senate. Please vote for reconsideration.

HAL J. COLE.

E. B. HYDE.

SPOKANE, WASH., March 3, 1903.

To Senator H. D. Crow:

Kindly erase my name from petition asking for reconsideration of anti-gambling bill.

O. C. JENSEN.

SPOKANE, WASH., March 3, 1903.

To Senator Herman D. Crow:

Please take my name off gambling bill petition sent yesterday.

JOHN W. GRAHAM.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 4, 1903.

MR. PRESIDENT:

The House has passed Senate bill No. 123, entitled "An act defining the crime of rape," etc., with the following amendments:

Strike out the emergency clause in the title and in the act.

And the same is herewith transmitted.

STONEY BUCK, Clerk of the House.

OLYMPIA, WASH., March 4, 1903.

MR. PRESIDENT:

The House has failed to concur in Senate amendments to House bill No. 19, and the Senate is requested to recede therefrom, and the bill is herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Hamilton House bill No. 147 was again placed upon its third reading for the purpose of making amendments thereto.

On motion of Senator Hamilton the vote whereby section 1, line 1, after the word "conduct," was amended by inserting the words "or allow to be conducted upon property owned by him or under his control," was reconsidered.

The amendment was lost.

On motion of Senator Ruth the vote whereby section 1, line 4, after the word "tan," was amended by inserting the word "raffle," was reconsidered.

The amendment was lost.

On motion of Senator Palmer the vote whereby section 1, line 4, after the word "banking," was amended by inserting the word "lottery," was reconsidered.

The amendment was lost.

On motion of Senator Hamilton the vote whereby section 1, line 7, was amended by inserting after the word "garden" the words "fair grounds," was reconsidered.

The amendment was lost.

On motion of Senator Palmer the rules were suspended, the bill placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, Splawn, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—37.

Those voting nay were: Senators Davis, Hemrich, Stansell, Van de Vanter—4.

Absent or not voting: Senator Graves—1.

On motion of Senator Warburton the rules were suspended, and

all bills passed today were ordered transmitted immediately to the House.

The President signed Senate memorial No. 7, and Senate bills Nos. 112, 70, 49 and 152.

The hour having arrived for the consideration of Senate substitute bill No. 156, by Committee on State Library, entitled "An act creating a State Library Commission, prescribing its duties, providing for the appointment of a State Librarian," etc., the bill was read the third time by sections down to section three.

On motion of Senator Tolman section 1 was amended by striking after the word "Governor" all of line 2 and line 3 up to and including the word "Justice," and insert in lieu thereof the words "the Judges of the Supreme Court."

Further reading of the bill was temporarily suspended.

Senator Van de Vanter gave notice that on tomorrow he would move for a reconsideration of the vote by which House bill No. 107 failed to pass.

On motion of Senator Palmer, at 4:45 o'clock p. m. the Senate adjourned until tomorrow at 10 o'clock a. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

FIFTY-THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, March 5, 1903. }
10 o'clock a. m. }

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Kinnear and Warburton, Senator Graves excused for the remainder of the session, and Senator Hammer excused.

Rev. W. S. Crockett offered prayer.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

Senator Rands introduced the following resolution and moved its adoption :

Resolved, That the sergeant-at-arms be and he is hereby authorized to purchase for the use of each member of this Senate who was not a member of the last Senate one copy of Pierce's Code of Washington.

On motion of Senator Palmer the resolution was laid on the table.

Senator Reser introduced the following Senate concurrent resolution No. 11, and moved its adoption :

WHEREAS, The Eighth Legislature of the State of Washington has been petitioned by various individuals and organizations to pass House bill No. 147, known as the anti-gambling bill;

Therefore be it Resolved by the Senate, the House concurring, That we petition and request that all persons, orthodox churches or other organizations, cease the worse kind of gambling, namely, raffling.

On motion of Senator Reser the resolution was adopted, 500 copies ordered printed, and ordered transmitted immediately to the House.

The reading by sections of Senate substitute bill No. 156, by Committee on State Library, entitled "An act creating a State Library Commission, prescribing its duties, providing for the appointment of a State Librarian," etc., was resumed from section 3.

Senator Welty moved to amend section 3, line 1, by striking after the word "of" the word "fifteen," and insert "eighteen" in lieu thereof.

The amendment failed to prevail.

On motion of Senator Tolman the bill was amended by adding the emergency clause.

On motion of Senator Tolman the rules were suspended, the bill was considered engrossed, placed upon its final passage, and passed by the following vote :

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Garber, Hailey, Hallett, Hamilton, Hemrich, Hurley, McKenney, Moore, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—33.

Those voting nay were: Senators Baker and Earles—2.

Absent or not voting were: Senators Graves, Hammer, Kinnear, LeCrone, Moultray, Rands, Van de Vanter—7.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hemrich, Hurley, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—34.

Absent or not voting were: Senators Davis, Graves, Hammer, Kinnear, Moultray, Rands, Sumner, Van de Vanter—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Tolman the rules were suspended and the bill ordered transmitted immediately to the House.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1903.

MR. PRESIDENT:

The House has passed the following bills:

House bill No. 202, amending an act to provide for the selection, survey, etc., of the state's granted lands.

House bill No. 305, amending sections 1347 and 1350 of volume 2 of Hill's Code.

House bill No. 220, governing pilotage on the waters of Puget Sound and its tributaries.

House bill No. 186, to protect stockholders and persons dealing with corporations.

House bill No. 294, providing for the improvement of Lake Chelan for navigation purposes.

House bill No. 353: An act amending the Code of Public Instruction.

House bill No. 168, prohibiting the importation of stock unless accompanied by certificate, etc.

House bill No. 285, amending an act regulating the selection of jurors.

House bill No. 300, to prevent the duplication of corporate entitlements.

House bill No. 313, providing for the framing of several legislative groups.

House bill No. 283, providing for monthly payment of assessors.

House bill No. 312, to restrict the running at large of live stock.

House bill No. 194, relating to revenue and taxation.

House bill No. 408, for relief of various accounts for temporary capitol building.

House bill No. 431, providing the rate of interest to be paid on bonds of Stevens County.

Senate bill No. 108, relating to the size of fruit boxes.

House bill No. 275, to prevent discrimination in the distribution of cars by railroad companies.

House bill No. 257, relating to the assessment and collection of taxes.

House bill No. 286, amending an act providing for the organization and classification of municipal corporations.

House bill No. 170, prohibiting the sale of intoxicating liquors within prescribed limits.

House bill No. 94, establishing a railroad and transportation commission.

And the same are hereby transmitted.

Also the Speaker of the House has appointed the following Conference Committee on House bill No. 19: Messrs. Raine, Roth and Gleason.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 136, being "An act to protect game animals and birds."

Also in Senate amendments to House bill No. 26, being "An act amending the act prohibiting the playing of nickel-in-the-slot machines."

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The Speaker has signed Senate bill No. 70, entitled "An act amending the act relating to drainage districts."

Also Senate bill No. 112, entitled "An act for the relief of the Washington State Sugar Company."

Also Senate bill No. 49, amending an act relating to attachments and garnishments.

Also Senate bill No. 152, entitled "An act relating to the tide lands of Aberdeen."

Also Senate memorial No. 7, relating to the Duwamish river.

Also House bill No. 160, providing for the assessment and collection of taxes.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

Senate bill No. 189, by Senator Crow, entitled "An act to change the name of the Washington Agricultural College, Experiment Station and School of Science," etc., was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister,

Clapp, Crow, Davis, Earles, Garber, Hailey, Hallett, Hemrich, Hurley, LeCrone, Moore, Rasher, Ruth, Smith, Stewart, Tolman, Tucker, Warburton, Welsh, Wilson—23.

Those voting nay were: Senators Cornwell, Hamilton, McKenney, O'Donnell, Potts, Reser, Sharp, Splawn, Stansell, Sumner, Welty, Mr. President—12.

Absent or not voting were: Senators Graves, Hammer, Kinnear, Moultray, Palmer, Rands, Van de Vanter—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hamilton the Senate refused to recede from its amendments to House bill No. 19, by the following vote:

Those voting yea were: Senators Earles, Hamilton, Rasher—3.

Those voting nay were: Senators Angle, Baker, Clapp, Crow, Davis, Garber, Hallett, LeCrone, Moore, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Warburton, Welsh, Welty, Mr. President—26.

Absent or not voting were: Senators Baumeister, Cornwell, Graves, Hailey, Hammer, Hemrich, Hurley, Kinnear, McKenney, Moultray, Sumner, Van de Vanter, Wilson—13.

The President appointed Senators Tucker, Hallett and O'Donnell as a conference committee.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., March 5, 1903.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 175, entitled "An act concerning the assessment and collection of taxes in the State of Washington, and amending an act," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it go on general file, together with the amendments inserted by the Judiciary Committee.

Respectfully submitted,

T. B. SUMNER, Chairman.

We concur in this report: O. T. Cornwell, J. R. O'Donnell, M. E. Stansell, Stanley Hallett, John T. Welsh, Herman D. Crow, Jno. Earles.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 82, entitled "An act to protect from fire forests and other property within the State of Washington," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. M. Rands, John T. Welsh, H. E. McKenney, E. B. Palmer, Wm. Hickman Moore.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 205, entitled "An act relating to recognizances, stipulations, bonds and undertakings," etc., have had the same under consideration, and respectfully report the same back to the Senate with the following amendment, and recommend that it be placed on general file.

Section 15, line 9, add to the section: "Provided, that nothing in this act affect bonds heretofore given."

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. M. Rands, John T. Welsh, H. E. McKenney, E. B. Palmer, Wm. Hickman Moore.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 159, entitled "An act relating to transmission of election returns to county auditor," etc., have had the same under consideration, and respectfully report the same back to the Senate with the following amendments, and recommend that it be placed on general file.

Section 1, line 4, between the words "and" and "the" strike the word "where" and insert the word "when."

Line 5, before the word "sent" strike the word "where" and insert the word "when."

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. M. Rands, John T. Welsh, H. E. McKenney, E. B. Palmer, Wm. Hickman Moore.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 129, entitled "An act prohibiting authorized fire insurance companies from reinsuring," etc., have had the same under consideration, and respectfully report the same back to the Senate with the following amendments, and recommend the same be placed on general file.

Section 1, line 3, after the word "reinsure" and before the word "any" insert the following: "any of its risks, or any part thereof, with."

Same section, line 8, after the second word "fixed" strike the word "upon."

Strike section 3.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. M. Rands, John T. Welsh, H. E. McKenney, E. B. Palmer, Wm. Hickman Moore, J. R. Welty.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 188, entitled "An act providing for giving notice of application for appointment of guardians of minors and insane persons," etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. M. Rands, John T. Welsh, H. E. McKenney, E. B. Palmer, Wm. Hickman Moore, J. R. Welty.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 238, entitled "An act fixing the punishment for failure for certain officers to execute their duties," have had the same under consideration, and respectfully report the same back to the Senate with the following amendments, and recommend that it be placed on general file:

Section 1, line 4, strike the words and figure "fourteen" and insert in lieu thereof the word and figure "five," and strike the word and figure "five" and insert in lieu thereof the word and figure "one," and strike the letter "s" on word "years" at last of sentence.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. M. Rands, John T. Welsh, H. E. McKenney, E. B. Palmer, Wm. Hickman Moore, J. R. Welty.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 239, entitled "An act relating to the orders, judgments and opinions of the Supreme Court of the State of Washington," etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Title, line 2, strike the word "thereto."

Section 1, line 4, strike the word "certified."

Section 1, line 6, after the word "therefor" strike the semi-colon and insert a period, and strike the balance of the section.

Strike section 2.

Strike section 3.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. M. Rands, John T. Welsh, H. E. McKenney, E. B. Palmer, Wm. Hickman Moore.

The report was adopted.

MR. PRESIDENT:

We, your Committee on State Charitable Institutions, to whom was referred Senate bill No. 217, entitled "An act in relation to the support of the poor and indigent, and establishing the liabilities of counties in reference thereto, and providing for the enforcement thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, line 5, strike out the words "and counties having a population greater than counties of the first class."

In section 2, line 2, after the word "laws" insert comma and strike out the words "and all."

Respectfully submitted,

LINCOLN DAVIS, Chairman.

We concur in this report: E. M. Rands, O. T. Cornwell, G. B. Wilson, S. M. LeCrone.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate bill No. 150, entitled "An act providing for the settlement of taxes assessed against mining property for the years 1899, 1900, 1901, 1902, and authorizing a compromise of disputes or suits relating thereto, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

M. E. STANSELL, Chairman.

We concur in this report: J. P. Sharp, H. Rasher, W. R. Moultray, Geo. J. Hurley, C. L. Stewart, T. B. Sumner.

MR. PRESIDENT:

We, your Joint Committee on Appropriations, to whom was referred Senate bill No. 247, entitled "An act relating to public printing and binding, and repealing an act entitled 'An act to provide for the state printing and binding, fixing the methods and rules to govern the

same," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: H. Rasher, O. T. Cornwell, J. P. Sharp, Geo. H. Baker, E. M. Rands, G. B. Wilson, A. S. Ruth, John Earles.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 328, entitled "An act authorizing towns of the fourth class to select an official newspaper," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

WARREN W. TOLMAN, Chairman.

We concur in this report: Wm. Hickman Moore, J. R. O'Donnell, R. M. Kinnear, W. R. Moultray.

MR. PRESIDENT:

We, your Committee on State Charitable Institutions, to whom was referred House bill No. 284, entitled "An act to provide for the acceptance and receipt by the superintendents of the different insane asylums of the state of money donated or given to or for the benefit of such asylums, and for the payment of any money so received into the state treasury," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

LINCOLN DAVIS, Chairman.

We concur in this report: E. M. Rands, O. T. Cornwell, Geo. B. Wilson, S. M. LeCrone.

MR. PRESIDENT:

We, your Committee on Dairying and Live Stock, to whom was referred House bill No. 122, entitled "An act to provide for the extermination of coyotes and wolves in the State of Washington, and for the payment of bounties for such extermination," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass amended as follows:

That there be added to the title the words "and making an appropriation therefor."

Add to section 5 the words "Provided, that the credits herein provided for shall not exceed fifty thousand (\$50,000.00) dollars."

Respectfully submitted,

A. J. SPLAWN, Chairman.

We concur in this report: H. E. McKenney, G. Garber, O. E. Hailey.

The report was adopted.

INTRODUCTION OF BILLS.

Amended House bill No. 124, by Mr. Easterday: An act to establish a code of probate law and procedure, including administration of estates of deceased persons, etc.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 168, by Mr. Dix: An act to prevent the introduction of diseased horses, cattle and swine into the State of Washington.

The bill was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Dairy and Live Stock.

House bill No. 431, by Messrs. Maloney and Cooney: An act providing for the rate of interest to be paid on bonds of Stevens County.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 305, by Mr. Kees: An act relating to the commitment and working of persons for nonpayment of fines and costs.

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 63, by Mr. Field: An act to provide for the protection of trout and other game fish, and providing a punishment, and declaring an emergency.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Miscellaneous.

House bill No. 75, by Mr. Work: An act amending section 21 of Chapter LXXI of the laws of 1897, relating to revenue and taxation, etc.

The bill was read the first time; and, on motion of Senator Angle, the rules were suspended, the bill was read the second

time by title, and referred to the Committee on Revenue and Taxation.

House bill No. 299, by Mr. Hunter: An act to repeal an act entitled "An act providing for the setting aside of certain school bonds to the use and for the benefit of the American Patriotic Memorial College," etc.

The bill was read the first time; and, on motion of Senator Angle, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 254, by Herchmer Johnston: An act amending section 4854 of Ballinger's Code, etc., relating to venue action against private corporations.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

House bill No. 317, by Mr. Gleason: An act amending an act entitled "An act to define the duties, and provide for assistance for, and fix the compensation of, the Secretary of State," etc.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 295, by Mr. Johnson: An act providing for the assessment of taxes assessed against mining property for the years 1899, 1900, 1901 and 1902, and authorizing a compromise of disputes or suits relating thereto.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Mines and Mining.

House bill No. 94, by Mr. Dix: An act to establish a railroad and transportation commission for the State of Washington.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Railroads and Transportation.

House bill No. 202, by Mr. Howell: An act to amend section 30 of an act entitled "An act to provide for the selection, survey,

etc., of the State's granted, school, tide, oyster and other lands," etc.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 408, by Committee on Claims and Auditing: An act for the relief of various persons furnishing materials and equipment for the temporary capitol building.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Claims and Auditing.

House bill No. 300, by Mr. Johnston: An act to prevent the duplication of corporate entitlement.

The bill was read the first time; and, on motion of Senator Moore, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Corporations Other Than Municipal.

House bill No. 285, by Mr. Mackenzie: An act providing for and regulating the selection of jurors in the Superior Courts of the State.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 286, by Mr. Roth: An act amending an act providing for the classification and government of municipal corporations.

The bill was read the first time; and, on motion of Senator Moultray, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 312, by Mr. Stark: An act to restrict the running at large of live stock, etc.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Dairy and Live Stock.

House bill No. 313, by Mr. Hopp: An act providing for the

framing of the several photographic groups of the several legislative bodies, etc.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 170, by Mr. Raine: An act prohibiting the sale of intoxicating liquors within prescribed limits of any normal school, etc.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 194, by Mr. Gunderson: An act relating to revenue and taxation.

The bill was read the first time; and, on motion of Senator Smith, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

House bill No. 196, by Mr. Lindsley: An act to protect stockholders and persons dealing with corporations in this State.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 294, by Mr. Field: An act providing for the improvement of Lake Chelan for navigation purposes.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Irrigation and Arid Lands.

House bill No. 220, by Mr. Hastings: An act governing pilotage on the waters of Puget Sound and its tributaries, etc.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Commerce.

House bill No. 353, by Messrs. Witter and Mackenzie: An act amending an act entitled "An act to amend an act entitled and cited as the Code of Public Instruction of the State of Washington, etc., relating to the expense of indigent pupils," etc.

The bill was read the first time; and, on motion of Senator

Welty, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

House bill No. 275, by Mr. Veness: An act to prevent discrimination in the distribution of railroad cars.

The bill was read the first time; and, on motion of Senator Smith, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Manufactures.

House bill No. 283, by Mr. Parcel: An act providing for the monthly pay of the assessors of the State of Washington.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Miscellaneous.

House bill No. 257, by Mr. Frostad: An act relating to assessment and collection of taxes.

The bill was read the first time; and, on motion of Senator Sumner, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

House bill No. 34, by Mr. Easterday: An act authorizing the taking of private property for the use of public school districts for school house sites, upon making just compensation.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 279, by Mr. Easterday: An act amending section 7039 of Ballinger's Code, defining murder in the second degree, and fixing the penalty therefor.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House substitute bill No. 271, by Committee on Fisheries: An act creating a State Oyster Land Commission, defining its duties, making an appropriation, and providing a penalty.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

GENERAL FILE.

House bill No. 93, by Mr. Jones, entitled "An act to enable school boards of cities of 10,000 or more to establish and maintain parental or truant schools," etc., was read the third time.

On motion of Senator Moore section 1, line 1, was amended by striking the figures "10,000" and inserting in lieu thereof the figures "50,000," and in line 2 of engrossed bill by striking out the figures "10,000" and inserting in lieu thereof the figures "50,000."

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—35.

Absent or not voting were: Senators Cornwell, Graves, Hailey, Hammer, Kinnear, Potts, Tucker—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 119, by Mr. Gunderson, entitled "An act compelling the attendance of children at schools, where tuition, food and clothing are furnished."

The bill was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Sumner, Tolman, Tucker, Warburton, Welsh, Wilson, Mr. President—33.

Absent or not voting were: Senators Baker, Cornwell, Graves, Hailey, Hammer, Kinnear, Stewart, Van de Vanter, Welty—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 214, by Mr. Gleason, entitled "An act for the establishment and maintenance of drainage systems," etc.

The bill was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hemrich, Hurley, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—35.

Absent or not voting were: Senators Crow, Graves, Hammer, Kinnear, McKenney, Rasher, Van de Vanter—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 186, by Senator Moore, entitled "An act relating to bonds of guardians," etc.

The bill was read the third time; and, on motion of Senator Moore, the rules were suspended, the bill was considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Warburton, Welsh, Wilson, Mr. President—36.

Absent or not voting were: Senators Graves, Hammer, Kinnear, Tucker, Van de Vanter, Welty—6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 185, by Senator Moore, entitled "An act to provide for appeals from the Board of State Land Commissioners."

The bill was read the third time; and, on motion of Senator Moore, the bill was considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, Splawn, Stewart, Sumner, Tolman, Warburton, Welsh, Wilson, Mr. President—32.

Absent or not voting were: Senators Baker, Graves, Hailey, Hammer, Kinnear, Rasher, Stansell, Tucker, Van de Vanter, Welty—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 97, by Mr. Raine, entitled "An act relating to the issuance and service of writs of garnishments," etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Baumeister, Clapp, Crow, Davis, Garber, Hallett, Hamilton, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, Splawn, Stewart, Tolman, Tucker, Warburton, Welsh, Wilson, Mr. President—30.

Absent or not voting were: Senators Angle, Cornwell, Earles, Graves, Hailey, Hammer, Kinnear, Rasher, Stansell, Sumner, Van de Vanter, Welty—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 112, by Mr. Lindsley, entitled "An act to amend an act relative to garnishments in Justices' Courts," was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Baumeister, Clapp, Crow, Davis, Garber, Hailey, Hallett, Hamilton, Hurley, LeCrone, Moore, Moultray, O'Donnell, Potts, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Warburton, Welsh, Welty, Wilson, Mr. President—29.

Absent or not voting were: Senators Angle, Cornwell, Earles, Graves, Hammer, Hemrich, Kinnear, McKenney, Palmer, Reser, Sumner, Tucker, Van de Vanter—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 48, by Mr. Henry, entitled "An act to allow veterans of the war of the rebellion licenses to peddle," etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Garber, Hailey, Hallett, Hamilton,

Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—36.

Absent or not voting were: Senators Earles, Graves, Hammer, O'Donnell, Sumner, Van de Vanter—6.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 95, by Mr. Raine, entitled "An act relating to instruction of juries," etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Garber, Hallett, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Tolman, Warburton, Welsh, Welty, Wilson, Mr. President—29.

Absent or not voting were: Senators Cornwell, Crow, Davis, Earles, Graves, Hailey, Hamilton, Hammer, Kinnear, Stewart, Sumner, Tucker, Van de Vanter—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 51, by Mr. Lindsley, entitled "An act in relation to exemptions, and providing that no property shall be exempt from certain claims."

On motion of Senator Tolman the bill was re-referred to the Judiciary Committee.

On motion of Senator Hamilton, the Senate resolved itself into a Committee of the Whole to consider Senate bills Nos. 160, 155 and 184.

The bills were considered in the Committee of the Whole, Senator Angle in the chair.

Senate bill No. 160, by Senator Sumner, entitled "An act making an appropriation for a State exhibit at the Louisiana Purchase Exposition," etc., was considered in the Committee of the Whole, and reported back to the Senate with the recommendation that it do pass.

The Committee of the Whole reported progress on Senate Bills Nos. 155 and 184, and asked leave to sit again.

The report was adopted.

On motion of Senator Tucker, at 12 o'clock the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

The President called the Senate to order at 2 o'clock, pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Graves and Hammer, excused.

On motion of Senator Sumner the reading had in Committee of the Whole on Senate bill No. 160 was considered the third, the bill was considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Earles, Hailey, Hamilton, Hemrich, Hurlley, Kinnear, LeCrone, Moore, Moultray, Palmer, Potts, Rands, Rasher, Reser, Smith, Splawn, Stewart, Sumner, Tolman, Tucker, Welsh, Wilson—28.

Those voting nay were: Senators Sharp and Mr. President—2.

Absent or not voting were: Senators Davis, Garber, Graves, Hallett, Hammer, McKenney, O'Donnell, Ruth, Stansell, Van de Vanter, Warburton, Welty—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The President signed House bill No. 160.

On motion of Senator Rands, the Senate resolved itself into a Committee of the Whole for further consideration of Senate bills Nos. 155 and 184.

The bills were considered in the Committee of the Whole, Senator Angle in the chair.

Senate bill No. 155, by Senator Rands, entitled "An act making an appropriation, etc., for a Washington State Exhibit at the Louis and Clark Centennial and American Pacific Exposition and Oriental Fair in 1905 at Portland, Or.," etc., was reported back to the Senate with the recommendation that it do pass, with the following amendment:

Section 1, line 5, was amended by striking the word and figure

“five (5),” and inserting the word and figure “seven (7)” in lieu thereof.

Senate bill No. 184, by Senator Ruth, entitled “An act appropriating money for the erection, completion, etc., of the State Capitol building and grounds,” etc., was reported back to the Senate with the recommendation that it do pass.

The report was adopted.

On motion of Senator Rands, the reading had in Committee of the Whole on Senate bill No. 155 was considered the third, the bill was considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Palmer, Potts, Rands, Rasher, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—33.

Those voting nay were: Senators Sharp, Warburton—2.

Absent or not voting were: Senators Graves, Hallett, Hammer, Moore, Moultray, Reser, Ruth—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Ruth, the reading had in Committee of the Whole on Senate bill No. 184 was considered the third, and the bill was referred to the Engrossing Committee.

MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1903.

MR. PRESIDENT:

The House has passed Senate bill No. 159, entitled “An act to amend an act for the use of water for purposes of irrigation,” etc.

Also, House bill No. 8, providing for assessment and collection of an excise tax from express companies, etc.

House bill No. 331, authorizing cities of the first class to assess for local improvements lands belonging to State of Washington, etc.

House bill No. 84, relating to banking, and regulating foreign corporations doing a banking business.

House bill No. 144, providing for the suspending of sentence of minors under 18 years of age, etc.

House substitute bill No. 88, to amend section 8, entitled "An act providing for the protection of fish," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 19.

OLYMPIA, WASH., March 5, 1903.

MR. PRESIDENT AND MR. SPEAKER:

Your Conference Committee on House bill No. 19 respectfully report that we have met in conference on the matter referred to us and that we are unable to agree, but can agree unanimously if given the powers of a Free Conference Committee, and respectfully ask that the powers of a Free Conference Committee be conferred upon us.

O. A. TUCKER.

We confer in this report: Stanley Hallett, J. R. O'Donnell, Edgar C. Raine, Chas. S. Gleason, Chas. I. Roth.

On motion of Senator Tucker the request for powers of a Free Conference Committee was granted.

The hour having arrived for consideration of Senate bill No. 146, by Senator Tolman (by request), entitled "An act to provide for the redemption of scrip issued by the Commissioners for the State of Washington to the Trans-Mississippi and International Exposition, held at Omaha," etc., with majority and minority reports—majority report that the bill be indefinitely postponed, minority report that the bill do pass—Senator Tolman moved the adoption of the minority report.

Senator Hamilton moved as an amendment that the majority report be substituted for the minority report.

The amendment prevailed, and the bill was indefinitely postponed.

Substitute House bill No. 49, by Committee on Medicine, Dentistry, Surgery and Hygiene, entitled "An act for the prevention of the spread of contagious diseases," etc., was read the third time.

On motion of Senator Tolman, section 1, line 5, was amended by inserting after the word "officer" the words "and who shall also be the County Physician."

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Cornwall, Crow, Earles, Hallett, Hamilton, Hurley, LeCrone, McKen-

ney, Moore, O'Donnell, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Stansell, Tolman, Welsh, Welty, Wilson—24.

Absent or not voting were: Senators Baker, Clapp, Davis, Garber, Graves, Hailey, Hammer, Hemrich, Kinnear, Moultray, Palmer, Splawn, Stewart, Sumner, Tucker, Van de Vanter, Warburton, Mr. President—18.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Clapp was excused.

On motion of Senator Tolman, the Senate resolved itself into a Committee of the Whole to consider Senate bill No. 246.

Senate bill No. 246, by Senator Warburton, entitled "An act appropriating the sum of five thousand (\$5,000.00) dollars for the purpose of entertaining the President of the United States," was considered in the Committee of the Whole, Senator Hallett in the chair, and reported back to the Senate, with the recommendation that it be indefinitely postponed.

The report was adopted, and Senate bill No. 246 was indefinitely postponed.

House bill No. 323, by Committee on Medicine, Dentistry, Surgery and Hygiene, entitled "An act amending section 2615 of Hill's Code of Washington, relating to State Board of Health."

Senator Tolman moved that the bill be indefinitely postponed.

The motion failed to prevail.

On motion of Senator Tolman the bill was temporarily passed, retaining its place on the calendar.

Senate bill No. 192, by Committee on Educational Institutions, entitled "An act to create Agricultural College fund and Normal School fund," was read the third time.

On motion of Senator Crow the rules were suspended, the bill was considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Sumner, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson—33.

Absent or not voting were: Senators Clapp, Cornwell, Graves, Hammer, Rands, Rasher, Stewart, Tucker, Mr. President—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1903.

MR. PRESIDENT:

The House has passed Senate bill No. 178, entitled "An act repealing an act relating to the law of libel," etc.

Also Senate bill No. 46, relating to jury trials.

Also House bill No. 392, providing for the issuance of search warrants.

Also House bill No. 296, providing for the summoning of witnesses.

Also House substitute bill No. 255, relating to the protection of ranchmen and others.

Also House substitute bill No. 89, relating to the creation of tax commissioner.

Also House bill No. 99, providing for the selection of lands for the support of the state university.

Also House bill No. 364, for the relief of P. J. McGowan & Sons.

Also House bill No. 368, relating to the appropriating of lands for public purposes.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

Senate bill No. 134, by Senator Moultray, entitled "An act to amend sections 6, 7 and 7½ of an act entitled "An act providing for the protection and propagation of fish," etc., with majority and minority reports.

Majority report, that the bill do not pass.

Minority report, that the bill pass with amendments.

Senator Palmer moved the adoption of the minority report.

Senator Van de Vanter moved, as an amendment, the adoption of the majority report.

Senator Angle moved as an amendment to the amendment that the bill, with the two reports of the committee, be made a special order for Friday, March 6 at 11 o'clock.

The amendment to the amendment prevailed.

Senate bill No. 212, by Senator Sharp, entitled "An act granting to irrigation companies rights of way over the state's lands," etc.

The bill was read the third time; and, on motion of Senator

Sharp, the rules were suspended, the bill considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Warburton, Welsh, Welty, Wilson—34.

Absent or not voting were: Senators Clapp, Graves, Hallett, Hammer, Rands, Sumner, Van de Vanter, Mr. President—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 127, by Senator Welty, entitled "An act to provide for the incorporation, management, etc., of cooperative associations," etc., was read the third time.

On motion of Senator Tolman the bill was indefinitely postponed.

House bill No. 4, by Mr. Jones, entitled "An act to create a State Board of Accountancy," etc.

Senator Tolman moved that the bill be indefinitely postponed.

The motion failed to prevail.

The Secretary read a number of communications in support of the bill, at the request of Senator Hamilton.

The bill was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Davis, Hailey, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, O'Donnell, Palmer, Potts, Rands, Ruth, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Warburton, Welsh, Wilson—23.

Those voting nay were: Senators Cornwell, Crow, Garber, Hallett, Rasher, Reser, Sharp, Smith, Tolman—9.

Absent or not voting were: Senators Clapp, Earles, Graves, Hammer, McKinney, Moore, Moultray, Splawn, Welty, Mr. President—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., March 4, 1903.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House bill No. 157, entitled "An act to amend section 11 of an act entitled 'An act to provide for the selection, survey, etc., of the state's granted, school, tide, oyster and other lands,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

W. G. POTTS, Chairman.

We concur in this report: J. R. O'Donnell, S. T. Smith, J. P. Sharp, Grant C. Angle, A. J. Splawn, Warren W. Tolman, Jno. Earles.

MR. PRESIDENT:

We, a majority of your Joint Committee on Appropriations, to whom was referred Senate bill No. 146, entitled "An act to provide for the redemption of script issued by the commissioners for the State of Washington to the Trans-Mississippi and International Exposition at Omaha," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: J. P. Sharp, O. T. Cornwell, E. Hammer, A. S. Ruth.

MR. PRESIDENT:

We, a minority of your Joint Committee on Appropriations, to whom was referred Senate bill No. 146, entitled "An act to provide for the redemption of script issued by the commissioners for the State of Washington to the Trans-Mississippi and International Exposition at Omaha," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

H. RASHER.

JNO. EARLES.

E. M. RANDS.

GEO. H. BAKER.

R. M. KINNEAR.

G. B. WILSON.

The majority report was adopted.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 246, entitled "An act appropriating the sum of \$5,000 for

the purpose of entertaining the President of the United States," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Section 1, line 4, of the printed bill, strike all after the word "Washington" where it first appears in said line and add: "Said sum to be paid on the order of the State Auditor upon vouchers presented to him by the chairman and secretary of the special Legislative Committee appointed to receive the President."

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: O. T. Cornwell, H. Rasher, Geo. H. Baker, E. M. Rands, J. P. Sharp, G. B. Wilson, A. S. Ruth.

The report was adopted.

On motion of Senator Baker the Senate went into executive session, President *Pro Tem.* Sumner in the chair.

On motion the Senate reconsidered its vote by which the members of the Capitol Commission failed of confirmation.

The Senate confirmed the appointment of Mr. Sol G. Simpson of Shelton, appointed until the completion of the building, as a member of the Board of Capitol Commissioners by the following vote: Yeas, 23; nays, 7; absent or not voting, 12.

The Senate confirmed the appointment of Hon. Van R. Pierson of Seattle, appointed until the completion of the building, as a member of the Board of Capitol Commissioners by the following vote: Yeas, 25; nays, 8; absent or not voting, 9.

The Senate confirmed the appointment of Hon. James McNeely of Buckley, appointed until the completion of the building, as a member of the board of Capitol Commissioners, by the following vote: Yeas, 23; nays, 6; absent or not voting, 13.

On motion of Senator Hamilton, the executive session dissolved.

On motion of Senator Van de Vanter, at 5:25 o'clock p. m. the Senate adjourned until tomorrow at 10 o'clock a. m.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

FIFTY-FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER,
 OLYMPIA, WASHINGTON, Friday, March 6, 1903. }
 10 o'clock a. m. }

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Crow, Graves and Hammer, excused.

Rev. W. S. Crockett offered prayer.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
 OLYMPIA, WASH., March 5, 1903.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred House bill No. 295, entitled "An act providing for the settlement of taxes assessed against mining property for the years 1899, 1900, 1901, 1902, and authorizing a compromise of disputes or suits relating thereto, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

M. E. STANSELL, Chairman.

We concur in this report: C. L. Stewart, W. R. Moultray, T. B. Sumner, Geo. J. Hurley, H. Rasher, J. P. Sharp.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 161, entitled "An act relating to the election of school directors in cities of ten thousand inhabitants and over, and amending sections 2346 and 2347, in article 3 of chapter 3 of title 15 of Ballinger's Annotated Code and Statutes of Washington."

Also House bill No. 353, entitled "An act amending an act entitled 'An act to amend an act entitled and cited as the Code of Public Instruction of the State of Washington,' amending sections 6, 10, 11, 22, 30, 33, 39, 42, 48, 49, 54, 56, 78, 97, 99, 101, 102, 105, 111, 121, 141, 142,

144, 153, 175, 177, 222, 223, 225, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

S. M. LECRONE, Chairman.

We concur in this report: Grant C. Angle, A. S. Ruth, G. B. Wilson.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 65, entitled "An act amending 37 sections of the Code of Public Instruction and repealing certain sections of same," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended.

Section 9, line 59, insert after the word "district" the following: "or any private school within his resident district up to the 9th grade."

Section 21, line 23, insert after the words "New Year" the word "or."

Section 21, line 24, strike the words "or on Memorial day."

Respectfully submitted,

S. M. LECRONE, Chairman.

We concur in this report: Grant C. Angle, A. S. Ruth, G. B. Wilson.

The report was adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER.

OLYMPIA, WASH., March 6, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 93, entitled "An act to provide for the arbitration of differences between employers and employes," etc.

Also Senate bill No. 108, entitled "An act to create and establish a standard size of certain fruit boxes."

Also Senate bill No. 80, entitled "An act to amend an act establishing a state fair."

Also Senate bill No. 178, entitled "An act repealing certain session laws of 1899 relating to the law of libel, and providing for opportunity of retraction."

Also Senate bill No. 46, entitled "An act relating to jury trials," etc.

Have compared same with the engrossed bill and find them correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: A. S. Ruth, J. R. O'Donnell.

The President signed the above bills.

REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 75, entitled "An act amending section 21 of chapter LXXI of the Laws of 1897, relating to revenue and taxation, and declaring an emergency."

Also House bill No. 53, entitled "An act amending an act to provide for the assessment and collection of taxes in the State of Washington, approved March 15, 1897, by amending section 94 of chapter LXXI Session Laws of 1897," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that they do pass.

Respectfully submitted,

T. B. SUMNER, Chairman.

We concur in this report: John T. Welsh, J. R. O'Donnell, Ed. S. Hamilton, Stanley Hallett, S. Warburton.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 431, entitled "An act providing for the rate of interest to be paid on bonds of Stevens County," etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass.

E. M. Rands, E. B. Palmer, J. R. Welty, H. E. McKenney, Wm. Hickman Moore, Warren W. Tolman.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred amended House bill No. 124, entitled "An act to establish a probate law and code of procedure," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Wm. Hickman Moore, E. M. Rands, E. B. Palmer, Warren W. Tolman, J. R. Welty, H. E. McKenney.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 279, entitled "An act amending section 7038 of Ballinger's Code of Washington, and being section 1557 of Pierce's Code of Washington, defining murder in the second degree," have had the same under consideration, and respectfully report the same back to the Senate that the House has amended the printed bill as shown by the engrossed bill:

House amendments:

Section 1, line 6, after the word "court" the period is struck and a comma inserted, and the following sentence added: "and kept at hard labor."

Senate amendment:

Section 1, line 4, after the word "another" strike out the words "every such person."

And we, your committee, recommend the bill do pass as amended.

Respectfully submitted,

E. M. Rands, E. B. Palmer, J. R. Welty, H. E. McKenney, Wm. Hickman Moore, Warren W. Tolman.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 254, entitled "An act relating to venue of actions against private corporations," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Section 1, line 5, after the word "provided" strike the words "in this code" and insert the words "by law."

Section 1, line 6, after the word "county" strike the words "where the plaintiff resides, or in any county."

Section 1, line 7, after the word "arose" strike the period and insert a comma and add the following: "or where such corporation has an agent upon whom service can be made, or where it has its principal place of business."

Respectfully submitted,

E. M. Rands, E. B. Palmer, J. R. Welty, H. E. McKenney, Wm. Hickman Moore, Warren W. Tolman.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 300, entitled "An act to prevent the duplication of corporate entitlements," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

E. M. RANDS, Chairman.

We concur in this report: C. F. Clapp, T. B. Sumner, R. M. Kinnear, E. B. Palmer, Geo. J. Hurley, A. S. Ruth, W. P. Reser.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 51, entitled "An act relating to exemptions, and amending existing laws," etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Section 1, line 10, after the word "principal" add the following: "Provided, That nothing herein shall be construed as repealing or in any wise affecting section 5412 of Ballinger's Annotated Code and

Statutes of Washington, as amended by the law of 1901, relative to the exemptions in garnishment suits."

Respectfully submitted,

E. M. Rands, E. B. Palmer, J. R. Welty, H. E. McKenney, Wm. Hickman Moore, Warren W. Tolman.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 196, entitled "An act to protect stockholders and persons dealing with corporations in this state," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that the bill do pass.

Respectfully submitted,

E. M. Rands, E. B. Palmer, J. R. Welty, H. E. McKenney, Wm. Hickman Moore, Warren W. Tolman.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 34, entitled "An act authorizing taking of private property for the use of public school districts," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass as amended.

Section 12, line 2, after the word "proceedings" strike the comma and insert a period, and then strike the remainder of the section.

Respectfully submitted,

E. M. Rands, E. B. Palmer, J. R. Welty, H. E. McKenney, Wm. Hickman Moore, Warren W. Tolman.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 237, entitled "An act empowering cities of the first class in this state to license and collect license fees," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

E. M. Rands, E. B. Palmer, J. R. Welty, H. E. McKenney, Wm. Hickman Moore, Warren W. Tolman.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 249, entitled "An act in relation to attorneys and counsellors at law," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

E. M. Rands, E. B. Palmer, J. R. Welty, H. E. McKenney, Wm. Hickman Moore, Warren W. Tolman.

MR. PRESIDENT AND MR. SPEAKER:

We, your Free Conference Committee, appointed to settle the differences between the Senate and the House on the Senate amendments to House bill No. 19, have had the same under consideration, and beg leave to report the same, with the recommendation that the Senate recede from its amendments, and further recommend that the bill be amended as follows:

In the title, line 1, after the word "improvements" insert the words "cities of the first class."

Section 1, line 1, strike the words "or town" and insert in lieu thereof the words "of the first class."

Same section, line 5, strike the words "or town" and insert in lieu thereof the words "of the first class."

Section 3, line 1, strike the words "or town" and insert in lieu thereof the words "of the first class."

Section 3, lines 2 and 3, strike the words "or town" and insert in lieu thereof the words "of the first class."

Respectfully submitted,

O. A. Tucker, Stanley Hallett, J. R. O'Donnell, Chas. S. Gleason, Chas. I. Roth, Edgar C. Raine.

The report was adopted by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Davis, Garber, Hailey, Hallett, Hamilton, Hurley, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—33.

Absent or not voting were: Senators Cornwell, Crow, Earles, Graves, Hammer, Hemrich, McKinney, Reser, Van de Vanter—9.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER.

OLYMPIA, WASH., March 5, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 184, entitled "An act appropriating money for the erection, completion, finishing and furnishing of the state capitol building," etc., have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report: Stanley Hallett, C. L. Stewart.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 5, 1903.

MR. PRESIDENT:

The House has made the Conference Committee on House bill No. 19 a free Conference Committee.

STOREY BUCK, Clerk of the House.

OLYMPIA, WASH., March 6, 1903.

MR. PRESIDENT:

The Speaker has signed Senate bill No. 46, entitled "An act relating to jury trials," etc.

Also Senate bill No. 178, being an act repealing chapter LIX Session Laws of 1899, relating to the law of libel.

Also Senate bill No. 108, relating to fruit boxes.

Also Senate bill No. 93, providing for the settlement of differences between employers and employes.

Also Senate bill No. 80, entitled "An act amending the act establishing a state fair."

Also Senate substitute bill No. 74, relating to the superior court of Thurston, Mason and Chehalis counties.

Also Senate substitute bill No. 58, providing for the assistance of the Secretary of State, the emergency clause having failed to pass.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Palmer Senate bill No. 123, by Senator Palmer, entitled "An act defining the crime of rape, declaring its violation a felony, fixing the punishment," etc.

The Senate concurred in House amendments by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Garber, Hailey, Hallett, Hamilton, Hemrich, Hurley, Le-Crone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—32.

Absent or not voting were: Senators Cornwell, Crow, Davis, Earles, Graves, Hammer, Kinnear, Sumner, Van de Vanter, Warburton—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 184, by Senator Ruth, entitled "An act to appropriate money for the erection and completion of the State Capitol

building," etc., was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Davis, Garber, Hailey, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, O'Donnell, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tucker, Welsh, Welty, Wilson, Mr. President—30.

Those voting nay were: Senators Palmer, Tolman—2.

Absent or not voting were: Senators Cornwell, Crow, Earles, Graves, Hallett, Hammer, Moultray, Sumner, Van de Vanter, Warburton—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

At his own request Senator Warburton was excused from voting on Senate bill No. 184, for the reason that he represented parties interested, as an attorney.

On motion of Senator Ruth, the rules were suspended and all bills passed yesterday, together with Senate bill No. 184, were ordered transmitted immediately to the House.

On motion of Senator Hamilton, Senate bill No. 247, by Senator Hamilton, was temporarily passed, retaining its place on the calendar.

GENERAL FILE.

On motion of Senator Hamilton, the Senate resolved itself into a Committee of the Whole to consider Senate bills Nos. 169, 193, 87, 228, 219, and House bills Nos. 133, 153, 242, 233, 113 and 126.

The bills were considered in the Committee of the Whole, Senator Moultray in the chair.

Senate bill No. 169, by Senator Kinnear, entitled "An act for the relief of E. G. Bickerton, for services as a licensed auctioneer in the matter of the sale of certain school lands in King county, and making an appropriation therefor," was considered in the Committee of the Whole and reported back to the Senate with the recommendation that it do pass.

House bill No. 133, by Mr. Muse, entitled "An act for the relief of Franklin county," was considered in the Committee of the Whole and reported back to the Senate with the recommendation that it do not pass.

House bill No. 153, by Mr. Hare, entitled "An act appropriating money for the relief of Yakima county for moneys erroneously paid into the state treasury," etc.,

The bill was considered in the Committee of the Whole and reported back to the Senate with the recommendation that it do pass.

House bill No. 242, by Mr. Dickson, entitled "An act authorizing the State Auditor to give Kittitas county, Washington, credit on tax roll account for the year 1901."

The bill was considered in the Committee of the Whole and reported back to the Senate with the recommendation that it do not pass.

Senate bill No. 193, by Senator Ruth, entitled "An act for the relief of Thurston county."

The bill was considered in the Committee of the Whole and reported back to the Senate with the recommendation that it do not pass.

Senate bill No. 87, by Senator Moore, entitled "An act for the relief of Frank T. Reed for money expended while superior judge," etc.

The bill was considered in the Committee of the Whole and reported back to the Senate with the recommendation that it do not pass.

Senate bill No. 228, by Senator Smith, entitled "An act appropriating \$300 for the relief of H. C. Anderson."

The bill was considered in the Committee of the Whole and reported back to the Senate with the recommendation that it do pass.

House bill No. 233, by Mr. Carle, entitled "An act for the relief of George A. Brooke."

The bill was considered in the Committee of the Whole and reported back to the Senate with the recommendation that it do pass.

House bill No. 113, by Mr. Raine, entitled "An act appropriating money for the payment of certain judgments against the State of Washington."

The bill was considered in the Committee of the Whole and reported back to the Senate with the recommendation that it do pass with the following amendments:

Strike out in section all interest and totals.

Add to section 1, "Each of said claimants shall satisfy this said

judgment in full upon the acceptance of the amounts above specified."

House bill No. 126, by Mr. King, entitled "An act making an appropriation for certain deficiencies for fiscal periods prior to March 31, 1903, and for other purposes."

The bill was considered in the Committee of the Whole and reported back to the Senate with the recommendation that it do pass with the following amendments:

Strike out all interest and totals in bill.

Senate bill No. 219, by Senator Rands, entitled "An act authorizing and requiring the State Board of Equalization to investigate and report on the best method of taxing all property in the State of Washington," etc.

The bill was considered in the Committee of the Whole and reported back to the Senate with the recommendation that it do pass with the following amendment:

Strike out in section 5, line 9, the word "it."

On motion of Senator Hamilton, the vote by which House bill No. 153 was recommended to pass was reconsidered.

On motion of Senator Hamilton, House bill No. 153 was reported back to the Senate with the recommendation that it do not pass.

The reports were adopted.

On motion of Senator Kinnear, the rules were suspended, the reading had in Committee of the Whole on Senate bill No. 169 was considered the third, the bill considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Davis, Earles, Hailey, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, Palmer, Potts, Rands, Ruth, Sharp, Smith, Splawn, Stansell, Sumner, Tucker, Van de Vanter, Warburton, Welsh, Wilson, Mr. President—26.

Those voting nay were: Senators Hallett, McKenney, Moore, Moultray, O'Donnell, Rasher, Reser and Tolman—8.

Absent or not voting were: Senators Baker, Cornwell, Crow, Graves, Hammer, Stewart and Welty—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The hour having arrived for consideration of Senate bill No.

134, by Senator Moultray, entitled "An act to amend sections 6, 7 and 7½ of an act entitled 'An act providing for the protection and propagation of the food fishes in the waters of the State of Washington,' " etc., with majority and minority reports.

Majority report: Do not pass.

Minority report: Do pass as amended.

On motion of Senator Welsh, the bill, with reports, was re-referred to the Fisheries Committee.

On motion of Senator Rands, Senate bill No. 219, Senate bill No. 175, Senate substitute bill No. 89 and House bill No. 8 were made a special order for Monday, March 9, 1903, at 2 o'clock.

Senator Moultray was excused.

On motion of Senator Tolman, all petitions and telegrams, except the telegrams from King and Spokane counties, relative to House bill No. 147 were ordered expunged from the records.

On motion of Senator Warburton, at 11:55 o'clock a. m. the Senate adjourned until this afternoon at 2 o'clock.

AFTERNOON SESSION.

The president called the Senate to order at 2 o'clock p. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Hemrich, and Senators Graves, Hammer, McKenney, Moultray and Stewart, excused.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 159, entitled "An act to amend section 26 of an act entitled 'An act providing for the use of water for the purpose of irrigation,' " etc.

Also Senate substitute bill No. 74, entitled "An act relating to the superior court of Thurston, Mason and Chehalis counties," etc

Have compared same with the engrossed bill and find them correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: O. A. Tucker, J. R. O'Donnell.

On motion of Senator Cornwell, the rules were suspended, the reading had in the Committee of the Whole on House bill No. 133 considered the third, the bill placed upon its final passage, and failed to pass by the following vote:

Those voting yea were: Senators Angle, Baumeister, Cornwell, Davis, Garber, Potts, Rasher, Reser, Ruth, Sharp, Splawn, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—19.

Thos voting nay were: Senators Baker, Clapp, Hallett, Hamilton, Hurley, LeCrone, O'Donnell, Rands, Smith and Sumner—10.

Absent or not voting were: Senators Crow, Earles, Graves, Hailey, Hammer, Hemrich, Kinnear, McKenney, Moore, Moultray, Palmer, Stansell, Stewart—13.

Senator Tolman moved that Senate bill No. 153 be indefinitely postponed.

Roll call was demanded by Senators Hamilton, Tolman, Sharp, Baker, Angle, Clapp and Welty.

The roll was called and the motion to indefinitely postpone prevailed by the following vote:

Those voting yea were: Senators Angle Clapp, Crow, Earles, Hallett, Hamilton, Hurley, LeCrone, Moore, O'Donnell, Rands, Rasher, Ruth, Smith, Stansell, Sumner, Tolman, Welsh—18.

Those voting nay were: Senators Baker, Baumeister, Cornwell, Garber, Hailey, Palmer, Potts, Reser, Sharp, Splawn, Warburton, Wilson and Mr. President—13.

Absent or not voting were: Senators Davis, Graves, Hammer, Hemrich, Kinnear, McKenney, Moultray, Stewart, Tucker, Van de Vanter, Welty—11.

The president signed House bills Nos. 177, 55, 59, 15 and 70, and Senate bills No. 74 and 159.

On motion of Senator Tolman, House bill No. 242 was indefinitely postponed.

House bill No. 323, by the Committee on Medicine, Surgery, Dentistry and Hygiene, entitled "An act to amend section 1 of an act entitled 'An act to amend section 2615 of volume 1, Hill's Annotated Statutes and Codes of Washington,' relating to the State Board of Health," was read the third time.

