

SENATE JOURNAL

OF THE

TENTH LEGISLATURE

OF THE

STATE OF WASHINGTON

BEGUN AND HELD AT

OLYMPIA, THE STATE CAPITAL

January 14, 1907

Adjourned Sine Die, March 14, 1907

CHARLES E. COON, PRESIDENT

J. W. LYSONS, SECRETARY

OLYMPIA, WASH.:
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J. W. LYSONS
SECRETARY OF THE SENATE

JOURNAL OF THE SENATE.

TENTH SESSION.

FIRST DAY.

SENATE CHAMBER,
OLYMPIA, WASH., Monday, January 14, 1907.
12 o'clock, noon.

The Tenth 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. Lieutenant Governor Charles E. Coon, president of the Senate, called the Senate to order.

Prayer was offered by Rev. Dr. F. A. La Violette, pastor of the First Methodist Episcopal Church, of Olympia.

The following certificate from the Secretary of State, Sam H. Nichols, presented by Ben R. Fish, Assistant Secretary of State, was 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 hereby certify that the following is a full, true and correct list of the persons elected at the general election held on the 6th day of November, A. D. 1906, from the several senatorial districts, as shown by the official returns on said election on file in this office, and are entitled to seats in the Senate of the Legislature of the State of Washington, at its tenth biennial session, commencing on Monday, January 14th, 1907; also the list of the "hold-over" senators from the ninth session of said Legislature:

HOLD-OVER SENATORS.

	NAME.	Counties Represented
District No. 1.....	DR. J. I. POGUE.....	Douglas Ferry Okanogan
District No. 3.....	DR. C. G. BROWN.....	Spokane

	NAME.	Counties Represented
District No. 5.....	E. C. BRATT.....	Spokane
District No. 9.....	H. M. BOONE.....	Whitman
District No. 11.....	C. T. HUTSON.....	Adams Franklin Walla Walla
District No. 12.....	FRED M. PAULY.....	Walla Walla
District No. 13.....	ARTHUR GUNN.....	Chelan Kittitas
District No. 14.....	GEO. A. KENNEDY.....	Lincoln
District No. 15.....	WALTER J. REED.....	Yakima
District No. 17.....	E. M. RANDES.....	Clarke
District No. 18.....	A. L. WATSON.....	Cowlitz
District No. 20.....	J. A. VENESS.....	Lewis
District No. 22.....	A. S. RUTH.....	Thurston
District No. 23.....	R. W. CONDON.....	Island Kitsap Mason
District No. 28.....	LINCOLN DAVIS.....	Pierce
District No. 38.....	T. B. SUMNER.....	Snohomish
District No. 41.....	T. A. HUNTER.....	Whatcom

LIST OF SENATORS ELECTED IN 1906.

District No. 2.....	A. W. ANDERSON.....	Stevens
District No. 4.....	W. D. SCOTT.....	Spokane
District No. 6.....	WILL G. GRAVES.....	Spokane
District No. 7.....	HARRY ROSENHAUPT.....	Spokane
District No. 8.....	PETER MCGREGOR.....	Whitman
District No. 10.....	JOHN R. STEVENSON.....	Asotin Columbia Garfield
District No. 16.....	WINTHROP B. PRESBY.....	Klickitat Skamania
District No. 19.....	HENRY S. MCGOWAN.....	Pacific Wahkiakum
District No. 21.....	ALEX. POLSON.....	Chehalis Clallam
District No. 24.....	JOHN L. BLAIR.....	Jefferson San Juan
District No. 25.....	W. H. PAULHAMUS.....	Pierce
District No. 26.....	RALPH METCALF.....	Pierce
District No. 27.....	FRED EIDEMILLER.....	Pierce
District No. 29.....	JESSE S. JONES.....	Pierce
District No. 30.....	I. B. KNICKERBOCKER.....	King
District No. 31.....	RALPH D. NICHOLS.....	King
District No. 32.....	E. M. WILLIAMS.....	King
District No. 33.....	P. L. ALLEN.....	King
District No. 34.....	GEORGE U. PIPER.....	King

	NAME.	Counties Represented
District No. 35.....	WILLIAM G. POTTS.....	King
District No. 36.....	GEORGE F. COTTERILL.....	King
District No. 37.....	ROBERT F. BOOTH.....	King
District No. 39.....	S. T. SMITH.....	Snohomish
District No. 40.....	B. D. MINKLER.....	Skagit
District No. 42.....	ROBERT L. KLINE.....	Whatcom

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed hereto the seal of the State of Washington. Done at Olympia, this 14th day of January, A. D. 1907.

SAM H. NICHOLS, *Secretary of State.*

Assistant Secretary of State Ben R. Fish, presented the following notice of contest:

STATE OF WASHINGTON, DEPARTMENT OF STATE,
OLYMPIA, January 14th, 1907.

*To the Honorable President of the Senate of the State of Washington,
Senate Chamber, Olympia, Washington:*

SIR—I have the honor to transmit herewith for consideration by the Senate, papers that have been filed with me in the matter of the contest for the office of State Senator for the 36th Senatorial District, by Joseph Lyons, Contestant, vs. George F. Cotterill, Respondent.

Very respectfully,

SAM H. NICHOLS, Secretary of State.

IN THE SENATE OF THE STATE OF WASHINGTON.

*In the Matter of the Contest for the Office for State Senator for the
Thirty-Sixth Senatorial District.*

JOSEPH LYONS, *Contestant,*

vs.

GEO F. COTTERILL, *Respondent.*

} PETITION.

To the Honorable Senate of the State of Washington:

Comes now Joseph Lyons, petitioner, and contests the election of the respondent, Geo. F. Cotterill as State Senator for the Thirty-sixth Senatorial District in the county of King and State of Washington, and contests the right of said respondent to hold said office and to exercise and enjoy the powers and privileges thereof, and as grounds for this contest respectfully states:

1. That your petitioner was duly and regularly nominated as the candidate of the Republican party for the office of State Senator in the Thirty-sixth Senatorial District in King county, Washington, and that his name was duly and regularly printed upon the official ballot of the last general election held in said senatorial district on the 6th day of

November, 1906, as the candidate of the Republican party for said office.