Senator Tolman moved to amend section 1, line 5, by striking the words "one thousand" and inserting the words "six hundred."

The amendment was lost.

The bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Crow, Davis, Hailey, Hallett, Hamilton, Hurley, Kinnear, LeCrone, Moore, O'Donnell, Palmer, Potts, Rasher, Ruth, Smith, Splawn, Stansell, Sumner, Tucker, Welty, Wilson, Mr. President—25.

Those voting nay were: Senators Reser, Sharp, Tolman and Warburton—4.

Absent or not voting were: Senators Baker, Cornwell, Earles, Garber, Graves, Hammer, Hemrich, McKenney, Moultray, Rands, Stewart, Van de Vanter, Welsh—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 231, by Mr. Allis, entitled "An act changing the name of the State Reform School to the State Industrial School," was read the third time, placed upon its final passage, and failed to pass by the following vote:

Those voting yea were: Senators Cornwell, Crow, Davis, Hallett, Kinnear, LeCrone, O'Donnell, Potts, Ruth, Stansell, Tucker, Wilson, Mr. President—13.

Those voting nay were: Senators Angle, Baker, Baumeister, Clapp, Garber, Hailey, Hurley, Moore, Reser, Sharp, Smith, Splawn, Sumner, Tolman, Warburton and Welty—16.

Absent or not voting were: Senators Earles, Graves, Hamilton, Hammer, Hemrich, McKenney, Moultray, Palmer, Rands, Rasher, Stewart, Van de Vanter, Welsh—13.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 6, 1903.

MR. PRESIDENT:

The House has passed House bill No. 281, entitled "An act authorizing the State Land Commissioner to vacate plats."

Also House substitute bill No. 145, an act providing for an election on the liquor question.

Also Senate bill No. 61, entitled "An act for the relief of Edsen Gerry."

Also Senate bill No. 94, entitled "An act defining the offense of bar-
ratry."

Also Senate bill No. 92, entitled "An act amending the act providing
for the leasing of county property."

Also House bill No. 383, entitled "An act relating to the adulteration
of foods."

Also House bill No. 421, amending certain acts in relation to attor-
neys-at-law.

Also House bill No. 261, entitled "An act to establish and maintain
schools for the deaf."

Also House bill 372, entitled "An act relating to procedure in appro-
priation of private property."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The Speaker has signed House bill No. 177, entitled "An act for the
protection of orphan children."

Also House bill No. 55, providing for the closed season of trout fish-
ing in Chelan County.

Also House bill No. 201, requiring statements of fact in support of
claims made to the Legislature.

Also House bill No. 59, defining criminal anarchy.

Also House bill No. 15, to prohibit the business of barbering on
Sunday.

Also House bill No. 90, providing for work days of eight hours on
all public work.

Also House bill No. 70, providing for compulsory attendance of
school children.

Also Senate substitute bill No. 74, entitled "An act relating to the
superior court of Thurston, Mason and Chehalis counties."

Also Senate bill No. 159, entitled "An act to amend an act providing
for the use of water for irrigation."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee
on House bill No. 19, prescribing a limit upon the assessment of abutting
property, etc.

Also concurred in Senate amendments to the following bills:

House substitute bill No. 49, entitled "An act relating to public
health."

Also House bill No. 95, relating to instructions to juries, etc.

Also House bill No. 93, authorizing school boards in cities of 10,000
or more population, to maintain truant schools.

STOREY BUCK, Clerk of the House.

On motion of Senator Ruth, Senate bill No. 193 was indefinitely postponed.

House substitute bill No. 225, by Committee on Insurance, entitled "An act providing for the incorporation and regulation of mutual fire insurance companies and associations," etc., was read the third time.

Senator Davis moved to amend by adding a new section, to be known as section 4:

"No company or association organized or operating under the provisions of this act shall issue any policy of insurance insuring property on which stock insurance companies would charge more than 3 per cent per annum, such rate of insurance to be determined by the insurance rules as set forth in rate book No. 4 of the issue of 1900, or the special rate books used by said stock companies; *provided*, that any company or association organized for the purpose of insuring manufacturing plants exclusively shall be exempt from the provisions of this section."

The amendment failed to prevail.

Senator Tolman moved to amend section 3 by inserting in line 5 after the word "protection" the word "only."

The amendment failed to prevail.

Senator Tolman moved to amend section 9, lines 3 and 4, by striking the "\$5" and inserting "\$10."

The amendment prevailed.

On motion of Senator Tolman, the bill was further amended by inserting the usual emergency clause.

The bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hurley, LeCrone, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—34.

Senator Kinnear voted nay—1.

Absent or not voting were: Senators Graves, Hammer, Hemrich, McKenney, Moultray, Stewart, Van de Vanter—7.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, LeCrone, Moore, O'Donnell, Palmer, Potts, Rasher,

Reser, Ruth, Sharp, Smith, Splawn, Stansell, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—32.

Senator Kinnear voted nay—1.

Absent or not voting were: Senators Graves, Hammer, Henrich, Hurley, McKenney, Moultray, Rands, Stewart and Van de Vanter—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 82, by Mr. Veness, entitled "An act to protect from fires forests, etc., creating forest warden, deputies, patrolmen and auxiliary commissions," etc.

On motion of Senator Moultray, the bill was referred to the Committee on Horticulture and Forestry.

Senate bill No. 238, by Senator Palmer, entitled "An act fixing the punishment for failure of certain officers to execute their duties," was read the third time.

On motion of Senator Palmer, the rules were suspended, the bill was considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwall, Crow, Earles, Garber, Hallett, Hamilton, Hurley, LeCrone, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Tolman, Tucker, Welsh, Welty, Mr. President—29.

Absent or not voting: Senators, Davis, Graves, Hailey, Hammer, Henrich, Kinnear, McKenney, Moultray, Stewart, Sumner, Van de Vanter, Warburton and Wilson—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 209, by Senator Clapp, entitled "An act declaring women eligible to the office of notary public," was read the third time.

On motion of Senator Hallett, section 2 was stricken and the usual emergency clause was inserted in lieu thereof.

On motion of Senator Welty, the rules were suspended, the bill considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Cornwall, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hurley,

LeCrone, Moore, O'Donnell, Potts, Rands, Rasher, Reser, Sharp, Smith, Splawn, Stansell, Tolman, Tucker, Welty, Wilson, Mr. President—27.

Senator Ruth voted nay—1.

Absent or not voting were: Senators Baumeister, Graves, Hailey, Hammer, Hemrich, Kinnear, McKenney, Moultray, Palmer, Stewart, Sumner, Van de Vanter, Warburton, Welsh—14.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hurley, LeCrone, Moore, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Tucker, Warburton, Welsh, Welty, Mr. President—29.

Senator Rasher voted nay—1.

Absent or not voting were: Senators Graves, Hailey, Hammer, Hemrich, Kinnear, McKenney, Moultray, Stewart, Sumner, Tolman, Van de Vanter, Wilson—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent having been given, on motion of Senator Hamilton, the vote by which Senate bill No. 238 was passed was reconsidered, the rules suspended and the bill again placed on third reading for purpose of amending.

On motion of Senator Hamilton, section 1, line 2, was amended by striking the words "misdemeanor or."

The amended bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Hallett, Hamilton, Hurley, Kinnear, LeCrone, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—32.

Senators Hailey and Van de Vanter voted nay—2.

Absent or not voting were: Senators Davis, Graves, Hammer, Hemrich, McKenney, Moultray, Stewart, Sumner—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hamilton, the rules were suspended and

all bills passed today were ordered transmitted immediately to the House.

Senate bill No. 234, by Senator O'Donnell (by request), entitled "An act authorizing lumber and other companies to improve rivers," etc., was read the third time.

On motion of Senator Welsh, the bill was referred to the Committee on Manufactures.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1903.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 134, entitled "An act to amend sections 6, 7 and 7½ of an act entitled 'An act providing for the protection and propagation of the food fishes in the waters of the State of Washington,' etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended.

Amend section 1, line 24, of printed bill, being line 41 of the original, by striking out the figures "\$5.00" and insert in lieu thereof the figures "\$2.50."

Amend next line, being line 25, in the same manner.

Amend section 3 by striking out all of lines 20 and 21 of the printed bill, being last three lines of the original bill, and insert in lieu thereof:

"For each cannery packing from 100,000 to 110,000 cases per annum, \$1,100.

"For each cannery packing from 110,000 to 120,000 cases per annum, \$1,200.

"For each cannery packing from 120,000 to 130,000 cases per annum, \$1,300.

"For each cannery packing from 130,000 to 140,000 cases per annum, \$1,400.

"For each cannery packing from 140,000 to 150,000 cases per annum, \$1,500.

"For each cannery packing from 150,000 to 160,000 cases per annum, \$1,600.

"For each cannery packing from 160,000 to 170,000 cases per annum, \$1,700.

"For each cannery packing from 170,000 to 180,000 cases per annum, \$1,800.

"For each cannery packing from 180,000 to 190,000 cases per annum, \$1,900.

"For each cannery packing from 190,000 to 200,000 cases per annum, \$2,000.

"Rates on all canneries to be based upon pack of each preceding

year. New salmon canneries shall pay a license of \$250 until their pack is definitely known."

GRANT C. ANGLE.

E. B. PALMER. -

E. HAMMER.

T. B. SUMNER.

W. R. MOULTRAY.

On motion of Senator Palmer, the report was adopted and the bill was read the third time by sections.

Senator Angle moved to amend section 1, line 35, by striking the word "one" and inserting the word "two" in lieu thereof.

The amendment failed to prevail.

The bill was referred to the Engrossing Committee.

Senate bill No. 180, by Senator Rands, entitled "An act providing for the organization of mutual marine and fire insurance companies and regulating their management," was read the third time.

On motion of Senator Rands, the rules were suspended, the bill considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hurley, Kinnear, Moore, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—30.

Absent or not voting were: Senators Graves, Hailey, Hammer, Hemrich, LeCrone, McKenney, Moultray, O'Donnell, Rasher, Stewart, Sumner, Van de Vanter—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate memorial No. 9, by Senator Stewart, "Asking congress to allow veterans who reside outside of the Soldiers' Home at Orting \$100 per annum, the same as is paid to those who actually live in the home," was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hurley, Kinnear, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Sumner, Tucker, Welsh, Welty, Wilson, Mr. President—31.

Absent or not voting were: Senators Graves, Hailey, Hammer, Hemrich, LeCrone, McKenney, Moultray, Stewart, Tolman, Van de Vanter, Warburton—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Welty was excused.

Senate bill No. 214, by Senator Tucker, entitled "An act authorizing cities of the first class to redistrict such cities into wards," was read the third time.

On motion of Senator Tucker, the rules were suspended, the bill considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Kinnear, Moore, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Tucker, Welsh, Wilson, Mr. President—28.

Absent or not voting were: Senators Graves, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moultray, Rasher, Stewart, Sumner, Tolman, Van de Vanter, Warburton, Welty—14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 211, by Senator Potts, entitled "An act for the protection of hotel, boarding house and lodging house keepers," etc., was read the third time.

On motion of Senator Clapp, section 1, lines 1 and 4, and the title were amended by adding after the words "lodging house" the word "restaurant."

On motion of Senator Potts, section 1, lines 7 and 8, were amended by striking "50" and inserting "30" in lieu thereof.

On motion of Senator Moore, section 2, line 1, was amended by striking the word "and" and inserting the word "or" in lieu thereof.

On motion of Senator Potts, the rules were suspended, the bill considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hamilton, Hurley, Kinnear, Moore, Palmer, Potts, Rands, Rasher, Ruth, Sharp,

Smith, Splawn, Sumner, Tucker, Welsh, Wilson, Mr. President—26.

Absent or not voting were: Senators Graves, Hailey, Hallett, Hammer, Hemrich, LeCrone, McKenney, Moultray, O'Donnell, Reser, Stansell, Stewart, Tolman, Van de Vanter, Warburton, Welty—16.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 224, by Senator Rands, entitled "An act amending section 1635 of Ballinger's Code, etc., relating to fees and compensation of justices of the peace," was read the third time.

On motion of Senator Rands, the rules were suspended, the bill considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hurley, Kinnear, Moore, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, Splawn, Tucker, Warburton, Welsh, Wilson, Mr. President—27.

Absent or not voting were: Senators Graves, Hailey, Hammer, Hemrich, LeCrone, McKenney, Moultray, O'Donnell, Rasher, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Welty—15.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 52, by Senator Hurley, entitled "An act relating to the herding or grazing of sheep on the lands or the possessory claims of another," etc., was read the third time.

On motion of Senator Hurley, the rules were suspended, the bill considered engrossed, placed upon its final passage, and failed to pass by the following vote:

Those voting yea were: Senators Crow, Earles, Garber, Hailey, Hallett, Hamilton, Moore, Palmer, Potts, Rasher, Sharp, Smith, Splawn, Tolman, Van de Vanter, Mr. President—16.

Those voting nay were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Hurley, Kinnear, Reser, Ruth and Wilson—10.

Absent or not voting were: Senators Davis, Graves, Hammer, Hemrich, LeCrone, McKenney, Moultray, O'Donnell, Rands, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Welty—16.

Senator Hurley gave notice that at the proper time he would move for a reconsideration of the vote by which Senate bill No. 52 failed to pass.

On motion of Senator Smith, the rules were suspended, Senate bill No. 228 considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Cornwell, Crow, Davis, Earles, Hailey, Hallett, Hamilton, Hurley, Kinnear, Moore, Palmer, Potts, Ruth, Sharp, Smith, Sumner, Warburton, Welsh, Wilson, Mr. President—23.

Senator Tolman voted nay—1.

Absent or not voting were: Senators Baumeister, Garber, Graves, Hammer, Hemrich, LeCrone, McKenney, Moultray, O'Donnell, Rands, Rasher, Reser, Splawn, Stansell, Stewart, Tolman, Tucker, Van de Vanter, Welty—19.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hurley, House bill No. 295, by Mr. Johnson, entitled "An act providing for the settlement of taxes assessed against mining property for the years 1899, 1900, 1901 and 1902, and authorizing a compromise of disputes or suits relating thereto, and declaring an emergency," was substituted for Senate bill No. 150.

The bill was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Crow, Davis, Earles, Garber, Hamilton, Hurley, Kinnear, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Sumner, Tolman, Tucker, Welsh, Wilson, Mr. President—24.

Absent or not voting were: Senators Baumeister, Cornwell, Graves, Hailey, Hallett, Hammer, Hemrich, LeCrone, McKenney, Moore, Moultray, Rands, Splawn, Stansell, Stewart, Van de Vanter, Warburton and Welty—18.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hurley, Kinnear, Moore, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Sumner, Tolman, Tucker, Warburton, Welsh, Wilson, Mr. President—28.

Absent or not voting were: Senators Baumeister, Cornwell, Graves, Hammer, Hemrich, LeCrone, McKenney, Moultray, Rands, Splawn, Stansell, Stewart, Van de Vanter, Welty—14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 150, by Senator Hurley, entitled "An act providing for the settlement of taxes assessed against mining property for the years 1899, 1901 and 1902 and authorizing a compromise," etc.

On motion of Senator Hurley, the bill was indefinitely postponed.

On motion of Senator Crow, House bill No. 285 was re-referred to the Judiciary Committee.

Senate bill No. 188, by Senator Welsh, entitled "An act providing for the giving of notice of application for the appointment of guardians of minors under the age of 14 years, insane persons," etc., was read the third time.

On motion of Senator Welsh, the rules were suspended, the bill considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Cornwell, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Hurley, Kinnear, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Sumner, Tolman, Tucker, Warburton, Welsh, Wilson, Mr. President—30.

Absent or not voting were: Senators Baumeister, Clapp, Graves, Hammer, Hemrich, LeCrone, McKenney, Moultray, Stansell, Stewart, Van de Vanter, Welty—12.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hailey, Hallett, Hamilton, Kinnear, Moore, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Sumner, Tolman, Tucker, Welsh, Wilson, Mr. President—28.

Absent or not voting were: Senators Cornwell, Graves, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moultray, Rands, Stansell, Stewart, Van de Vanter, Warburton, Welty—14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF BILLS.

House bill No. 331, by Mr. Dilling: An act authorizing cities of the first class to assess for local improvement lands belonging to the State of Washington, the University of Washington, etc.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 368, by Mr. Dilling: An act to amend section 4334 of Ballinger's Annotated Codes and Statutes, relating to the appropriation of lands and highways.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 372, by Mr. Gleason: An act to amend sections 5637, 5638, 5639, 5640, 5641 of Ballinger's Annotated Codes and Statutes of Washington, relating to procedure in the appropriation of private property by corporations.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 6, 1903.

MR. PRESIDENT:

The House has passed amended Senate bill No. 75, with the following amendments:

Amend the title to read as follows:

"An act to amend sections 13, 15, 19, 23, 31 and 62 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and the completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles XV and XVI of the state constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties, and making an appropriation therefor, and declaring an emergency,' approved March 16, 1897, and adding sections 18½ and 31½ to said act, and declaring an emergency."

In line 12 of section 2 of the printed bill, strike out the word "seventy" and insert in lieu thereof the word "twenty."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House...

On motion of Senator Davis, at 4:35 o'clock p. m. the Senate adjourned until tomorrow at 10 o'clock a. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

FIFTY-FIFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Saturday, March 7, 1903. }
10 o'clock a. m.

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Hemrich and Smith, and Senators Graves, Hammer, Moultray and Stewart, excused.

Rev. W. S. Crockett offered prayer.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

• REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 181, entitled "An act to provide for the organization of surety and bond companies, and to regulate their management," have had the same under consideration, and respectfully report the same back to the Senate with the following amendments, with the recommendation that it be placed on general file:

Section 2, line 1, after the word "guarantor" strike the word "must" and insert the word "may."

Section 4, line 1, after the word "of" strike the word "two" and insert the word "three."

Section 4, line 5, strike the words "auditor of state" and insert the words "insurance commissioner," and add the following: "Provided, that twenty-five per cent. of said subscription as herein provided for shall be paid by the respective subscribers before said company shall be authorized to do business, and the president and a majority of the trus-

tees shall certify to the insurance commissioner that said twenty-five per cent. of said subscription has been paid into the treasury of the said company."

Section 6, line 1, strike the words "secretary of state" and insert in lieu thereof the words "insurance commissioner."

Add section 7, to read as follows:

"Section 7. Such company, when organized and authorized to do business, shall pay to the insurance commissioner for use of the state the same fees and commissions as are now required by law of other insurance companies."

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. M. Rands, Wm. Hickman Moore, John T. Welsh, E. B. Palmer, Warren W. Tolman.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Commerce, to whom was referred House bill No. 220, entitled "An act governing pilotage on the waters of Puget Sound and its tributaries, and regulating the compensation therefor, and repealing sections 3216, 3217, 3218," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted,

C. F. CLAPP, Chairman.

I concur in this report: E. Baumeister.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred House bill No. 178, entitled "An act to amend section 6 of an act entitled 'An act establishing a state geological survey,' defining its duties, and repealing 'An act to create a mining bureau, and to define its powers and duties,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

M. E. STANSELL, Chairman.

We concur in this report: Geo. J. Hurley, J. P. Sharp, Stanley Hallett, T. B. Sumner, S. Warburton, H. Rasher.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 138, entitled "An act to provide for the payment of a bounty for the common seal and sea lions, and making an appropriation," have

had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

A. T. VAN DE VANTER, Chairman.

We concur in this report: John T. Welsh, Grant C. Angle, E. B. Palmer, E. Baumeister, Lincoln Davis, E. M. Rands, T. B. Sumner.

MR. PRESIDENT:

We, your Committee on Dairying and Live Stock, to whom was referred House bill No. 312, entitled "An act to restrict the running at large of live stock, and providing a penalty," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

S. J. SPLAWN, Chairman.

We concur in this report: A. T. Van de Vanter, H. E. McKenney, G. Garber.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred House bill No. 408, entitled "An act for the relief of various persons furnishing material for the equipment of the temporary capitol building and supplies for eighth Legislature, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In section 1, line 4, of the printed bill, in the column marked "amount allowed," strike the figures "\$165.56" and insert in lieu thereof the figures "\$206.95."

In line 5 of the same column strike the figures "\$388.04" and insert the figures "\$485.05."

In line 12 of the same column strike the figures "\$188.96" and insert the figures "\$236.20."

In line 13 of the same column strike the figures "\$464.44" and insert the figures "\$580.54."

In line 15 of the same column strike the figures "\$191.91" and insert the figures "\$239.88."

In line 18 of the same column strike the figures "\$1,234.72" and insert the figures "\$1,543.39."

In line 19 insert the following: "Capital National Bank of Olympia, cash advanced for labor and material, "\$1,119.35."

In line 20 of the same column strike the figures "\$3,697.48" and insert the figures "\$5,475.21."

Respectfully submitted,

JOHN T. WELSH, Chairman.

We concur in this report: Geo. J. Hurley, Lincoln Davis.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 368, entitled "An act to amend section 4334 of Ballinger's Code, etc., relating to the appropriation of lands and highways for corporate purposes," have had the same under consideration, and respectfully report the same back to the Senate with a majority and two minority reports, which are as follows:

I, a minority of your Committee on Judiciary, recommend the bill be referred to the Committee on Railroads.

Respectfully submitted,

H. E. MCKENNEY.

We, a majority of your Committee on Judiciary, respectfully recommend that the bill do pass.

Respectfully submitted,

E. B. PALMER,
E. M. RANDS,
JOHN T. WELSH.

And we, a minority, respectfully recommend that the bill be placed on general file.

Respectfully submitted,

HERMAN D. CROW, Chairman.
WM. HICKMAN MOORE.

On motion of Senator Rands, the majority report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 372, entitled "An act amending sections 5637, etc., of Ballinger's Codes, etc., relating to the procedure in the appropriation of private property by corporations," have had the same under consideration, and we respectfully report the same back to the Senate with a majority report and two minority reports, which are as follows:

I, a minority of your Committee on Judiciary, recommend that the bill be referred to the Committee on Railroads.

Respectfully submitted,

H. E. MCKENNEY.

We, a majority of your Committee on Judiciary, respectfully recommend that the bill do pass.

Respectfully submitted,

E. B. PALMER,
E. M. RANDS,
JOHN T. WELSH.

And we, a minority of your Committee on Judiciary, respectfully recommend that the bill be placed on general file.

Respectfully submitted,

HERMAN D. CROW, Chairman.
WM. HICKMAN MOORE.

On motion of Senator Rands, the majority report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 331, entitled "An act authorizing cities of the first class to assess for local improvements lands belonging to the State," etc., have had the same under consideration, and respectfully report the same back to the Senate with a majority and a minority report, which are as follows:

We, a minority of your Committee on Judiciary, respectfully recommend that the bill do not pass.

Respectfully submitted,

H. E. MCKENNEY.
E. M. RANDS,
WM. HICKMAN MOORE.

And we, a majority of your Committee on Judiciary, respectfully recommend that the bill do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.
E. B. PALMER,
JOHN T. WELSH.

On motion of Senator Moore, the minority report was adopted.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 230, entitled "An act for the relief of Henry Sommers."

Also Senate bill No. 166, entitled "An act for the relief of the heirs at law of J. M. Vansyckle, and making an appropriation therefor."

Have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that they be placed on general file.

Respectfully submitted,

JOHN T. WELSH, Chairman.

We concur in this report: Geo. J. Hurley, Lincoln Davis.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate bill No. 161, entitled "An act to reimburse H. C. Paige for traveling and incidental expenses as Coal Mine Inspector, and payment therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

Respectfully submitted,

JOHN T. WELSH, Chairman.

We concur in this report: Geo. J. Hurley, Lincoln Davis.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 229, entitled "An act in relation to mortgages on certain kinds of property."

Also House bill No. 317, entitled "An act to define the duties, and provide for assistance and fix the compensation of the Secretary of State."

Have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that they do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, E. M. Rands, Wm. Hickman Moore, John T. Welsh, H. E. McKenney.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 248, entitled "An act to prohibit councilmen and others from lobbying," etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that as amended the bill be referred to the Committee on Miscellaneous.

Title, line 2, after the word "office" insert the following: "nor any person or corporation owning or controlling one acre or five lots of land in said city."

Section 1, line 2, after the word "office" insert the following: "nor any person or corporation owning or controlling one acre or five lots of land in said city."

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, E. M. Rands, Wm. Hickman Moore, H. E. McKenney.

On motion of Senator Palmer, the report was adopted.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 203, entitled "An act regulating the hours of labor of railroad or railway employes, and providing a penalty for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

S. WARBURTON, Chairman.

We concur in this report: J. R. O'Donnell, Wm. Hickman Moore, O. A. Tucker, Herman D. Crow, Warren W. Tolman.

MR. PRESIDENT:

De, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 200, entitled "An act to define the liability of railroad corporations for damages sustained by their employes; to define who are fellow servants and who are not fellow servants, and to prohibit contracts limiting liability under this act," have had the same under

consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

S. WARBURTON, Chairman.

We concur in this report: J. R. O'Donnell, Wm. Hickman Moore, O. A. Tucker, Jno. Earles, Herman D. Crow, Warren W. Tolman.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred substitute House bill No. 271, entitled "An act creating a State Oyster Land Commission, defining its duties, making an appropriation and providing a penalty," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

A. T. VAN DE VANTER, Chairman.

We concur in this report: T. B. Sumner, Grant C. Angle, E. M. Rands, Lincoln Davis, E. B. Palmer, John T. Welsh, E. Baumeister.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 236, entitled "An act ordering the Commissioners of Public Printing to have printed and published the fourth biennial report of the State Dairy and Food Commission, and appropriating money therefor."

Also Senate bill No. 154, entitled "An act for the construction of a bridge across the Columbia river at Northport," etc.

Have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that they be indefinitely postponed.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: J. P. Sharp, H. Rasher, E. M. Rands, G. B. Wilson, O. T. Cornwell, Geo. H. Baker, A. S. Ruth, Jno. Earles.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred House bill No. 99, entitled "An act to provide for the selection and control of lands granted and assigned for the support and maintenance of the University of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

O. A. TUCKER, Chairman.

We concur in this report: A. S. Ruth, Stanley Hallett, A. J. Splawn.
The report was adopted.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 173, entitled "An act making a deficiency appropriation for the State Fish Commissioner for office rent," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: E. M. Rands, A. S. Ruth, G. B. Wilson, O. T. Cornwell, H. Rasher, J. P. Sharp.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 172, entitled "An act making a deficiency appropriation for salaries of deputy fish commissioners," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: G. B. Wilson, J. P. Sharp, E. M. Rands, H. Rasher, A. S. Ruth, Jno. Earles, O. T. Cornwell.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 313, entitled "An act providing for the framing of the several legislative groups and of the Constitutional Convention for preservation in the new Capitol Building, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: G. B. Wilson, O. T. Cornwell, A. S. Ruth, Jno. Earles.

MR. PRESIDENT:

We, your Committee on Dairying and Live Stock, to whom was referred House bill No. 168, entitled "An act to prevent the introduction of diseased horses, cattle and swine into the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

A. J. SPLAWN, Chairman.

We concur in this report: A. T. Van de Vanter, H. E. McKenney, G. Garber.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 421, entitled "An act to amend sections 2 and 5 of an act entitled 'An act in relation to attorneys and counsellors at law. providing for admission to the bar,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: Wm. Hickman Moore, E. B. Palmer, R. M. Kinnear, J. R. Welty, E. M. Rands.

Amend the bill by striking out the proviso at the end of section 3, and as so amended that it do pass.

WARREN W. TOLMAN.

On motion of Senator Crow, the bill and reports were placed on general file.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 188, entitled "An act providing for the giving of notice of applications for the appointment of guardians," etc.

Also Senate bill No. 134, entitled "An act to amend sections 6, 7 and 7½ of an act entitled 'An act providing for the protection and propagation of the food fishes,'" etc.

Also Senate bill No. 211, entitled "An act for the protection of hotel, boarding house, restaurant and lodging house keepers," etc.

Also Senate bill No. 180, entitled "An act providing for the organization of mutual, marine and fire insurance companies," etc.

Have compared same with original bills and find them correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report: O. T. Cornwell, Stanley Hallett.

Senate concurrent resolution No. 12, by Committee on Printing:

WHEREAS, The session laws of the State are not stereotyped, and some are entirely out of print; be it

Resolved, by the Senate, the House concurring, That the State Auditor may exchange the Session Laws of 1903, volume for volume, for the Session Laws, new, of any year prior to 1901, with any person offering the same, to the extent of not more than five hundred copies. The State Printing Board shall cause to be printed such extra copies of

the laws of 1903, more than the usual order of the State, to effect said exchange.

On motion of Senator Tolman, the resolution was referred to the Judiciary Committee.

Unanimous consent being given, on motion of Senator Rands, House bill No. 223, by Mr. Parcel, entitled "An act for the protection of shade trees and hedges on public highways" was placed on general file.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 7, 1903.

MR. PRESIDENT:

The Speaker has signed House bill No. 147, entitled "An act regulating gambling."

Also, House bill No. 26, amending section I. of an act entitled "An act relating to nickel-in-the-slot machines."

Also Senate bill No. 123, entitled "An act defining the crime of rape."

Also Senate bill No. 92, entitled "An act for the leasing of county property."

Also Senate bill No. 94, entitled "An act defining the offense of barratry."

Also the House has passed House bill No. 302, entitled "An act providing for annexing county territory."

Also Senate bill No. 33, entitled "An act providing for the incorporation of subordinate lodges."

Also, Senate bill No. 40, entitled "An act for the protection of birds, nests and eggs."

Also, Senate bill No. 61, entitled "An act for the relief of Edson Gerry," with the following amendment: "Strike out all portions of the bill and of the title relating to interest."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 123, entitled "An act defining the crime of rape," etc.

Also, Senate bill No. 92, entitled "An act to amend section 4 of an act providing for the leasing of county property," etc.

Also, Senate bill No. 94, entitled "An act to amend section 901 of the Code of Washington of 1881, defining the offense of barratry and providing penalties therefor."

Have compared same with the engrossed bill and find them correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: O. A. Tucker, A. S. Ruth.

COMMUNICATIONS FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, WASH., March 6, 1903.

The Honorable, the President of the Senate,

SIR: I have the honor to inform you that the Governor has approved the following:

Senate bill No. 72, entitled "An act providing for the protection of employes in factories, mills, or workshops where machinery is used, and providing for the punishment for the violation thereof."

Senate bill No. 152, entitled "An act relating to the tide lands of the City of Hoquiam, and providing for the platting, appraisalment and sale thereof, and declaring void the Harbor Line Commissioner's maps of Hoquiam heretofore filed, and providing for the establishment and leasing of harbor areas therein, and making an appropriation for such purpose, and declaring an emergency."

Also, Senate bill No. 49, entitled "An act to amend section 6 of an act entitled 'An act in relation to attachments and garnishments,' approved February 3, 1886, the same being section 515 of Pierce's Code," etc.

Also, Senate bill No. 70, entitled "An act to amend section 3753 of Ballinger's Annotated Codes, etc., relating to drainage districts."

Also Senate bill No. 112, entitled "An act for the relief of the Washington State Sugar Company."

Also Senate memorial No. 7, memorializing Congress to improve the Duwamish, White and Black rivers.

Respectfully yours,

J. HOWARD WATSON,
Secretary to the Governor.

OLYMPIA, WASH., March 6, 1903.

The Honorable, the President of the Senate,

SIR: I have the honor to inform you that the Governor has this day approved the following:

Senate bill No. 46, entitled "An act relating to jury trials in the Superior Court, providing for the payment by litigants of certain jury fees, and repealing section 5028 of Ballinger's Annotated Codes and Statutes of the State of Washington."

Also, Senate bill No. 108, entitled "An act to create and establish a standard size of certain fruit boxes for the State of Washington."

Respectfully yours,

J. HOWARD WATSON,
Secretary to the Governor.

GENERAL FILE.

Senate bill No. 134, by Senator Moultray, entitled "An act to amend sections 6, 7 and 7½ of an act entitled 'An act providing for the protection and propagation of the food fishes in the waters of the State of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency,' approved March 13, 1899, and the same being chapter CXVII of the Laws of 1899," was placed on final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Crow, Davis, Earles, Garber, Hallett, Hurley, Kinnear, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—31.

Absent or not voting were: Senators Baumeister, Cornwell, Graves, Hailey, Hamilton, Hammer, Hemrich, Moultray, Smith, Stewart, Van de Vanter—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The President signed Senate bills Nos. 94, 92 and 123.

INTRODUCTION OF BILLS.

House bill No. 421, by Committee on Judiciary: An act to amend certain acts in relation to attorneys-at-law.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 383, by Mr. Gunderson: An act relating to an act in relation to the adulteration of foods, etc.

The bill was read the first time; and, on motion of Senator Angle, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Medicine, Dentistry and Hygiene.

House bill No. 261, by Mr. Wilson: An act authorizing boards of education or directors of school districts of the State of Washington to establish and maintain day schools for the deaf.

The bill was read the first time; and, on motion of Senator Cornwell, the rules were suspended, the bill was read the second

time by title, and referred to the Committee on State Granted, School and Tide Lands.

House substitute bill No. 145, by Committee on Public Morals: An act providing for an election on the liquor question on petition of a majority of the legal voters, limiting the power of granting licenses in accordance with said election, providing penalty for violation, etc.

The bill was read the first time; and, on motion of Senator Hallett, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Morals.

House bill No. 281, by Mr. Benn: An act authorizing and empowering the Board of State Land Commissioners to vacate plats conveying state granted, school, tide or shore lands.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 364, by Mr. Williams: An act for the relief of P. J. McGowan & Sons to the right and privilege for a period of 30 years to construct and maintain wharves on a strip of tide land in front of the town of Ilwaco.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 99, by Mr. Raine: An act to provide for the selection and control of lands granted and assigned for the support and maintenance of the University of Washington.

The bill was read the first time; and, on motion of Senator Tucker, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Educational Institutions.

Substitute House bill No. 89, by the Committee on Revenue and Taxation: An act relating to the creation of the office of tax commissioner and assistant commissioner, etc.

The bill was read the first time; and, on motion of Senator Baker, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Counties and County Boundaries.

Substitute House bill No. 84, by Joint Committee on Banks and Banking: An act relating to banking and regulating foreign corporations doing business within the state.

The bill was read the first time; and, on motion of Senator Davis, was indefinitely postponed.

Amended House bill No. 144, by Mr. Lewis: An act providing for the suspending of sentences of minors under 18 years of age convicted of an offense in a state, county or municipal court.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Substitute House bill No. 88, by Mr. Knoblock: An act to amend section 8 of an act entitled "An act for the protection of fish," etc.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Substitute House bill No. 255, by Miscellaneous Committee: An act for the protection of livery and boarding stable keepers, farmers, ranchmen and herders of cattle, and repealing chapter LXXX of the Session Laws of 1891, etc.

The bill was read the first time; and, on motion of Senator Potts, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Miscellaneous.

House bill No. 296, by Mr. Allis: An act providing for the summoning and examination of witnesses before and by prosecuting attorneys.

The bill was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 392, by Mr. Johnson: An act to provide for the issuance of search warrants for the seizure of game unlawfully taken or killed.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Miscellaneous.

House bill No. 8, by Mr. Hopp: An act providing a method for the assessment and collection of an excise tax from express

companies doing a business in this state, compelling annual returns of their gross earnings to the State Board of Assessors, etc.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and made a special order for Monday, March 9, at 2 p. m.

The President signed House bills Nos. 26 and 147.

Unanimous consent being given, Senator Van de Vanter gave notice that he would move for a reconsideration of the vote on House bill No. 107.

Senator Palmer moved that when the Senate does adjourn it be until Monday, March 9, at 2 o'clock p. m.

GENERAL FILE.

Senate bill No. 247, by Senator Hamilton, entitled "An act relating to public printing and binding, and repealing an act entitled 'An act to provide for the state printing and binding, fixing the methods and rules to govern the same; creating commissioners of public printing and a state printing expert; also repealing the following acts: An act entitled "An act to provide for the state printing and binding, fixing the compensation of the state printer," etc., approved February 19, 1890; also an act entitled "An act to create the office of state printer, to provide for the election," etc., approved February 19, 1890; also an act entitled "An act to amend sections 1 and 5 of an act to provide for the state printing and binding," etc., approved March 9, 1893; also sections 3, 4 and 5 of an act entitled "An act providing for uniform systems of public blanks for use in the counties of the State of Washington, and regulating the manufacture and sale thereof by the state," approved March 6, 1897,' approved March 13, 1899; and repealing an act entitled 'An act to amend sections 4 and 9 of chapter CXVIII, Session Laws of 1899, relating to public printing and binding,' approved March 13, 1899, passed by the Senate March 6, 1901; passed by the House March 13, 1901; vetoed by the Governor March 18, 1901; passed by the Senate, notwithstanding the Governor's veto, June 12, 1901, and passed by the House, notwithstanding the Governor's veto, June 12, 1901," was read the third time.

On motion of Senator Hamilton, the rules were suspended, the bill was considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hamilton, Hurley, Kinnear, LeCrone, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Wilson, Mr. President—30.

Absent or not voting were: Senators Baker, Graves, Hailey, Hallett, Hammer, Hemrich, McKenney, Moultray, Smith, Stewart, Warburton, Welty—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 217, by Senator LeCrone, entitled "An act in relation to the support of the poor and indigent and establishing the liabilities of counties in reference thereto," etc., was read the third time by sections.

Senator Tolman moved to amend section 1, lines 4 and 5, by striking after the word "mandatory" the words "except in counties of the first, second, third, fourth and fifth class."

Senator Warburton moved as an amendment to the amendment that the bill be indefinitely postponed.

The amendment was lost, and the amendment of Senator Tolman prevailed.

On motion of Senator LeCrone, the bill was indefinitely postponed.

House bill No. 207, by Mr. Cameron, entitled "An act making application to the Congress of the United States of America to call a convention for proposing amendments to the constitution of the United States of America, as authorized by article V of the constitution," etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hurley, LeCrone, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Sharp, Splawn, Stansell, Tolman, Tucker, Warburton, Welsh, Wilson, Mr. President—27.

Senators Kinnear, Ruth and Sumner voted nay—3.

Absent or not voting were: Senators Clapp, Cornwell, Graves,

Hailey, Hammer, Hemrich, McKenney, Moultray, Smith, Stewart, Van de Vanter, Welty—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 233, by Mr. Carle, entitled "An act for the relief of George A. Brooke," reported that it do pass, was read the third time, the rules were suspended, the bill placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Hallett, Hamilton, Hurley, Kinnear, LeCrone, McKenney, Moore, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Stansell, Sumner, Tolman, Tucker, Welsh, Wilson, Mr. President—28.

Absent or not voting were: Senators Davis, Graves, Hailey, Hammer, Hemrich, Moultray, O'Donnell, Rands, Smith, Splawn, Stewart, Van de Vanter, Warburton, Welty—14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Baker, the Senate resolved itself into a Committee of the Whole to consider House bill No. 113 by Mr. Raine, entitled "An act appropriating money for the payment of certain judgments against the State of Washington."

The bill was considered in the Committee of the Whole, Senator Moore in the chair, and reported back to the Senate with the recommendation that it do pass, with the following amendments:

On motion of Senator Warburton, the vote by which the interest items, in section 1, in lines 4, 5, 6, 7 and 8, of printed bill, were stricken, was reconsidered.

The interest items were reinstated in section 1, lines 4, 5, 6, 7 and 8 of printed bill.

The report was adopted.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, WASH., March 7, 1903.

The Honorable, the President of the Senate,

SIR: I have the honor to inform you that the Governor has this day approved the following:

Senate bill No. 80, entitled "An act to amend an act entitled 'An act to establish a State fair for the State of Washington, making an appro-

priation therefor, and declaring an emergency,' approved March 15, 1893, and declaring an emergency."

Respectfully yours,

J. HOWARD WATSON,
Secretary to the Governor.

On motion of Senator Palmer, substitute Senate bill No. 58, by the Judiciary Committee, entitled "An act to define the duties and provide for assistance for and fix the compensation of the Secretary of State," etc., was taken up, and the Senate concurred in House amendments by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hurley, LeCrone, McKenney, Moore, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Splawn, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—28.

Absent or not voting were: Senators Baumeister, Cornwell, Graves, Hailey, Hammer, Hemrich, Kinnear, Moultray, O'Donnell, Rands, Smith, Stansell, Stewart, Van de Vanter—14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Earles, Senate bill No. 61, by Senator Earles, entitled "An act for the relief of Edson Gerry," etc., was taken up, and the Senate concurred in House amendments by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Garber, Hallett, Hamilton, Hurley, LeCrone, Moore, Potts, Rands, Rasher, Ruth, Sharp, Splawn, Stansell, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—27.

Absent or not voting were: Senators Baker, Earles, Graves, Hailey, Hammer, Hemrich, Kinnear, McKenney, Moultray, O'Donnell, Palmer, Reser, Smith, Stewart, Van de Vanter—15.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Ruth, the rules were suspended, the reading had in Committee of the Whole on House bill No. 113, by Mr. Raine, entitled "An act appropriating money for the payment of certain judgments against the State of Washington," was con-

sidered the third, the bill considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hurley, LeCrone, McKenney, Moore, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Sumner, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—30.

Senator Tolman voted nay—1.

Absent or not voting were: Senator Graves, Hailey, Hammer, Hemrich, Kinnear, Moultray, O'Donnell, Rands, Smith, Stewart, Van de Vanter—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Ruth, the rules were suspended and the reading had in Committee of the Whole on House bill No. 126, by Mr. King, entitled "An act making an appropriation for certain deficiencies for fiscal periods prior to March 31, 1903, and for other purposes," considered the third, the bill placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Earles, Garber, Hallett, Hamilton, Hurley, LeCrone, McKenney, Moore, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—27.

Absent or not voting were: Senators Baumeister, Cornwell, Crow, Davis, Graves, Hailey, Hammer, Hemrich, Kinnear, Moultray, O'Donnell, Rands, Smith, Stewart, Van de Vanter—15.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Sharp, Senate bill No. 75, by Senator Sharp, entitled "An act to amend sections 8, 13, 15, 23, 28, 31 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands,'" etc., was taken up, and the Senate concurred in House amendments by the following vote:

Those voting yea were. Senators Angle, Baumeister, Clapp, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hurley, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rasher,

Reser, Ruth, Sharp, Splawn, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Mr. President—29.

Absent or not voting were: Senators Baker, Cornwell, Graves, Hailey, Hammer, Hemrich, Kinnear, Moultray, Rands, Smith, Stansell, Stewart, Van de Vanter—13.

House bill No. 75, by Mr. York, entitled "An act amending section 21 of chapter LXXI of the Laws of 1879, relating to owners and taxation," etc., was read the third time.

On motion of Senator Tolman, the following amendment to section 1 was adopted:

Strike out all of the sentence beginning in line 10 of the printed bill with the words "Provided, however."

On motion of Senator Welty, section 2 was amended to read: "Section 2. An emergency exists, and this act shall take effect immediately."

The bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Cornwell, Davis, Earles, Garber, Hamilton, Hurley, LeCrone, Moore, Palmer, Potts, Reser, Ruth, Sharp, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—26.

Absent or not voting were: Senators Baumeister, Crow, Graves, Hailey, Hallett, Hammer, Hemrich, Kinnear, McKenney, Moultray, O'Donnell, Rands, Rasher, Smith, Splawn, Stewart—16.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Garber, Hallett, Hamilton, Hurley, LeCrone, McKenney, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, Stansell, Sumner, Tolman, Tucker, Warburton, Welsh, Wilson, Mr. President—28.

Absent or not voting were: Senators Earles, Graves, Hailey, Hammer, Hemrich, Kinnear, Moore, Moultray, O'Donnell, Rasher, Splawn, Stewart, Van de Vanter, Welty—14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 20, by Mr. Lindsley, entitled "An act amending sections 1451 and 1453 of Ballinger's Codes and Statutes of

Washington, relating to the registration of voters," was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Hailey, Hallett, Hamilton, Hurley, LeCrone, McKenney, Moore, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—32.

Absent or not voting were: Senators Garber, Graves, Hammer, Hemrich, Kinnear, Moultray, O'Donnell, Smith, Stewart, Warburton—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 157, by Mr. Craigie, entitled "An act to amend section 2 of an act entitled 'An act to provide for the selection, etc., of the state's granted, school, tide lands,'" etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Cornwell, Crow, Earles, Garber, Hallett, Hamilton, Hurley, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Sharp, Splawn, Stansell, Sumner, Tolman, Tucker, Welsh, Wilson—26.

Absent or not voting were: Senators Baker, Clapp, Davis, Graves, Hailey, Hammer, Hemrich, Kinnear, Moultray, Rasher, Smith, Stewart, Van de Vanter, Warburton, Welty, Mr. President—16.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hamilton, the Senate resolved itself into a Committee of the Whole to consider Senate bill No. 226, by Senator Wilson, entitled "An act making an appropriation for the completion of the chemistry building of the Washington Agricultural College, etc., and for furnishing and equipping the same."

The bill was considered in the Committee of the Whole, Senator Crow in the chair, and reported back to the Senate with the recommendation that it do pass.

The report was adopted.

On motion of Senator Hamilton, the rules were suspended, the reading had in Committee of the Whole on Senate bill No. 226 considered the third, the bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Earles, Hailey, Hallett, Hamilton, Hurley, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Splawn, Stansell, Sumner, Tolman, Tucker, Welsh, Wilson, Mr. President—29.

Those absent or not voting were: Senators Davis, Garber, Graves, Hammer, Hemrich, Kinnear, Moultray, Sharp, Smith, Stewart, Van de Vanter, Warburton, Welty—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate bill No. 187, by Senator Welty, entitled "An act amending section 943 of Ballinger's Codes and Statutes of Washington as the same stands amended by an act entitled 'An act amending section 943 of Ballinger's Codes and Statutes of Washington, relative to assessments for local improvements,'" etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Earles, Hallett, Hamilton, Hurley, LeCrone, McKenney, Moore, Palmer, Potts, Rands, Rasher, Ruth, Splawn, Stansell, Sumner, Tucker, Welsh, Welty, Wilson, Mr. President—26.

Absent or not voting were: Senators Davis, Garber, Graves, Hailey, Hammer, Hemrich, Kinnear, Moultray, O'Donnell, Reser, Sharp, Smith, Stewart, Tolman, Van de Vanter, Warburton—16.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hamilton, all bills passed were ordered transmitted immediately to the House.

Senate bill No. 239, by Senator Palmer, entitled "An act relating to the orders, judgments and opinions of the Supreme Court of Washington, and the furnishing of copies thereof to the parties," was read the third time.

On motion of Senator Palmer, the rules were suspended, the

bill considered engrossed, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Hallett, Hamilton, Hurley, LeCrone, McKenney, Moore, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Sumner, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—26.

Absent or not voting were: Senators Baker, Davis, Earles, Garber, Graves, Hailey, Hammer, Hemrich, Kinnear, Moultray, O'Donnell, Smith, Stansell, Stewart, Van de Vanter, Warburton—16.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Rands, at 12:25 o'clock p. m. the Senate adjourned until Monday, March 9, 1903, at 2 o'clock p. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

FIFTY-SEVENTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, March 9, 1903. }
2 o'clock p. m.

President Smith called the Senate to order at 2 o'clock p. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Clapp, Davis, Graves and Hammer, excused.

Rev. Henry L. Badger offered prayer.

On motion, the reading of Saturday's journal was dispensed with, and it was approved.

Senator Hurley moved for a reconsideration of the vote by which Senate bill No. 52 failed of passage.

Senator Baker moved to lay the motion on the table.

Senator Hamilton seconded the motion of Senator Baker to lay

on the table, explaining that a similar bill to Senate bill No. 52 had failed of passage in the House.

The motion of Senator Baker to lay on the table prevailed.

The hour having arrived for the consideration of the following bills :

Senate bill No. 219, by Senator Rands, entitled "An act authorizing the State Board of Equalization to investigate and report on the best method of taxing all property in the state," etc.

Majority report do pass. Minority report do not pass. Majority report adopted.

Senate bill No. 175, by Senator Warburton, entitled "An act concerning the assessment and collection of taxes in the State of Washington, and amending certain acts in relation thereto," etc.

Do pass as amended. Report adopted.

House substitute bill No. 89, by Committee on Taxation, entitled "An act relating to the creating of the office of tax commissioner and making an appropriation therefor."

House bill No. 8, by Mr. Hopp, entitled "An act providing a method for the assessment and collection of an excise tax from express companies doing business in this state, compelling annual returns of their gross earnings to the State Board of Assessors," etc.

Senator Warburton moved that Senate bill No. 175 be substituted for Senate bill No. 219.

Roll call was demanded by Senators Moultray, Tolman, Hallett, Moore, Rands, Crow and Baker.

The roll was called, and the motion to substitute Senate bill No. 175 for Senate bill No. 219 failed by the following vote :

Those voting yea were: Senators Angle, Crow, Garber, Hallett, McKenney, Moore, Moultray, Rasher, Reser, Sharp, Splawn, Tolman, Warburton, Wilson—14.

Those voting nay were: Senators, Baker, Baumeister, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, O'Donnell, Palmer, Potts, Rands, Ruth, Smith, Stansell, Stewart, Sumner, Tucker, Welsh, Welty Mr. President—20.

Absent or not voting were: Senators Clapp, Cornwell, Davis, Earles, Graves, Hailey, Hammer, Van de Vanter—8.

Senator Angle moved that substitute House bill No. 89 be substituted for Senate bill No. 219.

Roll call was demanded by Senators Moultray, Hallett, Crow, Baker, Ruth, Smith and Sumner.

The roll was called, and the motion to substitute House bill No. 89 for Senate bill No. 219 failed to prevail by the following vote:

Those voting yea were: Senators Angle, Crow, Garber, Hallett, McKenney, Moultray, Rasher, Ruth, Tolman, Warburton, Welty, Wilson, Mr. President—13.

Those voting nay were: Senators Baker, Baumeister, Cornwell, Garber, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, Moore, O'Donnell, Palmer, Potts, Rands, Reser, Smith, Splawn, Stansell, Stewart, Sumner, Tucker—20.

Senator Warburton moved that the rules be suspended, the reading had in Committee of the Whole on Senate bill No. 219 be considered the third, and the bill placed on final passage.

Senator Crow moved to amend section 1, line 4, by striking after the word "same" the words "the said board," and inserting the words "the Governor" in lieu thereof.

The amendment failed to prevail.

The bill was placed upon its final passage, and failed to pass by the following vote:

Those voting yea were: Senators Baker, Cornwell, Earles, Hailey, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, O'Donnell, Palmer, Potts, Smith, Stansell, Stewart, Sumner, Tucker, Welsh, Wilson—19.

Those voting nay were: Senators Angle, Baumeister, Crow, Garber, Hallett, McKenney, Moore, Moultray, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Tolman, Warburton, Mr. President—16.

Absent or not voting were: Senators Clapp, Davis, Graves, Hammer, Splawn, Van de Vanter and Welty—7.

Senator Rands gave notice that at the proper time he would move for a reconsideration of the vote by which Senate bill No. 219 failed to pass.

Senate bill No. 175, by Senator Warburton, entitled "An act concerning the assessment and collection of taxes in the State of Washington, and amending certain acts in relation thereto," etc., was read the third time by sections.

On motion of Senator Warburton, the further consideration was dispensed with, and the bill was made a special order for Tuesday, March 10, 1903, at 10 o'clock a. m.

On motion of Senator Rands, House substitute bill No. 89 and House bill No. 8 were also made a special order at the same time.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 9, 1903.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 239, entitled "An act relating to the orders, judgments and opinions of the Supreme Court of Washington," etc., have compared same with the original bill, and find it correctly engrossed.

Respectfully submitted,

E. B. PALMER, Chairman.

We concur in this report: O. T. Cornwell, C. L. Stewart.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., March 9, 1903.

MR. PRESIDENT:

The House has passed Senate bill No. 125, entitled "An act relating to the Washington Historical Society," with the following amendment: Strike out all of section 5, also the words in the title "and making an appropriation therefor."

Also, Senate bill No. 170, entitled "An act relating to the Washington School for Defective Youth."

Also, House bill No. 53, entitled "An act in relation to the fees of State and County officers."

Also Senate joint memorial No. 9, relative to old soldiers.

Also, House bill No. 344, entitled "An act relative to protection of electric lines."

Also, Senate bill No. 98, entitled "An act authorizing the making of unknown heirs parties defendant in actions pertaining to real estate," with the following amendment:

Add to the end of section 1 the following: "Provided that this act shall not be construed to apply to infants, idiots or insane persons."

Also, House bill No. 385, entitled "An act in relation to irrigation and water rights.

The Speaker has signed House bill No. 49, entitled "An act for the prevention of the spread of contagious diseases, defining the methods," etc.

Also, House bill No. 233, entitled "An act for the relief of Geo. A. Brooke.

Also House bill No. 20, entitled "An act amending sections 1451 and 1453 of Ballinger's Codes relating to registration of voters."

Also House bill No. 119, entitled "An act compelling the attendance of children at certain schools."

Also House bill No. 93, enabling school boards in cities of 50,000 or more to establish parental schools, and amending section 92, Code of Public Instruction.

Also, House bill No. 126, entitled "An act making appropriations for certain deficiencies prior to March 31, 1903, and for other purposes."

Also, House bill No. 207, entitled "An act making application to the Congress of the United States to call a Constitutional Convention to propose amendments to the Constitution of the United States."

Also, House bill No. 19, entitled "An act prescribing a limit upon certain assessments for local improvements, and declaring an emergency."

Also, House bill No. 136, entitled "An act for the protection of game animals and birds, and repealing conflicting acts."

Also, House bill No. 95, entitled "An act amending section 221, regulating the practice and proceedings in civil actions, approved Dec. 1, 1881."

Also House bill No. 4, creating a state board of accountancy, etc.

Also House bill No. 295, entitled "An act providing for the settlement of taxes assessed against mining property for certain years, and declaring an emergency."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

The President signed House bills Nos. 49, 233, 20, 119, 93, 126, 207, 19, 136, 95, 4 and 295; also House bills Nos. 48, 97, 112, 214 and 323.

MR. PRESIDENT:

The House has passed House bill No. 426, entitled "An act relating to causes of action."

Also, House bill No. 360, entitled "An act for the relief of O. A. Bowen.

Also, House bill No. 424, entitled "An act empowering County Commissioners to accept the right of way for highways."

Also, House bill No. 432, entitled "An act transferring certain State funds."

Also, House bill No. 397, entitled, "An act pertaining to the assessment of taxes."

Also House bill No. 396, entitled "An act amending an act to establish a uniform system of schools."

Also, House bill No. 395, entitled "An act amending an act to establish a uniform system of schools."

And the same are herewith transmitted.

Also, the House has concurred in Senate amendments to House bill No. 75, entitled "An act relating to revenue and taxation."

Also House bill No. 113, entitled "An act appropriating money for the payment of certain judgments against the State of Washington."

STOREY BUCK, Clerk of the House.

OLYMPIA, WASH., March 9, 1903.

MR. PRESIDENT:

The House has sustained the veto by the Governor of section 2 of House bill No. 160, entitled "An act amending the act providing for the assessment and collection of taxes."

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The House has passed House bill No. 105, entitled "An act pertaining to the levy and collection of Road and Bridge taxes."

Also House bill No. 418, amending the act relating to the selection and disposition of the state's lands.

Also House bill No. 378, entitled "An act reserving certain school lands from sale and lease."

Also House bill No. 422, entitled "An act providing for the amendment of city charters."

Also House bill No. 399, amending an act relating to the disposition of the state's lands.

Also House bill No. 363, relating to abstract companies.

Also House bill No. 236, providing for the release of joint debtors.

Also House memorial No. 11, asking for the construction of a light-house and fog signal upon Point Granville.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 225, entitled "An act providing for the regulation of mutual fire insurance companies."

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The Speaker has signed House bill No. 48, entitled "An act relating to the issuance of licenses to soldiers and sailors for the purpose of peddling."

Also, House bill No. 97, entitled "An act to amend sections 5396 and 5397 of Ballinger's Code, relating to garnishments."

Also, House bill No. 112, entitled "An act to amend an act relating to garnishments in Justice Courts."

Also, House bill No. 214, entitled "An act relating to expenses incurred in the construction of a system of drainage in certain districts."

Also, House bill No. 323, entitled "An act to amend section 1 of an act relating to the State Board of Health."

And the same are herewith transmitted,

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 255, entitled "An act for the protection of livery stable keepers."

STOREY BUCK, Clerk of the House.

INTRODUCTION OF BILLS.

House bill No. 344, by Mr. Cole: An act to amend an act entitled "An act making it unlawful to injure, obstruct or destroy electric lines," etc.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill o. 385, by Committee on Water, Water Rights and Irrigation: An act in relation to irrigation and water works, defining surplus water in the State of Washington, etc.

The bill was read the first time; and, on motion of Senator Angle, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Irrigation and Arid Lands.

GENERAL FILE.

House bill No. 41, by Mr. Gleason, entitled "An act to provide for the alteration and replat or vacation of any townsite, city plat or plats," etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Earles, Garber, Hallett, Hamilton, Hurley, Kinneer, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Sharp, Splawn, Stansell, Stewart, Tolman, Welsh, Wilson, Mr. President—27.

Absent or not voting were: Senators Clapp, Cornwell, Davis, Graves, Hailey, Hammer, Hemrich, Moore, Rasher, Smith, Sumner, Tucker, Van de Vanter, Warburton, Welty—15.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 196, by Mr. Lindsley, entitled "An act to protect stockholders and persons dealing with corporations," etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Earles, Garber, Hailey, Hallett, Hurley, Kinnear, Le-Crone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Tolman, Welsh, Wilson, Mr. President—28.

Absent or not voting were: Senators Clapp, Cornwell, Davis, Graves, Hamilton, Hammer, Hemrich, Smith, Stewart, Sumner, Tucker, Van de Vanter, Warburton, Welty—14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 205, by Mr. Raine, entitled "An act relating to recognizances, stipulations, bonds and undertakings, and to allow certain corporations to be accepted as sureties thereon," was read the third time.

On motion of Senator Baker, at 3:55 o'clock p. m. the Senate adjourned until tomorrow, Tuesday, March 10, 1903, at 10 o'clock a. m.

J. W. LYSONS,

Secretary of the Senate.

J. J. SMITH,

President of the Senate.

FIFTY-EIGHTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, March 10, 1903. }
10 o'clock a. m. }

President Smith called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Davis and Graves.

Rev. W. S. Treisch offered prayer.

On motion, the reading of yesterday's journal was dispensed with, and it was approved.

The following Senate concurrent resolution No. 13, by Senator Hamilton, was introduced:

Resolved by the Senate, the House concurring, That the Ap-

propriations Committee of the Senate and the Appropriations Committee of the House be allowed to introduce into the Senate and House of Representatives, respectively, the so-called "Omnibus" Appropriations Bill.

On motion of Senator Hamilton, the resolution was adopted and ordered immediately transmitted to the House.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 371, entitled "An act to amend section 49 of an act entitled 'An act to enable cities of the first class to exercise the right of eminent domain,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

WARREN W. TOLMAN, Chairman.

We concur in this report: Wm. Hickman Moore, W. R. Moultray, W. G. Potts, J. R. O'Donnell.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 56, entitled "An act to submit an amendment to the Constitution," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

GEO. J. HURLEY, Chairman.

We concur in this report: A. J. Splawn, G. Garber, J. R. Welty, S. M. LeCrone.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Surgery and Hygiene, to whom was referred House bill No. 383, entitled "An act relating to the adulteration of food and fraud in the sale thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

G. B. WILSON, Chairman.

I concur in this report: S. M. LeCrone.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER.

OLYMPIA, WASH., March 9, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 61, entitled "An act for the relief of Edson Gerry."

Also, Senate bill No. 33, entitled "An act providing for the incorporation of subordinate lodges," etc.

Also, Senate substitute bill No. 58, entitled "An act to provide for assistance for and fixing the compensation of the Secretary of State."

Also Senate bill No. 75, entitled "An act to amend sections 13, 15, 23, 28, 31 and 62 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the State's granted, school, tide, oyster and other lands,' " etc.

Have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: O. A. Tucker, A. S. Ruth.

REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 360, entitled "An act for the relief of O. A. Bowen," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: Jno. Earles, R. M. Kinnear, G. B. Wilson, A. S. Ruth, H. Rasher.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred House bill No. 187, entitled "An act to provide for the selection of candidates for election by popular vote, and relating to elections," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

J. R. O'DONNELL, Chairman.

We concur in this report: E. Baumeister, J. R. Welty, Oscar E. Hailey.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred House bill No. 145,, entitled "An act providing for an election on the liquor

question on a petition of a majority of the legal voters," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

In section 3, line 11, strike the figure "2" after the word "section" and insert figure "1."

In section 6, line 7, strike out the word "filled" and in lieu thereof insert the word "filed."

In section 8, line 1, insert after the word "official" the words "within his respective jurisdiction."

Respectfully submitted,

STANLEY HALLETT, Chairman.

We concur in this report: G. Garber, Grant C. Angle, S. M. LeCrone, O. A. Tucker.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Manufactures, to whom was referred Senate bill No. 234, entitled "An act authorizing persons, firms or corporations, organized for logging, the manufacture of lumber or other timber products, to improve and use the rivers, lakes and streams," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended, by adding the following proviso to section 6: "Provided, that nothing in this act shall be construed to confer any rights to water for irrigation purposes or in any way to affect irrigation works situated on the streams or lakes of this state."

Respectfully submitted,

A. HEMRICH, Chairman.

We concur in this report: S. T. Smith, E. Hammer, G. B. Wilson.

The report was adopted.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House bill No. 364, entitled "An act for the relief of P. J. McGowan & Sons, incorporated," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

W. G. POTTS, Chairman.

We concur in this report: J. P. Sharp, J. R. O'Donnell, Jno. Earles, J. R. Welty, S. T. Smith, Grant C. Angle.

MR. PRESIDENT:

We, a majority of your Committee on Counties and County Boundaries, to whom was referred House bill No. 302, entitled "An act to amend section 1 of an act entitled 'An act to provide for annexing cer-

tain county territory,' etc., the same being section 3921 of Pierce's Codes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

O. E. HAILEY, Chairman.

We concur in this report: A. J. Splawn, J. P. Sharp, E. B. Palmer, S. Warburton, Geo. H. Baker.

MR. PRESIDENT:

I, a minority of your Committee on Counties and County Boundaries, to whom was referred House bill No. 302, entitled "An act to amend section 1 of an act entitled 'An act to provide for annexing certain county territory to a neighboring county to which it is contiguous,' etc., the same being section 3921 of Pierce's Codes," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do not pass.

Respectfully submitted,

STANLEY HALLETT, Chairman.

The majority report was adopted.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 286, entitled "An act amending an act providing for the classification and government of municipal corporations," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the report that it do pass, with the following amendments:

In section 3, line 9, strike out all after the word "and," and insert in lieu thereof the following: "all vacancies in the city council shall be filled by a majority vote of such city council."

Section 5 of the engrossed bill be amended to read the same as the section of the printed bill by striking the word "a" in the amendatory part and insert the words "an attorney" as the same appears in line 13 of said section of the printed bill.

In section 6, line 7, printed bill, strike all after the word "and," and insert "all vacancies in the council shall be filled by a majority vote of said council."

In section 7, line 4, after the figures "1891" insert "the same being section 3485 of Pierce's Codes."

In section 9, line 4, after the figures "1893" insert "the same being section 3487 of Pierce's Codes."

Respectfully submitted,

WARREN W. TOLMAN, Chairman.

We concur in this report: R. M. Kinnear, Wm. Hickman Moore, W. R. Moultray, W. G. Potts.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred substitute House bill No. 255, entitled "An act repealing chapter LXXX, relating to the protection of ranchmen, cattle herders, boarding stable keepers," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

R. M. KINNEAR, Chairman.

We concur in this report: Geo. J. Hurley, John T. Welsh, Lincoln Davis.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred House bill No. 63, entitled "An act to provide for the protection of trout and other game fish in the State of Washington, and providing punishment, and declaring an emergency."

Also, House bill No. 233, entitled "An act providing for the monthly payment of the Assessors of the Counties of the State of Washington."

Have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that they do pass.

Respectfully submitted,

R. M. KINNEAR, Chairman.

We concur in this report: Geo. J. Hurley, John T. Welsh, Lincoln Davis.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred House bill No. 392, entitled "An act to provide for the issuance of search warrants for the seizure of game unlawfully taken, held or acquired, and for the sale of the same in certain causes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

R. M. KINNEAR, Chairman.

We concur in this report: John T. Welsh, Lincoln Davis.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 191, entitled "An act fixing the penalty for persons convicted a second or third time," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Add a new section, to be section 4, which reads as follows:

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, Wm. Hickman Moore, E. M. Rands, J. R. Welty, Warren W. Tolman, H. E. McKenney.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House substitute bill No. 88, entitled "An act to amend section 8 (Pierce's Code, section 5281) of an act entitled 'An act providing for the protection and propagation of the food fishes in the waters of the State of Washington,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

John T. Welsh, E. Baumeister, Grant C. Angle, E. M. Rands, W. R. Moultray, T. B. Sumner, A. S. Ruth.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 296, entitled "An act providing for the summoning and examining of witnesses before and by prosecuting attorneys," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass as amended:

In section 1, line 2, strike the word "any" where it occurs between the words "with" and "prosecuting," and insert the word "the."

In section 2 strike the last word of the section, viz: "whatsoever," and insert in lieu thereof the word "whomsoever."

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: Wm. Hickman Moore, E. B. Palmer, H. E. McKenney, John T. Welsh, Warren W. Tolman.

The report was adopted.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 344, entitled "An act making it unlawful to injure, obstruct or destroy any line erected or constructed for the transmission of electricity, electrical current," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, S. Warburton, Wm. Hickman Moore, John T. Welsh, J. R. Welty.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 43, entitled "An act providing for the assessment and taxation of mining claims, improvements thereon, and of the net proceeds of mines."

Also House bill No. 194, entitled "An act relating to revenue and taxation and amending section 1 of an act entitled 'An act relating to revenue and taxation,' etc.

Have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that they do pass.

Respectfully submitted,

T. B. SUMNER, Chairman.

We concur in this report: O. T. Cornwell, S. Warburton, J. R. O'Donnell, John Earles, Stanley Hallett, Ed. S. Hamilton, Herman D.

Crow, John T. Welsh.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands, to whom was referred House bill No. 294, entitled "An act providing for the improvement of Lake Chelan for navigation purposes, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

G. GARBER, Chairman.

We concur in this report: Wm. Hickman Moore, J. P. Sharp, A. J. Splawn, W. P. Reser, O. T. Cornwell, Grant C. Angle.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

The House has passed Senate bill No. 97, entitled "An act relating to the taking and entry of judgments," with the following amendment: In section 1, line 4, after the word "entered" insert the words "by the clerk."

Also Senate bill No. 55, entitled "An act for the protection of occupants of lands," etc.

Also Senate bill No. 172, entitled "An act providing for the organization and government of river districts," etc.

Also Senate bill No. 109, entitled "An act in relation to the organization, incorporation and government of municipal incorporations."

Also Senate substitute bill No. 156, entitled "An act creating a library commission."

Also Senate bill No. 89, providing for inspection of oil.

Also Senate bill No. 183, entitled "An act granting certain privileges to the Ilwaco Railway Company."

The speaker has signed House bill No. 157, entitled "An act to amend the act to provide for the selection, management and disposition of the state's land."

Also House bill No. 75, amending the act relating to revenue and taxation.

Also House bill No. 113, appropriating money for the payment of certain judgments against the state.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

The President signed House bills Nos. 75, 113 and 157.

MR. PRESIDENT:

The House has passed Senate bill No. 40, entitled "An act for the protection of birds," etc., with the following amendment: In line 1, section 7, strike out the words "and robins."

Also House bill No. 282, entitled "An act for the regulation of the manufacture and sale of vinegar."

Also House bill No. 61, regulating the practice of optometry.

Also House bill No. 354, to amend the act relating to the sale of property under execution, decrees and orders of sale.

Also House bill No. 371, entitled "An act to amend the act to enable cities of the first class to exercise the right of eminent domain."

Also Senate bill No. 202, relating to the employment of convicts.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Tolman, the Senate refused to concur in House amendment to Senate bill No. 40.

The President appointed as a Conference Committee Senators Tolman, Palmer and Garber.

On motion of Senator Hamilton, the Senate concurred in the House amendments to Senate bill No. 125.

Those voting yea were: Senators Angle, Crow, Garber, Hallett, Hamilton, Hammer, Hemrich, Hurley, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Mr. President—29.

Absent or not voting were: Senators Baker, Baumeister, Clapp, Cornwell, Davis, Earles, Graves, Hailey, Kinnear; LeCrone, Welly, Wilson—13.

On motion of Senator Crow, the Senate refused to concur in House amendments to Senate bill No. 98, and asked the House to recede from it amendments.

On motion of Senator Hamilton, House bill No. 286 was substituted on the calendar for Senate bill No. 166.

Senator Baker moved the adoption of the majority report on House bill No. 302.

Senator Palmer moved as an amendment that the minority report be substituted for the majority.

The amendment failed to prevail, and the motion to adopt majority report prevailed.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 7, 1903.

To The Honorable the President of the Senate, Olympia, Wash.:

SIR: I have the honor to inform you that the Governor has this day approved the following:

Senate substitute bill No. 74, entitled "An act relating to the Superior Court of Thurston, Mason and Chehalis counties, providing for the election of judges therein, and declaring an emergency."

Senate bill No. 159, entitled "An act to amend section 26 of an act entitled 'An act providing for the use of water for the purpose of irrigation, and providing for the condemnation of the right of way for ditches and to carry water for such purposes,' approved March 4, 1890."

Respectfully yours,

J. HOWARD WATSON,
Secretary to the Governor.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 9, 1903.

To The Honorable the President of the Senate, Olympia, Wash.:

SIR: I have the honor to inform you that the Governor has this day approved the following:

Senate bill No. 92, entitled "An act to amend section 4 of an act providing for the leasing of county property and entitled 'An act for the leasing of county property, and declaring an emergency,' approved March 16, 1901."

Senate bill No. 93, entitled "An act to provide for the arbitration and settlement of differences between employers and employes, making an appropriation therefor, and declaring an emergency."

Senate bill No. 94, entitled "An act to amend section 901 of the Code of Washington of 1881, defining the offense of barratry, and providing penalties therefor."

Respectfully yours,

J. HOWARD WATSON,
Secretary to the Governor.

Vetoed Senate bill No. 123, together with the following message, was received from the Governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, March 9, 1903.

To the Honorable the President and Members of the Senate of the Eighth Legislature of the State of Washington:

GENTLEMEN: I herewith return Senate bill No. 123, having disapproved the same. The elements necessary to constitute the crime of rape under section 1 of this bill are the same as under statutory provisions now in force. The crime of rape, under the law as it now stands, is punishable by imprisonment in the penitentiary for life or any term of years. Section 2 of this bill seeks to make a change in the penalty prescribed for the commission of such a crime; but its meaning is uncertain. It reads: "Any person convicted of the violation of section 1 of this act shall be deemed guilty of a felony and shall be punished by imprisonment in the State Penitentiary for any term not less than one nor more than fifty." Not less than one nor more than fifty what—days, or months, or years? One court might guess one thing, another something else. Should one be convicted of the crime of rape, the court, under section 2 of this bill, would have to embark upon a sea of speculation as to what the Legislature meant, or else hold that no penalty had been prescribed, and turn the criminal loose. For these reasons I feel constrained to withhold my approval from Senate bill No. 123.

HENRY MCBRIDE, Governor.

On motion of Senator Palmer, the Governor's veto was sustained by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Smith, Sharp, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—40.

Absent or not voting were: Senators Davis and Graves—2.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

The speaker has signed Senate bill No. 58, entitled "An act relating to the Secretary of State."

Also Senate bill No. 61, relating to the relief of Edson Gerry.

Also Senate bill No. 75, relating to the state's granted, school, tide, oyster and other lands.

Also Senate bill No. 33, providing for the incorporation of subordinate lodges.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

The hour having arrived for consideration of Senate bill No. 175, by Senator Warburton, entitled "An act concerning the assessment and collection of taxes in the State of Washington, and amending certain acts in relation thereto," etc.

The third reading was continued from section 4.

On motion of Senator Tolman, sections 7, 8 and 9 were stricken from the bill.

On motion of Senator Warburton, the report of amendments by Judiciary Committee was adopted.

Senator Hamilton moved that the bill be indefinitely postponed.

Roll call was demanded by Senators Moultray, Hallett, Tolman, Hamilton, Baker, Warburton and Ruth.

The roll was called, and the motion to indefinitely postpone prevailed by the following vote:

Those voting yea were: Senators Baker, Baumeister, Clapp, Cornwell, Hamilton, Hemrich, Hurley, LeCrone, O'Donnell, Potts, Ruth, Smith, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh—18.

Those voting nay were: Senators Angle, Crow, Garber, Hallett, Hammer, McKenney, Moore, Moultray, Rasher, Reser, Sharp, Splawn, Tolman, Warburton, Mr. President—15.

Absent or not voting were: Senators Davis, Earles, Graves, Hailey, Kinnear, Palmer, Rands, Welty and Wilson—9.

The President signed Senate bills Nos. 75, 33, 58 and 61.

On motion of Senator Sumner, the Senate resolved itself in a Committee of the Whole to consider House substitute bill No. 89, by Committee on Revenue and Taxation, entitled "An act relating to the creating of the office of tax commissioner, and making an appropriation therefor."

The bill was considered in the Committee of the Whole, Senator McKenney in the chair, and reported back to the Senate with the recommendation that it do pass.

The report was adopted.

Senator Hamilton moved to amend section 1, line 2, after the

word "state," by striking the remainder of the section and inserting the following in lieu thereof:

"The State Auditor, the Secretary of State and the State Land Commissioner shall constitute a board, named the State Board of Assessors, of which board the State Auditor shall be the chairman, and for the purposes of this act shall be known as the State Assessor, the board shall have the power to appoint a commissioner and an assistant commissioner of taxation, who shall hold their office during the pleasure of said board. The commissioner so appointed shall be *ex officio* secretary of the State Board of Assessors, and shall keep a record of all the proceedings of said board, which record, with all other papers or proceedings of said board, shall be a part of the records of the State Auditor's office, and of which the State Auditor shall be the lawful custodian."

Senator Tolman made the point of order that the amendment of Senator Hamilton was out of order, as the amendment had been offered in Committee of the Whole.

The President ruled the point not well taken.

Roll call was demanded by Senators Angle, Hamilton, Sumner, Warburton, Moultray, Baker and Potts on the amendment as offered by Senator Hamilton.

The amendment prevailed by the following vote:

Those voting yea were: Senators Baker, Baumeister, Clapp, Cornwell, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, O'Donnell, Palmer, Potts, Rands, Ruth, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Mr. President—21.

Those voting yea were: Senators Angle, Crow, Garber, Hailey, Hallett, Hammer, McKenney, Moore, Moultray, Rasher, Reser, Sharp, Smith, Splawn, Tolman, Warburton, Welty, Wilson—18.

Absent or not voting were: Senators Davis, Earles, Graves—3.

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Crow, Hailey, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, O'Donnell, Palmer, Potts, Rands, Ruth, Smith, Stansell, Stewart, Sumner, Tucker, Welsh, Welty, Wilson, Mr. President—24.

Those voting nay were: Senators Bauemister, Hallett, Hammer, McKenney, Moore, Moultray, Rasher, Reser, Sharp, Splawn, Tolman, Van de Vanter, Warburton—13.

Absent or not voting were: Senators Cornwell, Crow, Davis, Earles, Garber, Graves—6.

On motion of Senator Ruth the title was amended by adding after the word "creating" the words "a State Board of Assessors."

On motion of Senator Rands Senate bill No. 219 was indefinitely postponed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

The House has passed House substitute bill No. 380, entitled "An act granting a bounty for the encouragement of the manufacture of sugar."

Also House bill No. 382, providing for the manner of paying warrants, etc.

Also House bill No. 241, entitled "An act prohibiting the leaving of iron or steel in saw logs.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Sharp House bill No. 380 was made a special order for tomorrow at 2 o'clock p. m.

House bill No. 8, by Mr. Hopp, entitled "An act providing a method for the assessment and collection of an excise tax from express companies doing business in this State," etc., was read the third time.

On motion of Senator Ruth section 3 was stricken.

On motion of Senator Ruth, section 4, line 5, was amended by inserting between the words "done" and "within" the word "wholly"; section 8, line 8, was amended in a similar manner.

On motion of Senator Warburton section 8, line 8, was amended by striking after the word "taking" the word "two," and inserting the word "eight" in lieu thereof.

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Stansell, Stewart, Tolman, Tucker, Warburton, Welty, Wilson, Mr. President—31.

Absent or not voting were: Senators Crow, Davis, Earles,

Graves, Hemrich, McKenney, Moultray, Splawn, Sumner, Van de Vanter, Welsh—11.

The emergency clause was passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Stansell, Stewart, Tolman, Van de Vanter, Warburton, Welty, Wilson, Mr. President—33.

Absent or not voting were: Senators Davis, Earles, Graves, Hemrich, McKenney, Splawn, Sumner, Tucker, Welsh—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 205, by Mr. Raine, entitled "An act relating to recognizances, stipulations, bonds and undertakings, and to allow certain corporations to be accepted as sureties thereon," was read the third time.

On motion of Senator Moore section 2, line 1, was amended by inserting after the word "trustee" the words "guardian, executor, administrator"; section 2, lines 1 and 2, strike "except a guardian, executor or administrator."

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Garber, Hallett, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—32.

Absent or not voting were: Senators Cornwell, Davis, Earles, Graves, Hailey, Hamilton, Hemrich, Rands, Splawn, Van de Vanter—10.

The emergency clause was passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Garber, Hailey, Hallett, Hammer, Hurley, Kinnear, Moore, O'Donnell, Palmer, Potts, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—31.

Absent or not voting were: Senators Davis, Earles, Graves,

Hamilton, Hemrich, LeCrone, McKenney, Moultray, Rands Rasher, Reser—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 159, by Mr. Zenkner, entitled "An act to amend section 1406 of Ballinger's Annotated Codes and Statutes of Washington, relating to transmitting election returns from precincts to the County Auditor," was read the third time.

Senator Sharp moved to amend section 1, line 5, by striking the word "shall" and inserting the word "may" in lieu thereof.

The amendment failed to prevail.

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Clapp, Cornwell, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Reser, Ruth, Smith, Stansell, Stewart, Tolman, Van de Vanter, Welty—26.

Those voting nay were: Senators Angle, Baker, Baumeister, McKenney, Rands, Sharp, Tucker, Mr. President—8.

Absent or not voting were: Senators Davis, Graves, Rasher, Splawn, Sumner, Warburton, Welsh, Wilson—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 284, by Mr. Gray, entitled "An act to provide for the acceptance and receipt of superintendents of the different insane asylums of the State of moneys donated or given to or for the benefit of such asylums," etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Earles, Hailey, Hallett, Hammer, Hemrich, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Wilson, Mr. President—32.

Absent or not voting were: Senators Baker, Davis, Garber, Graves, Hamilton, Hurley, Rands, Splawn, Warburton, Welty—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 53, by Mr. Easterday, entitled "An act relating to revenue and taxation," was read the third time.

On motion of Senator Palmer section 1, line 3, was amended by inserting between the word "taxes" and the word "charged" the words "or assessments."

On motion of Senator Moore, section 1, line 5, was amended by inserting between the words "taxes" and "charged" the words "or assessments."

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Stewart, Sumner, Tucker, Van de Vanter, Warburton, Welty, Wilson, Mr. President—34.

Senator Crow voted nay—1.

Absent or not voting were: Senators Davis, Graves, McKenney, Splawn, Stansell, Tolman, Welsh—7.

On motion of Senator Rands the usual emergency clause was inserted.

The emergency clause was passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Stewart, Sumner, Tucker, Van de Vanter, Warburton, Welty, Wilson, Mr. President—35.

Absent or not voting were: Senators Davis, Graves, Hemrich, Splawn, Stansell, Tolman, Welsh—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

The House has passed amended Senate bill No. 4, entitled "An act

providing for the incorporation of trust companies," with the following amendments:

In section 1 strike out the word "other" in line 6, after the word "any" and before the word "business," and strike out in line 6 the words "than such as relates to its formation and organization."

In section 1, line 5, of the printed bill, and line 7 of the original bill, after the word "dollars" insert a period "." and the words: "Provided, that in cities having less than 25,000 inhabitants, such companies may be organized with \$50,000 capital, and in cities having less than 10,000 inhabitants such companies may be organized with \$25,000 capital."

In section 6, line 2, of the printed bill, which is also line 2 of the original bill, after the word "employe" insert the words "from its trust funds."

In section 6, line 3 of the printed bill, and line 4 of the original bill, after the word "way" insert the words "out of its trust funds."

In section 6, line 6, of the printed bill, and line 8 of the original bill, strike out the word "misdemeanor" and substitute in lieu thereof the word "felony."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

The House has declined to recede from its amendment to Senate bill No. 40, entitled "An act relating to the protection to birds, their nests and eggs," and has appointed the following conference committee: Messrs. Lewis, Field and Emery.

STOREY BUCK, Clerk of the House.

REPORT OF CONFERENCE COMMITTEE.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT AND MR. SPEAKER:

Your conference committee on Senate bill No. 40 are unable to agree, and ask that the powers of a free conference committee be conferred upon us.

G. GARBER.

WARREN W. TOLMAN.

E. B. PALMER.

WILLIAM H. LEWIS.

C. S. EMERY.

M. E. FIELD.

The report was adopted.

Senate concurrent resolution No. 14, by Senator Hamilton, providing that no bills be considered after 12 o'clock noon on the last day of the session.

On motion of Senator Hamilton the resolution was adopted.

On motion of Senator Tolman the resolution was ordered transmitted immediately to the House.

On motion of Senator Hamilton all bills passed today, with the exception of House bill No. 8, were ordered transmitted immediately to the House.

INTRODUCTION OF BILLS.

House bill No. 354, by Mr. Brewer: An act to amend section 3 of an act entitled "An act relating to the sale of property under execution, decrees and orders of sale, and the confirmation of sheriff sales, and redemption therefrom," etc.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 382, by Mr. Allis: An act providing for the manner of paying warrants under an act of the Legislature, etc., entitled "An act to provide for the construction, repairing and protection of drains and ditches for agricultural, sanitary and domestic purposes," etc.

The bill was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Dykes and Drainage.

House bill No. 371, by Mr. Gleason: An act to amend section 49 of an act entitled "An act to enable cities of the first class to exercise the right of eminent domain for the taking and damaging of land for public purposes," etc.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations.

House bill No. 426, by Mr. Wells: An act relating to causes of action and claims in favor of or against minors, imbeciles and insane persons, and authorizing the compromise thereof.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 360, by Mr. Megler: An act for the relief of O. A. Bowen.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Claims and Auditing.

House bill No. 58, by the Judiciary Committee: An act in relation to the fees of State and County officers, witnesses and jurors.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 420, by Mr. Wells: An act relating to causes of action and claims in favor of or against minors, imbeciles and insane persons, and authorizing the compromise thereof.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 241, by Mr. Emery: An act prohibiting the leaving of iron or steel in sawlogs, and providing penalty for violation.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Manufactures.

House bill No. 61, by Mr. Delanty: An act to define and regulate the practice of optometry, and for the creation of a board of examiners in optometry.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Miscellaneous.

House bill No. 282, by Mr. Henry: An act for the regulating of the manufacture and sale of vinegar, etc.

The bill was read the first time; and, on motion of Senator Hallett, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Miscellaneous.

House bill No. 422, by Mr. Lindsley: An act to provide for the direct amendment of city charters in respect to local affairs.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second

time by title, and referred to the Committee on Municipal Corporations.

House amended bill No. 105, by Mr. Ferguson: An act providing for the levy and collection of road and bridge taxes, etc.

The bill was read the first time; and, on motion of Senator Sumner, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

House bill No. 378, by Mr. Butler: An act reserving certain school lands from sale or lease, etc.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 418, by Mr. Wells: An act to amend section 35 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the State's granted, school, tide, oyster and other lands," etc.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 399, by Mr. Cameron: An act providing for the management, survey, reclamation, lease and disposition of State's school, tide, oyster and other lands.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House bill No. 363, by Mr. Wells: An act in relation to abstracters and abstract companies, providing for the furnishing of security, and fixing a penalty for violation thereof.

The bill was read the first time; and, on motion of Senator Tolman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 236, by Mr. Raine: An act to provide for the release of joint debtors, etc.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 424, by Mr. Haynes: An act empowering boards of County Commissioners to accept the right of way for the construction of highways over the public lands of the United States, etc.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 432, by Joint Committee on Appropriations: An act transferring certain funds from the State Charitable, Educational, Penal and Reform fund to the General fund.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill read the second time by title, and referred to the Committee on Appropriations.

House bill No. 395, by Mr. Craigie: An act to amend an act entitled "An act to establish a uniform system of public schools," etc.

The bill was read the first time; and, on motion of Senator Sumner, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 396, by Mr. Craigie: An act to amend section 117 of an act entitled "An act to establish a uniform system of public schools," etc.

The bill was read the first time; and, on motion of Senator Sumner, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 397, by Mr. Craigie: An act to amend section 63 of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," etc.

The bill was read the first time; and, on motion of Senator Sumner, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House memorial No. 11, by Mr. Philbrick: Memorializing Congress to authorize the speedy construction of a lighthouse and fog station upon Point Granville.

The memorial was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Memorials.

On motion of Senator Rands, at 12:25 o'clock p. m., the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

The President called the Senate to order at 2 o'clock p. m, pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Clapp, Earles and Graves, excused.

On motion of Senator Crow the Senate concurred in House amendments to Senate bill No. 4 by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Davis, Garber, Hallett, Hammer, Hurley, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Potts, Rasher, Reser, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Warburton, Welsh, Welty, Mr. President—27.

Absent or not voting were: Senators Baker, Clapp, Cornwell, Earles, Graves, Hailey, Hamilton, Hemrich, McKenney, Palmer, Rands, Ruth, Tucker, Van de Vanter, Wilson—15.

Unanimous consent being given, on motion of Senator Potts substitute House bill No. 191, by Committee on Judiciary, entitled "An act increasing the penalty for persons convicted a second and third time of felony," was considered out of order, read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Cornwell, Crow, Davis, Garber, Hailey, Hallett, Hamilton, Hemrich, Hurley, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Mr. President—31.

Absent or not voting were: Senators Baker, Clapp, Earles, Graves, Hammer, Kinnear, Moultray, Reser, Stansell, Van de Vanter, Wilson—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Palmer the rules were suspended, and the bill ordered transmitted immediately to the House.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 15, permitting the introduction of an appropriation bill, and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Sumner the report of the committee that House bill No. 282 do pass, with amendments, was adopted.

House bill No. 279, by Mr. Easterday, entitled "An act amending section 7038 of Ballinger's Codes defining murder in the second degree," etc., was read the third time.

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Cornwell, Crow, Davis, Garber, Hamilton, Hammer, Hemrich, Hurley, Kinneer, LeCrone, McKenney, O'Donnell, Potts, Rands, Rasher, Reser, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Wilson, Mr. President—29.

Absent or not voting were: Senators Baker, Clapp, Earles, Graves, Hailey, Hallett, Moore, Moultray, Palmer, Ruth, Van de Vanter, Welsh, Welty—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., March 7, 1903.

We, your Committee on Judiciary, to whom was referred House bill No. 421, entitled "An act to amend sections 2 and 5 of an act entitled 'An act in relation to attorneys and counsellors at law; providing for admission to the bar,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: Wm. Hickman Moore, E. B. Palmer, R. M. Kinneer, J. R. Welty, E. M. Rands.

Amend the bill by striking out the proviso at the end of section 3, and as so amended that it do pass.

WARREN W. TOLMAN.

The bill was placed on general file.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Dykes, Drains and Drainage, to whom was referred House bill No. 382, entitled, "An act providing for the manner of paying warrants issued under an act of the Legislature of the State of Washington entitled 'An act to provide for the construction, repairing and protection of drains,'" etc, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

E. HAMMER, Chairman.

We concur in this report: H. E. McKenney, J. R. O'Donnell.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House memorial No. 11 (engrossed copy), relative to a lighthouse at Point Granville, Chehalis county, Wash., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

E. BAUMEISTER, Chairman.

We concur in this report: G. Garber, Wm. Hickman Moore.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 42, entitled "An act providing for and regulating the selection of jurors in the superior courts of the state," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. M. Rands, S. Warburton, J. R. Welty, Warren W. Tolman, John T. Welsh.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred House bill No. 170, entitled "An act prohibiting the sale of intoxicating liquors within prescribed limits of any normal school, agricultural college, reform school or state school for defective youth, and prescribing penalties for its violation," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

O. A. TUCKER, Chairman.

We concur in this report: E. Hammer, A. S. Ruth, Stanley Hallett, C. L. Stewart, W. R. Moultray, A. J. Splawn.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 422, entitled "An act to provide for a direct amendment of city charters," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

WARREN W. TOLMAN, Chairman.

We concur in this report: J. R. O'Donnell, R. M. Kinnear, T. B. Sumner, W. G. Potts.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred House bill No. 61, entitled "An act to define and regulate the practice of optometry, and for the creation of a board of examiners in optometry," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

R. M. KINNEAR, Chairman.

We concur in this report: Geo. J. Hurley, Lincoln Davis, John T. Welsh.

The report was adopted.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred communication from Hon. W. L. Jones, representative in Congress, together with United States Senate bill No. 6689, providing for the designation of game preserves in governmental forest reserves, and providing punishment for trespass thereof, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

R. M. KINNEAR, Chairman.

We concur in this report: Geo. J. Hurley, Lincoln Davis, John T. Welsh.

On motion of Senator Hamilton House concurrent resolution No. 15 was substituted for Senate concurrent resolution No. 13, by Senator Hamilton, and adopted.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Joint Committee on Appropriations, to whom was referred the omnibus appropriation Senate bill No. 250, entitled "An act making

appropriation for the maintenance of and construction of buildings and other improvements at, and other sundry expenses for the various state institutions and offices, and for the sundry civil expenses of the state government," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: E. M. Rands, E. Hammer, O. T. Cornwell, R. M. Kinnear, H. Rasher, A. S. Ruth, G. B. Wilson, J. P. Sharp, Geo. H. Baker.

Senate bill No. 250, by Joint Committee on Appropriations: An act making appropriations for the general expenses, etc., of the State, was introduced out of order.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

House bill No. 300, by Mr. Johnston, entitled "An act to prevent the duplication of corporate entitlement," was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Davis, Garber, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Sharp, Smith, Splawn, Stansell, Tolman, Tucker, Warburton, Welsh, Welty, Mr. President—31.

Absent or not voting were: Senators Clapp, Cornwell, Earles, Graves, Hailey, Hallett, Ruth, Stewart, Sumner, Van de Vanter, Wilson—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Unanimous consent being given, on motion of Senator Warburton the Governor's veto message on Senate bill No. 178 was taken up out of order.

GOVERNOR'S MESSAGE.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, WASH., March 10, 1903.

To the President and Gentlemen of the Senate:

Having disapproved Senate bill No. 178, entitled "An act repealing chapter LIX, Session Laws of 1899, same being an act entitled 'An act

relating to the law of libel, and providing for opportunity of retraction of libels, and declaring an emergency," I herewith return the same, together with my objections thereto.

Section 1 of the act sought to be repealed provides that where an action is brought for the publication of a libel in any newspaper the aggrieved party, under certain circumstances, can recover only *actual damages*. To limit plaintiff's recovery to actual damages it must appear at the trial, first, that the article in question was published in good faith; second, that the falsity of the article was due to mistake or misapprehension of the facts; third, that a *full and fair* retraction of the false or defamatory article had been published in each copy of the next three regular issues of the newspaper, or, in case of daily papers, within three days after the mistake or misapprehension had been brought to the knowledge of the publisher or publishers; fourth, that the retraction had been published in as *conspicuous a place and type* in the offending newspaper as had been the article complained of as libelous. If the defendant upon the trial should fail to establish any one of these four propositions, the plaintiff would not be limited to the recovery of actual damages, for then the measure of his damages would be the same as at common law. By most people a single apology would be considered sufficient. But the statute sought to be repealed requires the proprietor of the offending newspaper to humble himself three times over. And even then he is not deemed purged of his offense, but is required to pay the plaintiff whatever actual damages he may have suffered. The apology, or retraction, it is to be noted must be "*full and fair*." Any evasion of this provision on the part of newspaper proprietors would be regarded by courts and juries as an aggravation of the original offense and would lead to enhanced damages.

Section 2 defines "actual damages" as "all damages that the plaintiff may show he has suffered in respect to his property, business, trade, profession or occupation." This, it must be admitted, works a change in the common law rule. By "actual damages," as used in the statute under consideration, is meant what is known at common law as special damages, as distinguished from general damages. Minnesota has a statute like ours. The Supreme Court of that state points out the modification of the common law rule, as well as some of the reasons in favor of such a statute, in the following words:

Now, at common law, the remedy allowed to a person injured by a libel was—First, special damages for every injury of a pecuniary nature resulting from the wrong, which he had to both plead and prove; and, second, general damages, that is, damages to his standing and reputation, which the law presumed, without proof, from the fact of the publication of a libel actionable per se. Moreover, malice was the gist of every action for libel; either malice in fact, consisting of improper and unjustifiable motives, or constructive malice, which the law presumed, without proof, from the fact of the falsity of the publication. Evidence of intention, that is, of the absence of malice in fact, was always admissible, where the communication was privileged, in justification, and, where it was not privileged, in mitigation of damages. A retraction of the libel was also always admissible in mitigation. In effect, this statute but extends this rule of

evidence so as to permit evidence of intention—good faith—coupled with a full retraction, not merely in mitigation of damages, but to prevent the recovery of general damages, as distinguished from special damages for injuries of a pecuniary nature. Now, in an action for libel, the object, so far at least as general damages is concerned, is not merely to obtain redress in the shape of pecuniary compensation, which is frequently but a secondary consideration, but also—which is usually of much greater importance—of vindicating the plaintiff's character by openly challenging his accusers to proof of their assertions, and of establishing their falsity, if they be false. Now, as far as vindication of character or reputation is concerned, it stands to reason that a full and frank retraction of the false charge, especially if published as widely and substantially to the same readers as was the libel, is usually in fact a more complete redress than a judgment for damages. Indeed, where there has been perfect good faith, and an entire absence of improper motives, in the publication of a libel, and no special or pecuniary injury has resulted, an action for damages, brought after such a full and frank retraction and apology, is in a majority of cases purely speculative. It may be said that a retraction is not a complete remedy for injury to reputation, because even retracted falsehood may be repeated without the retraction; but the same may be said of it even after the falsity of the charge is established by a judgment for damages. * * * But if there was an entire absence of either negligence or improper and unjustifiable motives, but, on the contrary, perfect good faith on the part of the publisher of the libel, and if he has done all that can reasonably be done in redressing the wrong, so far as it has affected a party's character, by publishing a full retraction, what principle of reason or natural justice is violated by limiting the recovery of pecuniary damages to the pecuniary injuries which he has sustained? Or, if good faith can be shown in mitigation of damages, what constitutional provision is violated by permitting it to be proved in connection with a retraction, so as to prevent altogether the recovery of money damages for the presumed injuries to reputation which are not at all pecuniary in their nature, and which have already been redressed, as far as they can be, by the retraction?"—Allen vs. Pioneer Press Co., 40 Minn., 117.

The statute in question was designed for the protection against vexatious litigation of responsible newspapers acting in good faith—newspapers ready and willing to pay all actual damages suffered, as well as to make full and ample apology for an unintentional wrong. For irresponsible newspapers—for scurrilous or blackmailing sheets—it offers no shield. For such publications an action for damages has no terror. The only restraint upon them is the fear of the law of criminal libel.

As to what constitutes "good faith," the Supreme Court of Minnesota in the case above referred to says:

"Good faith requires proper consideration for the character and reputation of the person whose character is likely to be injuriously affected by the publication. It requires of the publisher that he exercise the care and vigilance of a prudent and conscientious man, wielding, as he does, the great power of the public press. There must be an absence, not only of all improper motives, but of negligence, on his part. It is his duty to take all reasonable precautions to verify the truth of the statement, and to prevent untrue and injurious publications against others. The extent and nature of these precautions will depend upon and vary with the circumstances of each case, such as the nature of the charge, the previous known character and standing of the person whom it affects, the extent to which the report has already gained circulation and publicity. If it is a piece of news in which the public may be presumed to have a lawful interest, good faith might permit a line of action which would not be permissible in the case of an item of mere scandal, of no legitimate interest to the public. If a pub-

lisher of a newspaper, for the sake of gratifying a depraved public taste, or for the sake of being considered 'newsy,' and 'scooping' other newspapers, should recklessly or even negligently publish a piece of scandal about another, without taking such precautions to verify its truth as would be taken by a conscientious and prudent man under like circumstances, then he would not be acting in good faith, within the meaning of this statute, even although he may have a belief that the publication is true. Such conduct would not be a performance of his legal duty in guarding against wrongfully injuring the reputation of others. If, on the other hand, he takes all such reasonable precautions, and has then a reasonable and well-grounded belief in the truth of the statement, and then publishes it as a matter of news, and it nevertheless proves to be false, he acts in 'good faith.' This is what we think the statute means, and is all that any honest and fair-minded newspaper publisher will demand."

Believing that the statute sought to be repealed is a just and fair measure, believing that under the construction placed upon it by the courts it affords ample redress to anyone, whether in public or private life, against any *unintentional* wrong—the only kind to which it applies—on the part of responsible newspapers, I cannot approve Senate bill No. 178.

HENRY MCBRIDE, Governor.

On motion of Senator Baker the Governor's veto message was made a special order for tomorrow at 2:30 o'clock p. m.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

The House has passed Senate bill No. 142, entitled "An act providing for a constitutional amendment."

Also Senate bill No. 90, entitled "An act to promote the fruit growing interests of the state."

Also Senate bill No. 73, relating to the public schools of the state.

Also Senate bill No. 138, entitled "An act creating a lien upon steamships, vessels and boats," with the following amendments: Insert the word "wilfully" between the words "shall" and "fail," in line 2 of the printed bill.

Also House bill No. 451, entitled "An act amending the act extending the right of eminent domain to water power companies."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House bill No. 34, by Mr. Easterday, entitled "An act authorizing the taking of private property for the use of public school districts for school house sites," etc., was read the third time by sections.

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Baumeister, Crow, Davis, Garber, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Reser, Smith, Splawn, Tolman, Tucker, Warburton, Welsh, Welty—25.

Absent or not voting were: Senators Angle, Clapp, Cornwell, Earles, Graves, Hailey, LeCrone, Moultray, Rasher, Ruth, Sharp, Stansell, Stewart, Sumner, Van de Vanter, Wilson, Mr. President—17.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hamilton the Senate concurred in House amendments to Senate bill No. 138, by the following vote:

Those voting yea were: Senators Baumeister, Crow, Davis, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Palmer, Potts, Rands, Reser, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Welsh, Welty, Mr. President—26.

Absent or not voting were: Senators Angle, Baker, Clapp, Cornwell, Earles, Garber, Graves, Hailey, Moultray, O'Donnell, Rasher, Ruth, Sumner, Van de Vanter, Warburton, Wilson—16.

House bill No. 161, by Mr. Jones, entitled "An act relating to the election of school directors in cities of 10,000 inhabitants and over."

On motion of Senator LeCrone the following amendments were adopted:

In section 1, line 7, strike out the word "July" and insert in lieu thereof the word "January."

Also, in line 8, same section, change "July" to "January."

In section 2, line 3, strike out the word "last" and insert in lieu thereof the word "first."

In section 2, line 4, strike out the word "May" and insert in lieu thereof the word "December."

In section 2, line 4, strike out the figure "4" and insert in lieu thereof the figure "3."

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Davis, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Le-

Crone, McKenney, Moore, O'Donnell, Palmer, Potts, Rasher, Reser, Sharp, Smith, Splawn, Tolman, Tucker, Warburton, Mr. President—25.

Absent or not voting were: Senators Baker, Clapp, Cornwell, Earles, Graves, Hemrich, Kinnear, Moultray, Rands, Ruth, Stansell, Stewart, Sumner, Van de Vanter, Welsh, Welty, Wilson—17.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 71, by Mr. Thompson, entitled "An act to amend several sections of an act entitled 'An act relating to building, loan and saving associations.'"

The bill was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Cornwell, Davis, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Reser, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—29.

Absent or not voting were: Senators Baker, Clapp, Davis, Earles, Garber, Graves, Hailey, Hemrich, Moultray, Rands, Rasher, Ruth, Sumner—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 338, by Insurance Committee, entitled "An act to amend chapter CLXXIV of the Session Laws of 1901," etc.

The bill was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Davis, Hallett, Hamilton, Hurley, Kinnear, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Reser, Sharp, Smith, Splawn, Stansell, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—28.

Absent or not voting were: Senators Baker, Clapp, Cornwell, Earles, Graves, Hailey, Hammer, Hemrich, Moultray, Rasher, Ruth, Stewart, Sumner,—14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 431, by Mr. Maloney and Mr. Cooney, entitled

“An act relating to a rate of interest to be paid on the bonds of Stevens County.”

The bill was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Davis, Hailey, Hallett, Hamilton, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Reser, Sharp, Smith, Splawn, Stewart, Tolman, Tucker, Warburton, Welsh, Welty, Wilson—28.

Absent or not voting were: Senators Baker, Clapp, Cornwell, Earles, Garber, Graves, Hammer, Hemrich, Rasher, Ruth, Stansell, Sumner, Van de Vanter, Mr. President—14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 51, by Mr. Lindsley, entitled “An act amending Ballinger's code in relation to exceptions, and providing that no property shall be exempt from certain claims.”

The bill was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Davis, Hallett, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rands, Reser, Sharp, Smith, Splawn, Stansell, Tolman, Tucker, Welsh, Welty, Wilson—25.

Senator O'Donnell voted nay—1.