2. That the respondent Geo. F. Cotterill was duly and regularly nominated as the candidate of the Democratic party for the office of State Senator in the Thirty-sixth Senatorial District in King county, Washington, and that his name was duly and regularly printed upon the official ballot of the last general election held in said senatorial district on the 6th day of November, 1906, as the candidate of the Democratic party for said office.

3. That G. P. Fackelman was duly and regularly nominated as the candidate of the Socialist party for the office of State Senator in the Thirty-sixth Senatorial District in King county, Washington, and that his name was duly and regularly printed upon the official ballot of the last general election held in said senatorial district on the 6th day of November, 1906, as the candidate of the Socialist party for said office.

4. That upon the said official ballot there appeared, in addition to the candidates of the Republican, Democrat and Socialist parties, the name and candidates of the Prohibition party and the name and candidates of the Socialist Labor Party, but your petitioner avers that neither the said Prohibition party nor the said Socialist Labor party nominated any candidate for the office of State Senator in the said Thirty-sixth Senatorial District, and no name or names appeared on the said official ballot as the candidate of either of said last named parties; and your petitioner further avers that there were no candidates at said election for the office of State Senator for the said Thirty-sixth Senatorial District except your petitioner and the said Geo. F. Cotterill and G. P. Fackelman.

5. That the said Thirty-sixth Senatorial District consists of the first to the fifth precincts inclusive of the sixth ward of the city of Seattle, and of the first to the eleventh precincts inclusive of the eighth ward of the city of Seattle, and that an election was duly and regularly held in each of said precincts constituting said senatorial district on the said 6th day of November, 1906, at which ballots were cast for the respective candidates of each of the said several political parties appearing as aforesaid upon said official ballot.

6. That according to the official returns of the election officers of the said several precincts constituting the said senatorial district, your petitioner was credited with receiving 991 votes, Geo. F. Cotterill was credited with receiving 993 votes, and G. P. Fackelman was credited with receiving 139 votes, all of which more fully appears in the tabulated statement of the official returns from all the precincts constituting said senatorial district, hereunto attached and marked Exhibit "A," and hereby made a part of this petition, by reason whereof it was made to appear that the said Geo. F. Cotterill, respondent herein, had received a plurality of two votes over and above the votes received by your petitioner, and a certificate of election to the said office of State Senator for said senatorial district was accordingly issued to said Geo. F. Cotterill,

but your petitioner avers that in truth and in fact your petitioner received a plurality of the legal votes cast at said election in said senatorial district for the said office of State Senator, and that the said election returns are false and untrue in the particulars hereinafter stated, among other things, to-wit:

(1) That in the fifth precinct of the sixth ward, according to the official returns of said election, there were polled in all 198 votes, and according to the returns of said election your petitioner received 110 votes, G. P. Fackelman received 17 votes, and the respondent Geo. F. Cotterill was credited with receiving 72 votes; that there was falsely returned for the said office of State Senator for said senatorial district one vote more than was actually cast in said precinct, or in all 199 votes; that the election officers of said precinct unlawfully and falsely counted for the said respondent Geo. F. Cotterill one more vote than was cast for him by the legal voters of said precinct, and your petitioner avers that said returns are false and untrue upon their face, and that the truth can only be ascertained by a recount of the ballots of said precinct.

(2) That in the third precinct of the sixth ward one ballot was cast which was regularly marked with a cross in the circle under the party designation of the Republican party, wherein and whereby the voter intended to vote and did vote for all the candidates of the Republican party on said ballot, including your petitioner for the office of State Senator, whose name appeared on said ballot as the candidate of the Republican party for the office of State Senator for the Thirty-sixth Senatorial District; that by the neglect or oversight of the inspector of said election, the number was not torn from said ballot and the said ballot was deposited in the ballot box with the number thereof still attached thereto; that in counting the ballots of said third precinct of the sixth ward the inspector and judges of said election rejected said last named ballot and refused to count the same for your petitioner, and by reason thereof your petitioner was deprived of one ballot duly and regularly cast for him by a duly and regularly qualified voter at said election. And your petitioner further avers, upon information and belief, that there was at least one additional ballot cast in the said last named precinct in all respects like the ballot last above described, which ballot the said inspector and judges of said election unlawfully rejected and refused to count for your petitioner.

(3) That in the ninth precinct of the eighth ward, according to the official returns of said election, there were polled in all only 173 legal votes, and according to the returns of said election, your petitioner received 63 votes, G. P. Fackelman received 6 votes, and the respondent Geo. F. Cotterill was credited with receiving 106 votes; and there were thus falsely returned for the said office of State Senator for said senatorial district 175 votes, or two votes more than were actually cast in said precinct; that the election officers of said precinct unlawfully and falsely counted for the said respondent Geo. F. Cotterill two more votes than were cast for him by the legal voters of said precinct, and your

petitioner avers that said returns are false and untrue upon their face. Your petitioner further avers that ballots were cast in said precinct for the Socialist Labor and Prohibition tickets, upon neither of which tickets was there any candidate for the office of State Senator, and your petitioner avers, upon information and belief, that said ballots were unlawfully and fraudulently counted and returned for the respondent Geo. F. Cotterill. That the exact number of legal votes cast in the said ninth precinct of the eighth ward for the said respective candidates for the said office of State Senator can only be correctly ascertained by a recount of the votes polled in said precinct at said election.

(4) That in the tenth precinct of the eighth ward there were returned by said election officers 67 votes as cast for your petitioner, 114 votes as cast for the respondent Geo. F. Cotterill, and 12 votes as cast for G. P. Fackelman; that upon at least two of the ballots counted and returned for the respondent Geo. F. Cotterill by the election officers of said tenth precinct of the eighth ward, the electors casting the same had placed a distinguishing mark, by which the said ballot might afterwards be identified as the one voted by him; and your petitioner avers that said ballots should have been rejected, and that the same were unlawfully counted and returned in favor of the respondent herein, and your petitioner further avers that the truth in the premises can only be ascertained and determined by an examination and recount of the ballots of said precinct.

(7) That your petitioner is a citizen of the United States and a citizen and resident of the State of Washington, and has resided in the second precinct of the sixth ward of the city of Seattle in the Thirty-sixth Senatorial district of the State of Washington for many years last past, and is a duly qualified elector therein, and eligible to the said office of State Senator for said district; and your petitioner further avers that at the aforesaid election on the said 6th day of November, 1906, he received a plurality of the votes cast at said election over and above all the legal votes cast for the said respondent Geo. F. Cotterill and over and above all the legal votes cast for the said G. P. Fackelman, and that by reason thereof he was duly elected to the said office of State Senator for the said Thirty-sixth Senatorial district and is entitled to hold and enjoy the benefits and privileges of said office.

(8) That upon the conclusion of the counting of the ballots in the said several precincts constituting the said Thirty-sixth Senatorial district, by the election officers thereof, the said ballots were all duly and regularly returned to the respective ballot boxes, which said ballot boxes were thereupon duly and regularly sealed by the respective election officers of said several precincts, and returned by them, together with the poll lists, tally sheets and election returns, to the county auditor of the said county of King, all in the manner provided by law, and that the said ballot boxes, together with the poll lists, tally sheets and election returns, of said precincts have been duly preserved by the said auditor in the manner provided by law in the condition in which they

were so returned to him, and the same are now in the possession of said auditor, where they are available for use in this contest.

WHEREFORE, your petitioner prays that under and in pursuance of the rules of this honorable body, and according to such procedure as it may direct, your petitioner be granted a hearing of this his contest herein, and that a *subpoena duces tecum* issue to the said auditor, commanding him to produce said ballot boxes for the third and fifth precincts of the sixth ward and for the ninth and tenth precincts of the eighth ward, together with all the poll lists, tally sheets and election returns for the several precincts constituting the said Thirty-sixth Senatorial district, and that your petitioner be granted the right of such other subpoena as may be required for the production of testimony before your honorable body, or any committee thereof, in support of this contest, and that a recount be ordered of the ballots cast in the said fifth precinct of the sixth ward and the said ninth and tenth precincts of the eighth ward, and that upon the final hearing hereof your petitioner be adjudged to be duly elected to the office of State Senator for the said Thirty-sixth Senatorial district, and entitled to hold and enjoy all the privileges of said office.

JOSEPH LYONS, *Petitioner*.

STATE OF WASHINGTON, }
COUNTY OF KING. } ss.

Joseph Lyons, being first duly sworn, on oath deposes and says:

That he is the contestant named in the foregoing petition; that he has read the said petition, knows the contents thereof, and believes the same to be true.

JOSEPH LYONS.

Subscribed and sworn to before me this 11th day of January, 1907.

[Seal]

C. A. BARNEY,

Notary Public in and for the State of Washington, residing at Seattle.

EXHIBIT "A."

Synopsis of the returns of the election for the office of State Senator in the Thirty-sixth Senatorial district of the State of Washington, held on November 6, 1906, showing the votes credited in each precinct as having been received by Joseph Lyons, Republican candidate; by Geo. F. Cotterill, Democratic candidate, and by G. P. Fackelman, Socialist candidate, and also the total vote credited to the office of State Senator, and the total vote cast in each precinct, as shown by the election returns of said respective precincts.

	Lyons.	Cotterill.	Fackelman.	Total No. of votes cast for State Sen- ator.	Total No. of votes cast.
SIXTH WARD.					
1st precinct.....	79	31	18	128	140
2nd precinct.....	128	80	22	230	243
3rd precinct.....	78	47	13	138	147
4th precinct.....	53	47	6	106	110
5th precinct.....	110	72	17	199	198
EIGHTH WARD.					
1st precinct.....	63	78	8	149	154
2nd precinct.....	75	69	9	153	156
3rd precinct.....	39	66	4	109	111
4th precinct.....	25	28	2	55	63
5th precinct.....	73	73	.....	146	147
6th precinct.....	58	70	4	132	134
7th precinct.....	15	19	10	44	47
8th precinct.....	41	73	6	120	126
9th precinct.....	93	106	6	175	173
10th precinct.....	67	114	12	193	201
11th precinct.....	24	20	2	46	49
	991	993	139	2123	.....

On motion of Senator Hutson, the reading of the petition was dispensed with and it was ordered filed.

Chief Justice Hiram E. Hadley, of the Supreme Court administered the oath of office to the senators-elect, as follows: A. W. Anderson, W. D. Scott, Will G. Graves, Harry Rosenhaupt, Peter McGregor, John R. Stevenson, Winthrop B. Presby, Henry S. McGowan, Alex Polson, John L. Blair, W. H. Paulhamus, Ralph Metcalf, Fred Eidemiller, Jesse S. Jones, I. B. Knickerbocker, Ralph D. Nichols, E. M. Williams, P. L. Allen, George U. Piper, William G. Potts, George F. Cotterill, Robert F. Booth, S. T. Smith, B. D. Minkler, Robert L. Kline.

The roll was called by the secretary of the last state Senate, J. W. Lyons, and all members were present except Dr. J. I. Pogue.

On motion of Senator Graves, Senator Pogue was excused on account of illness.

Senator Nichols nominated for president *pro tem* of the Senate Senator Jesse S. Jones, of Pierce county.

Senator Jones was elected by the following vote:

Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter,

Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—40.

Absent or not voting: Senator Pogue—1.

Senator Condon nominated for secretary of the Senate, J. W. Lysons, who was elected by the following vote:

Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Wm. T. Laube was nominated for assistant secretary by Senator Metcalf, and elected by the following vote:

Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Rosenhaupt nominated for sergeant-at-arms, Wm. Conor and he was elected by the following vote:

Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Stevenson moved that Senators Paulhamus, Nichols and Scott be elected a committee to receive applications and that the number of additional Senate employees be limited to 30. The motion was carried.