Absent or not voting were: Senators Clapp, Cornwell, Earles, Garber, Graves, Hailey, Hamilton, Hammer, Hemrich, Rasher, Ruth, Stewart, Sumner, Van de Vanter, Warburton, Mr. President—16.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 238, by Mr. Eidemiller, entitled “An act authorizing the boards of County Commissioners of the several counties of the State of Washington to dedicate to the public land for public streets and alleys in incorporated cities and towns through property belonging to the several counties of the State of Washington.”

The bill was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow,

Davis, Hailey, Hallett, Hamilton, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Sharp, Splawn, Stansell, Stewart, Tolman, Tucker, Warburton, Welsh, Welty, Mr. President—29.

Absent or not voting were: Senators Baker, Clapp, Cornwell, Earles, Garber, Graves, Hammer, Hemrich, Ruth, Smith, Sumner, Van de Vanter, Wilson—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

The House has passed House bill No. 384, entitled "An act relating to the violation of contracts by teachers."

Also House bill No. 415, entitled "An act to amend section 4869 Balingier's Code, relating to commencement of actions."

Also House bill No. 327, entitled "An act providing for the purchase of ground around the soldiers' monument."

Also House substitute bill No. 359, establishing hunters' licenses.

Also Senate bill No. 160, entitled "An act relating to the St. Louis exposition."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Hamilton the Senate resolved itself into a Committee of the Whole to consider House substitute bill No. 271, by Committee on Fisheries, entitled, "An act creating a State Oyster Land Commission," etc.

The bill was considered in the Committee of the Whole, Senator Crow in the chair, and reported back to the Senate with the recommendation that it do pass.

The report was adopted.

On motion of Senator Welsh the rules were suspended, the reading had in Committee of the Whole considered the third, the bill placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Cornwell, Crow, Davis, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth,

Sharp, Smith, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—38.

Absent or not voting were: Senators Clapp, Earles, Graves, Splawn—4.

The emergency clause was passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Cornwell, Crow, Davis, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Stansell, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Mr. President—35.

Absent or not voting were: Senators Clapp, Earles, Graves, Splawn, Stewart, Van de Vanter, Wilson—7.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Rands, House bills Nos. 372 and 368 were made a special order for tomorrow at 3 o'clock p. m.

Senator Hamilton gave notice that at the proper time he would move for a reconsideration of the vote by which House bill No. 8 passed the Senate.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

The House has concurred in Senate amendments to House substitute bill No. 191, entitled "An act fixing the penalty for persons convicted a second and third time."

The House has concurred in Senate amendments to House bill No. 53, entitled "An act relating to revenue and taxation."

The House has passed House bill No. 309, entitled "An act to punish husbands who connive at the prostitution of their wives."

Also House bill No. 438, entitled "An act relating to the duties of treasurers of cities."

Also House bill No. 369, entitled "An act relating to the assessment and collection of taxes."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House bill No. 286, by Mr. Roth, entitled "An act to amend section I of an act entitled 'An act to amend an act entitled "An act to amend sections 105, 106, 114 and 117 of an act entitled an act providing for the organization classification, incorporation and government of municipal corporations, and declaring an

emergency,"' and approved March 27, 1890, approved March 9, 1891, and declaring an emergency, approved March 8, 1893; and repealing an act entitled 'An act providing for the election of City Marshal in cities of the third fourth classes and other cities of equal population, approved March 20, 1895; and amending sections 108, 143, 144 and 146 of an act entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,"' approved March 27, 1890; and amending section 2 of an act entitled 'An act to amend sections 105, 106, 114 and 117 of an act entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,"' and approved March 27, 1890, approved March 9, 1891; and amending section 4 of an act entitled 'An act to amend sections 107, 109, 113, 116, 124, 125, 126, 132, 133, 134, 135 and 136 of an act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,"' approved March 27, 1890, approved May 9, 1893; and providing for the confirmation and appointment of municipal officers and employes made by the mayor."

The bill was read third time.

On motion of Senator Tolman the following amendment was adopted:

After the word "*pro tem.*" in section 7, line 11, amend by adding the following: "but the appointment of a Councilman as Mayor *Pro Tem.*, or as Clerk *Pro Tem.* shall not in any way abridge his right to vote upon all questions coming before such council.

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Crow, Davis, Garber, Hallett, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Smith, Splawn, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Wilson, Mr. President—28.

Those voting nay were: Senators Ruth, Sharp, Stewart—3.

Absent or not voting were: Senators Baker, Baumeister, Clapp, Cornwell, Earles, Graves, Hailey, Hammer, Rands, Warburton, Welty—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Kinnear moved, at 4:35 p. m., that the Senate adjourn. The motion was lost.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT AND MR. SPEAKER:

We, your Free Conference Committee, to whom was referred Senate bill No. 40, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the following amendment to such bill be adopted:

Amend section 7, line 2, by striking out the period after the word "act" and inserting a comma and the words "and the provisions of this act shall not apply to any person who shall kill any bird on his own enclosed premises while such bird is destroying fruit or grain."

And your committee further recommends that, as amended, the bill do pass.

Warren W. Tolman, G. Garber, M. E. Field, C. S. Emery, William H. Lewis, E. B. Palmer.

The Senate adopted the report of the Free Conference Committee on Senate bill No. 40 by the following vote:

Those voting yea were: Senators Angle, Baker, Cornwell, Crow, Davis, Garber, Hallett, Hamilton, Hammer, Hurley, Kinnear, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stewart, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President.—32.

Absent or not voting were: Senators Baumeister, Clapp, Earles, Graves, Hailey, Hemrich, LeCrone, Stansell, Sumner, Warburton—10.

House bill No. 421, by the Committee on Judiciary, entitled "An act to amend certain acts in relation to attorneys at law," etc.

Majority report: Do pass.

Minority report: Do pass as amended.

Senator Palmer moved the adoption of the majority report.

Senator Tolman moved as an amendment that the minority report be adopted for the majority.

The amendment failed to prevail, and the majority report was adopted.

The bill was read the third time.

Senator Rands moved to amend section 3, line 9, by striking out the proviso.

The amendment was lost.

Senator Rands moved to amend section 3, line 11, by inserting after the word "Washington" the words "to have paid \$60 per annum."

The amendment failed to prevail.

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Davis, Garber, Hallett, Hammer, Hemrich, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Ruth, Sharp, Smith, Sumner, Tucker, Warburton, Welsh, Wilson, Mr. President—24.

Those voting nay were: Senators Rands and Tolman—2.

Absent or not voting were: Senators Baker, Clapp, Cornwell, Earles, Graves, Hailey, Hamilton, Hurley, Kinnear, LeCrone, Reser, Splawn, Stansell, Stewart, Van de Vanter, Welty—16.

The emergency clause was passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Cornwell, Crow, Davis, Hailey, Hallett, Hamilton, Hemrich, Hurley, Kinnear, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Ruth, Sharp, Smith, Splawn, Sumner, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—29.

Those voting nay were: Senators Hammer, LeCrone, Rands—3.

Absent or not voting were: Senators Baker, Clapp, Earles, Garber, Graves, Reser, Stansell, Stewart, Tolman, Van de Vanter—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Ruth introduced the following resolution and moved its adoption:

Resolved, That W. N. Bailey, J. Rea, Jr., and B. Allen be employed as assistant enrolling clerks.

The resolution was adopted.

Senator Ruth nominated W. N. Bailey for assistant enrolling clerk, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Cornwell, Crow, Davis, Garber, Hailey, Hallett, Hamilton, Ham-

mer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—39.

Absent or not voting were: Senators Clapp, Earles, Graves—3.

Senator Ruth nominated J. Rea, Jr., for assistant enrolling clerk, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Cornwell, Crow, Davis, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—39.

Absent or not voting were: Senators Clapp, Earles, Graves—3.

Senator Ruth nominated B. Allen for assistant enrolling clerk, who was elected by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Cornwell, Crow, Davis, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—39.

Absent or not voting were: Senators Clapp, Earles, Graves—3.

W. N. Bailey, J. Rea, Jr., and B. Allen were sworn in by the President as assistant enrolling clerks.

INTRODUCTION OF BILLS.

House bill No. 369, by Mr. Jones: An act to amend section 97½ (Pierce's Code, section 8693) of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," etc.

The bill was read the first time; and, on motion of Senator Moore, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

House bill No. 451, by Mr. Jones: An act amending an act entitled "An act extending the right of eminent domain to water power companies," etc.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 415, by Mr. Quinn: An act to amend section 4869 of Ballinger's Code, regulating the commencement of actions, etc.

The bill was read the first time; and, on motion of Senator Crow, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 438, by Mr. Crandall: An act regulating the duties of Treasurers of cities having a population of twenty thousand or more, etc.

The bill was read the first time; and, on motion of Senator Ruth, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House bill No. 359, by Mr. Dickson: An act establishing hunters' licenses, providing for the disposition of all moneys collected, etc.

The bill was read the first time; and, on motion of Senator Palmer, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Miscellaneous.

House bill No. 327, by Mr. Philbrick: An act providing for the purchase of additional lots and for the care and improvement of the grounds around the monument erected by the State to the dead soldiers of the Washington Volunteers, etc.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time, and referred to the Committee on Appropriations.

House bill No. 384, by Mr. Gunderson: An act relating to the violation of contracts by teachers, etc.

The bill was read the first time; and, on motion of Senator Angle, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Educational Institutions.

House bill No. 309: An act to punish husbands who connive at the prostitution of their wives.

The bill was read the first time; and, on motion of Senator Welsh, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Morals.

On motion of Senator Hamilton, all bills passed today, except House bill No. 8, were ordered transmitted immediately to the House.

On motion of Senator Potts, at 5:07 o'clock p. m. the Senate adjourned until tomorrow at 10 o'clock a. m.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

FIFTY-NINTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, March 11, 1903. }
10 o'clock a. m. }

The president called the Senate to order at 10 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Graves and Splawn, excused.

Rev. W. A. Spalding, D. D., offered prayer.

On motion the reading of yesterday's journal was dispensed with, and it was approved.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred House bill No. 309, entitled "An act to punish husbands who connive at the prostitution of their wives," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

STANLEY HALLETT, Chairman.

We concur in this report: Grant C. Angle, S. M. LeCrone, O. A. Tucker, G. Garber.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Manufactures, to whom was referred House bill No. 275, entitled "An act to prevent discrimination in the distribution of railroad cars," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended.

Section 1, line 1, after the word "carrier" insert "or an agent or employe thereof."

Line 4, after the word "company" insert "agent or employe."

Section 2, line 1, after word "any" insert "managing or supervising."

Same line, strike "employe" and insert the word "officer."

Lines 1 and 2, strike "offering for a consideration or accepting a consideration for favoring" and insert "authorizing or knowingly permitting such discrimination in favor of."

Line 3, after word "intended" insert "by such railroad company."

Section 3, line 1, after the word "action" insert "against such corporation."

Respectfully submitted,

A. HEMRICH, Chairman.

We concur in this report: G. B. Wilson, S. T. Smith, E. Hammer.

The report was adopted.

Senate bill No. 234, by Senator O'Donnell (by request), entitled "An act authorizing persons, firms and corporations engaged in the logging and lumber business to improve streams, waterways, etc., for the purpose of floating logs, timber, etc., and to charge tolls," etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Crow, Garber, Hallett, Hamilton, Hemrich, Hurley, LeCrone, Moultray, O'Donnell, Rands, Reser, Ruth, Sharp, Smith, Stansell, Stewart, Sumner, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—26.

Absent or not voting were: Senators Baumeister, Cornwell, Davis, Earles, Graves, Hailey, Hammer, Kinnear, McKenney, Moore, Palmer, Potts, Rasher, Splawn, Tolman, Van de Vanter—16.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Hemrich, the rules were suspended and the bill was ordered transmitted immediately to the House.

On motion of Senator Hamilton, Senate bill No. 250 was made a special order for tomorrow at 10:30 o'clock.

REPORTS OF STANDING COMMITTEES.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, a majority of your Committee on Irrigation and Arid Lands, to whom was referred substitute House bill No. 385, entitled "An act in relation to irrigation and waterworks; defining surplus water of the State of Washington, providing for the appropriation and impounding thereof for beneficial uses," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

G. GARBER. Chairman.

We concur in this report: A. J. Splawn, O. T. Cornwell, Grant C. Angle, Wm. Hickman Moore, H. Rasher.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, a minority of your Committee on Irrigation and Arid Lands, to whom was referred substitute House bill No. 385, entitled "An act in relation to irrigation and waterworks; defining surplus water of the State of Washington, providing for the appropriation and impounding thereof for beneficial uses," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

W. P. Reser, J. P. Sharp.

On motion of Senator Garber, the bill, together with the two reports, was ordered placed on general file.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Horticulture and Forestry, to whom was referred engrossed House bill No. 82, entitled "An act to protect from fire forests and other property within the State of Washington," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the title by striking out the words "And auxiliary commissions" in the second line thereof, and striking out the words "and repealing sections 7149, 7150, 7152 and 7153 of Ballinger's Annotated Code and Statutes of Washington," in the third and fourth lines thereof.

Amend by striking out section 2 and inserting in lieu thereof the following:

"Section 2. That the county commissioners of the various counties shall constitute a county board of deputy forest fire wardens, and may appoint such deputy fire wardens as they may deem necessary, and prescribe the territory to be patrolled by them and fix their compensation, and may remove them at pleasure."

Amend by striking out section 3 and numbering the balance of the sections of the bill accordingly.

Amend section 8 by striking the word "road" in the first line thereof and by striking out the words "supervisor or official acting as such," in the second line thereof, and inserting the words "deputy fire wardens" in lieu thereof, and in line 5 by striking the words "road supervisor of the district" and inserting in lieu thereof the words "deputy fire warden."

Amend section 9, lines 2 and 3, by striking the words "at frequent intervals and."

Amend by adding to section 10 the following:

"Any person who shall wilfully or heedlessly deface, destroy or remove any warning, placard or notice posted under the requirements of this act shall be deemed guilty of a misdemeanor, and shall be punished by a fine not exceeding one hundred dollars for each such offense, or by imprisonment in the county jail not exceeding three months."

Amend by striking out section 12 and inserting in lieu thereof the following:

"Section 12. It shall be unlawful for any person or corporation to operate any spark emitting locomotive, logging or farm engine in this state at any time during the months of June to October, inclusive, or for any person to operate any logging or other engine in the immediate vicinity of any forest slashing or chopping during the close season, without such locomotive or engine is provided with and uses a safe and suitable device for arresting sparks. Any person, company or corporation who shall fail to provide and use such a spark arrester during the periods herein mentioned shall, upon conviction, pay a fine for each engine or locomotive for each day operated without such arrester of not less than ten nor more than fifty dollars, and shall be prohibited from further use of such locomotive or engines in such months or season until such arrester is provided and used therewith. Fines from this source shall be paid into the current expense fund of the county treasury. Patrolmen and wardens shall report any lack of sufficient arresters to the prosecuting attorney of their county, and the superior court of that county where suit is first instituted shall have jurisdiction of the offense."

Amend section 13, line 1, strike the words "so as."

Strike section 14.

Respectfully submitted,

JNO. EARLES, Chairman.

We concur in this report: J. P. Sharp, H. E. McKenney, Grant C. Angle, G. B. Wilson.

The report was adopted.

House bill No. 82, by Mr. Veness, entitled "An act relating to the prevention of forest fires," etc., was read the third time.

On motion of Senator Welty, the bill was amended by striking

section 9 therefrom.

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Hallett, Hamilton, Hammer, Hurley, LeCrone, McKenney, O'Donnell, Palmer, Potts, Reser, Ruth, Smith, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—27.

Absent or not voting were: Senators Cornwell, Davis, Earles, Garber, Graves, Hailey, Hemrich, Kinnear, Moore, Moultray, Rands, Rasher, Sharp, Splawn, Warburton—15.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Hallett, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Smith, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Mr. President—28.

Absent or not voting were: Senators Davis, Earles, Garber, Graves, Hailey, Hamilton, Kinnear, Moultray, Rasher, Sharp, Splawn, Stansell, Warburton, Wilson—14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

The House returns House bill No. 161, relating to election of school directors, for correction.

Also Senate concurrent resolution No. 14 for correction.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House bill No. 99, by Mr. Raine, entitled "An act to provide for the selection and control of lands granted and assigned for the support and maintenance of the university," etc.

The bill was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Crow, Davis, Hallett, Hamilton, Hemrich, Hurley, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Ruth, Smith, Stansell, Sumner, Tucker, Welsh, Welty, Mr. President—24.

Absent or not voting were: Senators Baumeister, Cornwell, Earles, Garber, Graves, Hailey, Hammer, Kinnear, McKenney, Rasher, Reser, Sharp, Splawn, Stewart, Tolman, Van de Vanter, Warburton, Wilson—18.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senators Tolman, Moore and Crow demanded a call of the Senate.

The roll was called, and the following absentees noted:

Senators Hailey, Kinnear, Sharp, Stewart and Wilson—5.

Those excused were: Senators Graves and Splawn.

On motion of Senator Hamilton, further call of the Senate was dispensed with.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 205, entitled "An act relating to recognizances, stipulations," etc.

Also to Senate amendments to House bill No. 159, entitled "An act to amend section 1406 Ballinger's Code, relating to transmitting election returns," etc.

Also has declined to recede from its amendments to Senate bill No. 98, authorizing the making of unknown heirs of deceased persons and unknown persons parties defendant in actions, and has appointed the following Conference Committee: Messrs. Quinn, Lindsley and Easterday.

And the bill is herewith transmitted.

STOREY BUCK, Clerk of the House.

The president appointed Senators Crow, Moore and Reser as a Conference Committee.

On motion of Senator Hamilton, all bills on first page of calendar, House bill No. 91 and Senate bill No. 166, carrying appropriations, were considered in Committee of the Whole.

House bill No. 91, by Mr. King, entitled "An act making an appropriation for the relief of H. A. Percival for indexing the Session Laws."

The bill was considered in the Committee of the Whole, Senator Welty in the chair, and reported back to the Senate with the recommendation that it do pass.

Senate bill No. 166, by Senator Hamilton, entitled "An act for the relief of the heirs at law of J. M. Vansycle," etc.

The bill was considered in the Committee of the Whole, and the committee reported progress and asked leave to sit again.

The report was adopted.

On motion of Senator Hamilton, the rules were suspended, the reading had in the committee on House bill No. 91 considered the third, the bill placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Davis, Garber, Hallett, Hamilton, Hammer, Hurley, Le-Crone, Moore, Moultray, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—30.

Absent or not voting were: Senators Clapp, Cornwell, Earles, Graves, Hailey, Hemrich, Kinnear, McKenney, O'Donnell, Rands, Splawn, Warburton—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House substitute bill No. 145, by Committee on Public Morals, entitled "An act providing for an election on the liquor question on the petition of a majority of the legal voters, limiting the power of granting licenses in accordance with said election," was read the third time.

Senator Hemrich moved to amend section 3, line 5, after the second proviso, by striking the remainder of the line and lines 6, 7 and 8 down to and including the word "license" in line 8.

The amendment failed to prevail.

Senator Hemrich moved to amend section 3 by striking subdivision 1.

The amendment was lost.

Senator Hemrich moved to amend section 3, subdivision 2, line 20, by striking the words "may in their discretion" and inserting the word "shall" in lieu thereof.

The amendment failed to prevail.

Senator Clapp moved that the bill be indefinitely postponed.

Roll call was demanded by Senators Moultray, Hallett, Angle, Hemrich, Palmer, Potts and Kinnear.

The roll was called and the motion to indefinitely postpone failed by the following vote:

Those voting yea were: Senators Baumeister, Clapp, Davis, Hemrich, Hurley, Potts, Ruth, Smith, Sumner, Warburton, Welty,—11.

Those voting nay were: Senators Angle, Baker, Cornwell, Crow, Garber, Hallett, Hamilton, Hammer, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Rands, Reser, Stewart, Tolman, Tucker, Welsh, Wilson—21.

Absent or not voting were: Senator Earles, Graves, Hailey, Kinnear, Rasher, Sharp, Splawn, Stansell, Van de Vanter, Mr. President—10.

The bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Cornwell, Crow, Garber, Hallett, Hamilton, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Rands, Reser, Sharp, Stewart, Tolman, Tucker, Welsh, Wilson, Mr. President—23.

Those voting nay were: Senators Baumeister, Clapp, Davis, Potts, Van de Vanter, Warburton—6.

Absent or not voting were: Senators Earles, Graves, Hailey, Hammer, Hemrich, Kinnear, Rasher, Ruth, Smith, Splawn, Stansell, Sumner, Welty—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Palmer, the rules were suspended and the bill ordered transmitted immediately to the House.

The President signed Senate bills Nos. 202, 142, 89, 160, 125, 183, 97, 170, 138 and Senate memorial No. 9.

Senate bill No. 144, by Senator Ruth, entitled "An act providing for a system of grammar school examinations, prescribing the duties Superintendent of Public Instruction and County Superintendents relating thereto," etc., was read the third time.

On motion of Senator Ruth, the rules were suspended, the bill considered engrossed, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Garber, Hallett, Hammer, Hurley, LeCrone,

McKenney, Moore, Moultray, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, Stewart, Tolman, Welty, Mr. President—25.

Absent or not voting were: Senators Cornwell, Earles, Graves, Hailey, Hamilton, Hemrich, Kinnear, O'Donnell, Rasher, Splawn, Stansell, Sumner, Tucker, Van de Vanter, Warburton, Welsh, Wilson—17.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Ruth, the rules were suspended and the bill ordered transmitted immediately to the House.

House bill No. 364, by Mr. Williams, entitled "An act for the relief of P. J. McGowan & Sons," etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Davis, Earles, Garber, Hallett, Hamilton, Hammer, Hurley, McKenney, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Stewart, Tolman, Tucker, Welsh, Welty—27.

Absent or not voting were: Senators Cornwell, Crow, Graves, Hailey, Hemrich, Kinnear, LeCrone, Moore, Splawn, Stansell, Sumner, Van de Vanter, Warburton, Wilson, Mr. President—15.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Davis, Earles, Garber, Hamilton, Hammer, Hurley, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Mr. President—30.

Absent or not voting were: Senators Baker, Cornwell, Crow, Graves, Hailey, Hallett, Hemrich, Kinnear, LeCrone, Splawn, Warburton, Wilson—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Palmer moved to substitute House bill No. 359 for Senate bill No. 237 on the calendar.

The motion was lost.

Senate bill No. 237, by Senator Palmer (by request), entitled "An act empowering cities of the first class, etc., to collect license fees from real estate, loan, investment, bond, lodging houses, business investment, merchandise or custom house brokers," etc., was

read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Hamilton, Hammer, Hemrich, Hurley, McKenney, Moore, Palmer, Potts, Reser, Ruth, Sharp, Stansell, Stewart, Tolman, Tucker, Welsh, Mr. President—23.

Senator Garber voted nay—1.

Absent or not voting were: Senators Cornwell, Earles, Graves, Hailey, Hallett, Kinnear, LeCrone, Moultray, O'Donnell, Rands, Rasher, Smith, Splawn, Sumner, Van de Vanter, Warburton, Welty, Wilson—18.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 194, by Mr. Gunderson, entitled "An act relating to revenue and taxation," etc.

On motion of Senator Crow, section 1, line 1, was amended by striking after the word "section" the word "one" and figure "(1)" and inserting the word "five" in lieu thereof

On motion of Senator Crow the title was also amended by striking the figure "1" and inserting the figure "5" in lieu thereof.

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hallett, Hammer, Hurley, O'Donnell, Potts, Rands, Rasher, Reser, Ruth, Smith, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson—26.

Those voting nay were: Senators Baumeister, Moore, Palmer, Sharp—4.

Absent or not voting were: Senators Baker, Graves, Hailey, Hamilton, Hemrich, Kinnear, LeCrone, McKenney, Moultray, Splawn, Stansell, Mr. President—12.

The amended emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Cornwell, Crow, Earles, Garber, Hallett, Hamilton, Hammer, Hurley, LeCrone, Moultray, O'Donnell, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Sumner, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—29.

Those voting nay were: Senators Baumeister, Moore, and Palmer—3.

Absent or not voting were: Senators Davis, Graves, Hailey, Hemrich, Kinnear, McKenney, Splawn, Stansell, Stewart, Tolman—10.

There being no objection, the amended title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

The House has passed Senate bill No. 83, entitled "An act to encourage agricultural associations," etc., with the following amendments:

Amend section 2 by striking out the following words: "*Provided*, That in counties of the first, second, third and fourth class such tax levy shall not exceed one-eighth of one mill on the dollar," and insert the following: "*Provided* That in counties of the third and fourth classes such tax shall not exceed one-fourth of one mill on the dollar, and in counties of the first and second classes such tax shall not exceed one-eighth of one mill on the dollar."

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Moultray, the Senate concurred in House amendments to Senate bill No. 83, by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hamilton, Hammer, Hurley, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Sharp, Smith, Stewart, Sumner, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—31.

Absent or not voting were: Senators Graves, Hailey, Hallett, Hemrich, Kinnear, McKenney, Ruth, Splawn, Stansell, Van de Vanter, Warburton—11.

House bill No. 223, by Mr. Parcel, entitled "An act for the protection of shade trees and hedges on public highways," etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Clapp, Davis, Earles, Garber, Hallett, Hurley, Kinnear, LeCrone, Moultray, Palmer, Potts, Rands, Rasher, Ruth, Stewart, Tolman, Tucker, Van de Vanter, Welsh, Welty, Mr. President—22.

Those voting nay were: Senators Baumeister, Cornwell, Crow, Hammer, McKenney, O'Donnell, Reser, Sharp, Smith, Sumner—10.

Absent or not voting were: Senators Baker, Graves, Hailey, Hamilton, Hemrich, Moore, Splawn, Stansell, Warburton, Wilson—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 302, by Mr. Peaslee, entitled "An act amending section 1 (Pierce's Code, section 3921), providing for annexing certain county territory to a contiguous county," etc.

County Boundaries: Minority report, do not pass. Majority report, placed on general file: Report adopted.

The bill was read the third time.

Senator Palmer moved that the bill be indefinitely postponed.

The motion failed to prevail.

Senator Palmer moved to amend section 1, line 4, by striking out the word "section" and inserting the word "township" in lieu thereof.

The amendment failed to prevail.

The bill was placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Davis, Earles, Garber, Hamilton, Hammer, Hemrich, Hurley, LeCrone, McKenney, Moultray, O'Donnell, Rands, Rasher, Sharp, Smith, Tolman, Tucker, Warburton, Welty, Wilson—24.

Those voting nay were: Senators Clapp, Cornwell, Hallett, Palmer, Potts, Reser, Ruth, Van de Vanter, Welsh, Mr. President—10.

Absent or not voting were: Senators Graves, Hailey, Kinnear, Moore, Splawn, Stansell, Stewart, Sumner—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, WASH., March 11, 1903.

The Honorable the President and Gentlemen of the Senate:

I have the honor to inform you that the Governor has this day ap-

proved Senate bill No. 61, entitled "An act for the relief of Edson Gerry for money paid the State Land Commissioner, Hon. Robert Bridges, for the lease of lands claimed by him to be school land, and which were proved not to be."

Respectfully submitted,

J. HOWARD WATSON,
Secretary to the Governor.

Senator Davis was excused.

On motion of Senator Clapp, at 12:05 p. m. the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

The President called the Senate to order at 2 o'clock p. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Clapp, Davis, Splawn and Sumner, excused.

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER.

OLYMPIA, WASH., March 6, 1903.

MR. PRESIDENT:

We, your Joint Committee on Appropriations, to whom was referred House bill No. 327, entitled "An act providing for the purchase of additional lots and for the care and improvement of the ground around the monument erected by the state to the dead soldiers," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: G. B. Wilson, A. S. Ruth, Jno. Earles, O. T. Cornwell, Geo. H. Baker, J. P. Sharp, H. Rasher.

House bill No. 380, by Joint Committee on Agriculture, entitled "An act granting bounty for the encouragement of the production and manufacture of sugar in this state," etc., was read the third time.

On motion of Senator Hamilton, the bill was made a special order for tomorrow at 9:45 o'clock a. m.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

The House has passed House bill No. 409, entitled "An act relating to the control of public and free libraries," etc.

Also House bill No. 450, relating to the appropriating of money for the relief of E. H. Hoover & Co.

Also House bill No. 315, relating to the protection and propagation of food fishes.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House bill No. 251, by Mr. Thacker, entitled "An act relating to the enrollment of the militia and providing therefor," was read the third time by sections.

On motion of Senator Moore, the three bills, House bill No. 451, Senate bill No. 86, House supplemental bill No. 86, were made a special order for tomorrow at 10:30 o'clock a. m.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

The House has passed House bill No. 217, entitled "An act for the relief of firemen," etc.

Also House bill No. 192, entitled "An act to provide for the establishment, etc., of a branch of the Soldiers' Home," etc.

Also House bill No. 174, entitled "An act to establish and maintain a fish hatchery on Dakota creek," etc.

Also House bill No. 429, entitled "An act authorizing the construction of dams on meandered streams, and for the purpose of diverting water for irrigation and power."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

The House has passed Senate bill No. 155, entitled "An act relating to the Lewis and Clark Exposition," with the following amendment:

Strike out "\$50,000," in line 2, section 10, and insert in lieu thereof "\$25,000."

Also Senate bill No. 86, relating to electric railroads, etc., with the following amendments:

Strike out the entire title and substitute in lieu thereof the following: "An act relating to electric railroads, street and other electric

railways, and corporations incorporated for the construction, ownership or operation thereof, the right of eminent domain therefor, the use of streets and roads thereby and leases and sales thereof heretofore or hereafter made."

In lines 9 and 10 of the engrossed bill, section 1, after the word "railways" strike out the words "and transmission lines for transmitting electric power."

In lines 18 and 19 of section 1 of the engrossed bill, after the word "railway" strike out the words "or such transmission line."

In line 54 of the engrossed bill, section 1, after the word "interest" substitute a comma (,) for the period (.) and add the following words: "and shall require such railroad or railway and its appurtenances to be placed in such location on or along the road or street as the board finds will cause the least interference with other uses of the road or street."

In line 55 of section 1 of the engrossed bill, after the word "railway" strike out the words "or transmission line."

In line 65 of section 1 of the engrossed bill after the word "railway" insert "on or along such county road or county street."

In line 68 of section 1 of the engrossed bill strike out the words "at such crossing."

In lines 5 and 6 of section 2, of the engrossed bill, strike out the words "or for manufacturing and transmitting electric power."

In line 18 of section 2 of the engrossed bill, after the word "railway" strike out the words "or transmission line."

In lines 6, 7 and 8 of section 3 of the engrossed bill strike out the words "or for manufacturing and transmitting and selling electric power."

In lines 12, 13, 14 and 15 of section 3 of the engrossed bill strike out the words "or the whole or any part of the plant for manufacturing and transmitting or distributing electric power or energy."

In lines 22 and 23 of section 3 of the engrossed bill strike out the words "each of the corporations concerned," and insert in lieu thereof the words "the lessor or grantor corporation."

The reason that your committee recommends the striking out of the matters above mentioned is to avoid any question of doubt that might arise from including these matters in the same bill with the other matters covered by the bill. Your committee has therefore drafted and reports herewith a supplemental bill embodying the matters which have been recommended to be stricken out of the original bill. Your committee recommends that the supplemental bill be known as the "House supplemental bill to Senate bill No. 86," and recommends that both the original bill as amended and the supplemental bill as herewith reported do pass.

Also House supplemental bill for Senate bill No. 86, relating to plants for the manufacturing and selling of electric power, etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

The House has declined to concur in Senate amendments to House substitute bill No. 89, creating the office of tax commissioner, etc., and has appointed the following conference committee with powers of a free conference committee: Messrs. Gunderson, Jones, Hopp, Roth and Easterday.

STOREY BUCK, Clerk of the House.

Senator Warburton moved that the President appoint a Conference Committee of three, with powers of a Free Conference Committee.

Senator Ruth moved as an amendment that the membership of the committee consist of five.

The amendment prevailed.

Unanimous consent being given, Senator Rands called up Senate bill No. 155.

On motion of Senator Rands, the Senate refused to concur in House amendments to the bill, and asked the House to recede therefrom.

House bill No. 251, by Mr. Thacker, entitled "An act relating to the enrollment of the militia and providing therefor," was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Earles, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Stewart, Tolman, Tucker, Warburton, Wilson, Mr. President—28.

Senator Welty voted nay—1.

Absent or not voting were: Senators Clapp, Cornwell, Davis, Garber, Graves, Hailey, O'Donnell, Rands, Splawn, Stansell, Sumner, Van de Vanter, Welsh—13.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Cornwell, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Stansell, Stewart, Tolman, Wilson, Mr. President—31.

Absent or not voting were: Senators Clapp, Davis, Graves,

Rands, Splawn, Sumner, Tucker, Van de Vanter, Warburton, Welsh, Welty—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The hour having arrived for the consideration of vetoed Senate bill No. 178, the secretary read the veto message and bill in full, and on the question, "Shall the bill pass notwithstanding the Governor's veto?" the roll was called, which resulted as follows:

Those voting yea were: Senators Baker, Baumeister, Cornwall, Earles, Hailey, Hamilton, Hurley, Kinnear, LeCrone, O'Donnell, Potts, Rands, Ruth, Sharp, Smith, Stansell, Stewart, Tucker, Van de Vanter, Welsh, Welty, Mr. President—22.

Those voting nay were: Senators Angle, Crow, Garber, Hallett, Hammer, Hemrich, McKenney, Moore, Moultray, Palmer, Rasher, Reser, Tolman, Warburton, Wilson—15.

Absent or not voting were: Senators Clapp, Davis, Graves, Splawn, Sumner—5.

Senators Clapp and Davis were paired.

The bill having failed to receive the necessary two-thirds vote, failed to pass over the Governor's veto.

Senator Hamilton moved that when the Senate adjourn it be to meet at 7 o'clock this evening.

The motion prevailed.

On motion of Senator Hamilton, consideration of special orders was ordered at 7 o'clock.

INTRODUCTION OF BILLS.

House bill No. 217, by Mr. Ruth: An act to appropriate for the relief of firemen and for the encouragement of volunteer fire companies.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Corporations other than Municipal.

Senator Warburton moved as an amendment that the bill be read first and second times, and, together with reports, go on general file.

The amendment failed to prevail, and Senator Hamilton's motion prevailed.

House bill No. 174, by Mr. Hunter: An act to establish and maintain a fish hatchery on Dakota Creek, in Whatcom County, etc.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 429, by Mr. Morgan: An act authorizing the construction of dams on meandered streams within the State of Washington for the purpose of diverting water for irrigation and power.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Irrigation and Arid Lands.

House bill No. 244, by Mr. Thacker: An act relating to the National Guard of Washington.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 192, by Mr. Tibbetts: An act to provide for the establishment and maintenance of a branch of the state soldiers' home for honorably discharged soldiers, sailors and marines who have served the United States government in any of its wars, members of the state militia disabled while in the line of duty, and who are bona fide citizens of this state, and also the wives of such soldiers, sailors and marines.

The bill was read the first time; and, on motion of Senator Hamilton, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 453, by Joint Committee on Appropriations: An act making a deficiency appropriation for sundry civil expenses of the Department of Public Printing for the fiscal year ending March 31, 1903.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House bill No. 315, by Mr. Gunderson: An act amending section 6 of an act providing for the protection and propagation of food fishes in the waters of the State of Washington.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Fisheries.

House bill No. 409, by Mr. York: An act relating to the control of public and free libraries.

The bill was read the first time; and, on motion of Senator Welty, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Library.

House bill No. 450, by Mr. Eidemiller: An act appropriating money for the relief of E. H. Hoover & Co.

The bill was read the first time; and, on motion of Senator Sharp, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Enrolled bills, to whom was referred Senate bill No. 170, entitled "An act to amend certain sections of the Codes and Statutes of Washington relating to the establishment and maintenance at Vancouver, Clark County, of an institution to be known as the Washington School for Defective youth," etc.

Also Senate memorial No. 9, petitioning the Congress of the United States to alter a certain act of Congress for the benefit of disabled soldiers and sailors, etc.

Also Senate bill No. 97, entitled "An act to amend section 1, and to repeal section 2, of an act entitled 'An act relating to the taking and entry of judgments,'" etc.

Also Senate bill No. 183, entitled "An act granting certain rights to the Ilwaco Railway & Navigation Company."

Also Senate bill No. 160, entitled "An act to provide for the maintenance and the erection of a State building at the Louisiana Purchase Exposition," etc.

Also Senate substitute bill No. 89, entitled "An act to provide for marking and inspecting all barrels, tanks, etc., containing petroleum oils," etc.

Also Senate bill No. 142, entitled "An act providing for the amendment of a certain section of the Constitution of the State of Washington, relating to the employ of chaplain for State penal institutions."

Also Senate bill No. 125, entitled "An act relating to the Washington State Historical Society; creating it the trustee of the State for certain purposes."

Also Senate bill No. 138, entitled "An act creating a lien upon steam-

ships, vessels and boats in favor of tugboat companies, stevedores and others, and providing for the enforcement thereof."

Also Senate bill No. 202, entitled "An act relating to the employment of convicts."

Have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: A. S. Ruth, O. A. Tucker.

House bill No. 122, by Mr. Mackenzie, entitled "An act to provide for the extermination of coyotes and wolves," etc., was read the third time.

Senator Palmer moved to amend section 1, line 1, after the word "coyote," by inserting a comma and the word "cougar."

Section 2, lines 2, 3 and 4, were amended in a similar manner.

The amendments prevailed.

On motion of Senator Ruth, the vote by which the amendments were made was reconsidered.

On motion of Senator Ruth, the words "cougar" or "cougars" were stricken wherever they occur.

The bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Cornwell, Crow, Earles, Garber, Hailey, Hallett, Hammer, Hurley, McKenney, Moore, Rasher, Reser, Ruth, Sharp, Stewart, Tolman, Warburton, Welsh, Wilson, Mr. President—23.

Those voting nay were: Senators Palmer, Potts and Smith—3.

Absent or not voting were: Senators Clapp, Davis, Graves, Hamilton, Hemrich, Kinnear, LeCrone, Moultray, O'Donnell, Rands, Splawn, Stansell, Sumner, Tucker, Van de Vanter, Welty—16.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 328, by Mr. Moldstad, entitled "An act authorizing towns of the fourth class to select and designate an official newspaper," etc., was read the third time.

The bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Cornwell, Earles, Hailey, Hallett, Hamilton, Hammer, Hurley, McKenney,

Moore, Moultray, O'Donnell, Potts, Rasher, Reser, Ruth, Sharp, Smith, Stewart, Tolman, Tucker, Welsh, Mr. President—24.

Senator Palmer voted nay—1.

Absent or not voting were: Senators Baumeister, Clapp, Crow, Davis, Garber, Graves, Henrich, Kinnear, LeCrone, Rands, Splawn, Stansell, Tolman, Van de Vanter, Warburton, Welty, Wilson—17.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 65, by Mr. Gunderson (by request), entitled "An act amending 37 sections of the Code of Public Instruction and repealing certain sections of the same," was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Cornwell, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Stansell, Tolman, Van de Vanter, Warburton, Welsh, Welty, Wilson—29.

Those voting nay were: Senators Baker, Stewart and Mr. President—3.

Absent or not voting were: Senators Baumeister, Clapp, Davis, Graves, Moore, Henrich, Rands, Splawn, Summer, Tucker—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

The House has passed House bill No. 222, entitled "An act limiting the power to grant licenses for the sale of intoxicating liquors," etc.

Also House substitute bill No. 30, entitled "An act providing for survey, etc., of State highways."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Warburton, the Senate resolved itself into a Committee of the Whole to consider House bills No. 408, 260 and 172.

The bills were considered in the Committee of the Whole, Senator Smith in the chair, and reported back to the Senate with the following recommendations:

House bill No. 408, by Committee on Claims and Auditing, entitled "An act for the relief of various persons furnishing materials and equipments for the temporary capitol building," with the recommendation that it do pass.

House bill No. 360, by Mr. Megler, entitled "An act for the relief of O. A. Bowen," with the recommendation that it do pass.

House bill No. 172, by Mr. Hunter, entitled "An act making a deficiency appropriation for salaries of deputy fish commissioners," with the recommendation that it do pass.

The report was adopted.

On motion of Senator Palmer, the rules were suspended, the reading had in Committee of the Whole on House bill No. 408, considered the third, the bill placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Stansell, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—29.

Absent or not voting were: Senators Angle, Clapp, Cornwell, Davis, Graves, Hemrich, Moultray, O'Donnell, Rands, Splawn, Stewart, Sumner, Tolman, Van de Vanter—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Palmer, the rules were suspended, the reading had in Committee of the Whole on House bill No. 360 considered the third, the bill placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Cornwell, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Stansell, Stewart, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—31.

Absent or not voting were: Senators Baker, Clapp, Davis, Graves, Hemrich, Kinnear, O'Donnell, Splawn, Sumner, Tolman, Van de Vanter—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Palmer, the rules were suspended, the

reading had in Committee of the Whole on House bill No. 172 was considered the third, the bill placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Earles, Garber, Hamilton, Hammer, Hurley, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—25.

Senator Baker voted nay—1.

Absent or not voting were: Senators Clapp, Cornwell, Davis, Graves, Hailey, Hallett, Hemrich, Kinnear, Moore, Rands, Splawn, Stansell, Stewart, Sumner, Tolman, Van de Vanter—16.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 122, entitled "An act to provide for the extermination of coyotes," etc.

Also has concurred in Senate amendments to House bill No. 65, entitled "An act amending 37 sections of the Code of Public Instruction," etc.

Also has concurred in Senate amendments to House bill No. 82, "An act relating to the prevention of forest fires."

Also has concurred in amendments to House bill No. 161, entitled "An act relating to the election of school directors."

Also has concurred in Senate amendments to House bill No. 286, entitled "An act amending an act providing for classification and government of municipal corporations."

Also has concurred in Senate amendments to House substitute bill No. 145, entitled "An act providing for an election on the liquor question," etc.

STOREY BUCK, Clerk of the House.

House bill No. 309, by Mr. King, entitled "An act to punish husbands who connive at the prostitution of their wives," was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Stan-

sell, Stewart, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—33.

Absent or not voting were: Senators Clapp, Cornwell, Davis, Graves, Hemrich, Splawn, Sumner, Van de Vanter, Warburton—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

The Speaker has signed House substitute bill No. 225, entitled "An act providing for the incorporation and regulation of mutual Fire Insurance Companies," etc.

Also House bill No. 205, entitled "An act relating to recognizances, stipulations, bonds," etc.

Also House bill No. 53, entitled "An act amending an act to provide for the assessment and collecting of taxes," etc.

Also House substitute bill No. 191, entitled "An act fixing the penalty for persons convicted a second and third time of felony," etc.

Also House bill No. 159, entitled "An act to amend section 1406 of Ballinger's Code of Washington, relating to transmission of election returns," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 14, entitled "A resolution relating to the consideration of bills on Thursday, March 12, 1903."

Also House bill No. 244, entitled "An act relating to the National Guard of Washington."

Also House bill No. 453, entitled "An act making a deficiency appropriation for sundry civil expenses of the Department of Public Printing," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The Speaker has appointed the following members on conference committee on Senate bill No. 155: Messrs. Megler, Veness, Stevenson, Craigue, Cooney.

STOREY BUCK, Clerk of the House.

The President appointed as conferees on the part of the Senate Senators Rands, Cornwell, Tolman, Hailey and Hamilton.

House bill No. 43, by Mr. Johnson, entitled "An act providing for assessment and taxation of mining claims, improvements thereon and of the net proceeds of mines," was read the third time.

On motion of Senator Hamilton, section 1, line 3, was amended by inserting after the word "deposits" the words "other than coal."

The bill was placed upon its final passage and passed by the following vote.

Those voting yea were: Senators Angle, Baker, Cornwell, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Potts, Rasher, Reser, Ruth, Sharp, Smith, Stansell, Stewart, Tolman, Tucker, Warburton, Weish, Welty, Mr. President—30.

Absent on not voting were: Senators Baumeister, Clapp, Davis, Graves, Hemrich, McKenney, Palmer, Rands, Splawn, Sumner, Van de Vanter, Wilson—12.

The President appointed Senators Sumner, Ruth, Hamilton, Rasher and Warburton as a Conference Committee on substitute House bill No. 89.

House bill No. 275, by Mr. Veness, entitled "An act to prevent discrimination in the distribution of railway cars," was read the third time by sections.

On motion of Senator Moultray, section 1, line 4, was amended by striking the word "twenty" and inserting the words "two hundred" in lieu thereof.

The bill was temporarily passed.

House substitute bill No. 88, by Mr. Knobloch, entitled "An act to amend section 8 of an act entitled 'An act for the protection of fish,' etc., was read the third time by sections and temporarily passed.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

The House has passed House bill No. 454, entitled "An act relative to appropriations," and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

The House has concurred in Senate amendments to the following bills: House bills No. 338, No. 279, No. 34, No. 51 and No. 41.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

The Speaker has signed Senate bill No. 138, entitled "An act creating a lien upon steamships," etc.

Also Senate bill No. 170, entitled "An act to amend sections 2563 and 2580 of Ballinger's Codes, relating to the establishment at Vancouver, Clarke County, of a School for Defective Youth."

Also Senate bill No. 97, entitled "An act relating to the taking and entry of judgments," etc.

Also Senate bill No. 183, entitled "An act granting Ilwaco Railway & Navigation Company the right to construct and maintain a log boom," etc.

Also Senate memorial No. 9, relating to the support of disabled soldiers.

Also Senate bill No. 125, entitled "An act in relation to the Washington State Historical Society," etc.

Also Senate bill No. 160, entitled "An act to provide for erection and maintenance of state buildings at the Louisiana Purchase Exposition," etc.

Also Senate substitute bill No. 89, entitled "An act to provide for the inspection of oils," etc.

Also Senate bill No. 142, entitled "An act providing for the amendment of section 11, article 1 of the Constitution," etc.

Also Senate bill No. 202, entitled "An act relating to the employment of convicts."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House bill No. 275 was again considered.

On motion of Senator Smith, the amendments made in committee were stricken.

On motion of Senator Moultray, section 4, line 1, was amended by inserting after section 4 the words "one-half of," and further amended by making a comma after the word "fund," in line 2, and adding the words "and one-half shall be paid to the party prosecuting the action for the enforcement of this act."

The bill was placed upon its final passage and failed to pass by the following vote:

Those voting yea were: Senators Angle, Crow, Garber, Hammer, McKenney, Moore, Moultray, O'Donnell, Palmer, Reser, Smith, Tolman, Warburton, Welty, Mr. President—15.

Those voting nay were: Senators Baumeister, Hamilton, Hemrich, Hurley, Kinnear, Potts, Rands, Ruth, Sharp, Tucker, Welsh—11.

Absent or not voting were: Senators Baker, Clapp, Cornwell, Davis, Earles, Graves, Hailey, Hallett, LeCrone, Rasher, Splawn, Stansell, Stewart, Sumner, Van de Vanter and Wilson—16.

House bill No. 88 was again taken up, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Garber, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, McKenney, Moore, Moultray, O'Donnell, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Tolman, Tucker, Warburton, Welty, Wilson, Mr. President—27.

Senator Welsh voted nay—1.

Absent or not voting were: Senators Baker, Clapp, Cornwell, Davis, Earles, Graves, Hailey, LeCrone, Palmer, Splawn, Stansell, Stewart, Sumner, Van de Vanter—14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Potts, at 4:55 o'clock p. m. the Senate took a recess until 7 o'clock p. m.

EVENING SESSION.

The President call the Senate to order at 7 o'clock p. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senators Clapp, Crow, Davis, Hailey, Hallett, Hamilton, Hammer, Kinnear, McKenney, Moore, Moultray, O'Donnell, Rasher, Ruth, Smith, Sumner, Tolman, Van de Vanter, Welty.

Senators Graves and Splawn were excused.

No quorum being present, on motion of Senator Baker, the Senate adjourned until to morrow, March 12, at 9 o'clock a. m.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

SIXTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, March 12, 1903. }
9 o'clock a. m. }

The President called the Senate to order at 9 o'clock a. m., pursuant to adjournment.

The secretary called the roll, all members being present except Senator Graves, excused:

Rev. Henry L. Badger offered prayer.

On motion of Senator Moore, that part of the journal relative to the Senate's action on Senate bill No. 86, House supplemental bill No. 86 and House bill No. 451 was read.

On motion of Senator Moore, the record was changed and ordered placed in the record in the following order: House bill No. 451, Senate bill No. 86 and House supplemental bill No. 86.

On motion, further reading of yesterday's journal was dispensed with, and it was approved as amended.

Unanimous consent being given, on motion of Senator Rands, action on House bill No. 8 was deferred until 10:30 o'clock a. m.

House bills Nos. 395, 396 and 397 were temporarily passed.

House bill No. 372 was read by sections.

House bill No. 368, by Mr. Dilling, entitled "An act relating to the appropriation of lands and highways for corporate purposes," was read the third time.

Senator Tolman moved to amend section 1, line 7, after the word "land," by inserting the following: "Provided, however, that no condemnation proceedings hereunder shall be a bar to the recovery of damages resulting to the land above, or any structure or building, or to the owner or occupant thereof, by reason of the construction of a tunnel or from the operation of any railroad through such tunnel, whether such structure or building was erected at the time of the construction of such tunnel or subsequently."

The amendment failed to prevail.

The bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Hallett, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, Moore, O'Donnell, Palmer, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Mr. President—31.

Those voting nay were: Senators Moultray, Reser and Warburton—3.

Absent or not voting were: Senators Garber, Graves, Hailey, Hammer, McKenney, Potts, Welty, Wilson—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House amended bill No. 105, by Mr. Ferguson, entitled "An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes," etc., was read the third time.

Senator Tolman moved to amend section 18 by adding the following: "Provided, that the provisions of this act shall not apply to the counties lying east of the counties of Okanogan, Chelan, Kittitas, Yakima and Skamania."

The amendment was lost.

The bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Clapp, Davis, Earles, Hallett, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moultray, Potts, Ruth, Sharp, Smith, Stansell, Stewart, Sumner, Van de Vanter, Welsh, Welty—22.

Those voting nay were: Senators Baker, Baumeister, Hallett, Hamilton, Moore, O'Donnell, Palmer, Rands, Rasher, Reser, Splawn, Tolman, Tucker, Warburton, Wilson, Mr. President—16.

Those absent or not voting were: Senators Cornwell, Crow, Graves, Hammer—4.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Hamilton introduced the following resolution, which was adopted:

Be it Resolved by the Senate, That speeches on all bills and amendments be limited to two minutes by each member, and no member to speak more than once on any question, save by unanimous consent.

The hour having arrived for consideration of House bill No. 380, by Joint Committee on Agriculture, entitled "An act granting bounty for the encouragement of the production and manufacture of sugar in this state," etc., the bill was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Earles, Garber, Hailey, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Stewart, Sumner, Tucker, Van de Venter, Welsh, Wilson, Mr. President—28.

Absent or not voting were: Senators Cornwell, Crow, Graves, Hallett, Hamilton, Hammer, Hemrich, Moore, Moultray, Rands, Smith, Tolman, Warburton, Welty—14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

The house has adopted the report of the free conference committee on Senate bill No. 98, entitled "An act relating to unknown heirs of deceased persons."

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has passed Senate bill No. 169, entitled "An act for the relief of E. G. Bickerton," etc.

Also House bill No. 306, entitled "An act regulating the marking of food packages and regulating the weight and measure thereof."

Also Senate bill No. 111, entitled "An act regulating bakeshops," with the following amendments: In line 2, section 6, printed bill, and line 5, original bill, strike out the word "may" and insert the word "shall."

In line 2, section 8, printed bill, and line 4 of original bill, strike out the word "pulmonary."

In line 3, printed bill, and line 7, original bill, section 8, insert the following words after the word "affection": "or contagious disease"; and after the word "work," same line and section, insert the words "or remain."

Also House bill No. 366, entitled "An act to provide the method of establishing and organizing new counties in the State of Washington."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 4, entitled "An act providing for the incorporation of trust companies, and defining their powers and duties."

Also Senate substitute bill No. 156, entitled "An act creating a State Library Commission, prescribing its duties," etc.

Also Senate bill No. 83, entitled "An act to encourage agricultural associations and fairs, and to provide funds therefor."

Also Senate bill No. 40, entitled "An act for the protection of birds and their nests and eggs, and to define and punish," etc.

Also Senate bill No. 109, entitled "An act amending section 10 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency.'"

Also Senate bill No. 55, entitled "An act for the protection of occupants of land who have in good faith made permanent improvements, or paid taxes or assessments thereon."

Have compared same with engrossed bills and find them correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: O. A. Tucker, A. S. Ruth.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The Speaker has signed House bill No. 338, entitled "An act for the regulation of beneficiary societies."

Also House bill No. 51, entitled "An act relating to exemptions."

Also House bill No. 238, entitled "An act authorizing County Commissioners to dedicate land for public streets and alleys in incorporated cities and towns."

Also House bill No. 431, entitled "An act relating to rate of interest on bonds of Stevens County."

Also House bill No. 99, entitled "An act relating to lands granted the University of Washington."

Also House bill No. 41, entitled "An act relating to the alteration, replatting and vacation of townsites."

Also House bill No. 196, entitled "An act for the protection of stockholders in corporations."

Also House bill No. 300, entitled "An act relating to corporate entitlements."

Also House bill No. 421, entitled "An act relating to admission of attorneys to the bar."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Hamilton, consideration of Senate bill No. 250 and all other appropriation bills was made a special order for 11:55 o'clock a. m.

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 395, entitled "An act amending section 2368 of Ballinger's Codes in relation to a uniform school system," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

In section 1, line 4, strike the word "two" and insert in lieu thereof the word "one."

Add to the section "provided the board of directors, by unanimous vote of all the members thereof, may determine upon a greater tax, not, however, exceeding two per cent upon all the taxable property of the district."

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, J. R. Welty, E. M. Rands, John T. Welsh, Warren W. Tolman, H. E. McKenney.

The report was adopted.

GENERAL FILE.

House bill No. 395, by Mr. Craigie, entitled "An act limiting the tax for school purposes in towns of 10,000 and over two per cent.," etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Hailey, Hallett, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Potts, Rands, Rasher, Reser, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Wilson, Mr. President—33.

Absent or not voting were: Senators Baker, Garber, Graves, Hamilton, Hammer, Hemrich, Palmer, Ruth, Welty—9.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 396, by Mr. Craigue, entitled "An act limiting the amount of money which school directors may borrow to five per cent. of the taxable property in such district," etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Hailey, Hurley, Kinnear, LeCrone, McKenney, Moultray, O'Donnell, Palmer, Rands, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Wilson, Mr. President—31.

Absent or not voting were: Senators Garber, Graves, Hallett, Hamilton, Hammer, Hemrich, Moore, Potts, Rasher, Warburton, Welty—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 397, by Mr. Craigue, entitled "An act to amend section 63 of an act entitled 'An act to provide for the assessment and levying of taxes,'" etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Crow, Davis, Earles, Hailey, Hallett, Hamilton, Hurley, Kinnear, McKenney, Moultray, O'Donnell, Palmer, Rands, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—31.

Absent or not voting were: Senators Baker, Cornwell, Garber, Graves, Hammer, Hemrich, LeCrone, Moore, Potts, Rasher, Warburton—11.

There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

We, your Committee on Miscellaneous, to whom was referred House substitute bill No. 359, entitled "An act establishing hunters' license, providing for the disposition of all moneys collected under the same, fixing the penalties, etc., repealing conflicting laws," etc., have had the

same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

R. M. KINNEAR, Chairman.

We concur in this report: C. F. Clapp, Geo. J. Hurley, Lincoln Davis.

House bill No. 359, by Mr. Dixon, entitled "An act establishing hunters' licenses," etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Earles, Hallett, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moultray, O'Donnell, Palmér, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Warburton, Welty, Wilson, Mr. President—34.

Absent or not voting were: Senators Cornwell, Garber, Graves, Hailey, Hamilton, Hammer, Moore, Tucker, Welsh—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your committee on Judiciary, to whom was referred House bill No. 58, entitled "An act in relation to the fees of State and County officials, jurors and witnesses," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, S. Warburton, E. M. Rands, John T. Welsh, J. R. Welty, Warren W. Tolman, H. E. McKenney.

House bill No. 58, by the Judiciary Committee, entitled "An act relating to the fees of state and county officers, witnesses and jurors."

The bill was read the third time.

Senator Rasher moved to amend section 1, line 177, of printed bill, by striking "3" and inserting "2."

The amendment failed to prevail.

The bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Clapp, Crow, Hamilton, Hemrich, Hurley, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—27.

Senator Baumeister voted nay—1.

Absent or not voting were: Senators Baker, Cornwell, Davis, Earles, Garber, Graves, Hailey, Hallett, Hammer, Kinnear, O'Donnell, Rands, Rasher, Sumner—14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

The House has failed to concur in Senate amendments to House bill No. 408, entitled "An act for the relief of various persons furnishing materials for temporary capitol building," and the Speaker has appointed the following conference committee:

Mr. Gleason of King County.

Mr. King of Thurston County.

Mr. McNicol of Pierce County.

And the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

The President appointed as a Conference Committee Senators Hallett, LeCrone and Welty.

On motion of Senator Hamilton, the Senate reconsidered the vote by which House bill No. 8 was passed.

Senator Warburton moved to reconsider the vote by which section 8 was amended by changing the word "two" to "eight."

Senator Warburton moved to amend by striking the word "two" and inserting in lieu thereof the word "four."

The amendment failed to prevail.

The bill was again placed upon its final passage and failed to pass by the following vote:

Those voting yea were: Senators Angle, Hailey, McKenney, Moore, Moultray, Reser, Ruth, Sharp, Tolman, Tucker, Warburton, Welty—12.

Those voting nay were: Senators Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Hallett, Hamilton, Hemrich, Hur-

ley, Kinnear, LeCrone, Potts, Rands, Rasher, Smith, Stansell, Sumner, Van de Vanter, Welsh, Wilson, Mr. President—23.

Absent or not voting were: Senators Garber, Graves, Hammer, O'Donnell, Palmer, Splawn and Stewart—7.

Senate bill No. 86, by Senator Moore, entitled "An act relating to electric railroads and railways," etc.

The Senate concurred in House amendments by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, Stansell, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—33.

Absent or not voting were: Senators Garber, Graves, Hailey, Hallett, Hammer, McKenney, Rasher, Splawn, Stewart—9.

House supplemental bill for Senate bill No. 86 was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Cornwell, Crow, Earles, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—31.

Absent or not voting were: Senators Baker, Davis, Garber, Graves, Hailey, Hallett, Hammer, Moultray, Rasher, Stewart, Sumner—11.

House bill No. 451, by Mr. Jones, entitled "An act amending an act entitled 'An act extending the right of eminent domain to water power companies,'" etc., was read the third time, placed upon its final passage and failed to pass by the following vote:

Those voting yea were: Senators Crow, Garber, Hallett, Hamilton, Moore, Rasher, Tolman and Wilson—8.

Those voting nay were: Senators Baker, Baumeister, Clapp, Cornwell, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Potts, Rands, Reser, Ruth, Smith, Splawn, Stansell, Sumner, Tucker, Van de Vanter, Warburton, Welty, Mr. President—22.

Absent or not voting were: Senators Angle, Davis, Earles,

Graves, Hailey, Hammer, Hemrich, Moultray, Palmer, Sharp, Stewart and Welsh—12.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 451, entitled "An act extending the right of eminent domain to water power companies," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, E. M. Rands, J. R. Welty, H. E. McKenney.

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred House bill No. 180, entitled "An act compelling railroads to fence their rights of way, and to protect owners of stock injured by railway trains." have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

GEO. H. BAKER, Chairman.

We concur in this report: C. F. Clapp, A. Hemrich, Warren W. Tolman, W. G. Potts, J. P. Sharp, Ed. S. Hamilton, T. B. Sumner, W. P. Reser.

House bill No. 180, by Mr. White, entitled "An act compelling railroads to fence their rights-of-way," was read the third time.

Senator Palmer moved to amend section 1, line 8, after the word "town," by striking the words "a standard cattle-guard" and inserting the words "a guard suitable to turn stock."

The amendment was lost.

The bill was placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Davis, Earles, Garber, Hallett, Hurley, LeCrone, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Ruth, Sharp, Splawn, Stansell, Stewart, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—28.

Absent or not voting were: Senators Clapp, Cornwell, Graves,

Hailey, Hamilton, Hammer, Hemrich, Kinnear, McKenney, Moultray, Reser, Smith, Sumner, Van de Vanter—14.

There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER.

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House bill No. 299, entitled "An act to repeal an act entitled 'An act providing for the setting aside of certain school lands to the use and for the benefit of the American Patriotic Memorial College,' approved March 13, 1895," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

W. G. POTTS, Chairman.

We concur in this report: J. P. Sharp, S. T. Smith, Grant C. Angle.

House bill No. 299, by Mr. Hunter, entitled "An act to repeal an act entitled 'An act for the setting aside of certain school lands to the use and for the benefit of the American Patriotic College,'" was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Hamilton, Hemrich, Hurley, LeCrone, Moore, Palmer, Potts, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—30.

Absent or not voting were: Senators Davis, Graves, Hailey, Hallett, Hammer, Kinnear, McKenney, Moultray, O'Donnell, Rands, Rasher, Sumner—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 382, by Mr. Allis, entitled "An act providing for the manner of paying warrants issued under an act of the Legislature providing for the construction of drains, ditches," etc., was read the third time, placed upon its final passage and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Garber, Hallett, Hamilton, Hurley,

Kinnear, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—33.

Those absent or not voting were: Senators Earles, Graves, Hailey, Hammer, Hemrich, Moultray, Sumner, Van de Vanter, Warburton—9.

The emergency clause was passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Davis, Garber, Hailey, Hallett, Hamilton, Hurley, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tucker, Welsh, Welty, Wilson, Mr. President—30.

Absent or not voting were: Senators Cornwell, Crow, Earles, Graves, Hammer, Hemrich, Kinnear, Moultray, Sumner, Tolman, Van de Vanter, Warburton—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 438, by Mr. Crandall, entitled "An act relating to the duties of treasurers in cities having a population of 20,000," was read the third time, placed upon its final passage and failed to pass by the following vote:

Those voting yea were: Senators Angle, Baumeister, Hailey, Hemrich, McKenney, Moore, Moultray, Rasher, Reser, Tolman—10.

Those voting nay were: Senators Baker, Cornwell, Crow, Davis, Hailey, Hamilton, Hurley, Kinnear, LeCrone, O'Donnell, Palmer, Potts, Rands, Ruth, Sharp, Smith, Splawn, Stewart, Welty, Mr. President—19.

Absent or not voting were: Senators Clapp, Earles, Garber, Graves, Hallett, Hammer, Stansell, Sumner, Tucker, Van de Vanter, Warburton, Welsh and Wilson—13.

House bill No. 281, by Mr. Benn, entitled "An act authorizing and empowering the Board of State Land Commissioners to vacate plats," etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Baumeister, Clapp, Davis, Hamilton, Hurley, LeCrone, Moultray, Palmer, Potts,

Rands, Sharp, Smith, Stansell, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—22.

Senator Crow voted nay.

Absent or not voting were: Senators Angle, Cornwell, Earles, Garber, Graves, Hailey, Hallett, Hammer, Hemrich, Kinnear, McKenney, Moore, O'Donnell, Rasher, Reser, Ruth, Splawn, Stewart, Van de Vanter—19.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has concurred in the amendments to House bill No. 395, entitled "An act to establish a uniform system of public schools," etc.

Also amendments to House bill No. 397, entitled "An act to amend section 63 of an act entitled 'An act to provide for the assessment and collection of taxes,'" etc.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has adopted the report of the free conference committee of Senate and House on House substitute bill No. 89, entitled "An act relating to the creating of the office of tax commissioner," etc.

The House has refused to concur in the Senate amendments to House bill No. 105, entitled "An act providing for the levy and collection of road and bridge taxes," etc., and the Speaker has appointed the following conference committee: Messrs. Mackenzie, Lewis and Coate.

STOREY BUCK, Clerk of the House.

The President appointed Senators Stewart, Smith and Stansell as a Free Conference Committee on House bill No. 305.

House bill No. 369, by Mr. Jones, entitled "An act for the assessment and collection of taxes," etc., was read the third time, placed on its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Davis, Garber, Hailey, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Wilson, Mr. President—30.

Absent or not voting were: Senators Cornwell, Earles, Graves, Hallett, Hammer, McKenney, Rands, Sumner, Van de Vanter, Warburton, Welsh, Welty—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 354, entitled "An act in relation to the sale under execution, decrees and orders of sale," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, E. M. Rands, John T. Welsh, Warren W. Tolman, H. E. McKenney.

House bill No. 354, by Mr. Brewer, entitled "An act in relation to sale under execution, decrees and orders of sale," etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Crow, Davis, Garber, Hailey, Hamilton, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Smith, Splawn, Stansell, Tolman, Wilson, Mr. President—25.

Those voting nay were: Senators Angle, Hemrich, Stewart, Tucker—4.

Absent or not voting were: Senators Baumeister, Clapp, Cornwell, Earles, Graves, Hallett, Hammer, Sharp, Sumner, Van de Vanter, Warburton, Welsh, Welty—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House bill No. 202, entitled "An act to amend section 30 of an act entitled 'An act to provide for the selection, survey,

management, etc., of State's granted, school, tide, oyster and other lands,' etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

Respectfully submitted,

W. G. POTTS, Chairman.

We concur in this report: J. P. Sharp, J. R. Welty, Grant C. Angle, S. T. Smith.

On motion of Senator Baker the bill was indefinitely postponed.

SENATE CHAMBER.

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 426, entitled "An act relating to causes of action and claims in favor of or against minors, imbeciles and insane persons," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

S. WARBURTON,
E. M. RANDE,
JOHN T. WELSH,
E. B. PALMER,
WARREN W. TOLMAN,
H. E. MCKENNEY.

The report was adopted.

House bill No. 426, by Mr. Wells, entitled "An act relating to cause of action and claims in favor of or against minors, imbeciles and insane persons," was read the third time, placed on its final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Baumeister, Clapp, Davis, Garber, Hamilton, Hurley, LeCrone, McKenney, O'Donnell, Palmer, Potts, Rands, Ruth, Sharp, Smith, Splawn, Sumner, Tucker, Warburton, Welty, Wilson—22.

Those voting nay were: Senators Angle, Moore, Moultray and Tolman—4.

Absent or not voting were: Senators Cornwell, Crow, Earles, Graves, Hailey, Hallett, Hammer, Hemrich, Kinnear, Rasher, Reser, Stansell, Stewart, Van de Vanter, Welsh, Mr. President—16.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 140, by Mr. Johnson, entitled "An act to amend section 1 of an act entitled 'An act amending section 943 of Ballinger's code, relating to assessments for local improvements,'" etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Davis, Hallett, Hamilton, Hemrich, Hurley, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Tolman, Tucker, Welsh, Welty, Wilson, Mr. President—27.

Absent or not voting were: Senators Clapp, Cornwell, Earles, Garber, Graves, Hailey, Hammer, Kinnear, Moultray, Rands, Stansell, Stewart, Sumner, Van de Vanter, Warburton—15.

There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 305, entitled "An act in relation to the commitment and working of persons for nonpayment of fines," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be placed on general file.

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, S. Warburton, John T. Welsh, J. R. Welty.

The report was adopted.

House bill No. 305, by Mr. Kees, entitled "An act relating to the commitment and working of persons for the nonpayment of fines and costs, etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Cornwell, Davis, Hailey, Hamilton, Hemrich, LeCrone, O'Donnell, Potts, Rands, Reser, Sharp, Smith, Splawn, Stewart, Sumner, Tucker, Welty, Wilson, Mr. President—22.

Those voting nay were: Senators Clapp, Crow, Hallett, McKenney, Moultray, Palmer, Rasher, Ruth, Tolman, Welsh—10.

Absent or not voting were: Senators Earles, Garber, Graves,

Hammer, Hurley, Kinnear, Moore, Stansell, Van de Vanter, Warburton—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 372, by Mr. Gleason, entitled "An act relating to the procedure in the appropriation of private property by corporations," etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Earles, Hamilton, Hurley, Kinnear, LeCrone, Moore, O'Donnell; Palmer, Potts, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welty, Mr. President—25.

Absent or not voting were: Senators Cornwell, Davis, Garber, Graves, Hailey, Hallett, Hammer, Hemrich, McKenney, Moultray, Rands, Rasher, Reser, Tolman, Warburton, Welsh, Wilson—17.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 294, by Mr. Field, entitled "An act providing for the improvement of Lake Chelan for navigation purposes," was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Crow, Garber, Hallett, Hamilton, Hurley, Kinnear, LeCrone, McKenney, Moultray, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Welsh, Welty, Mr. President—30.

Senator Earles voted nay.

Absent or not voting were: Senators Cornwell, Davis, Graves, Hailey, Hammer, Hemrich, Moore, O'Donnell, Van de Vanter, Warburton, Wilson—11.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Earles, Garber, Hailey, Kinnear, McKenney, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—29.

Absent or not voting were: Senators Crow, Davis, Graves,

Hallett, Hamilton, Hammer, Hemrich, Hurley, LeCrone, Moore, Moultray, Stewart, Van de Vanter—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has passed House bill No. 445, entitled "An act relating to the proper ventilation of mines," etc.

Also Senate bill No. 180, entitled "An act relating to mutual fire Insurance companies."

Also Senate bill No. 214, entitled "An act relating to redistricting of cities."

Also Senate bill No. 184, entitled "An act relating to Appropriations for State Capitol."

Also Senate substitute bill No. 18, entitled "An act relating to employment of child labor," with the following amendments: Amend title by inserting between the word "females," in the second line, and the word "as," in the third line of engrossed bill, the words "under the age of eighteen years." Amend section 1 by striking out in lines 1 and 2 of engrossed bill the words "nor male person." In line 2 of section 1 of engrossed bill strike out the word "fourteen" and substitute the word "eighteen" therefor. Also add to the end of section 1 of engrossed bill the following: "nor shall any child of either sex under the age of fourteen years be hired out to labor in any factory, mill, workshop or store at any time; *provided*, that any Superior Judge, living within the residence of any such child, may issue a permit for the employment of any child between the ages of twelve and fourteen years at any occupation not, in his judgment, dangerous or injurious to the health or morals of such child, upon evidence satisfactory to him, that the labor of such child is necessary for its own support or for the assistance of any invalid parent. Said permits shall be issued for a definite time, but shall be revocable at the discretion of the Judge by whom they were issued."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House bill No. 63, by Mr. Field, entitled "An act to provide for the protection of trout and other game fish," etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Cornwall, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hurley,

Kinnear, LeCrone, McKenney, Moore, Moultray, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Splawn, Stansell, Stewart, Sumner, Tolman, Van de Vanter, Welty, Wilson, Mr. President—32.

Absent or not voting were: Senators Baumeister, Graves, Hailey, Hammer, Hemrich, O'Donnell, Smith, Tucker, Warburton, Welsh—10.

The emergency clause passed by the following vote:

Those voting yea were: Senators Angle, Baker, Crow, Davis, Earles, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Sharp, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welty, Wilson, Mr. President—30.

Absent or not voting were: Senators Baumeister, Clapp, Cornwell, Garber, Graves, Hailey, Hallett, Hammer, Moultray, Ruth, Smith, Welsh—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 422, by Mr. Lindsley, entitled "An act to provide for the direct amendment of city charters," etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Crow, Davis, Earles, Hailey, Hallett, Hamilton, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welty, Wilson, Mr. President—31.

Senator Hemrich voted nay.

Absent or not voting were: Senators Baker, Baumeister, Clapp, Cornwell, Garber, Graves, Hammer, Smith, Splawn, Welsh—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 33, by Mr. Easterday, entitled "An act providing for the amendment of section 69 of an act entitled 'An act to provide for the selection, survey, management, etc., of the State's granted, school, tide, oyster and other lands,'" etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Clapp, Crow,

Davis, Earles, Hailey, Hallett, Hamilton, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Smith, Splawn, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—32.

Absent or not voting were: Senators Baumeister, Cornwell, Garber, Graves, Hammer, Hemrich, Kinnear, Ruth, Sharp, Stansell—10.

There being no objection, the title of the bill was ordered to stand as the title of the act.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House bill No. 281, entitled "An act authorizing and empowering the Board of State Land Commissioners to vacate plats covering State granted, school, tide or shore lands," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

W. G. POTTS, Chairman.

We concur in this report: J. P. Sharp, J. R. Welty, Grant C. Angle, S. T. Smith.

OLYMPIA, WASH., March 12, 1903.

SENATE CHAMBER.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 438, entitled "An act relating to the duties of Treasurers of cities of the first class," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

WARREN W. TOLMAN, Chairman.

We concur in this report: Wm. Hickman Moore, W. R. Moultray, J. R. O'Donnell, R. M. Kinnear, W. G. Potts.

SENATE CHAMBER.

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 140, entitled "An act to amend section 1 of an act entitled 'An act amending section 943 of Ballinger's Code, relating to assessments to local improvements,'" have had the same under con-

sideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

WARREN W. TOLMAN, Chairman.

We concur in this report: Wm. Hickman Moore, W. R. Moultray, J. R. O'Donnell, W. G. Potts.

SENATE CHAMBER.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 397, entitled "An act to amend section 63 of an act entitled 'An act to provide for the assessment and collection of taxes,' " etc., have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass, with the following amendments:

In section 1, line 10, strike the word "twenty" and insert in lieu thereof the word "ten."

In section 1, line 10, after the first word "mills" insert the following: "unless the Board of Directors thereof shall by unanimous consent of all its members determine upon a greater levy, not exceeding two per cent."

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, E. M. Rands, J. R. Welty, Warren W. Tolman, H. E. McKenney.

The report was adopted.

SENATE CHAMBER.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 396, entitled "An act in relation to uniform public schools, funding," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman,

We concur in this report: E. B. Palmer, J. R. Welty, E. M. Rands, John T. Welsh, Warren W. Tolman, H. E. McKenney.

SENATE CHAMBER.

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 174, entitled "An act to establish fish hatcheries on different streams in this State," have had the same under consideration, and we

respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

G. B. WILSON, Chairman.

We concur in this report: R. M. Kinnear, O. T. Cornwell, Geo. H. Baker, J. P. Sharp, A. S. Ruth, Jno. Earles, H. Rasher.

SENATE CHAMBER.

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 424, entitled "An act empowering Boards of County Commissioners to accept the right of way for the construction of highways," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

HERMAN D. CROW, Chairman,

We concur in this report: E. B. Palmer, S. Warburton, John T. Welsh, E. M. Rands, J. R. Welty, Warren W. Tolman, H. E. McKenney.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1903.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 356, entitled "An act relating to Justices of the Peace and Constables of cities of more than five thousand inhabitants," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass as amended:

In section 1, line 6, strike out figures "1898" and insert "1904."

In section 1, line 13, strike out the period, insert a comma and add to the section: "and salaries of Justices of the Peace twelve hundred dollars per annum, payable as now provided by law."

Respectfully submitted,

HERMAN D. CROW, Chairman.

We concur in this report: E. B. Palmer, S. Warburton, John T. Welsh, E. M. Rands, J. R. Welty, Warren W. Tolman, H. E. McKenney.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1903.

MR. PRESIDENT:

We, your Joint Committee on Appropriations, herewith present committee substitute bill for House bill No. 453, entitled "An act making a deficiency appropriation for sundry civil expenses for the department of printing," with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: J. P. Sharp, H. Rasher, R. M. Kinnear, G. B. Wilson, O. T. Cornwell.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1903.

MR. PRESIDENT:

We, your Joint Committee on Appropriations, to whom was referred House bill No. 192, entitled "An act to provide for the establishment and maintenance of a branch of the State Soldiers' Home for honorably discharged soldiers, sailors and marines," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

In section 3, line 2, of the printed bill, strike the word "thirty" where it occurs between the words "of" and "thousand," and insert the word "ten."

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: E. M. Rands, A. S. Ruth, Jno. Earles, G. B. Wilson, O. T. Cornwell, Geo. H. Baker, J. P. Sharp, H. Rasher.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1903.

MR. PRESIDENT:

We, a minority of your Committee on Appropriations, to whom was referred House Bill No. 244, entitled "An act relating to the construction of armories for the use of the National Guard of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: H. Rasher, G. B. Wilson.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1903.

MR. PRESIDENT:

We, a majority of your Committee on Appropriations, to whom was referred House bill No. 244, entitled "An act relating to the construction of armories for the use of the National Guard of Washington," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted,

J. P. SHARP,
E. M. RANDS,
GEO. H. BAKER,
A. S. RUTH,
JNO. EARLES.

SENATE CHAMBER,
OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 450, entitled "An act appropriating money for the relief of E. H. Hoover & Co.," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted,

ED. S. HAMILTON, Chairman.

We concur in this report: E. M. Rands, A. S. Ruth, J. P. Sharp, R. M. Kinnear, G. B. Wilson, H. Rasher, O. T. Cornwell.

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT AND MR. SPEAKER:

We, your committee appointed for free conference on House substitute bill No. 89, entitled "An act creating the offices of commissioner and assistant commissioner of taxation, prescribing their duties, and making an appropriation therefor," respectfully report back that we have agreed to the amendments submitted herewith to said bill, and ask that the Senate recede from its amendment, and that the amendments of your Free Conference Committee be adopted.

Respectfully submitted,

G. B. GUNDERSON,

Chairman House and Senate Free Conference Committee.

We concur in this report: Ed. S. Hamilton, A. S. Ruth, H. Rasher, O. E. Hailey, J. H. Easterday, C. I. Roth, R. W. Jones, Geo. W. Hopp.

Amendments:

Strike out all of the title after the words "An act" in the engrossed and printed bills, and substitute therefor the following: "Creating a State Tax Commission, prescribing its duties, and making an appropriation therefor."

Strike out all of section 1 of the printed and engrossed bills after the word and figure "Section 1," and substitute therefor the following:

"For the purposes of this act (the Governor of the State shall be ex officio president of the State Board of Equalization and) the State Board of Equalization is hereby constituted a State Tax Commission, and authorized and required to investigate and report on the best method of taxing all property in the State of Washington, as hereinafter provided, and, for the purpose of assisting it to thoroughly investigate the same, the said commission is hereby empowered to employ not more than three competent persons who are learned in the laws and constitution pertaining to taxation, and who are familiar with statistics and the practical operation of the revenue laws of the State, and familiar with the values of corporate stocks, bonds and debentures, franchises, privileges and grants, properties tangible and intangible. The salary of said

persons so employed shall not exceed ten dollars per day each for each day's actual services, together with payment of his actual and necessary expenses while engaged in the work of said commission; *provided*, that no person so employed by said commission shall receive pay for more time than he actually spends in attending the meetings of said commission, unless it be for time spent in said work under the express order and authority of said commission. Said commission shall also have authority to employ a stenographer at a salary not to exceed the rate of one hundred dollars per month for the time actually engaged in the work of said commission."

After the word "The" in the first line of the printed bill and the first line of the engrossed bill, section 2, strike out the following words: "commissioner and his assistant and any clerk appointed by him," and substitute in lieu thereof the following: "commission and such assistants and clerks appointed by it shall."

Strike out the word "his" after the word "after" in the second line of the printed bill and the second line of the engrossed bill, section 2, and substitute in lieu thereof the word "their."

Strike out the word "his" after the word "of" in the third line of the printed bill and the third line of the engrossed bill, section 2, and substitute therefor the word "their."

Strike out the word "shall" after the word "duties" in the third line of the engrossed bill and the third line of the printed bill, section 2.

Strike out the word "his" after the word "of" in the fourth line of the engrossed bill, and being the first word in the fourth line of the printed bill, section 2, and substitute in lieu thereof the word "their."

Strike out the word "commissioner" in the first line of the printed bill and the first line of the engrossed bill, section 3, and substitute therefor the word "commission."

Strike out the word "his" after the "be" in the first line of the printed bill and the second line of the engrossed bill, section 3, and substitute therefor the word "its."

In the 17th line of the printed bill and the 23d line of the engrossed bill, section 3, subdivision third, strike out the following words, "commissioner and his assistant," and substitute therefor the words, "commission and its assistants."

In the 21st line of the printed bill and the 28th line of the engrossed bill, section 3, subdivision fourth, strike out the word "commissioner" and substitute therefor the word "commission."

In the 23d line of the printed bill and the 31st line of the engrossed bill, section 3, subdivision fourth, strike out the word "commissioner" and substitute therefor the word "commission."

In the 26th line of the printed bill and the 35th line of the engrossed bill, section 3, subdivision fifth, strike out the word "commissioner" and substitute therefor the word "commission."

In the 32d line of the printed bill and the 42d line of the engrossed

bill, section 3, subdivision seventh, strike out the following words, "commissioner and his assistant," and substitute in lieu thereof the words "commission and its assistants."

In the 37th line of the printed bill and the 48th and 49th lines of the engrossed bill, section 3, subdivision seventh, strike out the word "commissioner" and substitute therefor the word "commission."

In the 48th line of the printed bill and the 64th line of the engrossed bill, section 3, subdivision tenth, strike out the word "his" and substitute therefor the word "its."

In the 55th line of the printed bill and the 75th line of the engrossed bill, section 3, subdivision eleventh, strike out the word "commissioner" and substitute therefor the word "commission."

In the 58th line of the printed bill and the 77th and 78th lines of the engrossed bill, section 3, subdivision twelfth, strike out the word "commissioner" and substitute therefor the word "commission."

In the 64th line of the printed bill and the 84th and 85th lines of the engrossed bill, section 3, subdivision thirteenth, strike out the word "commissioner" and substitute therefor the word "commission."

In the 66th line of the printed bill and the 87th line of the engrossed bill, section 3, subdivision fourteenth, strike out the word "commissioner" and substitute therefor the word "commission."

In the 67th line of the printed bill and the 88th line of the engrossed bill, section 3, subdivision fourteenth, strike out the word "him" and substitute therefor the word "it."

In the 69th line of the printed bill and the 91st line of the engrossed bill, section 3, subdivision fifteenth, strike out the following words, "commissioner shall avail himself," and substitute in lieu thereof the following, "commission shall avail itself."

In the 74th line of the printed bill and the 98th line of the engrossed bill, section 3, subdivision sixteenth, strike out the word "He" in the first line of said subdivision, and substitute in lieu thereof the following: "The said commission."

In the 78th and 79th lines of the printed bill and the 104th line of the engrossed bill, section 3, subdivision sixteenth, strike out the word "commissioner" and substitute therefor the word "commission."

In the 1st line of the printed bill and the 1st line of the engrossed bill, section 4, strike out the words "commissioner of taxation" and substitute therefor the words "tax commission."

In the 3d and 4th lines of the printed bill, and the 3d, 4th and 5th lines of the engrossed bill, section 4, strike out the following words and mark of punctuation, "and shall have the power to personally value the different kinds of property previously assessed by the county assessor,".

In the 5th line of the printed bill and the 7th line of the engrossed bill, section 4, after the word "equalization" strike out the words "Said officer" and substitute in lieu thereof the word "Said commission."

In the 7th line of the printed bill and the 9th line of the engrossed bill, section 4, after the word "such" strike out the word "officer" and substitute therefor the word "commission."

In the 8th line of the printed bill and the 11th line of the engrossed bill, section 4, after the word "law" strike out the word "he" and substitute therefor the word "it."

In the 10th line of the printed bill and the 13th line of the engrossed bill, section 4, after the word "said" strike out the word "commissioner" and substitute therefor the word "commission."

Strike out section 5, section 6 and section 7 of the engrossed bill and the printed bill.

Designate section 8 of the printed and the engrossed bill as section 5.

Designate section 9 of the engrossed and the printed bill as section 6.

On motion of Senator Hamilton the report of the Free Conference Committee was withdrawn by the following vote:

Those voting yea were: Senators Baker, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rands, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Welsh, Welty, Wilson, Mr. President—31.

Those voting nay were: Senators Angle, Hallett, Hammer, Moultray, Rasher, Reser, Tolman—7.

Absent or not voting were: Senators Davis, Graves, Hailey, Warburton—4.

House bill No. 42, by Mr. Gleason, entitled "An act relating to jury commissioners," etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Crow, Davis, Earles, Garber, Hurley, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Palmer, Rands, Reser, Sharp, Smith, Splawn, Stewart, Tolman, Warburton, Wilson, Mr. President—22.

Absent or not voting were: Senators Baker, Baumeister, Clapp, Cornwell, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, McKenney, Potts, Rasher, Ruth, Stansell, Sumner, Tucker, Van de Vanter, Welsh, Welty—20.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 317, by Mr. Gleason, entitled, "An act to define the duties and provide for assistance for and fix the compensation

of the Secretary of State," was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Clapp, Crow, Davis, Earles, Garber, Hallett, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Palmer, Rands, Rasher, Reser, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Wilson, Mr. President—29.

Senator Welty voted nay.

Absent or not voting were: Senators Baker, Baumeister, Cornwell, Graves, Hailey, Hammer, Moultray, O'Donnell, Potts, Ruth, Van de Vanter, Welsh—12.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The speaker has signed Senate bill No. 55, entitled "An act for the protection of occupants of land who in good faith have made improvements," etc.

Also Senate bill No. 109, entitled "An act providing for the organization of municipal corporations," etc.

Also Senate bill No. 40, entitled "An act for the protection of birds and their nests," etc.

Also Senate bill No. 83, entitled "An act to encourage county agricultural associations," etc.

Also Senate substitute bill No. 156, entitled "An act creating a State Library Commission," etc.

Also Senate bill No. 4, entitled "An act providing for the incorporation of trust companies," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

House bill No. 170, by Mr. Raine, entitled "An act prohibiting the sale of intoxicating liquors within prescribed limits," was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Clapp, Crow, Davis, Earles, Hamilton, Hemrich, Hurley, McKenney, Moore, Moultray, Palmer, Rasher, Reser, Sharp, Smith, Splawn, Stewart, Tolman, Tucker, Warburton, Welty, Wilson, Mr. President—24.

Absent or not voting were: Senators Baker, Baumeister, Corn-

well, Garber, Graves, Hailey, Hallett, Hammer, Kinnear, LeCrone, O'Donnell, Potts, Rands, Ruth, Stansell, Sumner, Van de Vanter, Welsh—18.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Welty, at 11:55 o'clock a. m., the Senate took a recess, subject to the call of the President.

House bill No. 178, by Mr. Field, entitled "An act amending an act establishing a geological survey," etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Garber, Hammer, Hurley, LeCrone, McKenney, Moore, O'Donnell, Palmer, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Wilson, Mr. President—27.

Absent or not voting were: Senators Baker, Clapp, Cornwell, Davis, Earles, Graves, Hailey, Hallett, Hamilton, Hemrich, Kinnear, Moultray, Potts, Stansell, Welty—15.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 353, by Mr. Witter and Mr. Mackenzie, entitled "An act amending several sections of the code of public instruction, relating to the expenses of indigent pupils," was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Garber, Hamilton, Hammer, LeCrone, McKenney, O'Donnell, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Wilson, Mr. President—26.

Absent or not voting were: Senators Clapp, Cornwell, Davis, Earles, Graves, Hailey, Hallett, Hemrich, Hurley, Kinnear, Moore, Moultray, Palmer, Stansell, Warburton, Welty—16.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 168, by Mr. Dix, entitled "An act to prevent the introduction of diseased horses, cattle and swine into the State

of Washington," was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Cornwell, Crow, Davis, Garber, Hailey, LeCrone, Moore, O'Donnell, Palmer, Rands, Rasher, Reser, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Wilson, Mr. President—27.

Absent or not voting were. Senators Baker, Clapp, Earles, Graves, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, McKenney, Moultray, Potts, Ruth, Welty—15.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 174, by Mr. Hunter, entitled "An act to establish a fish hatchery on Dakota creek," was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Davis, Garber, Hamilton, Hammer, Hurley, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—34.

Absent or not voting were: Senators Crow, Earles, Graves, Hailey, Hallett, Hemrich, Kinnear, Potts—8.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 188, by Mr. Jeffries, entitled "An act to enable cities of the first class to exercise the right of eminent domain for the taking of land and property for public purposes," was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Davis, Garber, Hamilton, Hammer, Hurley, LeCrone, McKenney, Moore, O'Donnell, Palmer, Ruth, Sharp, Smith, Splawn, Stewart, Tolman, Tucker, Warburton, Welsh, Wilson, Mr. President—24.

Absent or not voting were: Senators Baker, Cornwell, Crow, Earles, Graves, Hailey, Hallett, Hemrich, Kinnear, Moultray, Potts, Rands, Rasher, Reser, Stansell, Sumner, Van de Vanter, Welty—18.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House bill No. 424, by Mr. Haynes, entitled "An act empowering County Commissioners to accept the right of way for the construction of highways," was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Clapp, Garber, Hallett, Hamilton, Hammer, Hurley, LeCrone, McKenney, Moore, O'Donnell, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Wilson, Mr. President—27.

Absent or not voting were: Senators Baker, Cornwell, Crow, Davis, Earles, Graves, Hailey, Hemrich, Kinnear, Moultray, Palmer, Potts, Rands, Van de Vanter, Welty—15.

There being no objection, the title of the bill was ordered to stand as the title to the act.

House bill No. 344, by Mr. Cole., entitled "An act to amend an act entitled 'An act making it unlawful to injure, obstruct or destroy any line erected or constructed for the transmission of electrical current,' " etc., was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Garber, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Wilson, Mr. President—32.

Absent or not voting were: Senators Cornwell, Crow, Davis, Earles, Graves, Hailey, Hemrich, Potts, Van de Vanter, Welty—10.

There being no objection, the title of the bill was ordered to stand as the title to the act.

House bill No. 356 was indefinitely postponed.

House joint memorial No. 11, by Mr. Philbrick, relating to a lighthouse between Destruction island and Westport beach, was read the third time, placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Davis, Earles, Garber, Hallett, Hamilton,

Hammer, Hemrich, Hurley, Kinnear. LeCrone, Moore, Moultray, O'Donnell, Palmer, Reser, Ruth, Sharp, Smith, Splawn, Sumner, Tolman, Tucker, Warburton, Welsh, Welty, Wilson, Mr. President—33.

Absent or not voting were: Senators Graves, Hailey, McKenney, Potts, Rands, Rasher, Stansell, Stewart, Van de Vanter—9.

There being no objections, the title of the memorial was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

In pursuance to order of the House, I herewith transmit original copy of House bill No. 429, entitled "An act authorizing the construction of dams," etc.

STOREY BUCK, Clerk of the House.

OLYMPIA, WASH., March 12, 1903.

To the Senate and House of Representatives:

Senate bill No. 155, relative to the Lewis and Clark Exposition.

We, the undersigned, your Conference Committee, appointed to consider Senate bill No. 155, beg leave to report that we have had same under consideration, and hereby recommend that the House recede from its amendment.

SENATE COMMITTEE:

E. M. RANDS, Chairman.

ED. S. HAMILTON.

O. E. HAILEY.

O. T. CORNWELL.

W. W. TOLMAN.

HOUSE COMMITTEE:

J. G. MEGLER.

J. A. VENESS.

A. J. CRAIGUE.

JERRY COONEY.

J. M. STEVENSON.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has receded from its amendments to Senate bill No. 155.

STOREY BUCK, Clerk of the House.

House bill No. 429, by Mr. Morgan, entitled "An act authorizing the construction of dams on streams for the purpose of divert-

ing water for irrigation and power," etc., on motion of Senator Warburton, was read the third time.

Senator Tolman moved to amend section 1, line 3, before the word "interstate," by inserting the words "entree-state."

The amendment failed to prevail.

Senator Palmer moved that the bill be indefinitely postponed.

The motion was lost.

The bill was placed upon its final passage, and failed to pass by the following vote:

Those voting yea were: Senators Baker, Baumeister, Clapp, Cornwell, Hamilton, Hurley, Kinnear, Moore, Rands, Sharp, Stansell, Sumner, Tucker, Warburton, Wilson, Mr. President—16.

Those voting nay were: Senators Angle, Earles, Hailey, Hammer, McKenney, Moultray, O'Donnell, Palmer, Rasher, Reser, Ruth, Splawn, Tolman, Welsh—14.

Absent or not voting were: Senators Crow, Davis, Garber, Graves, Hallett, Hemrich, LeCrone, Potts, Smith, Stewart, Van de Vanter, Welty—12.

The President signed House bills Nos. 34, 122, 194, 284, 364, 251, 279, 91, 172, 302, 328, 71, 223, 309, 161, 360, 82 and 286.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, WASH., March 12, 1903.

The Honorable the President of the Senate, Senate Chamber, Olympia, Washington:

SIR—I have the honor to inform you that the Governor has approved the following:

Senate bill No. 75, entitled "An act to amend sections 13, 15, 19, 23, 31 and 62 of an act entitled 'An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the conformation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles XV and XVI of the state constitution,' etc., approved March 16, 1897, and adding sections 18½ and 31½ to said act, and declaring an emergency."

Senate bill No. 33, entitled "An act providing for the incorporation of subordinate lodges, chapters and encampments of Free and Accepted Masons, etc., and for the reincorporation of lodges heretofore incorporated.

Respectfully yours,

J. HOWARD WATSON, Secretary to the Governor.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 188, entitled "An act to enable cities of the first class to exercise the right of eminent domain," etc.

STOREY BUCK, Clerk of the House.

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT AND MR. SPEAKER:

Your Conference Committee, appointed to consider the Senate amendment to House bill No. 408, respectfully report we have met in joint conference and considered the matter referred to us, and recommend that the House concur in the Senate amendment.

SENATE COMMITTEE:

STANLEY HALLETT.

S. M. LECRONE.

J. R. WELTY.

HOUSE COMMITTEE:

CHAS. S. GLEASON.

CHAS. KING.

N. B. MCNICOL.

The hour having arrived for the consideration of all bills carrying appropriations, made a special order at this time, on motion of Senator Hamilton, the Senate resolved itself into a Committee of the Whole to consider House bill No. 454.

The bill was considered in the Committee of the Whole, Senator Tolman in the chair, and reported back to the Senate with recommendation as follows:

House bill No. 454, with the following amendments:

Senator Sharp moved to amend by adding line 195½, "for establishment of trout hatchery on Lake Chelan, \$3,000.00."

The amendment prevailed.

On motion of Senator Hamilton line 25, "W. A. Ritchie, for architect's commission, \$634.34," was added.

On motion of Senator Hamilton, the bill was reported back to the Senate with the recommendation that it do pass, and asked leave to sit again.

Senator Warburton moved to amend by adding line 34½, "for prosecuting action, case of Washington vs. Northern Securities Company, pending in United States Supreme Court, \$10,000.00."

Roll call was demanded on the amendment by Senators Warburton, Rands, Hallett, Moultray, LeCrone, Hammer, Smith and Welty.

The roll was called, and the amendment failed to pass by the following vote:

Those voting yea were: Senators Angle, Baumeister, Cornwell, Crow, Garber, Hailey, Hallett, Hammer, McKenney, Moultray, Reser, Splawn, Tolman, Warburton, Wilson—15.

Those voting nay were: Senators Baker, Clapp, Earles, Hamilton, Hurley, Kinnear, LeCrone, Moore, O'Donnell, Potts, Rands, Rasher, Ruth, Sharp, Smith, Stewart, Sumner, Tucker, Welsh, Welty, Mr. President—21.

Absent or not voting were: Senators Davis, Graves, Palmer, Stansell, Van de Vanter—6.

House omnibus appropriation bill No. 454, by Joint Appropriation Committee, entitled "An act making an appropriation for the maintenance and construction of buildings and other institutions," etc.

On motion of Senator Ruth the rules were suspended, the reading had in Committee of the Whole considered the third, the bill placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Earles, Garber, Hallett, Hamilton, Hammer, Potts, Hurley, Kinnear, LeCrone, McKenney, Moultray, O'Donnell, Rasher, Reser, Ruth, Smith, Splawn, Stewart, Sumner, Tolman, Tucker, Warburton, Welsh, Wilson, Mr. President—31.

Absent or not voting were: Senators Davis, Graves, Hailey, Hemrich, Moore, Palmer, Rands, Sharp, Stansell, Van de Vanter, Welty—11.

The Senate resolved itself into a Committee of the Whole to consider House bills Nos. 150, 453, 30, 138, 244, 192, 450, 313 and 327.

The bills were considered in the Committee of the Whole, Senator Tolman in the chair, and reported back to the Senate with recommendations as follows:

House bill No. 150—That it do pass.

House bill No. 30—That it do pass.

House bill No. 192—That it do pass.

House bill No. 450—That it do pass.

House bill No. 313—That it do pass.

House bill No. 327—That it do pass.

House bill No. 138—That it do pass, with the following amendments:

In section 1, line 1, strike "shall" and insert "may."

In section 3, line 6, the same amendment.

House bill No. 192—That it do pass, with the following amendment: In section 5, line 5, of the printed bill, and line 7 of the original bill, after the word "city" and before the word "assent," insert the words "voting on said question."

In section 19, line 5, strike "and" and insert "or."

The report was adopted.

Lieutenant Governor Thurston Daniels was invited to a seat beside the President.

The following resolution was introduced by Senator Welty:

Resolved, That the Committee on Enrolled Bills be authorized to employ such additional assistance as may be necessary for enrolling Senate bills.

The resolution was adopted.

House bill No. 150, by Mr. Field, entitled "An act for the relief of Dora L. Tibbetts," etc.

On motion of Senator Moore the rules were suspended, the reading had in Committee of the Whole considered the third, the bill placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Earles, Garber, Hailey, Hallett, Hamilton, Hammer, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Welty, Mr. President—29.

Absent or not voting were: Senators Baker, Clapp, Cornwell, Davis, Graves, Hemrich, Hurley, Potts, Rands, Reser, Van de Vanter, Welsh, Wilson—13.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House substitute bill No. 30, by the Joint Committee on Appropriations, entitled "An act providing for a survey, etc., of State Highways."

On motion of Senator Stewart the rules were suspended, the reading had in Committee of the Whole considered the third, the bill placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Crow, Earles, Garber, Hailey, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, O'Donnell, Palmer, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Warburton, Welsh, Welty, Mr. President—29.

Those voting nay were: Senators Hallett and Tolman—2.

Absent or not voting were: Senators Baumeister, Clapp, Cornwell, Davis, Graves, Hemrich, Moultray, Potts, Rands, Reser, Wilson—11.

There being no objection, the title of the bill was ordered to stand as the title to the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has concurred in Senate amendment to House bill No. 453, entitled "An act making a deficiency appropriation for various sundry civil expenses," etc.

STOREY BUCK, Clerk of the House.

House substitute bill No. 453, by Joint Committee on Appropriations, entitled "An act making a deficiency appropriation for sundry civil expenses of the Department of Public Printing," etc.

On motion of Senator Palmer the rules were suspended, the reading had in Committee of the Whole considered the third, the bill placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Earles, Garber, Hailey, Hamilton, Hammer, Hurley, Kinnear, Moultray, O'Donnell, Palmer, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tucker, Warburton, Welsh—23.

Those voting nay were: Senators Baker, LeCrone, Sumner, Tolman, Welty, Mr. President—6.

Absent or not voting were: Senators Clapp, Cornwell, Davis, Graves, Hallett, Hemrich, McKenney, Moore, Potts, Rands, Reser, Van de Vanter, Wilson—13.

There being no objection, the title of the bill was ordered to stand as the title to the act.

House bill No. 138, by Mr. Megler, entitled "An act providing for the payment of a bounty for the killing of common seal," etc.

On motion of Senator Baker the rules were suspended, the reading had in Committee of the Whole considered the third, the bill placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Earles, Garber, Hailey, Hamilton, Hammer, Hurley, Le-Crone, McKenney, Moore, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Mr. President—26.

Those voting nay were: Senators Kinnear, Palmer and Warburton—3.

Absent or not voting were: Senators Clapp, Cornwell, Davis, Graves, Hallett, Hemrich, Moultray, O'Donnell, Potts, Rands, Reser, Welty, Wilson—13.

There being no objection, the title of the bill was ordered to stand as the title to the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has refused to concur in the amendments by the Senate, and requests the Senate to recede from the amendments to House bill No. 454, the "Omnibus Appropriation Bill."

STOREY BUCK, Clerk of the House.

Senator Moultray moved that the Senate recede from the amendments to House bill No. 454.

Senator Hamilton moved as an amendment that the Senate do not recede.

The amendment prevailed.

On motion of Senator Hammer the President appointed Senators Hamilton, Garber and Hammer as a Conference Committee on House bill No. 454.

The conference committee reported that they were unable to agree, and asked to be given power of a Free Conference Committee, which was granted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has appointed a Conference Committee, consisting of Mr. Dickson, Mr. Philbrick and Mr. Lewis, to confer with a like committee from the Senate on House bill No. 454, entitled the "Omnibus Appropriation Bill."

STOREY BUCK, Clerk of the House.

House bill No. 244, by Mr. Thacker, entitled "An act relating to the National Guard of Washington," etc.

On motion of Senator Tucker the rules were suspended, the reading had in Committee of the Whole considered the third, the bill placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Crow, Earles, Hailey, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, O'Donnell, Palmer, Potts, Rasher, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Van de Vanter, Warburton, Mr. President—23.

Those voting nay were: Senators Angle, Baker, Garber, Moultray, Rands, Ruth, Sharp, Sumner, Warburton, Welsh, Welty—10.

Absent or not voting were: Senators Baumeister, Clapp, Cornwall, Davis, Graves, Hallett, Hemrich, Reser, Wilson—9.

There being no objection, the title of the bill was ordered to stand as the title to the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee appointed to consider House bill No. 408, and has concurred in the Senate amendments.

STOREY BUCK, Clerk of the House.

House bill No. 192, by Mr. Tibbetts, entitled "An act to provide for the establishment and maintenance of a branch of the State Soldiers' Home."

On motion of Senator Tucker the reading had in Committee of

the Whole was considered the third, the bill placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Earles, Garber, Hailey, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Rands, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tolman, Tucker, Van de Vanter, Welsh, Welty, Mr. President—30.

Senator Sumner voted nay.