On motion of Senator Jones, the following resolution was adopted:

Resolved, That a committee of three Senators be appointed to notify the House of Representatives that the Senate is now organized and ready for the transaction of business.

The president appointed as such committee, Senators Jones, Rosenhaupt and Graves.

Senator Kline introduced the following Senate concurrent resolution No. 1:

Resolved by the Senate, the House concurring, That a joint committee of two members on the part of the Senate and three members on the part of the House be appointed to notify the Governor that the Legislature is in session and ready to receive any communication he may have to make.

The resolution was adopted on motion of Senator Paulhamus.

The president appointed as a committee in accordance with the resolution Senators Kline and Condon, and the resolution was ordered to be transmitted to the House immediately.

Following resolution was introduced by Senator Booth:

Be it resolved, That the following be adopted as the permanent rules of the Senate, session of 1907:

RULE 1. The president shall call the Senate to order each day of sitting at 10:00 o'clock a. m., unless the Senate shall have adjourned to some other hour.

RULE 2. A majority of all members elected to the Senate shall be necessary to constitute a quorum to do business: *Provided*, That less than a quorum may adjourn from day to day until a quorum can be had.

RULE 3. The president shall take the chair and call the Senate to order precisely at the hour appointed for meeting, and, if a quorum be present, shall cause the journal of the preceding day to be read. He shall preserve order and decorum, and in case of any disturbance or disorderly conduct, within the chamber, shall order the sergeant-at-arms to suppress the same, and may order the arrest of any person creating any disturbance within the Senate chamber. He may speak to points of order in preference to members, arising from his seat for that purpose, and shall decide all questions of order without debate, subject to an appeal to the Senate by any three members, on which appeal no member shall speak more than once without leave of the Senate. He shall have charge of and see that all officers, attaches and clerks perform their respective duties, and shall, in open session, sign all acts, addresses and joint resolutions. He shall sign all writs, warrants and subpoenas issued by order of the Senate; all of which shall be attested by the secretary. He shall have general control of the Senate chamber

and lobby, and have the right to name any Senator to perform the duties of the chair, but such substitution shall not extend beyond an adjournment, nor authorize the Senator so substituted to sign any document requiring the signature of the president.

RULE 4. Upon the organization of the Senate the members shall select one of their number as president *pro tem.*, who shall have all the power and authority, and who shall discharge all the duties of the president during his absence or inability to discharge the duties of his office.

RULE 5. The subordinate officers of the Senate shall perform such duties as usually pertain to their respective positions in legislative bodies, under the direction of the president, and such other duties as the Senate may impose upon them. The compensation of any employe of the Senate shall not be increased except by a two-thirds vote of all members of the Senate, and the names of all members voting thereon shall be entered in the journal. Under no circumstances shall the compensation of any employe be increased for past services.

RULE 6. The president shall appoint all special, joint and the hereinafter named standing committees on the part of the Senate: *Provided, however,* That the appointment of such standing committees shall be made subject to the confirmation of the Senate, such confirmation to be made a special order at 2:30 o'clock p. m., on the day following the announcement of appointment by the president. In event the Senate shall refuse to confirm committee or committees, such committee or committees shall be forthwith elected by the Senate. The following standing committees shall constitute the standing committees of the Senate:

Committee.	No. of Members.
1. Agriculture.....	7
2. Appropriations.....	13
3. Banks and Banking.....	13
4. Cities of the First Class.....	7
5. Claims and Auditing.....	5
6. Commerce and Manufactures.....	7
7. Constitution and Constitutional Revision.....	7
8. Corporations other than Municipal.....	9
9. Counties and County Boundaries.....	7
10. Dairy and Live Stock.....	5
11. Dykes, Drains and Drainage.....	3
12. Education.....	7
13. Educational Institutions.....	7
14. Election and Privileges.....	5
15. Engrossed Bills.....	5
16. Enrolled Bills.....	5
17. Fisheries.....	9
18. Game and Game Fish.....	7
19. Harbor and Harbor Lines.....	5

Committee.	No. of Members.
20. Horticulture and Forestry.....	5
21. Insurance.....	7
22. Irrigation and Arid Lands.....	7
23. Judiciary.....	11
24. Labor and Labor Statistics.....	7
25. Medicine, Dentistry, Surgery and Hygiene.....	3
26. Memorials.....	3
27. Military.....	7
28. Mines and Mining.....	9
29. Municipal Corporations	5
30. Printing.....	7
31. Public Buildings and Grounds.....	7
32. Public Revenue and Taxation.....	11
33. Roads and Bridges.....	13
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. Senate Employes other than Regular.....	5
41. Railroads and Transportation.....	13
42. Purchasing Committee	3
43. Congressional Districts	7

RULE 7. When a motion is made to refer a subject, and different committees are proposed, the question shall be taken in the following order:

First. The Committee of the Whole Senate.

Second. A Standing Committee.

Third. A Select Committee.

RULE 8. The several committees shall fully consider all measures referred to them, and the Committee on Claims and Auditing shall carefully consider all items of expenditure ordered or contracted on the part of the Senate or any of its employes, and report upon the same prior to the voucher being signed by the president and secretary of the Senate authorizing the payment thereof.

The committee shall acquaint themselves with the interests of the state specially represented by the committee, and from time to time present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the state.

The Committee on Rules and Joint Rules shall have charge of the daily calendar of the Senate and shall direct the secretary the order in which the business of the Senate shall be transacted: *Provided, however,* That by a vote of the majority of the Senate any bill may be advanced to any place on the calendar, and that any bill may be with-

drawn from a committee by a like majority of the Senate and placed upon the calendar in such position as may be ordered.

No committee shall sit during the daily session of the Senate unless by special leave.