Absent or not voting were: Senators Baker, Clapp, Cornwell, Davis, Graves, Hallett, Hemrich, Potts, Reser, Warburton, Wilson—11.

There being no objection, the title of the bill was ordered to stand as the title to the act.

House bill No. 450, by Mr. Eidemiller, entitled "An act appropriating money for the relief of E. H. Hoover & Co."

On motion of Senator Sumner the rules were suspended, the reading had in Committee of the Whole considered the third, the bill placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Baker, Baumeister, Crow, Earles, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, O'Donnell, Palmer, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Welty, Mr. President—28.

Absent or not voting were: Senators Angle, Clapp, Cornwell, Davis, Garber, Graves, Hemrich, Moultray, Potts, Rands, Reser, Van de Vanter, Welsh, Wilson—14.

There being no objection, the title of the bill was ordered to stand as the title to the act.

House bill No. 313, by Mr. Hopp, entitled "An act providing for the framing of the several photographic groups of the several legislative bodies."

On motion of Senator Smith the rules were suspended, the reading had in Committee of the Whole considered the third, the bill placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baumeister, Crow, Earles, Hailey, Hallett, Hamilton, Hammer, Hurley, Kinnear, Le-

Crone, McKenney, O'Donnell, Palmer, Rasher, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Tucker, Warburton, Welsh, Mr. President—25.

Those voting nay were: Senators Baker, Garber, Moore, Moultray, Rands, Sumner, Tolman, Welty—8.

Absent or not voting were: Senators Clapp, Cornwell, Davis, Graves, Hemrich, Potts, Reser, Van de Vanter, Wilson—9.

There being no objection, the title of the bill was ordered to stand as the title to the act.

House bill No. 372, by Mr. Philbrick, entitled "An act providing for the purchase of additional lots around the ground wherein are buried veterans of the last war," etc.

On motion of Senator Palmer the rules were suspended, the reading had in Committee of the Whole considered the third, the bill placed upon its final passage, and passed by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Earles, Garber, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Warburton, Mr. President—25.

Absent or not voting were: Senators Clapp, Cornwell, Davis, Graves, Hailey, Hallett, Hamilton, Hammer, Hemrich, Hurley, Potts, Rands, Reser, Van de Vanter, Welsh, Welty, Wilson—17.

There being no objection, the title of the bill was ordered to stand as the title to the act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has given the Conference Committee on House bill No. 454 the power of a Free Conference Committee.

STOREY BUCK, Clerk of the House.

REPORT OF FREE CONFERENCE COMMITTEE.

To the President of the Senate and the Members thereof, and the Speaker of the House and the Members thereof:

We, your Free Conference Committee, to whom was referred House bill No. 454, "The Omnibus Appropriation Bill," beg leave to make the following report:

We recommend concurrence in Senate amendment inserting line

195½ of printed bill; that the following be inserted at the end of line 195½: "195¾. For Lake Crescent trout hatchery, \$3,000.

That line No. 251, being claim of W. A. Ritchie, architect's commission, \$634.34, be stricken out.

Senate Committee:

ED. S. HAMILTON.

E. HAMMER.

House Committee:

G. E. DICKSON.

RALPH E. PHILBRICK.

WILLIAM H. LEWIS.

The report of the Free Conference Committee on House bill No. 454 was adopted by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Clapp, Cornwell, Crow, Earles, Hallett, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Potts, Rands, Rasher, Reser, Ruth, Sharp, Smith, Splawn, Stansell, Stewart, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Welty, Wilson, Mr. President—38.

Absent or not voting were: Senators Davis, Garber, Graves, Hailey—4.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on House bill No. 454.

STOREY BUCK, Clerk of the House.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT:

The House has concurred in Senate amendment to House bill No. 43, entitled "An act providing for the assessment and taxation of mining claims," etc.

STOREY BUCK, Clerk of the House.

On motion of Senator Baker all bills in the Senate or in the hands of the committees, not acted upon, except those on which conference committees had been appointed, were indefinitely postponed.

On motion of Senator Palmer the Senate concurred in House amendments to Senate bill No. 211 by the following vote:

Those voting yea were: Senators Angle, Crow, Earles, Garber, Hamilton, Hammer, Hurley, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Palmer, Rasher, Ruth, Sharp, Splawn, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Mr. President—23.

Absent or not voting were: Senators Baker, Baumeister, Clapp, Cornwell, Davis, Graves, Hailey, Hallett, Hemrich, McKenney, Potts, Rands, Reser, Smith, Stansell, Stewart, Sumner, Welty, Wilson—19.

On motion of Senator Baker the Senate refused to concur in House amendments to Senate substitute bill No. 18, and asked the House to recede.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The speaker has signed House substitute bill No. 145, entitled "An act providing for an election on the liquor question," etc., and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

On motion of Senator Welsh the Senate concurred in House amendments to Senate bill No. 188 by the following vote:

Those voting yea were: Senators Angle, Baker, Cornwell, Crow, Earles, Hamilton, Hammer, Hurley, Kinnear, LeCrone, Moore, Moultray, O'Donnell, Palmer, Ruth, Sumner, Tolman, Tucker, Van de Vanter, Warburton, Welsh, Mr. President—22.

Absent or not voting were: Senators Baumeister, Clapp, Davis, Garber, Graves, Hailey, Hallett, Hemrich, McKenney, Potts, Rands, Rasher, Reser, Sharp, Smith, Splawn, Stansell, Stewart, Welty, Wilson—20.

On motion of Senator Moore the Senate concurred in House amendments to Senate bill No. 111 by the following vote:

Those voting yea were: Senators Angle, Baker, Crow, Earles, Hailey, Hamilton, Hammer, Hurley, Kinnear, LeCrone, McKenney, Moore, Moultray, O'Donnell, Palmer, Rasher, Ruth, Splawn, Sumner, Tolman, Tucker, Warburton, Welsh, Mr. President—24.

Absent or not voting were: Senators Baumeister, Clapp, Cornwell, Davis, Garber, Graves, Hallett, Hemrich, Potts, Rands, Reser, Sharp, Smith, Stansell, Stewart, Van de Vanter, Welty, Wilson—18.

On motion of Senator Crow the Senate concurred in House amendments by the following vote:

Those voting yea were: Senators Angle, Beaumeister, Cornwall, Crow, Garber, Hamilton, Hammer, Hurley, LeCroné, McKenney, Moore, Moultray, O'Donnell, Palmer, Rands, Rasher, Ruth, Sharp, Splawn, Sumner, Tolman, Tucker, Warburton, Welsh, Wilson, Mr. President—26.

Absent or not voting were: Senators Baker, Clapp, Davis, Earles, Graves, Hailey, Hallett, Hemrich, Kinnear, Potts, Reser, Smith, Stansell, Stewart, Van de Vanter, Welty—16.

EVENING SESSION.

The President called the Senate to order at 7:30 o'clock p. m., pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Davis and Graves.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has refused to recede from its amendments to Senate bill No. 18, and has appointed the following conference committee, with powers of a free conference committee: Messrs. Gleason, York and Wells. And the bill is herewith transmitted.

STOREY BUCK, Clerk of the House.

The following resolution, by Senator Hallett, was read and adopted.

Be It Resolved, by the Senate of the State of Washington, That the thanks of the Senate are due and they are hereby tendered to the ministers of the several churches of Olympia for good offices cheerfully rendered during the session just closing.

The President appointed Senators Tucker, Tolman and Hamilton as a conference committee, with powers of a free conference committee, on Senate bill No. 18.

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

We, your Conference Committee, appointed as a Free Conference Committee to adjust the differences between the Senate and House regarding

the House amendments to Senate bill No. 18, beg leave to report that we have agreed that the Senate shall concur in said amendment, and that the bill be further amended by inserting the word "district" after the word "residence," and we hereby ask the Senate to concur in said amendments.

Respectfully submitted,

ED. S. HAMILTON.
WARREN W. TOLMAN.
O. H. TUCKER.
CHAS. S. GLEASON.
S. A. WELLS.
E. R. YORK.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has adopted the Conference Committee report on House substitute bill No. 89, relating to the creation of the office of tax commissioner, etc.

STOREY BUCK, Clerk of the House.

The Senate adopted the Free Conference Committee's report on Senate bill No. 18 by the following vote:

Those voting yea were: Senators Baumeister, Crow, Hailey, Hamilton, Hammer, Hemrich, Hurley,, Kinnear, LeCrone, Moore, Potts, Rands, Rasher, Ruth, Smith, Sumner, Tolman, Tucker, Van de Vanter, Welsh, Wilson, Mr. President—22.

Those voting nay were: Senators Angle, Baker, Clapp, Cornwell, Earles, Garber, Hallett, McKenney, Moultray, O'Donnell, Palmer, Sharp, Splawn, Stewart, Warburton, Welty—16.

Absent or not voting were: Senators Davis, Graves, Reser and Stansell—4.

REPORT OF CONFERENCE COMMITTEE.

OLYMPIA, WASH., March 11, 1903.

MR. PRESIDENT AND MR. SPEAKER:

We, your committee, appointed for free conference on House substitute bill No. 89, entitled "An act creating the offices of commissioner and assistant commissioner of taxation, prescribing their duties and making an appropriation therefor," respectfully report back that we have agreed to the amendments submitted herewith to said bill, and ask that the Senate recede from its amendment, and that the amendments of your Free Conference Committee be adopted.

Respectfully submitted,

G. B. GUNDERSON,
Chairman House and Senate Free Conference Committee.

We concur in this report: Ed. S. Hamilton, A. S. Ruth, O. E. Hailey, T. B. Sumner, J. H. Easterday, C. I. Roth, R. W. Jones, Geo. W. Hopp.

Amendments:

Strike out all of the title after the words "An act" in the engrossed and printed bills, and substitute therefor the following: "Creating a State Tax Commission, prescribing its duties and making an appropriation therefor."

Strike out all of section 1 of the printed and engrossed bills after the word and figure "section 1," and substitute therefor the following: "For the purposes of this act the State Board of Equalization is hereby constituted a State Tax Commission, and authorized and required to investigate and report on the best method of taxing all property in the State of Washington, as hereinafter provided, and for the purpose of assisting it to thoroughly investigate the same the said commission is hereby empowered to employ not more than three competent persons, who are learned in the laws and constitution pertaining to taxation, and who are familiar with statistics and the practical operation of the revenue laws of the state, and familiar with the values of corporate stock, bonds and debentures, franchises, privileges and grants, properties tangible and intangible. The salary of said persons so employed shall not exceed \$10 per day each, for each day's actual services, together with payment of his actual and necessary expenses while engaged in the work of said commission; *provided*, that no person so employed by said commission shall receive pay for more time than he actually spends in attending the meetings of said commission, unless it be for time spent in said work under the express order and authority of said commission. Said commission shall also have authority to employ a stenographer, at a salary not to exceed the rate of \$100 per month for the time actually engaged in the work of said commission."

After the word "The" in the 1st line of the printed bill and the 1st line of the engrossed bill, section 2, strike out the following words, "commissioner and his assistant and any clerk appointed by him," and substitute in lieu therefor the following, "commission and such assistants and clerks appointed by it shall."

Strike out the word "his" after the word "after" in the 2d line of the printed bill and the 2d line of the engrossed bill, section 2, and substitute in lieu therefor the word "their."

Strike out the word "his" after the word "of" in the 3d line of the printed bill and the 3d line of the engrossed bill, section 2, and substitute therefor the word "their."

Strike out the word "shall" after the word "duties" in the 3d line of the engrossed bill and the 3d line of the printed bill, section 2.

Strike out the word "his" after the word "of" in the 4th line of the engrossed bill, and being the 1st word in the 4th line of the printed bill, section 2, and substitute in lieu thereof the word "their."

Strike out the word "commissioner" in the 1st line of the printed

bill and the 1st line of the engrossed bill, section 3, and substitute therefor the word "commission."

Strike out the word "his" after the word "be" in the 1st line of the printed bill and the 2d line of the engrossed bill, section 3, and substitute therefor the word "its."

In the 17th line of the printed bill and the 23d line of the engrossed bill, section 3, subdivision third, strike out the following words, "commissioner and his assistant," and substitute therefor the words "commission and its assistants."

In the 21st line of the printed bill and the 28th line of the engrossed bill, section 3, subdivision fourth, strike out the word "commissioner" and substitute therefor the word "commission."

In the 23d line of the printed bill and the 31st line of the engrossed bill, section 3, subdivision fourth, strike out the word "commissioner," and substitute therefor the word "commission."

In the 26th line of the printed bill and the 35th line of the engrossed bill, section 3, subdivision fifth, strike out the word "commissioner," and substitute therefor the word "commission."

In the 32d line of the printed bill and the 42d line of the engrossed bill, section 3, subdivision seventh, strike out the following words, "commissioner and his assistant," and substitute in lieu thereof the words "commission and its assistants."

In the 37th line of the printed bill and the 48th and 49th lines of the engrossed bill, section 3, subdivision seventh, strike out the word "commissioner" and substitute therefor the word "commission."

In the 48th line of the printed bill and the 64th line of the engrossed bill, section 3, subdivision tenth, strike out the word "his" and substitute therefor the word "its."

In the 55th line of the printed bill and the 75th line of the engrossed bill, section 3, subdivision eleventh, strike out the word "commissioner" and substitute therefor the word "commission."

In the 58th line of the printed bill and the 77th and 78th lines of the engrossed bill, section 3, subdivision twelfth, strike out the word "commissioner" and substitute therefor the word "commission."

In the 64th line of the printed bill and the 84th and 85th lines of the engrossed bill, section 3, subdivision thirteenth, strike out the word "commissioner" and substitute therefor the word "commission."

In the 66th line of the printed bill and the 87th line of the engrossed bill, section 3, subdivision fourteenth, strike out the word "commissioner" and substitute therefor the word "commission."

In the 67th line of the printed bill and the 88th line of the engrossed bill, section 3, subdivision fourteenth, strike out the word "him" and substitute therefor the word "it."

In the 69th line of the printed bill and the 91st line of the engrossed bill, section 3, subdivision fifteenth, strike out the following words, "commissioner shall avail himself," and substitute in lieu thereof the following, "commission shall avail itself."

In the 74th line of the printed bill and the 98th line of the engrossed bill, section 3, subdivision sixteenth, strike out the word "He" in the 1st line of said subdivision, and substitute in lieu thereof the following, "The said commission."

In the 78th and 79th lines of the printed bill and the 104th line of the engrossed bill, section 3, subdivision sixteenth, strike out the word "commissioner" and substitute therefor the word "commission."

In the 1st line of the printed bill and the 1st line of the engrossed bill, section 4, strike out the words "commissioner of taxation" and substitute therefor the words "tax commission."

In the 3d and 4th lines of the printed bill and the 3d, 4th and 5th lines of the engrossed bill, section 4, strike out the following words and mark of punctuation, "and shall have the power to personally value the different kinds of property previously assessed by the county assessor."

In the 5th line of the printed bill and the 7th line of the engrossed bill, section 4, after the word "equalization," strike out the words "said officer" and substitute in lieu thereof the words "said commission."

In the 7th line of the printed bill and the 9th line of the engrossed bill, section 4, after the word "such," strike out the word "officer" and substitute therefor the word "commission."

In the 8th line of the printed bill and the 11th line of the engrossed bill, section 4, after the word "law," strike out the word "he" and substitute therefor the word "it."

In the 10th line of the printed bill and the 13th line of the engrossed bill, section 4, after the word "said," strike out the word "commissioner" and substitute therefor the word "commission."

Strike out section 5, section 6 and section 7 of the engrossed and the printed bill.

Designate section 8 of the printed and the engrossed bill as section 5.

Designate section 9 of the engrossed and the printed bill as section 6.

The Senate adopted the Free Conference Committee report by the following vote:

Those voting yea were: Senators Baker, Baumeister, Clapp, Cornwell, Earles, Hamilton, Hemrich, Hurley, Kinnear, LeCrone, O'Donnell, Palmer, Potts, Rands, Ruth, Smith, Stansell, Stewart, Sumner, Tucker, Welsh, Mr. President—22.

Those voting nay were: Senators Angle, Crow, Garber, Hallett, Hammer, McKenney, Moore, Moultray, Rasher, Sharp, Splawn, Tolman, Van de Vanter, Warburton, Wilson—15.

Absent or not voting were: Senators Davis, Graves, Hailey, Reser, Welty—5.

Senator Hailey announced that he had paired with Senator Davis.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The speaker has signed House substitute bill No. 359, relating to the establishing of hunters' licenses.

Also House bill No. 317, relating to the Secretary of State's office.

Also House bill No. 368, relating to appropriation of lands for corporate purposes.

Also House supplemental bill to Senate bill No. 86, relating to electric companies.

Also House bill No. 395, relating to code of public instruction.

Also House bill No. 140, relating to assessments for local improvements.

Also House bill No. 422, relating to amendments to city charters.

Also House bill No. 170, relating to sale of intoxicating liquors.

Also House bill No. 294, providing for improvement of Lake Chelan.

Also House bill No. 354, relating to sales of property under execution.

Also House bill No. 43, relating to taxation of mining claims.

Also House bill No. 369, relating to revenue and taxation.

Also House bill No. 88, relating to propagation and protection of food fishes.

Also House bill No. 188, relating to exercise by cities of eminent domain.

Also House bill No. 168, relating to importation of diseased stock.

Also House bill No. 382, relating to the manner of payment of certain state warrants.

Also House substitute bill No. 271, relating to state oyster lands.

Also House bill No. 42, relating to selection of jurors in superior courts.

Also House bill No. 353, relating to code of public instruction.

Also House bill No. 396, relating to code of public instruction.

Also House bill No. 180, compelling railroads to fence rights of way.

Also House bill No. 397, relating to revenue and taxation.

Also House bill No. 426, relating to claims of minors, etc.

Also House bill No. 174, relating to establishment of fish hatcheries.

Also House bill No. 63, relating to protection of game animals.

Also House bill No. 178, relating to state geological survey.

Also House bill No. 305, relating to commitment of persons.

Also House bill No. 299, relating to setting aside of certain school lands.

Also House bill No. 424, relating to acceptance by county commissioners of right of way for highways.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

The president signed the above bills.

Governor Henry McBride was invited to a seat with the President.

Senator Welsh, on behalf of the Senators, in a brief speech presented the President of the Senate with a beautiful gold watch and chain as a compliment to his fairness and impartiality.

The President responded in a happy vein.

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

We, your Committee on Conference, to whom was referred House bill No. 105, respectfully report that we have been unable to agree, and request that we be given the powers of a Free Conference Committee.

C. L. STEWART.

S. T. SMITH.

M. E. STANSELL.

C. L. MACKENZIE.

WILLIAM H. LEWIS.

WILLIAM COATE.

The report was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has refused to adopt the Free Conference Committee report on House bill No. 105; the committee has been discharged, and the following Free Conference Committee has been appointed: Messrs. Allis, Philbrick, Gleason and Cooney. And the house requests the Senate to appoint a like number to serve on such committee.

STOREY BUCK, Clerk of the House.

The President appointed Senators Stewart, Ruth, Smith and Stansell as a Free Conference Committee on House bill No. 105.

REPORT OF STANDING COMMITTEE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

We, your Free Conference Committee, to whom was referred House bill No. 105, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the House concur in the Senate amendments.

Respectfully submitted,

C. L. STEWART, Chairman.

We concur in this report: C. L. Mackenzie, William H. Lewis, Wm. Coate, S. T. Smith, W. E. Stansell.

The Senate adopted the Free Conference Committee report by the following vote:

Those voting yea were: Senators Angle, Baker, Baumeister, Crow, Hamilton, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Palmer, Potts, Ruth, Sharp, Smith, Stansell, Stewart, Sumner, Tucker, Van de Vanter, Warburton, Welsh, Wilson, Mr. President—24.

Absent or not voting were: Senators Clapp, Cornwell, Davis, Earles, Garber, Graves, Hailey, Hallett, Hammer, Hemrich, Moore, Moultray, Rands, Rasher, Reser, Splawn, Tolman, Welty—18.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee, that the House do concur in Senate amendments to House bill No. 105, entitled "An act providing for the levy and collection of road and bridge taxes," etc.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The speaker has signed Senate bill No. 90, relating to the horticultural interests of the state.

Also Senate bill No. 85, for the relief of Puget Sound sawmill.

Also Senate bill No. 172, relating to improvement of river districts.

Also Senate bill No. 247, relating to the state binding and printing.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

On invitation of the President, Ex-Governor McGraw was invited to a seat with the President.

OLYMPIA, WASH., March 11, 1903.

TO THE PRESIDENT AND MEMBERS OF THE SENATE AND TO THE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES:

We, your Conference Committee on Senate bill No. 98, entitled "An act authorizing the making of unknown heirs of deceased persons, and unknown persons parties defendant in actions pertaining to real estate, and providing for service on such unknown defendants," respectfully

report that we have had the said bill under consideration, and recommend that the House do recede from its amendments to said bill.

Respectfully submitted,

SENATE COMMITTEE:

HERMAN D. CROW,
WM. HICKMAN MOORE,
W. P. RESER,

HOUSE COMMITTEE:

P. F. QUINN,
JOSEPH B. LINDSLEY,
J. H. EASTERDAY,

The report was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has passed Senate bill No. 120, entitled "An act to exempt certain property from taxation," etc., without the emergency clause, and with the following amendments: Amend section 1, by inserting after the words "maintenance of such institution" a ":" and the following words: "And, *provided further*, that the real estate so exempted shall not exceed ten acres in extent, and shall be used exclusively for college or campus purposes; and, *provided further*, that real estate owned or controlled by such institutions and leased or rented by them for the purpose of deriving revenue therefrom shall not be exempted from taxation under the provisions of this act." Add to end of section 1, "*Provided further*, that the annual income from such endowments is equal to or exceeds all income from tuitions received by such institution."

Also Senate bill No. 99, to amend an act in relation to garnishments.

Also Senate bill No. 59, providing the form and contents of acknowledgments, etc.

Also Senate bill No. 144, providing for a system of grammar school examinations, etc.

Also Senate bill No. 188, providing for the giving of notice of application for appointment of guardians, etc., without the emergency clause.

Also Senate bill No. 85, for the relief of the Puget Sound Sawmill & Shingle Company, etc.

Also Senate bill No. 226, making an appropriation for the purpose of completing the chemistry building of the Washington Agricultural College, etc.

Also Senate bill No. 247, relating to public printing, etc.

Also Senate bill No. 136, to provide for the acceptance by the State of Washington from the United States of certain desert lands, etc.

Also House memorial No. 12, relating to the jetty at entrance of Gray's harbor, etc.

Also Senate bill No. 211, entitled "An act relating to hotels," etc., with the following amendments: Strike out the words "negotiable paper" in the ninth and tenth lines of section 2 of the engrossed bill and insert in lieu thereof the words "bank check or draft."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 73, entitled "An act relating to the public schools of the State of Washington."

Also Senate bill No. 211, entitled "An act for the protection of hotel, boarding house," etc.

Also Senate bill No. 188, entitled "An act providing for the giving of notice of applicants for the appointment of guardians," etc.

Also Senate bill No. 120, entitled "An act to exempt certain property of schools and colleges from taxation," etc.

Also Senate bill No. 144, entitled "An act providing a system of grammar school examinations," etc.

Also Senate bill No. 214, entitled "An act authorizing the common council of cities of the first class to redistrict such cities into wards."

Also Senate bill No. 136, entitled "An act to provide for the acceptance by the state of certain lands from the United States, and reclaiming," etc.

Also Senate bill No. 111, entitled "An act providing for the regulation and conduct of bake shops," etc.

Also Senate substitute bill No. 18, entitled "An act to regulate the employment of child labor," etc.

Also Senate bill No. 86, entitled "An act relating to electric railroads, street and other electric railways," etc.

Also Senate bill No. 226, entitled "An act making an appropriation for the purpose of completing the chemistry building of the Washington Agricultural College," etc.

Also Senate bill No. 180, entitled "An act providing for the organization of mutual, marine and fire insurance companies," etc.

Also Senate bill No. 169, entitled "An act for the relief of E. G. Bickerton," etc.

Also Senate bill No. 59, entitled "An act providing the form and contents of acknowledgments of corporations," etc.

Also Senate bill No. 184, entitled "An act appropriating money for the erection, completion, and finishing and furnishing the state capitol building and grounds."

Also Senate bill No. 85, entitled "An act for the relief of the Puget Sound Sawmill," etc.

Also Senate bill No. 90, entitled "An act to promote fruit growing and horticultural interests," etc.

Also Senate bill No. 172, entitled "An act providing for the organization and government of river improvement districts."

Also Senate bill No. 247, entitled "An act relating to public printing," etc.

Also Senate bill No. 99, entitled "An act to amend an act entitled 'An act in relation to garnishments,'"

Also Senate bill No. 98, entitled "An act authorizing the making of unknown heirs of deceased persons," etc.

Also Senate bill No. 155, entitled "An act to provide for the collection and maintenance of the products of the State of Washington at the Lewis and Clark Centennial Exposition," etc.

Have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

J. R. WELTY, Chairman.

We concur in this report: A. S. Ruth, J. R. O'Donnell.

The President signed the above bills.

The following resolution, by Senator Hamilton, was adopted:

WHEREAS, The proceedings of this Senate in the eighth legislative session assembly have been placed before the public in a most fair and impartial manner by the accomplished correspondents of the state press, represented as follows: Seattle Post-Intelligencer, M. M. Mattison, C. Will Shaffer and F. P. Goss; Tacoma Ledger, H. O. Kelso; Portland Oregonian, E. W. Wright; Tacoma News, P. G. Hubbell; Tacoma Ledger staff artist, Edward Reynolds; Spokesman-Review, D. K. Larimer; Seattle Times, L. H. Darwin and R. G. Callvert; Walla Walla Statesman, John W. Troy; Port Townsend Daily Leader, J. W. Lysons; Olympian, Paul C. Hedrick; Spokane Press, F. J. Marvin; Spokane Chronicle, Mrs. Georgia Blankenship; therefore, be it

Resolved, That the Senate extends its sincere thanks to the correspondents above named and commends the newspapers for the wisdom they have shown in sending such able correspondents to report the legislative proceedings.

The following resolution, introduced by Senator Palmer, was adopted:

Resolved, That all regular employes of the Senate who are working tonight be allowed one day's compensation for this night's work.

Those voting yea were: Senators Angle, Baumeister, Crow, Hailey, Hamilton, Hammer, Hemrich, Hurley, Kinnear, LeCrone, McKenney, O'Donnell, Palmer, Potts, Rasher, Ruth, Sharp, Smith, Stewart, Sumner, Tucker, Van de Vanter, Warburton, Welsh, Mr. President—25.

Those voting nay were: Senators Hallett and Tolman—2.

Absent or not voting were: Senators Baker, Clapp, Cornwell, Davis, Earles, Garber, Graves, Moore, Moultray, Rands, Reser, Splawn, Stansell, Welty, Wilson—15.

The following resolution, by Senator Clapp, was adopted:

Resolved, That Louis R. Flowers be allowed the sum of \$10 for services as assistant minute clerk of the Senate.

The following resolution, by Senator Hamilton, was adopted:

Resolved, That the sergeant-at-arms be instructed to take charge of the Senate chamber after the Legislature adjourns, clean and dust the same, and deliver all keys and other property to the Secretary of State, taking his receipt therefor, and for said work shall receive \$25 for such services.

The following resolution, by Senator Hamilton, was adopted:

Resolved, That for completing, comparing and signing the journal and other records of the Senate after the close of the session, the President and Secretary of the Senate be allowed 10 days' extra pay each, the assistant secretary, journal clerk and assistant journal clerk six days, the minute clerk five days and the docket clerk three days, at the regular per diem.

The following resolution, by Senator Clapp, was adopted:

Resolved, That in recognition of the faithful services rendered by Secretary J. W. Lysons and Assistant Secretary Dudley Eshelman during the present session, they be presented with the desk chairs used by them in the Senate chamber.

The following resolution, by Senator Ruth, was adopted:

Resolved, That J. W. Lysons, Secretary of the Senate, be authorized to have the copy of the Senate journal prepared for the printer, and a suitable index prepared, and that he be allowed for said work the amount allowed for that purpose in the general appropriation bill. The State Auditor is authorized and directed to issue a warrant for in his office, and the balance when the printer shall certify that the one-half of the amount when the printer's receipt for the copy is filed reading of proof on the journal and index has been completed and the same found to be correct.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The speaker has signed Senate bill No. 184, entitled "An act appropriating money for finishing state capitol," etc.

Also Senate bill No. 169, for the relief of E. G. Bickerton.

Also Senate bill No. 59, providing for the form of acknowledgments for corporations.

Also Senate bill No. 180, for the organization of mutual insurance companies.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

Senator Tolman introduced the following resolution:

WHEREAS, The desks of the secretary, assistant secretary and minute clerk and docket clerk of the Senate are entirely unsuited for the proper carrying on of the clerical work of the Senate; therefore, be it

Resolved, That the State Capitol Commission are respectfully requested to consult with the secretary and assistant secretary of the Senate in regard to the desks to be used in the new capitol building for carrying on the clerical work in the Senate chamber.

Resolved, That the secretary be instructed to send a copy of this resolution to the State Capitol Commission.

The resolution was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 105, relative to the collection of the road tax.

STOREY BUCK, Clerk of the House.

The following resolution was offered by Senator Tolman and adopted:

Resolved, That the sergeant-at-arms be instructed to turn over to the State Librarian, to be preserved by him for the use of the next Legislature, all printed bills left over from the present session; *provided*, that members of the present Legislature be allowed to take as many copies of bills from the office of the State Librarian as they may desire for personal distribution.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 12, 1903

MR. PRESIDENT:

The speaker has signed House bill No. 408, entitled "An act for the relief of various persons furnishing material, etc., for temporary capitol building," etc.

Also House bill No. 65, entitled "An act to amend various sections of school laws," etc.

Also House substitute bill No. 453, entitled "An act making a deficiency appropriation for sundry civil expenses of the department of public printing," etc.

Also House bill No. 192, entitled "An act to provide for the establishment and maintenance of a branch of the Soldiers' Home," etc.

Also House bill No. 313, entitled "An act providing for the framing of the several legislative groups," etc.

Also House bill No. 327, entitled "An act providing for the purchase of additional lots around the monument erected to the dead soldiers of Washington Volunteers," etc.

Also House bill No. 150, entitled "An act for relief of Dora Tibbetts."

Also House bill No. 344, entitled "An act relating to electric power companies," etc.

Also House bill No. 281, entitled "An act authorizing the Board of State Land Commissioners to vacate plats covering state granted, school and tide lands," etc.

Also House bill No. 380, entitled "An act granting a bounty for the encouragement of production of sugar in the State of Washington."

Also House memorial No. 11, "For the construction of a lighthouse at Point Granville," etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

The President signed the above bills.

Senate concurrent resolution No. 15, by Senator Warburton, relating to the appointment of a joint committee to notify the Governor that the Legislature is ready to adjourn, was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 15, relating to the appointment of a joint committee to wait upon the Governor and inform him that this Legislature is ready to adjourn *sine die*, and ask him if he has any communication to make. The speaker has appointed Messrs. Lewis, Easterday and Field to act upon this committee.

STOREY BUCK, Clerk of the House.

Senators Hamilton and Rasher were appointed a committee to act with a committee of three members from the House to notify the Governor that the Legislature is ready to adjourn and inquire if he has any message to deliver before adjournment.

The president appointed Senators Crow, Welty and Splawn as a committee to notify the House that the Senate is about to adjourn.

The president appointed Senators Baker, Crow, Hamilton and Earles as a committee to receive and entertain the President of the United States, pursuant to Senate concurrent resolution No. 6.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 12, 1903

MR. PRESIDENT:

The speaker has appointed the following members of the House to receive the President of the United States, pursuant to Senate joint resolution No. 6: Messrs. Megler, Allis, Easterday, Carle, Griffin and Child.

STOREY BUCK, Clerk of the House.

OLYMPIA, WASH., March 12, 1903

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on House bill No. 105, and the committee has been given the power of a free conference committee, and the same is herewith transmitted.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The speaker has signed Senate bill No. 155, entitled "An act to provide for the collection, exhibition and maintenance of the products of the State of Washington at the Lewis and Clark Centennial Fair, 1905, at Portland, Ore."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The Speaker of the House has signed House bill No. 33, entitled "An act to amend section 69 of an act relating to the selection, survey, management, reclamation, lease and disposition of the state's lands."

Also House bill No. 138, entitled "An act providing for the payment of a bounty for the killing of the common seals," etc.

Also House bill No. 58, entitled "An act in relation to fees of state and county officers," etc.

Also House bill No. 450, entitled "An act appropriating money for the relief of E. H. Hoover & Co."

Also House bill No. 372, entitled "An act to amend sections 5637-8, 5640 and 5641 of Ballinger's Code, relating to the procedure in the appropriation of private property by corporations."

Also House substitute bill No. 30, entitled "An act providing for the survey, establishment and repairs of certain state highways," etc.

Also House substitute bill No. 89, entitled "An act creating a State Tax Commission."

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

The President signed the above bills.

MR. PRESIDENT:

The Speaker of the House has signed Senate bill No. 214, relating to the redistricting of cities.

Also Senate substitute bill No. 18, relating to employment of child labor.

Also Senate bill No. 111, relating to control of bake shops.

Also Senate bill No. 136, relating to desert lands of the state.

Also Senate bill No. 144, relating to grammar school examinations.

Also Senate bill No. 120, relating to exemption of property of schools and colleges.

Also Senate bill No. 188, relating to guardians of minors.

Also Senate bill No. 211, relating to hotel and boarding house keepers.

Also Senate bill No. 73, relating to public schools of the state.

Also Senate bill No. 98, authorizing the making of unknown heirs parties defendant, etc.

Also Senate bill No. 99, to amend an act in relation to garnishments.

Also Senate bill No. 226, making an appropriation for the completion of the chemistry building, etc.

Also Senate bill No. 86, relating to electric railroads, etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

MR. PRESIDENT:

The speaker has signed House bill No. 34, entitled "An act authorizing taking of private property for use of public school districts," etc.

Also House bill No. 122, to provide for the extermination of coyotes and wolves, etc.

Also House bill No. 194, relating to revenue and taxation, etc.

Also House bill No. 284, to provide for the acceptance and receipt of the different insane asylums, etc.

Also House bill No. 364, entitled "An act for the relief of various persons," etc.

Also, House bill No. 251, to provide for the enrollment of the militia, etc.

Also House bill No. 279, amending section 7038 of Ballinger's Code, defining murder in the second degree, etc.

Also House bill No. 91, for the relief of A. H. Percival.

Also House bill No. 172, making a deficiency appropriation for State Deputy Fish Commissioner.

Also House bill No. 302, to amend section 3921, Pierce's Code, providing for annexing certain county territory, etc.

Also House bill No. 328, authorizing towns of the fourth class to select an official newspaper, etc.

Also House bill No. 71, entitled "An act to amend sections 1, 4, 6, 25, 31 and 39 of the act relating to building and loan and savings associations," etc.

Also House bill No. 223, for protecting shade trees.

Also House bill No. 309, relating to husbands who connive at the prostitution of their wives, etc.

Also House bill No. 161, relating to the election of school directors, etc.

Also House bill No. 360, for the relief of O. A. Bowen.

Also House bill No. 82, to protect from fire forests and other property, etc.

Also House bill No. 286, to amend section 1 of an act providing for the organization, incorporation," etc.

Also House bill No. 244, relating to the construction of armories, etc.

Also House omnibus bill No. 424.

Also House amended bill No. 105, providing for the levy of taxes for roads, bridges, etc.

And the same are herewith transmitted.

STOREY BUCK, Clerk of the House.

The president signed the above bills.

The committee appointed to notify the Governor reported that he had no message to deliver.

On motion of Senator Hamilton, a vote of thanks was extended the chairman, Senator J. R. Welty, and members of the Enrolling Committee for their prompt and efficient services.

A committee from the House, consisting of Representatives Gleason, Gunderson and Gray, notified the Senate that the House was ready to adjourn.

On motion of Senator Welty, the journal of today was approved.

On motion of Senator Crow, at 11:55 o'clock p. m. the Senate adjourned *sine die*.

J. W. LYSONS,
Secretary of the Senate.

J. J. SMITH,
President of the Senate.

Standing Committees of the Senate.

AGRICULTURE.—Sharp, Stansell, Cornwell, Garber, Van de Vanter, Hammer, Splawn.

APPROPRIATIONS.—Hamilton, Baker, Cornwell, Sharp, Rasher, Rands, Ruth, Wilson, Kinnear, Hammer, Earles.

BANKS AND BANKING.—Smith (S. T.), Rasher, McKenney, Welsh, Stewart, Warburton, Moultray.

CLAIMS AND AUDITING.—Welsh, Hurley, Graves, Davis, Smith (S. T.).

COMMERCE.—Clapp, Baumeister, Hemrich.

CONSTITUTION AND CONSTITUTIONAL REVISION.—Graves, Hurley, Garber, Welsh, Welty, LeCrone, Splawn.

CORPORATIONS OTHER THAN MUNICIPAL.—Rands, Hurley, Crow, Reser, Ruth, Clapp, Kinnear, Palmer, Sumner.

COUNTIES AND COUNTY BOUNDARIES.—Hailey, Hallett, Sharp, Baker, Warburton, Palmer, Splawn.

CONGRESSIONAL DISTRICTS.—Moultray, Stansell, Tolman, Rands, Ruth, Hamilton, Palmer.

DYKES, DRAINS AND DRAINAGE.—Hammer, McKenney, O'Donnell.

DAIRY AND LIVE STOCK.—Splawn, Hailey, Garber, McKenney, Van de Vanter.

EDUCATION.—LeCrone, Tolman, Wilson, Ruth, Angle, Stewart, Tucker.

EDUCATIONAL INSTITUTIONS.—Tucker, Hallett, Ruth, Stewart, Hammer, Moultray, Splawn.

ELECTIONS AND PRIVILEGES.—O'Donnell, Stansell, Graves, Hailey, Baumeister, Welty, Kinnear.

ENROLLED BILLS.—Welty, McKenney, O'Donnell, Ruth, Tucker.

ENROLLED BILLS.—Welty, McKenney, O'Donnell, Ruth, Tucker.

FISHERIES.—Van de Vanter, Moultray, Angle, Rands, Davis, Welsh, Ruth, Sumner, Palmer, Baumeister, Hammer.

HARBOR AND HARBOR LINES.—McKenney, Clapp, Davis, Tucker, Hemrich.

HORTICULTURE AND FORESTRY.—Earles, Wilson, Sharp, McKenney, Angle.

IRRIGATION AND ARID LANDS.—Garber, Rasher, Hailey, Cornwell, Reser, Angle, Splawn, Moore, Sharp.

JUDICIARY.—Crow, Rands, Warburton, Tolman, Moore, McKenney, Welty, Welsh, Palmer, Kinnear, Graves.

LABOR AND LABOR STATISTICS.—Warburton, Tolman, Crow, O'Donnell, Tucker, Moore, Earles.

MANUFACTURES.—Hemrich, Wilson, Clapp, Smith (S. T.), Hammer.

MEDICINE, DENTISTRY AND HYGIENE.—Wilson, LeCrone, Earles.

MEMORIALS.—Baumeister, Garber, Moore.

MILITARY.—Moore, Stansell, Hailey, Stewart, LeCrone, Potts, Splawn.

MINES AND MINING.—Stansell, Warburton, Hurley, Hallett, Rasher, Sharp, Stewart, Sumner, Moultray.

MUNICIPAL CORPORATIONS.—Tolman, Kinnear, Graves, O'Donnell, Clapp, Moore, Potts, Sumner, Moultray.

MISCELLANEOUS.—Kinnear, Hurley, Welsh, Clapp, Davis.

PRINTING.—Angle, Reser, McKenney, LeCrone, Tucker, Sumner, Potts.

PUBLIC BUILDINGS AND GROUNDS.—Ruth, Rasher, Reser, Welsh, Welty, Van de Vanter, Hemrich.

PUBLIC MORALS.—Hallett, Garber, Tucker, LeCrone, Angle.

PUBLIC REVENUE AND TAXATION.—Sumner, Hamilton, Warburton, Tucker, Crow, O'Donnell, Hallett, Stansell, Cornwell, Welsh, Earles.

RAILROADS AND TRANSPORTATION.—Baker, Hamilton, Sumner, Tolman, Hemrich, Rands, Clapp, Sharp, Reser, Halley, Potts.

ROADS AND BRIDGES.—Stewart, Hurley, Stansell, Baumeister, Garber, Welty, Van de Vanter, Smith (S. T.), Splawn.

RULES AND JOINT RULES.—Smith (J. J.), Sumner, Crow, Hamilton, Baker.

SALARIES AND MILEAGE.—Reser, Hurley, Crow, Graves, Rasher, Halley.

STATE CHARITABLE INSTITUTIONS.—Davis, Hallett, Wilson, Cornwell, Rands, LeCrone, Earles.

SENATE EMPLOYES OTHER THAN REGULAR.—Hurley, Ruth, Davis, Moore, Earles.

STATE GRANTED, SCHOOL AND TIDE LANDS.—Potts, Tolman, Sharp, Welty, O'Donnell, Angle, Smith (S. T.), Earles, Splawn.

STATE LIBRARY.—Rasher, Graves, Angle.

STATE PENAL AND REFORMATORY INSTITUTIONS.—Cornwell, Reser, Garber, Stewart, Warburton, Potts, Kinnear.

Grouping of the Standing Committees in Senate.

- GROUP 1: Judiciary. Clerk, S. F. GAITHER.
-
- GROUP 2: Public Revenue and Taxation.
Congressional Districts. Clerk, L. H. DARWIN.
-
- GROUP 3: Appropriations. Clerk, L. D. LAY.
-
- GROUP 4: Education.
Printing.
State Library. Clerk, B. C. ARMSTRONG.
-
- GROUP 5: Fisheries.
Irrigation and Arid Lands. Clerk, CHAS. A. PAYNE.
-
- GROUP 6: Railroads and Transportation. Clerk, PAUL C. HEDRICK.
-
- GROUP 7: Corporations other Municipal.
Dairy and Live Stock. Clerk, W. S. BOYER.
-
- GROUP 8: Dykes and Drainage.
Public Morals.
Salaries and Mileage. Clerk, F. A. HALL.
-
- GROUP 9: Constitution and Constitutional Revision.
Banks and Banking. Clerk, CHAS. MALLERY.
-
- GROUP 10: State Penal and Reformatory Institutions.
State Granted, School and Tide Lands. Clerk, FRANK KENNEDY.
-
- GROUP 11: Agriculture.
Memorials. Clerk, ROBERT WRIGHT.
-
- GROUP 12: Manufactures.
State Charitable Institutions.
Public Buildings and Grounds. Clerk, GEO. G. MILLER.
-
- GROUP 13: Harbors and Harbor Lines.
Mines and Mining. Clerk, G. A. POLAND.
-
- GROUP 14: Commerce.
Miscellaneous.
Medicine, Dentistry and Hygiene. Clerk, L. R. FLOWERS.

- GROUP 15: Counties and County Boundaries.
Senate Employes other than Regular. Clerk, W. F. BYARS.
-
- GROUP 16: Elections and Privileges.
Horticulture and Forestry. Clerk, C. E. HILL.
-
- GROUP 17: Labor and Labor Statistics.
Military. Clerk, W. A. MCCARTHY.
-
- GROUP 18: Claims and Auditing.
Educational Institutions. Clerk, HENRY ODOM.
-
- GROUP 19: Municipal Corporations.
Roads and Bridges. Clerk, C. W. SHAFFER.
-
- GROUP 20: Rules and Joint Rules.
Secretary to President of the Senate. M. M. MATTISON.

LIST OF MEMBERS OF THE SENATE OF THE STATE OF WASHINGTON FOR THE YEAR 1903, WITH POLITICS, OCCUPATION,
COUNTIES REPRESENTED AND POST OFFICE ADDRESS OF EACH.

DR. J. J. SMITH, Enumclaw, President of the Senate.

Names.	District.	Counties.	Residence.	Age.	Birthplace.	Occupation.	Politics.	Previous Legislative Services.	
								Senate.	House.
Angle, Grant C.	23..	{ Mason..... { Kitsap..... { Island..... { Klickitat. { Skamania. { Asotin.....	Shelton.....	34..	California...	Publisher....	Rep...	1901.....	
Baker, Geo. H.	16..	{ Asotin..... { Columbia. { Garfield..	Goldendale...	43..	Canada.....	Merchant....	Rep...	1899-1901	1897
Baumeister, E. *	10..	{ Jefferson.. { Ciallam... { San Juan.	Asotin.....	54..	Germany....	Merchant....	Rep...	1901.....	
Clapp, Cyrus F.	24..	{ Franklin.. { Adams..... { Walla Walla }	Port Townsend	51..	Maine.....	Retired.....	Rep...	1899-1901	1897
Cornwell, Oliver T. *	11..	{ Spokane... { Pierce..... { Whatcom... { Fairhaven. { Reardan... { Lincoln... { Spokane... { Whitman... { Spokane... { Pierce.....	Walla Walla..	39..	Washington..	Farmer.....	Rep...	1901.....	
Crow, Herman D. *	4..	{ Spokane... { Pierce..... { Whatcom... { Fairhaven. { Reardan... { Lincoln... { Spokane... { Whitman... { Spokane... { Pierce.....	Spokane.....	51..	Ohio.....	Lawyer....	Rep...	1899-1901	
Davis, Lincoln *	28..	{ Spokane... { Pierce..... { Whatcom... { Fairhaven. { Reardan... { Lincoln... { Spokane... { Whitman... { Spokane... { Pierce.....	Tacoma.....	42..	Iowa.....	Insurance...	Rep...	1901.....	1901
Earles, John.....	42..	{ Spokane... { Pierce..... { Whatcom... { Fairhaven. { Reardan... { Lincoln... { Spokane... { Whitman... { Spokane... { Pierce.....	Fairhaven....	43..	Wisconsin..	Manufacturer	Dem...		
Garber, Gottlieb *	14..	{ Spokane... { Pierce..... { Whatcom... { Fairhaven. { Reardan... { Lincoln... { Spokane... { Whitman... { Spokane... { Pierce.....	Reardan.....	44..	Switzerland.	Farmer....	Dem...	1901.....	
Graves, Will G.	6..	{ Spokane... { Pierce..... { Whatcom... { Fairhaven. { Reardan... { Lincoln... { Spokane... { Whitman... { Spokane... { Pierce.....	Spokane.....	35..	Illinois....	Lawyer....	Dem...		
Halley, Oscar E.	9..	{ Spokane... { Pierce..... { Whatcom... { Fairhaven. { Reardan... { Lincoln... { Spokane... { Whitman... { Spokane... { Pierce.....	Oakesdale...	32..	Illinois....	Machinist..	Rep...		
Hallett, Stanley *	5..	{ Spokane... { Pierce..... { Whatcom... { Fairhaven. { Reardan... { Lincoln... { Spokane... { Whitman... { Spokane... { Pierce.....	Medical Lake.	51..	England....	Real Estate.	Dem...	1901....	
Hamilton, E. S.	26..	{ Spokane... { Pierce..... { Whatcom... { Fairhaven. { Reardan... { Lincoln... { Spokane... { Whitman... { Spokane... { Pierce.....	Tacoma.....	37..	New York..	Stevedore...	Rep...	1899-1901	
Hammer, Emerson.....	40..	{ Skagit... { King.....	Sedro-Woolley.	47..	Indiana....	and Merchant	Rep...	1899-1901	
Henrich, Andrew.....	33..	{ Skagit... { King.....	Seattle.....	46..	Wisconsin..	Brewer.....	Rep...	1899-1901	

LIST OF MEMBERS OF THE SENATE.—Concluded

Names.	District.	Counties.	Residence.	Age.	Birthplace.	Occupation.	Politics.	Previous Legislative Services.	
								Senate.	House.
Hurley, George J.	1.	{ Douglas. . . . }	Republic.	43.	Oregon.	Mercantile. . . .	Rep. . . . .	.....	.....
Kinnear, Ritchey M.	36.	{ Ferry. }	Seattle.	33.	Illinois.	Real Estate. . . .	Rep. . . . .	.....	.....
LeCrone, Samuel M.	29.	{ Okanogan. }	Tacoma.	56.	Ohio.	Druggist.	Rep.	1899-1901	.....
McKenney, H. E.	18.	Pierce.	Kelso.	39.	Iowa.	Lawyer.	Rep. . . . .	.....	.....
Moore, Wm. Hickman.	34.	Cowlitz.	Seattle.	41.	Missouri.	Lawyer.	Dem. . . . .	.....	.....
Moutray, W. R. *	41.	King.	Whatcom.	50.	Missouri.	Manufacturer. . . .	Rep.	1901.	1889-90
O'Donnell, J. R.	21.	Whatcom.	Elma.	45.	Ohio.	Merchandise. . . .	Rep. . . . .	.....	.....
Palmer, E. B.	37.	Chehalis.	Seattle.	34.	Illinois.	Lawyer.	Rep. . . . .	.....	1899
Potts, W. G.	35.	King.	Seattle.	29.	Ireland.	Hotel Prop'r. . . .	Rep. . . . .	.....	.....
Rands, E. M. *	17.	Clarke.	Vancouver.	46.	Iowa.	Lawyer.	Rep.	1901. . . . .	.....
Rasher, Huber.	7.	Spokane.	Spokane.	55.	Pennsylvania. . . .	Merchant.	Dem. . . . .	.....	.....
Reser, W. P. *	12.	Walla Walla. . . .	Walla Walla. . . .	59.	Illinois.	Farmer.	Dem.	1901. . . . .	.....
Ruth, A. S. *	22.	Thurston.	Thurston.	37.	Maine.	Civil Engin'r. . . .	Rep.	1901. . . . .	.....
Sharp, J. P. *	13.	{ Kittitas. . . . }	Eliensburg.	60.	Ohio.	Farmer.	Rep.	1901.	1899
Smith, Dr. J. J.	30.	{ Chelan. }	Erumclaw.	32.	West Virginia. . . .	Physician.	Rep.	1901.	1899
Smith, S. T.	39.	King.	Marysville.	48.	Maine.	Banker.	Rep. . . . .	.....	.....
Splawn, A. J.	15.	Snohomish.	North Yakima. . . .	57.	Missouri.	Stockraiser.	Dem. . . . .	.....	.....
Stansell, M. E.	2.	Yakima.	Itice.	47.	Michigan.	Farmer.	Rep. . . . .	.....	.....
Stewart, C. L. *	25.	Stevens.	Puyallup.	38.	Washington.	Merchant.	Rep.	1901.	1899
Sumner, T. B. *	38.	Pierce.	Everett.	46.	Wisconsin.	Manufacturer.	Rep.	1901. . . . .	.....
Tolman, W. W. *	3.	Snohomish.	Spokane.	41.	Illinois.	Lawyer.	Dem.	1901.	1901
Tucker, O. A.	32.	King.	Fremont.	41.	Wisconsin.	Wladringer.	Rep. . . . .	.....	.....
Van de Vanter, A. T.	31.	King.	Duwamish.	43.	Michigan.	Farmer.	Rep.	1891-3. . . . .	.....
Warburton, Stanton *	27.	Pierce.	Tacoma.	37.	Pennsylvania.	Lawyer.	Rep.	1897-9, 1901	.....
Welsh, John T.	19.	{ Pacific. . . . }	South Bend.	36.	Pennsylvania.	Lawyer.	Rep. . . . .	.....	.....
Wely, John R. *	20.	{ Wahkiakum }	Chehalis.	54.	Illinois.	Lawyer.	Rep.	1901. . . . .	.....
Wilson, Dr. G. B.	8.	Lewis.	Pullman.	41.	California.	Physician.	Rep. . . . .	.....	.....