RULE 9. All reports of committees shall be signed by such members thereof as concur therein, and the report, with the names of the signers thereof, shall be read by the secretary, or at the secretary's desk by the member making the report, without a motion, unless the reading be dispensed with by the Senate. The members of the committee not concurring in the majority report may prepare a written minority report, sign and present the same to the Senate, and both majority and minority reports shall in all cases be spread in full upon the journal.

RULE 10. No person other than the regular officers of the Senate shall be employed by the Senate, or any committee thereof, except by consent of the Senate having been previously obtained by resolution, which resolution shall be referred to the Committee on Senate Employes other than Regular, and reported upon by that committee before action is taken thereon.

The regular employes or officers of the Senate shall not exceed thirty-three in number.

All clerks and stenographers 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 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.

All senate employes shall remain on duty daily during the hours designated by the secretary and sergeant-at-arms, respectively. Failure to comply with this requirement will work a forfeiture of one day's salary in each case of delinquency on being reported to the president of the Senate.

RULE 11. In forming the committee of the whole, the president shall name a chairman to preside, and all bills considered shall be read by sections, and the chairman shall call for amendments and debates thereon at the conclusions of the reading of each section. The body of the bill shall not be defaced or interlined, but all amendments (noting the page and line) shall be duly entered by the secretary on a separate paper as the same shall be agreed to by the committee, and so reported to the Senate for action.

RULE 12. The rules of the Senate shall apply to proceedings in Committee of the Whole, except that the previous question shall not be ordered nor the ayes and noes demanded, but the committee may limit the number of times that any member may speak at any stage of the proceedings during its sitting.

RULE 13. Messages may be received by the president while the Committee of the Whole is sitting; in which case the president will resume the chair, receive the message, and vacate the chair in favor of the chairman of the committee.

RULE 14. A motion that the Committee of the Whole will rise, shall always be in order, and shall be decided without debate.

RULE 15. The Senate may at any time, by a vote of the majority of the members present, suspend the rules and orders of the Senate for the purpose of going into the Committee of the Whole for the consideration of any bill, memorial or resolution before the Senate.

RULE 16. The Committee on Enrolled and Engrossed Bills may report at any time during the sitting of the Senate.

RULE 17. After the roll is called and journal read and approved, business shall be disposed of in the following order:

First. Presentation of petitions, memorials, resolutions and motions.

Second. Reports of standing committees.

Third. Reports of select committees.

Fourth. Messages from the Governor and other state officers.

Fifth. Messages from the House of Representatives.

Sixth. Introduction and first reading of bills.

Seventh. Second reading and reference of bills.

Eighth. Business on general file and third reading of bills.

Ninth. Business lying on the table.

Tenth. The orders of the day.

Eleventh. Unfinished business.

RULE 18. The president shall, on each day, announce to the Senate the business in order, agreeable to the preceding rule, and no business shall be taken up or considered until the class to which it belongs shall be declared in order.

RULE 19. The unfinished business at the preceding adjournment shall have the preference on the orders of the day, excepting special orders, and no motion or any other business shall be received without special leave of the Senate until the former is disposed of.

RULE 20. Every bill shall receive three readings previous to its passage. The president shall give notice at each, whether it be the first, second or third reading. The first and second readings may, by consent of a majority of the Senate, be on the same day. The third reading of every bill shall be by sections, and upon its final passage the vote must be taken by yeas and nays, the names of the Senators voting for and against the same to be entered upon the journal, and the majority of the members elected to the Senate must be recorded thereon as voting in its favor to secure its passage by the Senate.

RULE 21. All bills that have passed a second reading which have not been referred, and all bills reported by committees after the second reading, shall be placed on the general file, and shall be considered in the order in which they became entitled to a position on the file, unless otherwise specially ordered by majority vote of the Senate.

RULE 22. Engrossed bills shall be placed at the head of the general file in the order in which they are reported engrossed (except general appropriation bills, which shall be placed at the head of the general file.)

RULE 23. A bill may be committed with special instructions to amend at any time before taking the final vote.

RULE 24. No bill shall embrace more than one subject, and that shall be expressed in a title.

RULE 25. No bill shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length.

RULE 26. No bill shall be considered in the Senate unless the time of its introduction shall have been at least ten days before the final adjournment of the Senate, unless the Senate shall otherwise direct by a vote of two-thirds of all the members elected thereto, said vote to be taken by yeas and nays, and entered upon the journal, or unless the same be at a special session.

RULE 27. No amendment to any bill shall be allowed which shall change the scope and object of the bill.

RULE 28. On the second day next succeeding the final vote on any bill, said vote may be reconsidered on motion of any member, provided notice of intention to move a reconsideration was given on the day or on the next succeeding day such final vote was taken by a Senator who voted on that side which prevailed, and no motion to reconsider shall be in order on the day such final vote is taken, except by unanimous consent. A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; and when the Senate adjourn while a motion to reconsider is pending or before passing the order of motions, resolutions and notices, the right to move a reconsideration shall continue to the next day of sitting. No notice of reconsideration of any final vote shall be in order on the day preceding the last day of the session. Motions to reconsider a vote upon amendments to any pending question may be made and decided at once.

RULE 29. Bills appropriating money shall be considered in Committee of the Whole Senate, and no change in the amount appropriated shall be made outside of the Committee of the Whole.

RULE 30. Unless otherwise ordered, 350 copies of all bills of a general nature originating in the Senate shall be printed for the use of the Senate and House of Representatives, and such other bills and matter shall be printed as may be ordered by the Senate.

RULE 31. The president shall call the Senate to order at the hour fixed for the consideration of a special order, and announce that the special order is before the Senate, which shall then be considered unless it is postponed by a two-thirds vote, and any business before the Senate at the time of the announcement of the special order shall take its regular position in the order of business.

RULE 32. All bills introduced in the Senate, which are intended to amend existing statutes, shall have the words which are amendatory to such existing statute underlined or underscored, so that in the printed bills which are presented for the persual of the members, such new or amendatory matter shall be easily discerned.

RULE 33. Joint resolutions and memorials addressed to Congress, or either House thereof, or to the President of the United States, or the heads of any of the national departments, or proposing amendments, to the state constitution, shall be subject in all respects to the foregoing rules governing the course of bills.

RULE 34. Resolutions other than those referred to in rule 33, shall be treated as motions in all proceedings of the Senate.

RULE 35. No motion shall be entertained until it shall be seconded, nor debated until announced by the president. It shall be reduced to writing and read by the secretary, if desired by the president or any Senator, before it shall be debated, and by consent of the Senate may be withdrawn before amendment or action.

RULE 36. A motion to adjourn shall always be in order. The name of the Senator moving to adjourn, and the time when the motion was made, shall be entered on the journal.

RULE 37. When a question is under debate, no motion shall be received but the following, which shall have precedence in the order named.

First. To fix the time at which to adjourn.

Second. To adjourn.

Third. For a call of the Senate.

Fourth. To lay on the table.

Fifth. For the previous question.

Sixth. To postpone to a day certain.

Seventh. To commit.

Eighth. To amend.

Ninth. To postpone indefinitely.

The second, third, and fifth motions shall be decided without debate, and no motion to postpone to a day certain, to commit, or postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session, except this rule be suspended by a two-thirds vote.

RULE 38. Any Senator may call for a division of a question, which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the Senate; but a motion to strike out and insert shall not be divided.

RULE 39. The previous question shall not be put unless demanded by three Senators, whose names shall be entered upon the journal, and it shall then be in this form: "Shall the main question be now put?" When sustained by a majority of Senators present it shall preclude all debate, and the roll shall be immediately called on the question or

questions before the Senate, and all incidental question or questions of order arising after the motion is made after the previous question, and pending such motion, shall be decided whether on appeal or otherwise, without debate.

RULE 40. All questions relating to the priority of business shall be decided without debate.

RULE 41. The passage of a bill or action on a question is lost by a tie vote, but when a vote of the Senate is equally divided, the Lieutenant Governor, when presiding, shall have the deciding vote.

RULE 42. The yeas and nays shall be taken when called for by one-sixth of all the Senators present, and every Senator within the bar of the Senate shall vote unless excused by the unanimous vote of the Senate, and the votes shall be entered upon the journal and the names of the Senators demanding the yeas and nays shall also be entered upon the journal.

RULE 43. In filing blanks the largest time and longest sum shall be first put.

RULE 44. Where the reading of any paper is called for, and is objected to by any Senator, it shall be determined by a vote of the Senate, and without debate.

RULE 45. Messages from the Governor, other state officers, and from the House of Representatives, may be considered at any time by consent of the Senate.

RULE 46. When any Senator is about to speak in debate, or submit any matter to the Senate, he shall rise from his seat, and standing in his place, respectfully address himself to "Mr. President," and when recognized shall, in a courteous manner, confine himself to the question under debate, avoiding personalities, and when finished, shall resume his seat. No Senator shall impeach the motives of any other member, nor speak more than twice (except for explanation), during the consideration of any one question, on the same day, nor a second time without leave, when others who have not spoken desire the floor; but incidental and subsidiary questions arising during the debate shall not be considered the same question.

RULE 47. If any Senator in speaking, or otherwise, transgress the rules of the Senate, the president shall, or any Senator may, call him to order, and when a Senator shall be so called to order he shall resume his seat and not resume without leave of the Senate, which leave, if granted, shall be upon motion "that he be allowed to proceed in order," when if carried, he shall confine himself to the question under consideration.

RULE 48. Every decision of points of order by the president shall be subject to appeal, and no discussion of a question of order shall be allowed except on appeal of three Senators, and in all cases of appeal the question shall be "Shall the decision of the chair stand as the judgment of the Senate?"

RULE 49. In cases of breaches of decorum or propriety, any Senator, officer or other person shall be liable to such censure or punishment as

the Senate may deem proper, and if any Senator be called to order for offensive or indecorous language or conduct, the person calling him to order shall report the language excepted to, which shall be taken down or noted at the secretary's desk, and no member shall be held to answer for any language used on the floor of the Senate, if business has intervened before exception to the language was thus taken and noted.

RULE 50. When two or more Senators rise at the same time to address the chair, the president shall name the one who shall speak first, giving preference, when practicable, to the mover or introducer of the subject under consideration.

RULE 51. The author of a bill, motion or resolution shall have the privilege of opening and closing debate upon the same, unless the previous question has been moved and sustained.

RULE 52. Any Senator or Senators may protest against the action of the Senate upon any question, and have such protest entered upon the journal.

RULE 53. Any Senator may rise to a question of privilege and explain a matter personal to himself by leave of the president, but he shall not discuss any pending question in such explanation.

RULE 54. No Senator shall absent himself from the service of the Senate without leave, except in case of accident or sickness, and if any Senator or officer shall absent himself, his per diem shall not be allowed or paid him, and no Senator, officer or attachee shall obtain leave of absence or be excused from attendance without consent of two-thirds of the members present.

RULE 55. A call of the Senate may be moved by three Senators, whose names shall be entered upon the journals, and if carried by a majority of all present the secretary shall call the roll and note the absentees, after which the names of the absentees shall again be called. The doors shall then be closed and the sergeant-at-arms directed to take into custody all who may be absent without leave, and all the Senators so taken into custody shall be presented at the bar of the Senate for such action as the Senate may deem proper.

RULE 56. A Senator having been absent during roll call may ask to have his name called.

RULE 57. In all cases of election by the Senate the votes shall be taken VIVA VOCE, and no Senator or other person shall remain by the secretary's desk while the roll is being called or the votes are being counted. No Senator shall be allowed to vote except when within the bar of the Senate, nor upon any question in which he is in any way personally or directly interested, nor be allowed to explain his vote or discuss the question while the yeas and nays are being called, nor change his vote after the result has been announced.

RULE 58. The announcement of all votes shall be made by the president, and the announcement of the result of any vote shall not be postponed.