Republicans, 33 ; Democrats, 9 ; total, 42. * Holdover.

SENATE EMPLOYES.

NAMES.	Title.	Residence.	Per diem.
J. W. LYSONS.....	Secretary.....	Port Townsend.....	\$6.00
DUDLEY ESHELMAN.....	Assistant Secretary.....	Tacoma.....	6.00
F. M. ROSS.....	Sergeant-at-arms.....	Tacoma.....	5.00
WM. CONNOR.....	Asst. sergeant-at-arms.....	Seattle.....	5.00
F. A. SHAW.....	Minute clerk.....	Colfax.....	4.50
J. D. HANNEGAN.....	Journal clerk.....	Whatcom.....	5.00
R. M. STURDEVANT.....	Asst. journal clerk.....	Dayton.....	5.00
J. FRED DUFFY.....	Enrolling clerk.....	Seattle.....	4.00
FRANK J. MARVIN.....	Asst. enrolling clerk.....	Spokane.....	4.00
FRANK SEIDEL.....	Asst. enrolling clerk.....	Seattle.....	4.00
LOUIE D. TODD.....	Engrossing clerk.....	Davenport.....	4.00
H. P. CHAPMAN.....	Asst. engrossing clerk.....	Fremont.....	4.00
H. B. MCALLISTER.....	Docket clerk.....	Tacoma.....	4.00
J. G. EGAN.....	Calendar clerk.....	Seattle.....	4.00
HERBERT SHAW.....	Bill clerk.....	Fairhaven.....	4.00
JOHN HERRING.....	Asst. bill clerk.....	Tacoma.....	4.00
F. M. MILLER.....	Postmaster.....	Everett.....	4.00
EUGENE DAVIS.....	Asst. postmaster.....	Marysville.....	4.00
ELMER E. HALL.....	Postoffice messenger.....	Tone.....	4.00
L. W. SPEDCE.....	General messenger.....	Allyn.....	4.00
O. L. INGRAM.....	Stenographer.....	Walla Walla.....	5.00
J. C. ROBINSON.....	Janitor.....	Olympia.....	4.00
ROBERT TAYLOR.....	Asst. janitor.....	Ellensburg.....	4.00
G. D. KNAPP.....	Doorkeeper.....	Buckley.....	4.00
HERBERT CHILDS.....	Asst. doorkeeper.....	Harvey.....	4.00
FRANK MILLER.....	Watchman.....	Chehalis.....	4.00
W. W. LEWELLYN.....	Night watchman.....	Tacoma.....	4.00
ESTLEY B. RINEHART.....	Page.....	Olympia.....	2.00
WEBB HURLEY.....	Page.....	Republic.....	2.00
LINCOLN LONSBERRY.....	Page.....	Olympia.....	2.00

COMMITTEE CLERKS.

Names.	Group.	Residence.	Per diem.
S. P. GAITHER.....	Group 1.....	Vancouver.....	5.00
L. H. DARWIN.....	Group 2.....	Whatcom.....	4.00
L. D. LAY.....	Group 3.....	Tacoma.....	4.00
B. C. ARMSTRONG.....	Group 4.....	Shelton.....	4.00
CHAS. A. PAYNE.....	Group 5.....	Chinook.....	4.00
PAUL C. HEDRICK.....	Group 6.....	Seattle.....	4.00
W. S. BOYER.....	Group 7.....	Vancouver.....	4.00
F. A. HALL.....	Group 8.....	Edison.....	4.00
CHAS. MALLERY.....	Group 9.....	Spokane.....	4.00
FRANK KENNEDY.....	Group 10.....	Seattle.....	4.00
ROBERT WRIGHT.....	Group 11.....	Seattle.....	4.00
GEO. O. MILLER.....	Group 12.....	Seattle.....	4.00
GEO. A. POLAND.....	Group 13.....	Kelso.....	4.00
LOUIS R. FLOWERS.....	Group 14.....	Port Angeles.....	4.00
WILL F. BYARS.....	Group 15.....	Goldendale.....	4.00
C. E. HILL.....	Group 16.....	Elma.....	4.00
W. A. MCCARTHY.....	Group 17.....	Tacoma.....	4.00
HENRY ODOM.....	Group 18.....	Seattle.....	4.00
C. WILL SHAFFER.....	Group 19.....	Olympia.....	4.00
M. M. MATTISON.....	Group 20.....	Seattle.....	4.00

ERRATA.

- Page 14 : Should read *Herbert Shaw* instead of John Shaw.
Page 21 : Should read *Herbert Shaw* instead of John Shaw.
Page 302 : House bill No. 15 referred to the Committee on *Public Morals*.
Page 325 : House bill No. 44 should read *House bill No. 41*.
Page 449 : House bill No. 233 should read *House bill No. 248*.
Page 461 : House bill No. 186 should read *House bill No. 196*.
Page 479 : Senator Tolman, middle of the page, should read *Senator Sumner*.
Page 557 : House bill No. 420 should read *House bill No. 426*.

INDEX.

Title and History of Senate and House Bills

RESOLUTIONS, MEMORIALS, ETC.

AND

PERSONAL AND SUBJECT INDEXES.

TITLE AND HISTORY OF SENATE BILLS.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.	Report of Committee.	Third reading and amendments.	Other action in Senate.	Vote on final passage.	Report from House.	Signed by President of Senate.	Signed by Speaker of House.	Approved and signed by the Governor.
1. Senator TOLMAN: An act to establish a Railroad and Transportation Commission for the State of Washington, whereby discrimination and extortion in railroad charges may be prevented, and reasonable freight and passenger services and tariffs may be established.	9	156		{ 50 } { 198 } { 199 } { 209 }					
2. Senator TOLMAN: An act regulating common carriers, fixing the maximum railroad passenger rates in the State of Washington, and providing for the due enforcement and observance of the rates so fixed.	9			427					
3. Senator PALMER: An act providing for the appointment of one additional judge for King county, etc.	9	70	73	{ 78 } { 175 }	85	170	176	184	222
4. Senator CROW: An act providing for the incorporation of Trust Companies, etc.	9	257		{ 298 } { 321 } { 560 } { 608 }	321	555		632	
5. Senator PORRIS: An act establishing the office of public administrator, and defining the powers and duties of such officer.	10								
6. Senator PORRIS: An act providing for a state wagon road beginning at the point where the present wagon road, running northwesterly from Leavenworth to Lake Wenatchee, in Chelan county, crosses the northern boundary of the northwest quarter of section 5, township 26 north, of range 18 east, W. M.	10								
7. Senator PALMER: An act providing for an amendment to the Constitution excepting County Assessors from the operation of Section 7 of Article XI thereof.	10	80	92						97

8. Senator PALMER: An act providing that graduates of the law school of the University of Washington shall be admitted to practice law in all the courts of this state, by the supreme court, without an examination, and declaring an emergency.....	10	79	92	96	101			
9. Senator PALMER: An act defining certain misdemeanors, etc.....	10	71	73	79	86			
10. Senator PALMER: An act authorizing the Secretary of State to furnish the members of the Legislature with copies of Ballinger's Codes and supplements thereto, and making appropriation therefor.....	11	158						
11. Senator GRAVES: An act increasing the number of judges of the supreme court and declaring an emergency.....	11	317	423		423			
12. Senator DAVIS: An act to prevent rebate to, or discrimination between applicants for life insurance on the part of agents or officers of life insurance companies.....	11	168	182	183	188			
13. Senator HAMILTON: An act for the appropriation of money to defray the expenses of the grain inspection department and declaring an emergency therefor.....	11	{ 62 } { 64 }	64	135	64	139	147	159
14. Senator HAMILTON: An act to create a state board of accountancy, and prescribe its duties and powers; to provide for the examination of, and issuance of certificates to qualified applicants, with the designation of certified public accountants, etc.....	11							
15. Senator PALMER: An act providing compensation to be paid to Mrs. Minnie Sparling Browne for portraits of the governors of the state of Washington.....	12							
16. Senator SUHR: An act to amend section 1 of and adding section 2½ and section 4½ to an act entitled "An act providing for the creation of the office of state veterinary surgeon and defining his duties".....	41	98	114	{ 128 } { 360 }	131	355	360	387
17. Senator TOLMAN: An act to amend an act entitled "An act relating to the payment of witness fees to public officers," etc.....	41	80	84	{ 269 } { 219 }	85	176	233	241
18. Senator HAMILTON: An act to regulate and limit the age of employment of males and females as messengers.....	41	71						
(Substitute.) COMMITTEE ON JUDICIARY: An act to regulate age of employees, etc.....		236	307	{ 310 } { 647 } { 657 }	319	622	658	663
19. Senator MOULTRAY: An act relating to sales of mining claims under execution, decrees and orders of court, and redemption therefrom....	42	268	297	300	319			

27.	Senator GRAVES: An act prescribing the manner of saving exceptions and of settling and certifying bills of exceptions in the superior courts, regulating their use on appeal, and repealing the act relating thereto, etc.....	49	206	259	{ 207 } { 272 }	274			
28.	Senator STEWART: An act amending sections 9 and 12 of an act entitled "An act providing for the survey and establishment of state roads, creating a commission, defining its duties," etc.....	49	109		96				
29.	Senator DAVIS: An act relating to justices of the peace and constables in cities having more than 5,000 inhabitants, and fixing their number and salary.....	49	237	264	272	274			
30.	Senator WILSON: An act making a deficiency appropriation for the State Agricultural College and School of Science, for the fiscal period ending March 31, 1903.....	49	99	102	{ 103 } { 135 }	102	111	139	147
31.	Senator RASHER: An act fixing fees of clerks of the supreme and superior court, sheriffs, constables, county auditors, jurors, witnesses, coroners, and amending section 1809 of Ballinger's Annotated Codes, etc.....	51							
32.	Senator CONNELL: An act to amend section 73 of an act entitled "An act to establish a general uniform system of public schools in the state of Washington".....	{ 52 } { 228 }	{ 146 } { 238 }	213	{ 219 } { 240 } { 246 }	258			
33.	Senator O'DONNELL: An act providing for the incorporation of subordinate lodges, chapters and encampments of F. & A. M., Independent Order of Odd Fellows, Knights of Pythias, and other fraternal societies, etc.....	52	192	{ 244 } { 257 }	246	257	{ 518 } { 540 }	549	637
34.	Senator GRAVES: An act prescribing the master's liability for injuries received by his servants in the course of employment.....	{ 52 } { 80 } { 270 }	{ 80 } { 270 }						
35.	Senator GRAVES: An act prohibiting persons or corporations engaged in transportation, and other quasi public business, for hire, from rendering gratuitous services, or at the discriminative rate to public officers or employees.....	52	69		427				
36.	Senator PALMER: An act to amend section 6 of an act entitled "An act in relation to prosecuting attorneys, defining their duties and fixing their compensation".....	53	70	73	{ 78 } { 152 } { 160 } { 167 }	85	{ 147 } { 160 }	174	184

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred..	Report of Committee...	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
37. Senator HURLEY: An act providing for the repair of two state wagon roads extending from the mouth of the Sans Pelt creek on the Columbia river thence up said creek to the city of Republic, in Ferry county, Washington, and thence from said city of Republic to the town of Loomis, in Okanogan county.....	56	109							
38. Senator TOLMAN: An act providing for the submission of ordinances and questions concerning municipal affairs in cities of the first class to the people thereof.....	56	127							
38. (Substitute) COMMITTEE ON MUNICIPAL CORPORATIONS: An act providing for the submission of ordinances and questions concerning municipal affairs in incorporated cities to the people thereof...	129			{ 139 } { 143 }					
39. Senator CORNWELL: An act making appropriations for the state penitentiary.....	57	{ 159 } { 172 }	172	{ 172 } { 174 } { 175 } { 235 }	172	221	245	253	264
40. Senator TOLMAN: An act for the protection of birds and their nests and eggs, and to define and punish as misdemeanors all violations thereof, establishing certificates and providing for the disposition of any moneys collected under the same.....	57	116		{ 142 } { 153 } { 546 } { 555 } { 574 } { 608 }	{ 142 } { 171 }	546		632	
41. Senator RASHER: An act providing for and regulating the selection of jurors in the superior courts of the state from the list of qualified jurors as selected by the jury commissioners, etc.....	57	154							
41. (Substitute) JUDICIARY COMMITTEE: An act providing for and regulating the selection of jurors as selected by the jury commissioners and amending section 4 of an act, etc.....	164		213						

42. Senator RUTH: An act in relation to garnishments and amending section 10 of chapter LVI of the laws of 1893, and section 7 of chapter LVI of the laws of 1888, being sections 5399 and 6606 of volume 2 of Ballinger's Annotated Codes and Statutes of Washington.....	57								
43. Senator RUTH: An act amending section 58 of chapter LXXI of the laws of 1897, relating to revenue and taxation, and declaring an emergency.....	58								
44. Senator TUCKER: An act repealing and amending certain sections of the game laws of the state of Washington.....	58	312							
45. Senator TUCKER: An act providing for the repair of the Snoqualmie pass wagon road, and appropriating funds therefor.....	58								
46. Senator CROW: An act relating to jury trials, for the payment of litigants of certain jury fees, etc.....	59	81	92	$\left. \begin{array}{l} 96 \\ 114 \\ 486 \end{array} \right\}$	$\left. \begin{array}{l} 102 \\ 123 \end{array} \right\}$	481	486	491	519
47. Senator CROW: An act to amend section 5994 of Ballinger's Annotated Codes and Statutes of Washington relating to the disqualification of witnesses and privileged communications.....	59	311							
48. Senator STEWART: An act amending section 21 of chapter LXXI of the laws of 1897, relating to revenue and taxation.....	59								
49. Senator MOORE: An act to amend section 6 of an act entitled "An act in relation to attachments and garnishments," approved February 3, 1886, etc.....	65	118	138	$\left. \begin{array}{l} 143 \\ 447 \end{array} \right\}$	151	414	459	462	519
50. Senator MOORE: An act defining certain misdemeanors, prescribing punishment and declaring an emergency.....	65								
51. Senator TOLMAN: An act providing for the assessment and taxation of mining claims, improvements thereon and of the net proceeds of mines.....	65								
52. Senator HURLEY: An act relating to the herding or grazing of sheep on the lands or possessory claim of another, or within two miles thereof, etc.....	65	409	505	$\left. \begin{array}{l} 506 \\ 531 \end{array} \right\}$	505				
53. Senator PUTTS: An act to amend section 30 of an act entitled "An act relating to appeals to the supreme court".....	65	97	114	128	130				

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

	NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred...	Report of Committee...	Third reading and amendments...	Other action in Senate...	Vote on final passage...	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
54.	Senator PORTS: An act prescribing punishment for all persons who, having been previously convicted in the courts of this state, or in the courts of any state or county, of certain crimes or offenses, shall thereafter be convicted in the courts of this state, of crimes or offenses perpetrated in this state, and providing the procedure in such cases.....	66	117	188	143	151				
		66	{ 126 } { 288 }	262	{ 289 } { 273 } { 608 }	275	545		682	
55.	Senator GRAVES: An act for the protection of occupants of land who have in good faith made improvements thereon.....	66	98	114	{ 128 } { 357 }	181	292	360	387	398
56.	Senator GRAVES: An act relating to the defense of the statute of limitations in actions brought by or for the benefit of the state or any of its municipalities, etc.....	66	99	103	208	103	197	217	221	241
57.	Senator RYON: An act for the relief of the Olympia Light and Power Company, of Olympia, Washington, for the lighting of the state offices during the months of April, May, June and July, 1897, etc.....	72	117							
58.	Senator PALMER: An act to amend section 12 of an act entitled "An act to define the duties and provide for assistance for and fix the compensation of the secretary of state," etc.....	72								
58.	(Substitute) JUDICIARY COMMITTEE: An act to amend section 12 of an act entitled "An act to define the duties and provide for assistance for, and to fix the compensation for the secretary of state," received by the governor March 28, 1890, the same being section 126 of Ballinger's Annotated Codes and Statutes of Washington.....	{ 122 } { 138 }	157	181	{ 183 } { 526 }	188	{ 491 } { 540 }	549	548	
59.	Senator CROW: An act providing the form and contents of acknowledgment of corporations to instruments executed and acknowledged by corporations.....	82	116	138	{ 144 } { 657 }	152	656	658	659	

60. Senator EARLES: An act to provide for the establishment of a state road to Chuckanut mountain from Whatcom county to Blerford slough, in Skagit county, etc.	82							
61. Senator EARLES: An act for the relief of Edson Gerry, for money paid the state land commissioner, Hon. Robert Bridges, for the lease of lands claimed by him to be school land, and which was proved to be, etc.	82	168	{ 219 } { 526 }	243	{ 518 } { 540 }	549	548	590
62. Senator TOLMAN: An act relating to assumed risk.	82							
63. Senator SAUTH: An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes and the manner of expenditure thereof, etc.	82							
64. Senator SMITH: An act relating to banking and regulating foreign corporations doing a banking business within the state.	83	{ 283 } { 290 }						
65. Senator PALMER: An act fixing the salary and compensation of county assessors, etc.	83	146						
65. (Substitute) JUDICIARY COMMITTEE: An act fixing the salary and compensation of county assessors.	{ 148 } { 190 }	284	311	320				
66. Senator PALMER: An act to repeal an act passed by the legislature of the state of Washington March 13, 1901, approved March 18, 1901, entitled "An act to protect seed buyers in the state of Washington.	83							
67. Senator PALMER: An act to amend section 1 of an act entitled "An act authorizing the issuance of state bonds and the investment of the permanent school funds therein, and declaring an emergency," approved March 8, 1899, and to amend section 2 of said act as amended by an act entitled "An act to amend section 2 of an act entitled 'An act authorizing the issuance of state bonds and the investment of the permanent school funds therein, and declaring an emergency,' etc.	83							
68. Senator HAMMER: An act appropriating money to cover deficiency for future appraisal, cruising and advertising the sale of land and timber on state land, and filing fees in the United States land offices, and future contingent expenses in the office of the commissioner of public lands.	84	{ 156 } { 172 }	173	{ 172 } { 174 } { 235 }	222	245	253	264

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred..		Report of Committee...		Third reading and amendments.....		Other action in Senate.....		Vote on final passage.....		Report from House.....		Signed by President of Senate.		Signed by Speaker of House...		Approved and signed by the Governor.....	
69. Senator SCAMER: An act to regulate the growing and cultivating of oysters and other shell fish upon the lands in the waters of the state of Washington, etc.....	84 } 382 }		330 } 305 } 396 }				419											519
70. Senator HAMMER: An act to amend section 3753 of Ballinger's Annotated Codes and Statutes of Washington, relating to drainage districts.....	84		220		350	{ 244 } { 278 } { 447 }			350		414		459		462		519	
71. Senator SHARP: An act making an appropriation for farmers' institute.....	90		115															
72. Senator FARLES: An act providing for the protection of employes in factories, mills or workshops where machinery is used and providing for the punishment of the violation thereof.....	90		145		173	{ 175 } { 414 }			188		400		417		442		519	
73. Senator RYER: An act relating to the public schools of the state and to prescribe penalties for unlawfully disclosing any questions prepared for examination of teachers and repealing sections 159, 160, etc., of chapter CXVIII, laws of 1897, etc.....	90 } 181 }		146 } 317 }		350	{ 380 } { 657 }			361		567		658		663			
74. Senator ANGLE: An act relating to the superior court of Thurston and Mason counties, providing for the election of judges therein, etc.....	99		140															
74. (Substitute) JUDICIARY COMMITTEE: An act in relation to the superior courts of Thurston and Mason counties.....	141								180		491		496		498		547	
75. Senator SEAR: An act to amend certain sections of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the states granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and the completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, etc.....	100		169		182	{ 170 } { 183 } { 527 }												{ 508 } { 540 }

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred..	Report of Committee...	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
86. Senator MOORE: An act relating to electric railroads and railroads, and corporations incorporated for the construction, maintenance or operation thereof, repealing acts and parts of acts in conflict herewith and declaring an emergency.....	120	193	231	{ 273 393 613 667 }	260	591	658	663	
87. Senator MOORE: An act for the relief of Frank T. Reed for money expended while superior judge of the state of Washington, for the counties of Kitsap and Snohomish, and making an appropriation therefor.....	120	{ 450/ 493 }		492					
88. Senator ANGLE: An act to amend an act entitled "An act to regulate and license insurance in this state, to repeal all existing laws in relation thereto, and declaring an emergency," approved March 19, 1895, and to amend section 31 thereof as amended by an act entitled "An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 4 and 31 of an act entitled, "An act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency," approved March 19, 1895.									
89. Senator KINNEAR: An act to provide for marking and labeling all barrels, cans, vessels or packages containing petroleum oils offered or exposed for sale within this state, and providing a penalty for the violation thereof.....	121	301							
89. (Substitute.) COMMITTEE ON MINES AND MINING: An act to provide for marking and labeling and inspecting all barrels, tanks, cans, vessels or packages containing petroleum oils offered or exposed for sale within this state, and providing a penalty for violation of same.....		301	362	{ 362 396 }	362	545	585	603	
90. Senator CORNWELL: An act to promote the fruit growing and horticultural interests of the state of Washington, to provide for the appointment of a commissioner of horticulture; to repeal certain laws in conflict therewith, and to provide penalties and punishment for its violation.....	121	287	323	{ 323 668 }	323	567	658	655	

91. Senator HAMILTON: An act relating to the payment of state's expenses connected with the case of the Goss Construction company against the state of Washington, now pending, and making an appropriation therefor.....	121								
92. Senator TUCKER: An act to amend section 4 of an act providing for the leasing of county property and entitled "An act for the leasing of county property".....	129	236	261	277	498	520	518	547	
93. Senator HENRICH: An act to provide for the arbitration and settlement of differences between employers and employees.....	{ 129 } { 156 }	{ 155 } { 207 } { 250 }	275	276	437	486	491	547	
94. Senator PALMER: An act to amend section 901 of the code of 1881 defining the offense of burratry, etc.....	129	154	181	189	498	518	518	547	
95. Senator WELSH: An act to create a state oyster land reserve commission, to define its duties and powers, to provide for the protection and management of the state oyster land reserves, to create a fund, etc.....	130								
96. Senator KUTTH: An act to amend section 1 of an act entitled "An act granting rights-of-way to railroad companies over the lands of the state of Washington and providing for the appraisement and disposition of the lands included within and used for such rights-of-way," etc.....	130								
97. Senator CROW: An act to amend section 1, and to repeal section 2 of an act relating to the taking and entry of judgments, etc.....	135	155	151	189	545	585	603		
98. Senator CROW: An act authorizing the making of unknown deceased persons and unknown persons parties defendants in actions pertaining to real estate, etc.....	136	194	214	229	584	658	663		
99. Senator CROW: An act to amend an act entitled "An act in relation to garnishments," etc.....	136	284	309	309	656	658	663		
100. Senator WELSH: An act relating to the removal from state lands of timber purchased from the state prior to the 13th day of June, 1901.....	136	251	278	282					
101. Senator WELSH: An act relating to deeds of the state to tide lands sold for the purpose of oyster cultivation, etc.....	136								
102. Senator HURLEY: An act making an appropriation of \$70.50 for the relief of Victor E. Palmer.....	136	333	365	365					

114. Senator RANDS: An act to amend section 6259 of Ballinger's Annotated Codes and Statutes of Washington, relating to service of order to show cause.....	148							
115. Senator RANDS: An act to amend sections 6236, 6228, 6246 and sections 6321, 6337 and 6340 and section 6110 of Ballinger's Annotated Codes and Statutes of Washington, relating to probate, law and procedure.....	148	237	263	263				
116. Senator RANDS: An act to amend section 6196 of Ballinger's Annotated Codes and Statutes of Washington, relating to "settlement of estates without administration".....	149							
117. Senator CLAPP: An act providing for the rate of interest to be paid on bonds of Jefferson county and owned by the state of Washington..	149	235	262	337	318	360	387	398
118. Senator HURLEY: An act fixing telephone rates, etc.....	149							
119. Senator RUTH: An act to amend sections 183 and 198 of chapter CXVIII of the session laws of 1897, the same being sections 2471 and 2520 of Ballinger's Annotated Codes and Statutes of Washington.....	149							
120. Senator HAMILTON: An act to exempt certain school property of schools and colleges from taxation, etc.....	149	235	201	272 { 637 }	656	658	663	
121. Senator HALLETT: An act to amend sections 2933 and 2934 of Ballinger's Annotated Codes and Statutes of Washington, relating to the regulations, restraining, licensing or prohibition of the sale or disposal of intoxicating liquors.....	149	283	308	310 { 327 }	320 { 349 }			
122. Senator PALMER: An act providing for the assessment and building of parking strips by cities of the first class and the payment thereof by local assessment, and the maintenance thereof, etc.....	150	220						
123. Senator PALMER: An act defining the crime of rape, declaring its violation a felony, fixing the punishment, etc.....	150	194	214	219 { 491 } 518 } 547 } 548 }	229	457	520	518
124. Senator PALMER: An act making it unlawful for any person to take any salmon or other food fish of any value, from any pound net set net, weir, fish wheel, gill-net or other fishing appliance, or from any scow, lighter or boat containing the same, and providing the punishment therefor.....	150							

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred..	Report of Committee...	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
125. Senator HAMILTON: An act relating to the Washington State Historical Society; creating it the trustee of the state for certain purposes, and making an appropriation therefor.....	151	335	366	{ 364 546 596 }	366	584	585	603	
126. Senator EARLES: An act making an appropriation for the maintenance and equipment of the State Normal School at Whatcom, etc.	161								
127. Senator WELTY: An act to provide for incorporation, operation and management of co-operative associations, etc.....	161	413	482	482					
128. Senator HALLETT: An act to amend sections 2763 and 2764 of Ballinger's Annotated Codes and Statutes of Washington, etc., relating to the state penitentiary.....	162								
129. Senator WELTY: An act providing for the manner of paying warrants issued under an act of the legislature of the state of Washington entitled "An act to provide for the construction, repairing and protection of drains and ditches for agricultural, sanitary and domestic purposes, and to provide for the organization of drainage districts, and declaring an emergency," etc.....	{ 162 208 321 }	{ 285 334 }	{ 321 367 }		367				
130. Senator HAILEY: An act to create and organize the county of Steptoe, etc.....	162	269							
131. Senator WELTY: An act making county surveyors county road commissioners, defining their duties, fixing their compensation and repealing all acts and parts of acts in conflict herewith.....	162								
132. Senator WILSON: An act to create and organize the county of Palouse, etc.....	163	269	346						
133. Senator RUTH: An act to amend sections 215, 219 and 224 of chapter CXVIII of the session laws of 1897, and sections 26 and 27 of chapter CXLII of the session laws of 1899, etc.....	163	288							

133.	(Substitute.) COMMITTEE ON EDUCATION: An act relating to state normal schools and amending sections 215, 219 and 224 of an act entitled "An act to establish a general uniform system of public schools in the state of Washington, and repealing certain other acts therein mentioned," approved March 19, 1897, etc.	268	324	324		
134.	Senator MOULTON: An act to amend sections 6, 7 and 7½ of an act entitled "An act providing for the protection and propagation of the food fishes in the waters of the state of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws," etc.	{ 382 } { 383 } { 502 }	503	{ 481 } { 517 }	520	
135.	Senator WARBURTON: An act relating to the assessment and collection of taxes, etc., and to amend section 3 of an act to amend sections 13, 14, 15 and 24 of an act entitled "An act to provide for the assessment and collection of taxes," etc.	163				
136.	Senator GARBER: An act to provide for the acceptance by the state of Washington from the United States of certain lands, etc.	164	{ 357 } { 363 }	{ 315 } { 357 } { 376 } { 657 }	363	656 658 663
137.	Senator HAMMER: An act to amend section 7336 of Ballinger's Annotated Codes and Statutes of Washington, relating to the casting of sawdust and other lumber waste in where fish resort to spawn.	170	382	423	423	
138.	Senator HAMILTON: An act creating a lien upon steamships, vessels and boats in favor of tugboat companies, stevedores and others, etc.	171	195	215	{ 568 } { 596 }	567 585 603
139.	Senator SPLAWN: An act to amend section 4256 of Ballinger's Annotated Codes and Statutes of Washington, in relation to acknowledgements.	177				
140.	Senator HURLEY: An act to divide the judicial district, composed of the counties of Stevens and Ferry, etc.	177	312			
141.	Senator SHARP: An act to amend sections 4154 and 4112 of Ballinger's Code, providing for the condemnation of property for storage reservoirs, canals, ditches, flume ways, etc.	177				
142.	Senator REBER: An act providing for the amendment of section 11, Article I of the Constitution, etc., giving the legislature, etc., the power to appoint chaplains for state penal and reformatory institutions.	177	267	306	596	306 567 585 603

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

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143. Senator HAMILTON: An act making an appropriation to reimburse persons who have surrendered certain contracts of sale to the state of Washington, etc.....	178	333	366	364	366				
144. Senator RUTH: An act providing for a system of grammar school examinations, prescribing the duties of the superintendent of public instruction and of county superintendents, etc.....	178	431	585	657	585	656	658	663	
145. Senator MOUTREAY: An act to amend section 1 and other sections in relation to organization and classification, incorporation and government of municipal corporations, etc.....	178								
146. Senator SCAMER: An act to provide for the redemption of scrip issued by the commissioners for the state of Washington to the trans-Mississippi and international exposition, held at Omaha, and to pay the expenses incurred by said commissioners in making display of the resources of the state of Washington at said exposition, making an appropriation therefor and declaring an emergency.....	184	448 } 483 }		479					
147. Senator TUCKER: An act prohibiting the sale, offering for sale or bringing into the state for the purpose of sale, or otherwise disposing of any cigarette, cigarette paper or substitute for the same, providing penalties therefor and repealing certain laws.....	184	381							
148. Senator GRAYES: An act providing for the compensation of mayors and councilmen of cities of the third and fourth class in the state of Washington.....	185	267							
149. Senator ANGLE: An act to amend section 68 of "An act to provide for the assessment and collection of taxes in the state of Washington," approved March 15, 1897, the same being section 8660 of Pierce's Code.....	185				268				

150. Senator HURLBY: An act providing for the settlement of taxes assessed against mining property for the years 1899, 1900, 1901 and 1902, and authorizing a compromise of disputes or suits relating thereto and declaring an emergency.....	185	466	{ 506 } { 507 }			
151. Senator WELBY: An act to license and regulate the business of selling, negotiating or procuring loans upon or affecting rentals of real property, commission, and the soliciting and receiving of commission or compensation for the selling, negotiating or procuring of loans upon or affecting rentals of real property, and providing a penalty for the violation thereof, and declaring an emergency.....	185					
152. Senator O'DONNELL: An act relating to the tide lands of the city of Hoquiam and providing for the platting, appraisement and sale thereof, and setting aside the harbor line commissioner's map of Hoquiam heretofore filed, and providing for the establishing of harbor lines therein and leasing of harbor areas, and making an appropriation for such purpose and declaring an emergency.....	185	290	324	346,	414	459 462 519
153. Senator STANSELL: An act for the establishment and construction of a state wagon road in Stevens and Ferry counties, etc.....	{ 200 } { 271 }	271		496		
154. Senator STANSELL: An act for the construction of a bridge across the Columbia river at Northport, Stevens county, Washington, appropriating money therefor, and creating a commission to have charge of the construction of said bridge.....	{ 200 } { 272 }	{ 272 } { 513 }				
155. Senator RANDS: Providing for a Washington exhibit at the Lewis and Clarke exposition and making an appropriation, etc.....	200	{ 880 } { 476 }	177		478	591 658 662
156. Senator HURLEY: Relating to the state library, giving the law department thereof to the control of the supreme court, etc.....	{ 201 } { 270 }	{ 270 } { 300 }				
156. (Substitute by Committee): An act to create a library commission, etc.....		900	{ 459 } { 460 }		460	545 632
157. Senator TOLMAN: An act to establish a railroad and transportation commission for the state of Washington, etc.....	209			427		
158. Senator MCKENNEY: An act to amend section 1 or an act entitled "An act to protect the owners of stock from injury thereto by moving trains, etc., and providing for a reasonable attorney's fee in all actions for injury," etc.....	{ 209 } { 268 }	{ 298 } { 488 }			478	
159. Senator SHARP: An act providing for the use of water for the purposes of irrigation, and providing for the condemnation of right-of-way for ditches, etc.....	210	251	278	495	278	496 498 547

169. Senator KINNEAR: An act for the relief of E. G. Bickerton, etc.	225	492	494	{ 492 } { 657 }	494	607	658	659
170. Senator RASHER: An act to amend section 2563 and section 2580 of Ballinger's Annotated Codes and Statutes of Washington, the same being sections 7473 and 7475 of Pierce's Washington Code, relating to the establishment and maintenance at Vancouver, Clarke county, of an institution to be known as the Washington School for Defective Youth, etc.	225	283	308	308	596	584	585	603
171. Senator BURTH: An act making an appropriation for rent of room and vault in the southeast corner of the basement of the Thurston county court house, etc.	{ 225 } { 334 }	{ 334 } { 449 }						
172. Senator RANDS: An act providing for the organization of river improvement districts, etc.	{ 225 } { 282 }	286	322	{ 329 } { 657 }	345	545	658	655
173. Senator PALMER (by request): An act authorizing the judges of superior courts to appoint special prosecuting attorneys.	226	334	367		367			
174. JOINT COMMITTEE ON APPROPRIATIONS: An act making an appropriation for the maintenance of the various state educational institutions, etc.			224	{ 223 } { 235 } { 244 }				
175. Senator WARRBURTON: An act concerning the assessment and collection of taxes in the state of Washington and amending existing laws, etc.	{ 226 } { 409 }	{ 407 } { 408 } { 463 }	{ 553 } { 549 }	{ 388 } { 495 } { 532 } { 534 } { 549 }				
176. Senator ANGLE: An act to amend section 18 of "An act to regulate and license insurance in this state, to repeal existing laws in relation thereto," etc.								
177. Senator HURLEY: An act to provide for the issuance of search warrants for the seizure of game unlawfully taken, killed, held or acquired, and for the sale of the same in certain cases.	226	315	351		351			
178. Senator HURLEY: An act repealing chapter LIX, session laws of 1899, same being an act entitled "An act relating to the law of libel and providing for opportunity of retraction of libels," and declaring an emergency.	241	386		{ 387 } { 420 } { 486 } { 561 } { 584 }	419	481	486	491
179. Senator HURLEY: To amend section 4 of an act entitled "An act to declare and regulate the powers, rights and duties of corporations organized to build booms and to catch logs and timber products therein," etc.	242							

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred..	Report of Committee....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
200. Senator GRAYES: An act to define the liability of railroad corporations for damages sustained by their employes; to define who are fellow servants and who are not fellow servants, etc.....	295	514							
201. Senator CORNWELL (by request): An act for the relief of Franklin county.....	295								
202. Senator CORNWELL: An act relating to the employment of convicts.	295	315	357	597	356	546	585	603	
203. Senator GRAYES: An act regulating the hours of labor of railroad or railway employes, and providing a penalty for the violation thereof.....	296	514							
204. Senator HEMRICH (by request): An act providing for the incorporation and regulation of mutual casualty insurance companies and associations.....	296 } 298 }	336							
205. Senator TUCKER: An act relating to all associations, companies and corporations engaged in gathering news and the distribution thereof, and declaring the same to be common carriers, etc.....	296								
206. COMMITTEE ON JUDICIARY: An act governing the appointment, salaries, powers and duties of superior court commissioners, declaring an emergency, and repealing an act entitled "An act relating to the appointment of superior court commissioners".....	296	284	320		320				
207. Senator RANDS: An act to amend section 1357 of Ballinger's Annotated Codes and Statutes of Washington, relating to bailots and nominations of candidates, and the publication of notices of election.	296								
208. JOINT COMMITTEE ON BANKS AND BANKING: An act relating to banking, and regulating foreign corporations doing a banking business within this state.....	297		325	325 } 353 }					

209. Senator CLAPP: An act declaring women eligible to the office of notary public.....	301	451	500	500		
210. Senator PORTS (by request): Providing for the surrender and cancellation of tide land leases numbered 177 to 192, inclusive, of tide lands in Pacific county, etc.....	301					
211. Senator PORTS: An act for the protection of hotels, boarding houses and lodging houses, and providing penalty for the violation thereof.....	301	482	504	504	658	668
212. Senator SHARP: An act granting to irrigation companies rights-of-way over the state lands.....	302	410	481	481		
213. Senator SELAWN (by request): An act to regulate persons, firms and corporations engaged in selling all sorts of farm produce upon commission, and providing security for the produce intrusted to them and for the moneys collected by them for the sale of the same, etc.....	318					
214. Senator TUCKER: An act authorizing the common council of cities of the first class to re-district such cities into wards.....	343	431	504	504	622	663
215. Senator PORTS: An act to further an industrial and agricultural exposition in the state of Washington, and declaring an emergency..	343					
216. Senator WILSON: An act authorizing the board of regents of the State Agricultural College and School of Science to withdraw from sale lands set apart for their use, support, establishment and maintenance, etc.....	344					
217. Senator LECROSBY: An act in relation to the support of the poor and indigent, and establishing the liabilities of counties in reference thereto, etc.....	344	466	524	524	594	
218. Senator LECROSBY: An act regulating the allotment and expenditure of the road and bridge fund in counties in which there is a city of the first class.....	344					
219. Senator RANDS: An act authorizing and requiring the state board of equalization to investigate and report on the best method of taxing all property in the state of Washington, etc.....	344	413 } 482 } 494 }	533	533		
220. COMMITTEE ON APPROPRIATIONS: An act transferring certain funds from the charitable, educational, penal and reform funds, to the general fund.....	344	333	365	365	364	365
					492 } 495 } 532 } 533 } 531 }	

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.	Report of Committee.	Third reading and amendments.	Other action in Senate.	Vote on final passage.	Report from House.	Signed by President of Senate.	Signed by Speaker of House.	Approved and signed by the Governor.
221. Senator CLAPP: An act providing for state aid in preventing overflow of rivers and streams in the state of Washington, and in protecting the banks and channels of rivers and streams, etc.	345								
222. Senator RANDS: An act for the relief of W. W. McCredon.	345								
223. Senator RANDS: An act relating to escheats and forfeitures to the establishment, and quieting of title thereto and the disposition thereof, defining the duties and powers of the attorney general in relation thereto, etc.	389								
224. Senator RANDS: An act amending section 1635 of Ballinger's Annotated Codes and Statutes of Washington, relative to fees and compensation of justices of the peace.	389	483	505		505				
225. Senator WILSON: An act to amend the acts relating to the practice of dentistry, etc.	390								
226. Senator WILSON: An act making an appropriation for the purpose of completing the chemistry building of the Washington Agricultural College and Experiment Station and School of Science, etc.	390	{ 450 } { 529 }	530	{ 529 } { 657 }	530	656	658	663	
227. Senator SHARP: An act amending section 1 of an act entitled "An act prohibiting the sale of intoxicating liquors on or near the grounds of the University of Washington," etc.	390								
228. Senator SMITH: An act appropriating three hundred dollars for the relief of H. C. Anderson.	390	{ 429 } { 493 }		492	506				
229. Senator CROW: An act to amend section 6 of an act entitled "An act in relation to mortgages on certain kinds of property," approved November 10, 1979, etc.	391	513							

230. Senator TUCKER: An act for the relief of Henry Sommers.....	391	513				
231. Senator PALMER (by request): An act relating to corporations, foreign and domestic and prescribing certain fees to be paid by corporations, foreign and domestic, and to repeal all acts and parts of acts in conflict herewith.....	391					
232. Senator PALMER (by request): An act relating to the indebtedness incurred under and by virtue of an act entitled "An act relating to state normal schools," etc.....	391					
233. Senator WARBURTON: An act amending section 3 of an act entitled "An act to provide for the appointment, qualification and duties of notaries public, certifying their official acts," etc.....	391					
234. Senator O'DONNELL (by request): An act authorizing persons, firms or corporations organized for logging, the manufacture of lumber or other timber products, to improve and use the rivers, lakes and streams, etc.....	392	{ 485 } { 502 } { 541 }	{ 502 } { 579 }		579	
235. Senator PALMER: An act making it unlawful for any person or persons to take any salmon, shell fish or other food fish or any value from any pound net, set net, weir, fish wheel, gill-net or other fishing appliance, or from any scow, lighter or boat containing the same, etc.....	392	482				
236. Senator SELAWN (by request): An act ordering the commissioners of public printing to have printed and published the fourth biennial report of the state dairy and food commission, etc.....	402	515				
237. Senator PALMER (by request): Empowering cities of the first class, in this state, to license and collect license fees from real estate, loan, investment, bond, lodging house, business investment, merchandise, or custom house brokers, etc.....	403	489	586	586	586	
238. Senator PALMER: An act fixing the punishment for failure of certain officers to execute their duties.....	403	465	{ 500 } { 501 }	{ 501 } { 501 }	{ 500 } { 501 }	
239. Senator PALMER: An act relating to the orders, judgments and opinions of the supreme court of Washington, and the furnishing of copies thereof to the parties thereto.....	403	465	530	534	530	
240. Senator RYDGH: An act to amend sections of acts relating to the issuance of state bonds, etc.....	403					

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred..	Report of Committee....	Third reading and amendments.....	Other action in Senate.....	Vote on final passage.....	Report from House.....	Signed by President of Senate.	Signed by Speaker of House...	Approved and signed by the Governor.....
	241. Senator LeCRONE: An act to amend section 1 of an act entitled "An act for the selection, etc., of the states granted, school and tide lands, etc.....	404							
242. Senator FORTS: An act providing for the licensing of sailors boarding houses, etc.....	404								
243. Senator PORTS: An act to amend section 1 of an act entitled "An act to amend sections 3 to 31, both inclusive, of an act entitled 'An act classifying the counties according to population,' etc.....	404								
244. Senator HAMILTON: An act to amend section 1 of chapter CXIX of the session laws of 1901, entitled "An act to create a state board of control," etc.....	405								
245. Senator WARBURTON: An act submitting a proposed amendment to the constitution by amending section 18 of article XII, relating to common carriers, etc.....	405								
246. Senator WARBURTON: An act appropriating \$5,000 for the purpose of entertaining the president of the United States.....	405	483		480					
247. Senator HAMILTON: An act relating to the public printing and binding and repealing certain acts relating thereto, etc.....	405	466	523	{ 492 } { 658 }	524	656	658	655	
248. Senator WARBURTON (by request): An act to prohibit city officials of cities of the first class from lobbying, etc.....	{ 406 } { 514 }	514							
249. Senator MOORE: An act amending previous acts in relation to attorneys and counselors at law.....	406	489							
250. JOINT COMMITTEE ON APPROPRIATIONS: General omnibus appropriation bill.....	564	563		{ 579 } { 606 }					

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred..	Report from Committee....	Third reading and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House...	Signed by President of Senate.
19. Mr. RAINE: An act prescribing a limit upon the assessment of abutting property for local improvements and providing a method of computation for improvement districts and declaring an emergency.....	197	{ 201 } { 325 }	{ 250 } { 378 }	{ 325 } { 418 }	419	{ 419 } { 458 } { 462 } { 463 } { 470 } { 480 } { 481 } { 498 }	535	535
20. Mr. LINDSLEY: An act amending sections 1451 and 1453 of Ballinger's Codes and Statutes of Washington, relating to the registration of voters.....	355	354	429	528	529	.....	535	535
21. Mr. LINDSLEY: An act relating to the selling, leasing or making contracts concerning its real estate, or granting or renewing franchises of special privileges, by incorporated cities, and providing for submitting such question or measure to the voters of such city..	111	112	231	258	259	{ 260 } { 293 }	.....	.....
24. Mr. MALONEY and Mr. COONEY: An act regulating common carriers, fixing the maximum railroad passenger rates in the State of Washington, and providing for the due enforcement and observance of the rates so fixed.....	247	266	.....	.....	.....	427	.....	.....
25. Mr. CLARK: An act authorizing Boards of County Commissioners to build and maintain wharves and landings on the shores of navigable waters within or bordering upon this state, and for that purpose to institute and prosecute proceedings to acquire a right of way therefor under the statutes of eminent domain of this state.	170	179	208	231	245	.....	299	309
26. Mr. LEWIS: An act amending section 1 of an act to prohibit the maintaining, conducting, operating, playing or using nickel-in-the-slot machines, or other devices of like character, wherein there enters an element of chance, being chapter CXLIX of the Session Laws of 1901.....	176	186	335	452	452	{ 395 } { 465 }	518	523

27. Mr. LEWIS: An act amending section 7103 of Ballinger's Annotated Codes and Statutes of Washington, defining robbery and fixing the punishment therefor.....	111	112	119	122	122	147	152
28. Mr. JOHNSON: An act to establish the number of hours to constitute a day's work in smelting and ore reduction works.....	253	265					
29. Mr. JOHNSON: An act to establish the number of hours to constitute a day's work in underground lode or quartz mines.....	221	227					
30. Mr. JOHNSON: An act providing for the repair of two state wagon roads extending from the mouth of the Saus Poll Creek on the Columbia river, thence up said creek to the city of Republic in Ferry county, Washington, and thence from said city of Republic to the town of Loomis in Okanogan county, Washington, and appropriating funds therefor.....	598		639	640	640	662	662
31. Mr. PHILLERICK: An act to amend section two, chapter 126, page 244, Session Laws of 1899, entitled "An act authorizing cities and towns, other than cities of the first class, to construct sewers and drains within assessment districts, and to levy and collect special assessments and taxes to pay therefor, and declaring an emergency," approved March 14, 1899, and declaring an emergency.....	253	265	288	326	326	415	417
33. Mr. EASTEBDAY: An act to amend section 69 of an act entitled: "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster, and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners; defining their duties, and making an appropriation therefor, and declaring an emergency," approved March 16, 1897.....	300	302		623	623	662	662
34. Mr. EASTEBDAY: An act authorizing the taking of private property for the use of public school districts for school house sites, upon making just compensation therefor, and providing the manner of determining the same.....	436	472	489	567	567	663	637
41. Mr. GLEASON: An act to provide for the alteration, replat or vacation of any townsite, city plat or plats, addition or additions, or part thereof, and the assessment, collection and payment of any damages connected therewith.....	221	{ 245 / 325 }	{ 257 / 433 }	537	537	608	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred..	Report from Committee....	Third reading and amendments.	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House...	Signed by President of Senate.
42. Mr. GLEASON: An act amending section 3 of an act entitled, "An act providing for and regulating the selection of jurors in the superior courts of the state; and providing for the appointment of jury commissioners, prescribing their duties, qualifications and compensation, and providing for their removal from office; declaring certain violations of this act to be contempt of court and providing for the punishment thereof as such; and repealing all laws and parts of laws in conflict therewith," approved March 16, 1901....	253	265	562	631	631		653	654
43. Mr. JOHNSON: An act providing for the assessment and taxation of mining claims, improvements thereon and of the net proceeds of mines.....	292	303	545	602	602	646	653	654
44. Mr. JONES: An act to provide for the employment of attorneys at law by boards of directors of school districts having a population of more than twenty thousand persons, and to provide for the compensation therefor.....	355	354	377			415		
48. Mr. HENRY: An act to provide for the issuance of licenses to honorably discharged soldiers, sailors and marines of the military and naval service of the United States, in the late war of the Rebellion, who desire to carry on the business of pedlar or auctioneer.....	355	353	385	475	475		536	535
49. (Substitute). COMMITTEE ON MEDICINE, SURGERY AND HYGIENE: An act relating to the public health.....	355	354	378	479	479	498	534	535
51. Mr. LINDSEY: An act to amend an act entitled "An act to amend section 6248A, of Hallinger's Annotated Codes and Statutes of Washington, relating to exemptions," approved March 18, 1901....	197	{ 201 } { 476 }	{ 384 } { 488 }	570	570	603	608	

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House	Read first and second time, and referred.	Report from Committee.	Third reading and amendments	Vote on final passage	Other action in Senate	Signed by Speaker of House	Signed by President of Senate.
also repealing an act entitled 'An act granting to school districts the right to purchase school house sites of school lands belonging to the State of Washington of not less than one acre and not more than five acres, and granting to school districts the preference right to purchase such sites, and declaring an emergency,' approved February 26, 1895; also repealing an act entitled 'An act relating to the indebtedness of school districts, providing means and methods for paying and funding the same, and means for validating the same or any part thereof incurred in excess of one and one-half per centum of the taxable property of the school district voting at an election held for that purpose, and declaring that an emergency exists for the taking effect of this act on its passage and approval by the governor,' approved March 1, 1895; also repealing an act entitled 'An act to provide for the formation of joint school districts, and to prescribe the minimum number of school children required for the formation of new school districts, and declaring an emergency,' approved March 13, 1885; said act, of which this act is amendatory, being known and cited as the Code of Public Instruction of the State of Washington, and being chapter CXVIII, of the Session Laws of 1897, approved March 19, 1897.	414	426	486	598	598	600	660	661
66. Mr. JOHNSON: An act to punish unlawful or malicious injury to or destruction of personal property and providing a penalty therefor.	147	164	195	216	216	.....	253	261
70. Mr. GUNDESON: An act providing for the compulsory attendance in school of children between the ages of eight and fifteen years, and prescribing penalties.	299	303	377	415	415	.....	498	496
71. Mr. THOMPSON: An act to amend sections I, IV, VI, XXV, XXXI and XXXIX, of an act entitled "An act relating to building loan and savings associations doing a general business," received by the governor March 28, 1890, and became a law without approval.	414	426	447	569	569	.....	663	657

75. Mr. YORK: An act amending section 21 of chapter LXXI of the laws of 1897, relating to revenue and taxation, and declaring an emergency.....	437	468	487	528	528	536	546	546
79. (Substitute). SPECIAL COMMITTEE: An act providing for a superior judge for the counties of Chehalis, Douglas, Okanogan and Ferry, in the state of Washington, and declaring an emergency.....	361	388		388			415	417
82. Mr. VENESS: An act to protect from fire forests and other property within the State of Washington, and creating forest fire warden, deputies, patrolmen and auxiliary commissions and defining duties and providing penalties and repealing sections 7148, 7149, 7150, 7152 and 7153 of Ballinger's Annotated Codes and Statutes of Washington.....	400	{ 400 } { 500 }	{ 464 } { 580 }	581	582	600	664	687
84. Mr. DICKSON: An act relating to banking and regulating foreign corporations doing a banking business within this state.....	478	{ 290 } { 522 }	{ 289 } { 290 }			522		
86. (Supplemental to Senate Bill No. 86). An act relating to electric railroads and railways, etc.....				613	613	{ 591 } { 605 }	653	654
88. Mr. KNOBLOCK: An act amending section 7377 of Ballinger's Annotated Codes and Statutes of Washington relative to the protection of salmon and other food fishes in the Columbia river and its tributaries.....	479	522	544	602	604		653	654
89. (Substitute). COMMITTEE ON REVENUE AND TAXATION: An act creating the offices of public commissioner and assistant commissioners of taxation and making an appropriation therefor.....	481	521	549	550	550	{ 495 } { 532 } { 533 } { 584 } { 549 } { 602 } { 617 } { 628 } { 631 } { 649 } { 652 }	662	662
90. Mr. CARLE: An act declaring it to be a part of the public policy of the State of Washington that all public work for it or any political subdivision created by its laws, shall be performed in work days of not more than eight hours each, except in cases of extraordinary emergency, with provisions for carrying out such policy.....	161	165	379	422	422			498