RULE 59. Witnesses summoned by or on behalf of the Senate to appear before the Senate, or any of its committees, shall be paid for each days attendance three dollars. For each mile traveled in coming to the place of examination, ten cents; and nothing shall be paid for travel where the witness was served at the place of examination, and no mileage shall be paid except where the witness actually traveled for the purpose of giving testimony.

RULE 60. The Senate chamber shall not be used for any but legislative business during the session, except by permission of the Senate given by two-thirds vote.

RULE 61. The following classes of persons shall be entitled to admission to the floor of the Senate during the sessions thereof, viz:

1. The Governor and the speaker of the House of Representatives.
2. The members of the House of Representatives.
3. The state officers.
4. Persons in the exercise of official duty, directly connected with the business of the Senate.
5. Representatives of the press, as provided in the next rule.

6. The following persons upon presentation of a card of admission to be signed by the president: (a) Deputy state officers; (b) Such persons as hold limited cards, which cards shall be taken up by the doorkeeper, upon the expiration of the time for which they were issued.

RULE 62. The president shall designate the persons who are entitled to admission as duly accredited representatives of the press, and such persons shall be entitled to such seats as the president shall designate, and shall have the right to pass to and fro from said seats in entering or leaving the Senate chamber.

RULE 63. The gallery back of the president's desk is reserved for the use of the Governor and state officers and their families, for the families of Senators, and for members of the House of Representatives and their families.

RULE 64. 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.

RULE 65. The rules of parliamentary practice as contained in Reed's Parliamentary Rules shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the rules and orders of this Senate and the joint rules of this Senate and the House of Representatives.

RULE 66. No standing rule or order of this Senate shall be recinded or changed without a vote of two-thirds of the members, and one day's notice of the motion thereof; but a rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present. When the suspension of a rule is called and after due notice from the president, no objection is offered, he may announce the rule suspended, and the Senate may proceed accordingly; but this shall not apply to that portion of rule 20 relating to the third reading of bills, which cannot be suspended.

RULE 67. The Committee on Supplies shall order the purchase of all necessary supplies, and shall carefully audit all bills therefor before the same are paid.

At this time a committee from the House, consisting of Representatives Megler, Hogan and Gaches, appeared at the bar of the Senate and announced that the House was ready for business.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 14, 1907.

To the President and Members of the Senate of the State of Washington:

The House has concurred in Senate Concurrent Resolution No. 1 providing for a joint committee to notify the Governor that the Legislature is now in session. The Speaker has appointed as the members of that committee Messrs. Hornberger, Weber and Godman.

LEO O. MEIGS,
Chief Clerk of the House.

Senator Booth moved the adoption of the resolution on rules as read.

Senator Davis moved as an amendment that the following in Rule No. 6 be stricken out: "*Provided, however, That the appointment of such standing committees shall be made subject to the confirmation of the Senate, such confirmation to be made a special order at 2:30 o'clock p. m. on the day following the announcement by the president. In the event that the Senate shall refuse to confirm any committee or committees, such committee or committees shall be forthwith elected by the Senate.*"

Following Senators demanded a roll call on the amendment: Senators Booth, Potts, Hutson, Smith, Rands, Ruth, Davis and Minkler.

The roll was called and the amendment was lost by the following vote:

Those voting aye were Senators Allen, Blair, Brown, Davis, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGregor, Pauly, Rands, Smith, Sumner, Williams—15.

Those voting nay were Senators Anderson, Boone, Booth, Bratt, Condon, Cotterill, Eidemiller, Graves, Gunn, Jones, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Piper, Polson,

Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Veness, Watson—26.

Absent or not voting: Senator Pogue—1.

The motion of Senator Booth that the resolution of rules be adopted as read was carried by the following vote:

Those voting aye were:

Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

On motion of Senator Condon, the following resolution was adopted:

Resolved, That the State Auditor be and he is hereby directed to draw his warrants for the payment of the members and employees of the Senate every week of the session upon payrolls which shall be signed by the members and employees, 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 oath of office was administered to the following by the president: Secretary J. W. Lysons, Assistant Secretary W. T. Laube and Sergeant-at-Arms Wm. Connor.

Senate concurrent resolution No. 2 was introduced by Senators Stevenson and Paulhamus and on motion of Senator Paulhamus was unanimously adopted, as follows:

SENATE CONCURRENT RESOLUTION NO. 2.

WHEREAS, since the last session of the Legislature of the State of Washington, two loved and honored members of the State Senate, the Honorable Samuel S. Russell and the Honorable Carey L. Stewart, have passed to the Great Beyond, and whereas in their deaths, the Counties of Pierce, Columbia, Garfield and Asotin, which they represented, have lost distinguished champions and servants, and the state useful and honored citizens, be it

Resolved by the Senate, the House of Representatives concurring, That in recognition of the valued services rendered their constituents

by Senator Russell and Senator Stewart, appropriate services be held in the Senate chamber on Friday, January 18, 1907, at the hour of 2 o'clock p. m., and that an opportunity be then given for tributes to their memory.

Resolved, that a joint committee of two members of the Senate and three members of the House be appointed to arrange for said memorial services;

Resolved, That as a further mark of respect to the memory of the deceased, that the Secretary of the Senate be instructed to transmit a copy of these resolutions, suitably engrossed, to the families of the deceased.

As a mark of respect to the memory of Senators Russell and Stewart, deceased, the Senate, on motion of Senator Paulhamus, adjourned at 1:40 p. m. until 10 o'clock a. m. Tuesday, January 15, 1907.

J. W. LYSONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.

SECOND DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, January 15, 1907.
10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. Dr. F. A. LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Pogue, excused, and Potts.

On motion of Senator Condon, Senator Potts was excused.

On motion of Senator Reed the reading of yesterday's journal was dispensed with and it was ordered approved.