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referrea..	Report from Committee....	Third reading and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House...	Signed by President of Senate.
91. Mr. KING: An act making an appropriation for the relief of H. A. Percival for indexing the Session Laws of the Seventh Session of 1901.....	197	202	{ 449/ 683 }	584	584	.....	663	697
92. Mr. KING: An act defining larceny of fixtures attached to real estate and providing a penalty.....	147	165	196	216	216	.....	253	261
93. Mr. JONES: An act to enable school boards in cities having a population of 10,000 or more inhabitants to establish and maintain parental or truant schools, and amending section 92 of the Code of Public Instruction.....	300	327	378	473	473	{ 416/ 418/ 498 }	535	535
94. Mr. DIX: An act to establish a railroad and transportation commission for the State of Washington, whereby discrimination and extortion in railroad charges may be prevented, and reasonable freight and passenger services and tariffs may be established; to prescribe and authorize the making of rules and regulations, to govern the commission and the railroads, and afford railroad companies and other parties adequate remedies; to prescribe penalties for the violation of this act, and to provide means and rules for its enforcement.....	462	469	.....	.....	.....	.....	.....	.....
95. Mr. RAINE: An act relating to instructions to juries and amending subdivision 4 of section 221 of the Code of Washington of 1881.....	292	302	384	476	476	498	535	585
97. Mr. RAINE: An act relating to the issuance and service of the writ of garnishment and amending sections 5396 and 5397 of Ballinger's Annotated Codes and Statutes of Washington.....	292	303	385	473	475	.....	586	585

90. Mr. RAINE: An act to provide for the selection and control of lands granted and assigned for the support and maintenance of the University of Washington, and repealing sections 2, 3, and 4 of an act entitled "An act providing for the bonding of the lands of the University of Washington, and declaring an emergency," approved March 13, 1895, and repealing section 10 of an act entitled "An act providing for the location, construction and maintenance of the University of Washington, and making an appropriation therefor, and declaring an emergency," approved March 4, 1895, and making an appropriation therefor.....	481	522	515	582	582	608	.....
100. Mr. RAINE: An act relating to the practice in justices courts and amending sections 6546, 6547, and 6548 of Ballinger's Annotated Codes and Statutes of Washington.....	147	165	247	279	292	299	309
102. Mr. YOUNG: An act providing for the enforcing of the lien and collection of delinquent assessments for local improvements levied by any city or town, and prescribing the duties of city and county treasurers in relation thereto.....	197	202	316	{ 347 } { 348 }	.....	.....	.....
105. Mr. FERGUSON: An act providing for the levy, collection and manner of payment of road, bridge, pot and property taxes, and the manner of expenditure thereof, and providing for the division of counties into road districts and the appointment of supervisors thereof, and repealing all acts and parts of acts in conflict herewith. (Substitute). Mr. GREGSON: An act giving a right of action for damages to certain persons for the death of a person killed in a duel, or caused by the wrongful act or negligence of any person, persons, company or corporations.....	596	558	.....	606	{ 617 } { 654 } { 655 } { 660 } { 662 }	664	664
107. (Substitute). Mr. GREGSON: An act giving a right of action for damages to certain persons for the death of a person killed in a duel, or caused by the wrongful act or negligence of any person, persons, company or corporations.....	292	303	386	421	{ 459 } { 523 }	.....	.....
110. Mr. KING: An act relating to the matter of official seals for county treasurers, and to cure legal errors arising from a failure to heretofore provide for such official seals.....	{ 151 } { 222 }	165	196	216	.....	253	261
112. Mr. LINTSLEY: An act to amend an act entitled "In relation to garnishment in justice courts, approved January 31, 1888, and repealing section four (4) of said act.....	365	355	385	475	.....	536	535
113. Mr. RAINE: An act appropriating money for the payment of certain judgments against the State of Washington.....	147	164	{ 451 } { 498 }	527	{ 492 } { 493 } { 525 } { 536 }	546	546
119. Mr. GUNDERSON: An act compelling the attendance of children at schools where tuition, lodging, food and clothing are furnished at the expense of the United States or the State of Washington.....	292	305	377	{ 416 } { 473 }	416	535	535

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred..	Report from Committee....	Third reading and amendments.....	Vote on final passage.....	Other action in Senate	Signed by Speaker of House...	Signed by President of Senate.
120. Mr. THOMPSON: An act entitled "An act changing the corporate name of the town of "Port Orchard," in Kitsap county, Washington, a municipal corporation of the fourth class, to the town of "Charleston,".....	176	186	249	280	280	292	289	309
121. Mr. THOMPSON: An act entitled "An act changing the corporate name of the town of "Sidney," in Kitsap county, State of Washington, a municipal corporation of the fourth class, to the town of "Port Orchard,".....	176	186	249	279	279	.....	289	309
122. Mr. MACKENZIE: An act to provide for the extermination of coyotes in the State of Washington and for the payment of a bounty for such extermination, and providing an appropriation therefor.....	292	304	467	597	597	600	663	637
124. Mr. EASTERDAY: An act to establish a code of probate law and procedure, including administration of estates of deceased persons, and repealing all existing laws relating thereto.....	437	468	487	.....	.....	.....	.....	.....
126. Mr. KING: An act making appropriations for certain deficiencies Capitol.....	356	352	{ 450 } { 494 }	527	527	492	535	535
129. Mr. REISE: An act prohibiting authorized fire insurance companies from re-insuring unauthorized fire insurance companies on risks covering property located in this state.....	414	425	464	.....	.....	.....	.....	.....
130. Mr. CHILL: An act relating to the sale of certain articles of merchandise, providing for licensing the same, and prescribing a penalty for the violation thereof.....	356	352	360	395	395	{ 397 } { 414 }	425	428

132.	Mr. COLLINS: A bill for an act providing for the search for and seizure of liquors received, kept, or used contrary to law and the appliances used in connection therewith, and to define and punish as misdemeanors all violators thereof, and vesting all magistrates with authority to receive complaints and issue warrants against all persons violating the provisions of this act.....	258	265	233	325	346	.....	415	417
133.	Mr. MUSE: An act for the relief of Franklin County and making an appropriation.....	400	400	{ 449 } { 492 }	496	496	492	.....	.....
136.	(Substitute). COMMITTEE ON GAME AND GAME FISH: An act for the protection of game animals and birds of the state of Washington, defining violations thereof and punishment for the same, and providing a game fund, etc.....	400	400	435	437	437	462	535	535
138.	Mr. MEGLER: An act providing for the payment of a bounty for the killing of the common seal (<i>phoca vitulina</i>) and sea lions, and making an appropriation therefor, and declaring an emergency.....	356	352	{ 510 } { 640 }	642	642	639	662	662
140.	Mr. JOHNSTON: An act to amend Section 1 of an Act entitled "An Act amending Section 943 of Ballinger's Codes and Statutes of Washington, relating to assessments for local improvements," approved March 16, 1901.....	400	401	624	620	620	.....	653	654
144.	(Amended) Mr. LEWIS: An act providing for the suspending of sentence of minors under eighteen years of age, convicted of an offense in the state, county or municipal courts.....	478	522	.....	.....	.....	.....	.....	.....
145.	(Substitute). Mr. LEWIS: An act providing for an election on the liquor question on petition of 50 per cent of the legal voters.....	497	521	540	584	585	{ 584 } { 600 }	647	.....
147.	Mr. LEWIS: A bill for an act to prohibit the maintaining of gambling resorts, declaring the same a felony, and prescribing a penalty therefor.....	253	265	335	{ 372 } { 458 }	{ 375 } { 458 }	{ 372 } { 388 } { 412 } { 453 } { 495 }	518	523
150.	Mr. FIELDS: An act for the relief of Dora L. Tibbits, and making an appropriation therefor.....	292	304	{ 430 } { 639 }	640	640	639	661	661

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred..	Report from Committee....	Third reading and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House...	Signed by President of Senate.
153. Mr. HARE: An act appropriating money for the reimbursement of Yakima county for moneys erroneously paid into the state treasury by said county.....	356	352	{ 449 } { 493 } { 494 }			{ 492 } { 494 }		
157. Mr. CRAIG: An act to amend section 11 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States, creating a board of appraisers and a board of harbor line commissioners, as required by Articles 15 and 16 of the State Constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties, and making an appropriation therefor, and declaring an emergency," approved March 11, 1897..	221	{ 228 } { 394 }	{ 336 } { 483 }	{ 394 } { 523 }	529		546	546
159. Mr. ZENKNER: An act to amend Section 1406 of Ballinger's Annotated Codes and Statutes of Washington, relating to transmitting election returns from election precincts to the County Auditor.....	414	425	464	553	553	583	601	
160. Mr. FLETCHER: An act amending Section 29 of "An act amending an act entitled 'An act to provide for the assessment and collection of taxes in the state of Washington,' approved March 15, 1899, and amending Sections 58, 83 and 104 of 'An act to provide for the assessment and collection of taxes in the state of Washington,' approved March 15, 1897, and declaring an emergency.....	800	305	380	397	397	536	462	477
161. Mr. JONES: An act relating to the election of School Directors in cities of ten thousand inhabitants and over, and amending Sections 2346 and 2347, in Article III, of Chapter III, of Title XV, of Ballinger's Annotated Codes and Statutes of Washington.....	400	401	485		568	{ 582 } { 600 }		637

163. MESSRS. JOHNSTON and CRAIGUE: An act to amend Section 130 of an act entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency," approved March 27, 1890, and being section 948 of Ballinger's Code, and Section 3500 of Pierce's Code of the State of Washington.....	170	{ 179 } { 279 }	{ 247 } { 248 } { 288 }	326	326	361	415	417
164. Messrs. JOHNSTON and CRAIGUE: An act to amend section 166 of an act entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency," approved March 27, 1890, and being Section 1019 of Ballinger's Code of Washington, and Section 3533 of Pierce's Code of Washington.....	170	{ 179 } { 279 }	{ 248 } { 249 } { 289 }	326	326	261	415	.....
165. Mr. HENRY: An act for the protection of occupants of land, who have in good faith made permanent improvements thereon.....	176	187						.....
167. Mr. MORGAN: An act fixing the time from which the term of the sentence of persons convicted of felony shall commence to run, and repealing all acts and parts of acts in conflict herewith.....	292	304	334	393	393	.....	425	428
168. Mr. DIX: An act prohibiting the importation of horses, cattle and swine unless accompanied by certificate of health and permit from some official veterinarian, excepting animals intended for exhibiting, providing for its enforcement and fixing a penalty for its violation.....	641	468	516	633	633	.....	653	654
170. Mr. RAINE: An act prohibiting the sale of intoxicating liquors within prescribed limits of any normal school, agricultural college, reform school or any other school under state patronage, and prescribing penalties for its violation.....	462	471	562	632	632	.....	653	654
172. Mr. HUNTER: An act making a deficiency appropriation for salaries for deputy fish commissioners.....	197	201	{ 516 } { 599 }	600	600	598	663	637
173. Mr. HUNTER: An act making deficiency appropriation for office rent for the State Fish Commissioner.....	{ 197 } { 382 }	{ 202 } { 422 }	{ 382 } { 51.6 }					.....
174. Mr. HUNTER: An act to establish and maintain a fish hatchery on Dakota creek in Whatcom county, Washington.....	591	595	625	634	634	.....	653	654

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred..	Report from Committee....	Third reading and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House...	Signed by President of Senate.
175. Mr. LYONS: A bill for an act amending Sections 3 and 6 of an act entitled "An act relating to justices of the peace and constables in cities of the first class and fixing their number and salaries and providing for making one of the justices elected in such cities a police justice, and denning his duties, jurisdiction and powers," approved March 13, 1899, being Chapter LXXXV of Session Laws of 1899.....	197	201	311	347	347		415	417
177. Mr. TIBBETS: An act providing for the protection of orphan, homeless, neglected, or abused children, and conferring powers upon Judges of the Superior Court, the County Commissioners, and charitable societies to receive, control and dispose of the same, and repealing an act approved February 14, 1889, and declaring an emergency.....	355	353	387	424	424		498	496
178. Mr. FIELD: An act to amend Section 6 of an act entitled "An act establishing a state geological survey, defining its duties and repealing "An act to create a Mining Bureau, and to define its powers and duties, and declaring an emergency," being Sections 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182 and 183 of Ballinger's Annotated Codes and Statutes of Washington, approved February 25, 1890; also repealing "An act to create the office of State Geologist, prescribing his duties and compensation, making an appropriation for the same, and declaring an emergency," being Sections 3145, 3146, 3147, 3148, 3149 and 3150 of Ballinger's Annotated Codes and Statutes of Washington, approved February 28, 1890, approved March 18, 1901.....	400	401	510	633	633		653	654
179. Mr. DILLING: An act relieving cities and towns from liability for death or damages to person or property upon streets, alleys, or other public places which have not been improved and opened to public travel.....	176	186						

180. Mr. WHITE: An act compelling railroads to fence their rights-of-way and to protect the owners of stock injured by moving railway trains, declaring the law of negligence with regard to rail-injured by railway trains.....	221	227	614	614	614	653	654
183. Mr. RAINE: An act to amend Section 231 of Ballinger's Annotated Codes and Statutes of Washington, relating to the distribution of the volumes of the decisions of the Supreme Court of the State of Washington.....	292	304					
184. Mr. RAINE: An act to amend Section 117 of Ballinger's Annotated Codes and Statutes of Washington, relating to the distribution of Session Laws of the Legislature of Washington.....	292	303					
187. Mr. JONES: An act to provide for the selection of candidates for election by popular vote, and relating to elections.....	414	426	540				
188. Mr. JEFFRIES: An act to amend certain sections of an act entitled "An act to enable cities of the first class to exercise the right of eminent domain for the taking and damaging of land and property for public purposes, providing a method for making compensation therefor, and providing for special assessments in certain cases upon property benefited, and declaring an emergency," approved March 9, 1893, and declaring an emergency.....	197	201	429	634	638	653	654
191. (Substitute) COMMITTEE ON JUDICIARY: An act increasing the penalty for persons convicted a second and third time of felony....	414	{ 426 } { 451 }	{ 451 } { 543 }	560	572	601	
192. Mr. TRIMBTT: An act to provide for the establishment and maintenance of a branch of the State Soldiers' Home for honorably discharged soldiers, sailors and marines who have served the United States government in any of its wars, members of the State Militia disabled while in the line of duty, and who are bona fide citizens of this state, and also the wives of such soldiers, sailors and marines.....							
194. Mr. GUNNENSON: An act relating to revenue and taxation and amending Section 1 of an act entitled "An act relating to revenue and taxation and amending an act entitled 'An act to provide for the assessment and collection of taxes in the State of Washington,' approved March 13, 1897, by amending Sections 3, 5, 21, 43, 60, 61, 68, 71, 72, 76, 77, 82, 84, 96, 98, 102, 103, 107, 111, 116, 119, and repealing Sections 100, 101, 105, 106, 110, 113, 115, 117, 118 and 121 thereof, and by adding Sections 97½, 119½, 117½, 118, 120½, 120½, 120½, to said act, and declaring an emergency, approved the 15th day of March, 1899," which passed the House of Representatives February 28, 1901, and the Senate March 13, 1901, and declaring an emergency.....	461	471	{ 627 } { 639 }	643	639	660	661
			545	587		663	687

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

TITLE AND HISTORY OF HOUSE BILLS	NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred..	Report from Committee....	Third reading and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House...	Signed by President of Senate.
196.	Mr. LINDSLEY: An act to protect stockholders and persons dealing with corporations in this state.....	461	471	489	537	537		608	
197.	Mr. BREWER: An act to amend Section 18 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States", creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by Articles XV and XVI of the State Constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties and making an appropriation therefor; and declaring an emergency," being Chapter 89, Session Laws of 1897, approved March 16, 1897.....	300	328	379			379		
201.	Mr. BASTERDAY: An act to require statements of fact and evidence produced in support of claims made to the Legislature against the state for money or property and to perpetuate the record of the same.....	300	304	385	421	421		498	
202.	Mr. HOWELL: An act to amend Section 30 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by Articles XV and XVI of the State Constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties and making an appropriation therefor; and declaring an emergency being Chapter LXXXIX, Session Laws of 1897, approved March 16, 1897, as amended by Chapter XLVIII, Session Laws of 1899," approved March 8, 1899, and declaring an emergency.....	461		619					619

205.	Mr. RAINE: An act relating to recognizances, stipulations, bonds, and undertakings, and to allow certain corporations to be accepted as surety thereon, and to provide for the payment of the charges of such suretyship, or the same as part of the lawful expense and costs of the principal or principals on the same; repealing an act of the Legislature of the State of Washington, entitled "An act, etc."	414	425	464	{ 588 } { 552 }	552	583	601	.....
207.	Mr. CAMERON: An act making application to the Congress of the United States of America to call a convention for proposing amendments to the Constitution of the United States of America, as authorized by Article X of the Constitution of the United States of America	300	304	382	524	524	524	585	585
214.	Mr. CHELSON: An act to provide for the payment of expenses incurred in compliance with an act to provide for the establishment and creation of drainage districts, and the construction and maintenance of a system of drainage, and to provide for the means of payment thereof, and declaring an emergency, approved March 20, 1895, and declaring an emergency	355	354	379	{ 417 } { 473 }	418	586	585	.....
217.	Mr. BORN: An act entitled "An act to appropriate for the relief of firemen and for the encouragement of volunteer fire companies, a part of the premiums received by fire insurance companies"	591	594	.....	.....	.....	.....	.....	.....
220.	Mr. HASTINGS: An act governing pilotage on the waters of Puget Sound and its tributaries and regulating the compensation therefor and repealing Sections 3216, 3217, 3218, 3219, 3220, 3221, 3222, 3223, 3224, 3225, 3226, 3227, 3228, 3229, 3230, 3231, 3232, 3233, 3234, 3235, 3236, 3237, 3238, 3239, 3240, 3241, 3242 and 3243 of First Ballinger's Code	465	471	510	510	.....	.....	.....	.....
222.	Mr. PARCEL: An act limiting the power to grant licenses for the sale of intoxicating liquors in accordance with majority public sentiment, and providing for petitions of remonstrance to express such sentiment	598	.....	.....	.....	.....	.....	.....	.....
223.	Mr. PARCEL: A bill for an act for the protection of shade trees and hedges on public highways	400	401	431	588	588	518	664	637
225.	(Substitute). COMMITTEE ON INSURANCE: An act providing for the incorporation and regulation of mutual fire insurance companies; repealing chapter CXXXII of the session laws of 1899, and declaring an emergency	414	426	481	499	499	499	536	601

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred..	Report from Committee....	Third reading and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House...	Signed by President of Senate.
281. Mr. ALLIS: An act changing the name of the State Reform School to the State Industrial School.....	222	227	451	497	497			
283. Mr. CARLE: An act for the relief of George A. Brooke.....	400	401	{ 449 } { 493 }	525	525	492	584	585
286. Mr. RAINE: An act to provide for the release of joint debtors.....	536	538						
288. Mr. EIDEMILLER: An act authorizing the Board of County Commissioners of the several counties of the State of Washington to dedicate to the public land for public streets and alleys in incorporated cities and towns through property belonging to the several counties of the State of Washington.....	355	354	429	570	570		608	
289. Mr. COMSTOCK: An act regulating the institution of actions for damages for personal injuries and death by wrongful act against cities of the first class.....	414	425						
241. Mr. EMERY: An act prohibiting the leaving of iron or steel in saw logs, and providing penalty for violation.....	551	557						
242. Mr. DICKSON: An act authorizing the State Auditor to give Kittitas county, Washington, credit on tax roll account for the year 1901.....	356	352	{ 449 } { 493 }			{ 492 } { 496 }		
244. Mr. THACKER: An act relating to the construction of armories for the use of the National Guard of Washington, appropriating money from the Military Fund to assist therein, authorizing certain counties and cities of the first class to furnish sites and participate in such construction, empowering them to incur indebtedness, and to issue bonds therefor, and imposing penalties and providing a punishment for its violation.....	601	595	627	643	643	639	664	664

248.	Mr. KING: An act to appropriate \$29.95 for the relief of M. Billings.....	352	449		
251.	Mr. THACKER: An act to provide for the enrollment of the militia, for the organization, maintenance and discipline of the National Guard of the State of Washington and for the public defense, and to amend Sections 1932, 1933, 1934, 1939, 1953, 1964, 1975, 1991, 2000, 2010, and 2068, and to repeal Section 1057 of Ballinger's Annotated Codes and Statutes of the State of Washington, and to amend Sections 67, 8, and 11 of an act entitled "An act to amend Sections 1926, 1929, 1930, 1360, 1953, 1954, 1963, 1981, 1990, 1992, 1993, 2025, 2028, 2046 and 2061 of Ballinger's Annotated Codes and Statutes of the State of Washington, relating to the Military Code of the State of Washington, providing for courts of inquiry, and declaring an emergency," approved March 16, 1901, and declaring an emergency.....	400	431	593	637
254.	Mr. H. JOHNSTON: An act amending Section 4854 of Ballinger's Codes and Statutes of the State of Washington, relating to venue of actions against private corporations.....	436	488		
255.	Mr. GRAY: An act for the protection of livery and boarding stable keepers.....	481	543	537	
257.	Mr. PROSTAD: An act relating to the assessment and collection of taxes in the State of Washington and to amend Section 3 of an act entitled "An act to amend Sections 13, 14, 15 and 24 of an act entitled "An act amending an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897, by amending Sections 3, 5, 21, 43, 60, 61, 68, 71, 72, 76, 77, 82, 84, 96, 98, 102, 103, 107, 111, 116, 119, and 121 thereof, and by adding Sections 110, 113, 115, 117, 118 and repealing Sections 100, 101, 105, 106, 110, 113, 115, 117, 118 and 121 thereof, and by adding Sections 97½, 119½, 119½, 119½, 120½, 120½, 120½ to said act, and declaring an emergency, approved March 15, 1899, and declaring an emergency," which passed the Senate February 21, 1901, and the House March 14, 1901, and declaring an emergency.....	462	472		
261.	Mr. J. B. WILSON: An act authorizing boards of education or directors of school districts within the state of Washington to establish and maintain day schools for the deaf, and authorizing payment therefor from the state common school fund.....	498	520		

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

	NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred..	Report from Committee....	Third reading and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House...	Signed by President of Senate.
271.	(Substitute). COMMITTEE ON FISHERIES: An act to create a state oyster commission, to define its duties and powers, to provide for the protection and management of the state oyster land reserves, to create a fund to be known as the oyster fund, providing for the issuing of license to take oysters from the state oyster land reserves, providing for a penalty for violation of the provisions of this act, making an appropriation and declaring an emergency.....	437	{ 453 } { 472 }	{ 515 } { 571 }	571	571	{ 453 } { 571 }	653	654
275.	MR. VENESS: A bill for an act to prevent discrimination in the distribution of cars by railroad companies and providing a penalty therefor.....	462	472	579	602	603			
279.	MR. EASTERDAY: An act amending section 7038 of Ballinger's Code of the state of Washington, and being section 1557 of Pierce's Code of Washington, defining murder in the second degree and fixing the penalty therefor.....	463	472	487	561	561	603	662	637
281.	MR. BENN: An act authorizing and empowering the board of state land commissioners to vacate plats covering state granted, school, tide or shore lands, and streets, alleys and other public places therein situated, and to plat, re-plat, appraise and dispose of the same; and giving to the owners of lands abutting on any of the parcels into which such streets, alleys or other public places so vacated shall be platted a preference right to purchase such parcel; and declaring an emergency.....	497	521	624	616	616		661	661
282.	MR. HENRY: An act for the regulating of the manufacture and sale of vinegar, providing for the enforcement of the law and fixing a penalty for violation thereof.....	546	557	561					
283	MR. PARCEL: An act providing for the monthly payment of the assessors of the counties of the state of Washington.....	461	472	543					

294.	Mr. GRAY: An act to provide for the acceptance and receipt by the superintendents of the different insane asylums of the state of money donated or given to or for the benefit of such asylums and for the payment of any money so received into the state treasury ..	318	327	467	553	553	637
285.	Mr. MACKENZIE: An act amending an act entitled "An act providing for and regulating the selection of jurors in the superior courts of the state; and providing for the appointment of jury commissioners, prescribing their duties, qualifications and compensation, and providing for their removal from office; declaring certain violations of this act to be contempt of court and providing for the punishment thereof as such; and repealing all laws and parts of laws in conflict therewith, approved March 16, 1891," Luce's Code, section 5945.....	461	{ 470 507 }				663
286.	Mr. ROTH: An act to amend section 1 of an act entitled "An act to amend an act entitled 'An act to amend sections 105, 106, 114 and 117 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' and approved March 27, 1890," approved March 9, 1891, and declaring an emergency, approved March 8, 1893; and repealing an act entitled "An act providing for the election of city marshals in cities of the third and fourth classes and other cities of equal population, approved March 20, 1895" and amending sections 108, 143, 144 and 146 of an act entitled "An act providing for the organization, classification, incorporating an emergency," approved March 27, 1890; and amending section 2 of an act entitled "An act to amend sections 105, 106, 114 and 117 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' and approved March 27, 1890," approved March 9, 1891; and amending section 4 of an act entitled "An act to amend sections 107, 109, 113, 116, 124, 125, 126, 132, 133, 134, 135 and 136 of an act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency, approved March 27, 1890," approved March 9, 1893; and providing for the confirmation of appointments of municipal officers and employes made by the mayor.....	462	470	542	572	573 { 547 } 600 }	637
294.	Mr. FIELD: An act providing for the improvement of Lake Chelan for navigation purposes, and declaring an emergency.....	461	471	545	621	621	654
295.	Mr. JOHNSON: An act providing for the settlement of taxes assessed against mining property for the years 1899, 1900, 1901 and 1902, and authorizing a compromise of disputes or suits relating thereto, and declaring an emergency.....	486	469	485	506	506	585

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.							
	Received from House	Read first and second time, and referred	Report from Committee	Third reading and amendments	Vote on final passage	Other action in Senate	Signed by Speaker of House	Signed by President of Senate
296. Mr. ALLIS: An act providing for the summoning and examination of witnesses before and by prosecuting attorneys	481	522	544					
299. Mr. HUNTER: An act to repeal an act entitled "An act providing for the setting aside of certain school lands to the use and for the benefit of the American Patriotic Memorial College," approved March 13, 1895	436	469	615	615	615		633	654
300. Mr. JOHNSTON: An act to prevent the duplication of corporate entitlements	461	470	488	564	564		608	
302. Mr. PEASLEE: An act to amend section 1 (Pierce's Code, sec. 3921) of an act entitled "An act to provide for annexing certain county territory to a neighboring county to which it is contiguous," and to repeal section 10 of said act approved March 9, 1891	518		{ 541 } { 542 }	589	589	547	663	637
305. Mr. KEES: A bill for an act amending sections 1347 and 1350 of volume 2 of Hill's Annotated Codes and Statutes of Washington, relating to the commitment and working of persons for non-payment of fines and costs	461	468	620	620	620		653	654
306. Mr. CRANDALL: An act regulating the marking of food packages and regulating weights and measures thereof, providing for the enforcement of the law and fixing a penalty	607							
309. Mr. KING: An act to punish husbands who connive at the prostitution of their wives	572	577	578		600		664	637
312. Mr. STARK: An act to restrict the running at large of live stock, and providing a penalty	461	470	511					
313. Mr. HOFF: An act providing for the framing of the several legislative groups and of the constitutional convention for preservation in the new capitol building	461	470	{ 516 } { 640 }	644	644	639	661	661

315.	Mr. GUNDESON: An act amending section 6 of "An act providing for the protection of food fishes in the waters of the state of Washington, regulating the catching and sale thereof, establishing licenses, fixing penalties, repealing conflicting laws, and declaring an emergency," approved March 13, 1899, the same being 5278 of Pierce's Code.	591	595					
317.	Mr. GLEASON: An act amending section one of an act entitled "An act to define the duties, and provide for assistance for, and fix the compensation of, the Secretary of State," the same being section 115 of Ballinger's Code and section 8456 of Pierce's Code of the state of Washington, and repealing section 15 of an act entitled "An act relating to the state library and declaring an emergency," approved March 8, 1893, the same being section 2614 of Ballinger's Code and section 8359 of Pierce's Code of Washington, and all other acts in conflict with the same.	436	409	514	631	631	653	654
320.	By COMMITTEE ON REVENUE AND TAXATION: An act to provide for notices of assessment and of the time and place of meeting of the county board of equalization.	355	353					
323.	COMMITTEE ON MEDICINE, SURGERY AND HYGIENE: An act to amend section 1 of an act entitled "An act to amend section 2615 of volume 1, Hill's Annotated Statutes and Codes of Washington, relating to state board of health," approved March 16, 1897.	356	353	379	496	497	480	536
327.	Mr. PHILBRICK: An act providing for the purchase of additional lots, and for the care and improvement of the ground around the monument erected by the state to the dead soldiers of the Washington volunteers, and appropriating money therefor.	571	577	590 } 640 }	645	643	639	661
328.	Mr. MOLESWAP: An act authorizing towns of the fourth class to select and designate an official newspaper, and declaring the publication of all notices in such paper for the period and in the manner provided by law or the ordinances of said town to be due and legal notice.	414	426	467	597	597	663	637
331.	Mr. DILLING: An act authorizing cities of the first class to assess for local improvements lands belonging to the state of Washington, the University of Washington, counties, school districts, and other municipal corporations, and declaring an emergency.	478	508	513				
338.	INSURANCE COMMITTEE: An act to amend chapter CLXXIV Session Laws 1901, entitled "An act regulating fraternal beneficiary societies, orders or associations.	400	401	448	569	569	603	608

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred..	Report from Committee...	Third reading and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House...	Signed by President of Senate.
334. Mr. COLE: An act to amend an act entitled "An act making it unlawful to injure, obstruct or destroy any line erected or constructed for the transmission of electrical current, or apparatus or appliances connected therewith; or to remove, injure or to destroy any house, shop, building or other structure or machinery connected therewith; or to set any fire that shall result in such injury or destruction; or to prevent the removal of any obstruction to such lines; and prescribing the punishment thereof," approved March 13, 1889; and declaring an emergency.....	584	537	544	635	635		661	651
349. JOINT COMMITTEE ON APPROPRIATIONS: An act making appropriations for the salaries and expenses of the state board of control and for the maintenance and sundry expenses of the various state penal, reformatory and charitable institutions for the fiscal term beginning April 1, 1903, and ending March 31, 1905.....	224	225	232	233	233		291	294
353. Messrs. WITTER and MACKENZIE: An act amending an act entitled "An act to amend an act entitled and cited as the Code of Public Instruction of the State of Washington, amending sections 6, 10, 11, 22, 30, 33, 39, 42, 48, 49, 54, 56, 78, 97, 99, 101, 102, 105, 111, 121, 141, 142, 144, 153, 173, 177, 222, 223, 255, all being of said act and declaring an emergency," relating to the expense of indigent pupils, being section 7484 of Pierce's Code.....	461	471		633	633			
354. Mr. BREWER: An act to amend section 3 (Pierce's Code, section 876) of an act entitled "An act relating to the sales of property under execution, deuces and orders of sale, and the confirmation of sheriff's sales, and redemption therefrom, approved March 8, 1899.....	546	556	618	618	618		653	654

356. Mr. COLE: An act to amend an act entitled "An act relating to justices of the peace and constables in cities having more than 5,000 inhabitants, and fixing their number and salaries," approved March 13, 1897.....	414	425	626	635	635	635
359. (Substitute). GAME AND GAME FISH COMMITTEE: A bill establishing hunter's license, providing for the disposition of all moneys collected under the same, fixing the penalties, repealing conflicting laws, repealing section 9, page 283 of the Session Laws of 1901 of the state of Washington.....	571	577	610 } 611 } 599 }	586	586	654
360. Mr. MESLER: An act for the relief of O. A. Bowen.....	585	587		598	598	687
363. Mr. WELLS: An act in relation to abstractors and abstract companies, providing for the furnishing of security, and fixing a penalty for violation thereof.....	586	588				
364. Mr. WILLIAMS: An act for the relief of P. J. McGowan and Sons (Incorporated) and granting to them the right and privilege to use and enjoy a strip or location of tide lands, eighty (80) feet wide and four hundred (400) feet long within the east half of the Holman Waterway, according to the official plat of the tide lands and harbor lines, in front of the town of Ilwaco, on file in Pacific county; to use the land and location by constructing and maintaining wharves and buildings thereon, and conducting any or all parts of the business of catching, canning, packing or otherwise preserving salmon or other fish or food products and disposing of the same; and for the relief of the said P. J. McGowan & Sons and the town of Ilwaco in the rights and privileges, to occupy and use a strip or location of the said tide lands within the Holman Waterway twenty (20) feet wide and extending eighteen hundred (1800) feet to the shore or meander line for the purpose of constructing and maintaining a wharf and roadway on the east half of said waterway for the free use and benefit of the public, said rights and privileges to be for a period of thirty (30) years and declaring an emergency.....	481	521	541	586	663	687
366. Mr. WELLS: An act to provide for the method of establishing and organizing new counties in the state of Washington.....	607					
367. COMMITTEE ON GAME AND GAME FISH: An act to regulate fishing for trout, providing a penalty for the violation thereof, prescribing the duty of the state game warden and his deputies in relation thereto and establishing the rule of evidence in cases arising under this act.....	856	852				

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred..	Report from Committee...	Third reading and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House...	Signed by President of Senate.
368. Mr. DILLING: An act to amend section 4334 of Ballinger's Annotated Codes and Statutes of Washington, relating to the appropriation of lands and highways for corporate purposes.....	481	508	512	605	605	372	653	654
369. Mr. J. C. BRES: An act to amend section 97½ (Pierce's Code, sec. 8673) of an act entitled "An act to provide for the assessment and collection of taxes in the state of Washington," approved March 15, 1897, as the same was added to said act by an act approved March 6, 1899.....	572	576	617	617			653	654
371. Mr. GLEASON: An act to amend section 49 of an act entitled: An act to enable cities of the first class to exercise the right of eminent domain for the taking and damaging of land and property for public purposes, providing a method for making compensation therefor and providing for special assessments for certain cases upon property benefited, and declaring an emergency, approved March 9, 1893.....	346	556	589					
372. Mr. GLEASON: An act to amend sections 5637, 5638, 5640 and 5641 of Ballinger's Annotated Codes and Statutes of Washington, relating to procedure in the appropriation of private property by corporations.....	498	508	512	605 } 621 }	621	372	662	662
378. Mr. BRUTER: An act reserving certain state school lands from sale or lease, and declaring an emergency.....	586	588						
380. (Substitute). JOINT COMMITTEE ON AGRICULTURE: An act granting a bounty for the encouragement of the manufacture of sugar....	551			590 } 607 }	607	551	661	661

382.	Mr. ALLIS: An act providing for the manner of paying warrants issued under an act of the legislature of the state of Washington entitled "An act to provide for the construction, repairing and protection of drains and ditches for agricultural, sanitary and domestic purposes, and to provide for the organization of drainage districts, and declaring an emergency," approved March 19, 1890, and amending section 7 of an act of the Legislature of the state of Washington entitled "An act providing for the payment of expenses incurred in compliance with an act entitled 'An act to provide for the construction, repairing and protection of drains and ditches for agricultural, sanitary and domestic purposes, and to provide for the organization of drainage districts, and declaring an emergency,' approved March 19, 1890, and declaring an emergency," approved March 19, 1895, and declaring an emergency."	551	556	562	615	615	653	654
383.	Mr. GUNDERSON: An act to amend sections 5 and 6 of "An act to provide against the adulteration of food and fraud in the sale thereof; creating a state board of food commission, defining their duties and providing for the appointment of an officer to be known as the state dairy and food commissioner; providing for the enforcement of the law and fixing a penalty for violation thereof; making an appropriation, declaring an emergency, and repealing "An act to provide against the adulteration of food," approved March 13, 1899," approved March 16, 1901, the same being sections 3327 and 3328 of Pierce's Code."	498	520	539				
384.	Mr. GUNDERSON: An act amending section 1 of "An act relating to school teachers who violate their contract for teaching, approved March 16, 1901," the same being chapter CXXVI, Session Laws of 1901"	571	577					
385.	(Substitute). COMMITTEE ON WATER RIGHTS AND IRRIGATION: An act in relation to irrigation and water works, defining surplus water of the state of Washington, providing for the appropriation and empounding thereof for beneficial uses, providing for the conveyance of empounded water along the natural water channels in this state, providing for the condemnation of property for storage reservoirs, irrigation and other water works, the condemnation of storage reservoirs and other water works for greater public use, making it unlawful for any person to use any more water than necessary in the irrigation of land and providing a penalty, making it a misdemeanor for any person knowingly, willfully or without authority to interfere with in any way or injure any structure for the conveyance, measurement or distribution of any of the appropriated water of this state, prescribing a penalty for such misdemeanor, repealing all laws in conflict with the provisions of this act and declaring an emergency..	584	587	580				

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

Signed by President of Senate.	Signed by Speaker of House...	Other action in Senate.....	Vote on final passage.....	Third reading and amendments.....	Report from Committee...	Read first and second time, and referred..	Received from House.....	NUMBER, AUTHOR AND TITLE.
					543	522	481	<p>392. MR. JOINSON: An act to provide for the issuance of search warrants for the seizure of game unlawfully taken, killed, held or acquired and for the sale of the same in certain cases.....</p> <p>395. MR. CRAIGIE: An act to amend section 2368 of Ballinger's Annotated Codes and Statutes of Washington, being section 98 of an act entitled "An act to establish a general, uniform system of public schools in the state of Washington, and repealing chapter VI of title III, chapter VII of title V, all of title X except chapter XVII, chapter IV of title L, all being of volume one of Hill's Annotated Statutes and Codes of Washington; also repealing all amendments thereto; also repealing an act entitled "An act concerning the formation of new school districts, changing the boundaries and transferring territory from one district to another, approved March 9, 1895; also repealing an act entitled "An act to provide for the management and control of state normal schools in the state of Washington, approved March 10, 1893, and all amendments thereto; also repealing an act entitled "An act granting to school districts the right to purchase school house sites of school lands belonging to the state of Washington of not less than one acre and not more than five acres, and granting to school districts the preference right to purchase such sites, and declaring an emergency, approved February 26, 1895; also repealing an act entitled "An act relating to the indebtedness of school districts, providing means and methods for paying and funding the same, and means for validating the same or any part thereof incurred in excess of one and one-half per centum of the taxable property of the school district without the assent of three-fifths of the voters of the school district voting at an election held for that purpose, and declaring that an emergency exists for the taking effect of this act on its passage and approval by the governor, approved March 1, 1895; also repealing an act entitled "An act to provide for the formation of joint school districts, and to prescribe the minimum number of</p>

<p>school children required for the formation of new school districts, and declaring an emergency,' approved March 13, 1885," said act of which this act is amendatory, being known and cited as the code of public instruction of the state of Washington, and being chapter CXVIII of the Session Laws of 1897, approved March 19, 1897.....</p>	<p>535</p>	<p>395</p>	<p>609</p>	<p>609</p>	<p>605 } 617 }</p>	<p>653</p>	<p>654</p>
<p>396. Mr. CRAIGUE: An act to amend section 117 of an act entitled 'An act to establish a general, uniform system of public schools in the State of Washington, and repealing Chapter VI of title III, Chapter VII of title V, all of title X except Chapter XVII, Chapter IV of title L, all being of volume 1 of Hill's Annotated Codes and Statutes of Washington; also repealing all amendments thereto; also repealing an act entitled 'An act concerning the formation of new school districts, changing the boundaries and transferring territory from one district to another,' approved March 9, 1893; also repealing an act entitled 'An act to provide for the management and control of state normal schools in the State of Washington,' approved March 10, 1893, and all amendments thereto; also repealing an act entitled 'An act granting to school districts the right to purchase school house sites of school lands belonging to the State of Washington, of not less than one acre and not more than five acres, and granting to school districts the preference right to purchase such sites, and declaring an emergency,' approved February 26, 1895; also repealing an act entitled 'An act relating to the indebtedness of school districts, providing means and methods for paying and funding the same, and means for validating the same or any part thereof incurred in excess of one and one-half per centum of the taxable property of the school district without the assent of three-fifths of the voters of the school district voting at an election held for that purpose, and declaring that an emergency exists for the taking effect of this act on its passage and approval by the Governor,' approved March 1, 1895; also repealing an act entitled 'An act to provide for the formation of joint school districts, and to prescribe the minimum number of school children required for the formation of new school districts, and declaring an emergency,' approved March 13, 1895;" said act, of which this act is amendatory, being known and cited as the code of public instruction of the State of Washington, and being Chapter CXVIII of the session laws of 1897, approved March 19, 1897.....</p>	<p>535</p>	<p>559</p>	<p>625</p>	<p>610</p>	<p>605 } 617 }</p>	<p>653</p>	<p>654</p>
<p>397. Mr. CRAIGUE: An act to amend section 63 of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897, being section 1719 of Ballinger's Annotated Codes and Statutes of Washington.</p>	<p>535</p>	<p>559</p>	<p>625</p>	<p>610</p>	<p>{ 605 } { 617 }</p>	<p>{ 605 } { 617 }</p>	<p>654</p>

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House	Read first and second time, and referred..	Report from Committee....	Third reading and amendments	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House...	Signed by President of Senate.
399. Mr. CAMERON: An act to amend section 20 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease, and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties, and making an appropriation therefor, and declaring an emergency," approved March 10, 1897...	536	558						
404. Messrs. HANCK and PARCEL: An act to provide for the purchase of additional land adjoining the grounds upon which is located the main building of the School for Defective Youth, and making an appropriation therefor	361	364		365	365	364	424	428
408. COMMITTEE ON CLAIMS AND AUDITING: An act for the relief of various persons furnishing material for the equipment of the temporary capitol building and supplies for the eighth legislature, and making an appropriation therefor.....	462	470	511/ 599	599	599	{ 598 } { 638 } { 643 }	408	661
409. Mr. YORK: An act relating to the control of public and free libraries, and amending section 3 of an act entitled "An act providing for the establishment and maintenance of public and free libraries and museums, and repealing all laws in conflict herewith," approved March 18, 1901.....	591	596						
415. Mr. QUINN: An act to amend section 4869 of Ballinger's Code, regulating the commencement of actions.....	571	577						

418. Mr. WELLS: An act to amend section 35 of an act entitled "An act to provide for the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and for the confirmation and completion of the several grants to the state by the United States; creating a Board of Appraisers and a Board of Harbor Line Commissioners, as required by articles XV and XVI of the State Constitution, which shall be generally known as the Board of State Land Commissioners; defining their duties and making an appropriation therefor, and declaring an emergency," being Chapter LXXXIX, session laws of 1897, approved March 16, 1897, the same being section 2165 Ballinger's Code, and section 8195 Pierce's Code.....	536	538							
421. COMMITTEE ON JUDICIARY: An act to amend sections 2 and 5 of an act entitled "An act in relation to attorneys and counsellors at law, providing for admission to the bar," approved March 19, 1895, and to amend an act entitled "An act amending section 4 of an act entitled "An act in relation to attorneys and counsellors at law, and providing for admission to the bar," passed by the Legislature of the State of Washington, and approved March 19, 1895," approved February 16, 1897, and declaring an emergency.....	498	520	517 561	574	575	609			
422. Mr. LEINSLBY: An act to provide for the direct amendment of city charters in respect to local affairs.....	536	557	563	623	623		653		654
424. Mr. HAYNES: An act empowering boards of county commissioners to accept the right of way for the construction of highways over the public lands of the United States granted by section 2477 of the revised statutes of the United States, defining the width of such highways, providing the manner of accepting such grant of Congress, and ratifying and confirming the acceptance of such grant by boards of county commissioners heretofore made.....	535	559	626	635	635		653		654
426. Mr. WELLS: An act relating to causes of action and claims in favor of, or against minors, imbeciles, and insane persons, and authorizing the compromise thereof.....	535	556	619	619	619		653		654
429. Mr. MORGAN: An act authorizing the construction of dams on streams within the State of Washington for the purpose of diverting water for irrigation and power.....	591	595		636	637	636			

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE--CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred..	Report from Committee....	Third reading and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House...	Signed by President of Senate.
431. MESSRS. MALONEY and COONEY: An act providing for the rate of interest to be paid on bonds of Stevens county and owned by the state of Washington.....	402	468	487	569	569	608		
432. JOINT COMMITTEE ON APPROPRIATIONS: An act transferring certain funds from the charitable, educational, penal and reform funds to the general fund.....	535	559						
438. MR. CRANDALL: An act relating to the duties of treasurers of cities having a population of twenty thousand or more inhabitants, regarding public moneys coming into their possession and the custody of the same, and declaring an emergency.....	572	577	624	616	616			
445. MR. JOHNSON: An act relating to the proper ventilation and safety of mines and prescribing the manner of appointment of inspectors, making it a misdemeanor for violation of certain rules and regulations in regard thereto, and providing a punishment therefor.....	622							
450. MR. BUDENMILLER: An act appropriating money for the relief of E. H. Hoover & Co.....	591	596	628 } 640 }	644	644	639	662	662
451. MR. JONES: An act amending an act entitled "An act extending the right of eminent domain to water power companies," approved March 18, 1901, the same being chapter CXLIII of the laws of 1901, and declaring an emergency.....	567	577	614	613	613	591		
453. MR. MEGLER: An act making a deficiency appropriation for sundry civil expenses of the department of public printing for the fiscal year ending March 31, 1903.....	601	595	626	641	641	639 } 641 } 638 } 639 } 642 } 643 } 645 } 646 }	660	661
454. JOINT COMMITTEE ON APPROPRIATIONS: Omnibus appropriation bill.	602			639	639		664	664

HISTORY OF SENATE MEMORIALS.

NUMBER AND SUBJECT.	Read first and second time, and referred..	Report from Committee....	Third reading and amendments.....	Vote on final passage.....	Other action in Senate.....	Message from House.....	Signed by President of Senate.	Signed by Speaker of House...	Signed by the Governor.....
1. SENATOR MOULTRAY: Withdrawal Whatcom county lands from forest reserve	42	.....	43	43	128	105	.....	148	.....
2. SENATOR GARBER: Opening south half Colville reservation.....	92	109	.....	132	206	198	.....	221	241
3. COMMITTEE ON MEMORIALS: Omnibus statehood bill.....	106	.....	.....	106	.....	.....	.....	.....	.....
4. SENATOR STEWART: Election of senators by direct vote.....	137	153	181	190	184	.....	.....	.....	.....
5. SENATOR WARRURTON: For passage by congress of Elkins bill.....	{ 137 } { 259 }	153	.....	.....	.....	.....	.....	.....	.....
6. SENATOR RUTH: Ship canal from Puget Sound to Gray's Harbor...	170	192	215	.....	{ 215 } { 357 }	318	360	387	398
7. SENATOR VAN DE VANTER: Relating to overflow of the Duwamish and Black rivers.....	170	192	215	.....	{ 215 } { 447 }	414	459	462	519
8. SENATOR GARBER: For four per cent bonus in favor of Pacific coast naval contracts	243	251	266	266	311	300	311	321	356
9. SENATOR STEWART: Government assistance for old soldiers living near Soldiers' Home.....	407	451	503	503	596	534	585	603	.....

HISTORY OF HOUSE MEMORIALS IN THE SENATE.

NUMBER AND SUBJECT.	Received from House.....	Read first and second time, and referred..	Report from Committee....	Third reading and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House...	Signed by President of Senate.....
1. Mr. EASTBURY: Restriction of oppressive trusis.....	222	227		298	298	318	356	
3. Mr. ROTH: Retention of duty on lumber.....	222	227	235		259		299	309
4. Mr. THACKER: Opening of government reserve in San Juan county.	318	328	333	371	371		414	417
5. Mr. ALLIS: For promotion of Lieut. Oliver P. M. Hazzard.....	198	205	221		244		291	
7. Mr. PHILBRICK: Withdrawal certain lands from forest reserve....	222	227	269		298	318	356	
9. Mr. MOLDSTAD: Relating to proposed forest reserve in Skagit county.....							291	294
10. Mr. MEGLER: For improvement of Gray's river.....	318	328	333	371	371		415	417
11. Mr. PHILBRICK: For lighthouse on Point Granville.....	536	559	562	635	635		661	661
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2. SENATOR WARBURTON: Joint session to hear governor's message.....	9		9	22	
3. SENATOR CROW: Filing bills with state librarian	66		66	176	
4. SENATOR WARBURTON: Printing governor's message	92				
5. SENATOR WELSH: For joint fisheries committee to meet Oregon committee.....	89	110	114		
6. SENATOR HAMILTON: Legislative committee to meet and receive President Roosevelt.....	105		105	318	601 } 662 }
7. SENATOR PALMER: To adjourn out of respect to memory of John B. Allen.....	126		126	134	134
8. SENATOR WELTY: To investigate management State Reform School.....	205		234		
9. SENATOR RUTH: Celebration anniversary creation of Washington territory.....	218		218	292	
10. SENATOR HAMILTON: For committee to confer with Olympia chamber of com- merce.....	266		266	292	
11. SENATOR REESER: Relating to passage of gambling bill.....	460		460		
12. SENATOR ANGLE: Relating to exchanging session laws.....	517				
13. SENATOR HAMILTON: Consideration of appropriation bills on last day of session.	538		538 } 563 }		
14. SENATOR HAMILTON: Consideration of bills on last day of session.....	555		555 } 601 }	582	
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2. Mr. RAINE: Relating to death of President McKinley.....	197	205	{ 205 } { 292 } { 294 }
4. Mr. MEGLER: Relating to printing of rules and joint rules.....	120
5. Mr. MOLDSTAD: Relating to dredging mouth of Skagit river.....	197	205	{ 205 } { 291 }
6. Mr. PHILBRICK: Relating to forest reserves.....	{ 90 } { 161 }	92	127
7. Mr. LINDSLEY: Relating to printing governor's message.....	90	92
8. Mr. RANCK: Relating to observance "Carnation Day".....	120	125	125
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10. Mr. LEWIS: Protesting against proposed Alaska boundary treaty.....	160	161	166	167
11. Mr. LINDSLEY: Extending invitation to President Roosevelt to visit state.....	197	205	{ 206 } { 292 } { 294 }
12. Mr. MEGLER: For appointment joint fisheries committee to meet Oregon committee.....	{ 197 } { 198 }	198	198
13. Mr. HOPP: Relating to celebration anniversary creation of Washington territory.	254	265
14. Mr. CAMERON: Relating to creation of new judicial district.....	355	359	{ 359 } { 398 } { 393 } { 394 } { 392 } { 294 }
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