The following resolution was adopted on motion of Senator Polson:

WHEREAS, it has been said of former Legislatures that all movable property bought for the use of the members and not consumed or used during the session has been, by unknown persons, carried away at the end of each session; and,

WHEREAS, it results in loss to the state and the necessity of the state purchasing such material from session to session,

Now Therefore, be it Resolved, by the Senate of the State of Washington, the House concurring, That it shall be, and is hereby made the duty of the Sergeant-at-arms to gather up all such public property, of every kind and character, so purchased for the use of the members of the Senate and House, which has not been consumed or used during the session, and deliver the same to the Secretary of State, taking his receipt therefor, showing in detail the items delivered, which receipt such sergeant-at-arms shall file with the State Auditor, and the said Secretary of State shall preserve property for the use of future members of the Senate and House.

Senator Hutson introduced the following resolution and on his motion same was adopted:

Resolved, That the contest of Joseph Lyons against Geo. F. Cotterill, for a seat in this Senate from the Thirty-sixth Senatorial District, be referred to the Committee on Privileges and Elections when appointed, and that said committee be instructed and empowered to forthwith proceed with the hearing of said contest, to first pass upon any issues of law presented and, if the contest be proceeded with, to have full power to issue subpoenas and compel the attendance of witnesses and the production of documentary evidence, and upon the conclusion of said hearing to report back to the Senate their findings of fact and conclusions of law in the premises.

The president announced the appointment of Senators Paulhamus and Stevenson as a committee under Senate concurrent resolution No. 2 to have charge of memorial services for Senators Stewart and Russell, deceased.

Senate concurrent resolution No. 3 was introduced by Senator Polson as follows:

SENATE CONCURRENT RESOLUTION NO. 3.

WHEREAS, The Tenth session of the Legislature of the State of Washington is now convened, and there is no United States Senator to be elected, at this session, and it is generally believed that the number of new laws, and the laws to be amended, really necessary for the best

interests of the state, is not large, and can soon be passed if the Legislature sees fit to do so; and,

WHEREAS, The state would be saved thousands of dollars of expenses by a short, active session of this Legislature (saved at least \$40,000); and,

WHEREAS, Such action would be for the good of the whole people of the state—

Be it Resolved by the Senate, the House concurring, This Tenth Legislature of the State of Washington, will not sit in session the full statutory sixty days allowed by law, but will adjourn on the twenty-fifth day of February, 1907, or forty days after the beginning of this session of the Washington State Legislature.

Senator Polson moved the adoption of the resolution as read.

Senator Booth moved as an amendment that the date for final adjournment be fixed for March 1, 1907.

Senator Rands moved to amend the amendment by substituting February 15, 1907, as the date for final adjournment.

The motion to amend the amendment was lost.

A vote was taken on the amendment fixing the date for final adjournment March 1st, 1907, and same was lost.

Roll call on Senate concurrent resolution No. 3 was demanded by Senators Boone, Booth, Smith, Allen, Polson, Paulhamus and Davis.

The roll was called by the secretary and the resolution passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—39.

Those absent or not voting were: Senators Piper, Pogue, Potts—3.

On behalf of the committee appointed to notify the Governor that the Senate was organized and ready to transact business, Senator Kline reported that the Governor desired to deliver his message to the House and Senate in joint session at 2:00 o'clock this afternoon.

Senator Kline moved the adoption of the following Senate concurrent resolution No. 4 and the motion was carried:

Resolved by the Senate, the House concurring, that a joint session be held in the House chamber at 2:00 o'clock this p. m. for the purpose of hearing the Governor's message.

On motion of Senator Sumner, the Senate adjourned until 1:45 o'clock this p. m.

J. W. LYSONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.

AFTERNOON SESSION.

The session was called to order at 1:45 o'clock by President Coon.

The secretary called the roll, all members being present except Senator Pogue, excused.

The following message was received from the House:

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 15, 1907.

MR. PRESIDENT:

The House has concurred in Senate Concurrent Resolution No. 2 relating to the death of the late Senators Russell and Stewart; also Senate Concurrent Resolution No. 4, providing for a joint session of the House and Senate at 2 p. m., January 15, for the purpose of hearing the Governor's message, and the same are herewith transmitted.

LEO O. MEIGS, Clerk of the House.

On motion of Senator Hutson the Senate adjourned to meet the House in joint session.

JOINT SESSION.

The Senate was announced by the sergeant-at-arms, and was invited within the bar of the House.

The joint session was called to order by the speaker and Lieutenant Governor Charles E. Coon, president of the Senate, presided.

The roll of the Senate was called and showed all present except Senator Pogue, excused.

The roll of the House was called and showed all present except Messrs. Hewitt, excused, and Smalley, excused.

The president appointed Senators Hunter and Sumner and Representatives Lambert, Miller and Cameron a committee to notify the Governor that the Senate and House of Representatives in joint session awaited his pleasure.

Governor Mead appeared before the joint session and delivered the following message:

SECOND MESSAGE OF GOVERNOR ALBERT E. MEAD.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 15, 1907.

Gentlemen of the Senate and of the House of Representatives:

You have assembled in the tenth regular session of the Legislature of the State of Washington and the thirty-eighth since this became a separate political sovereignty. The first territorial Legislature in 1853 represented a scattering population of 3,965; the first under statehood in 1889 represented 242,048; while today, but a short half generation later, we are nearing the 850,000 mark; while by the time the next biennial term rolls around I confidently expect a population of one million.

During this half century we have grown from territorial poverty and feebleness to a commonwealth of opulence and power.

Our growth, unparalleled in the percentage of its increase, would be more noticeable were our people not spread over 69,180 square miles, an area about the size of all New England, which in itself sustains a population of nearly five and one-half millions. Estimating a prosperous farming, manufacturing, mining, fishing and trading commonwealth on the New England basis of ninety people to the square mile, we should have within the next twenty years more than six millions, exceeding the present population of any state except New York and Pennsylvania.

Such growth in the past and such possibilities for the future impose grave responsibilities on the law-making body of the state. The foundations for our prosperity should be so wisely planned and so firmly laid that the superstructure of our commonwealth may prove as enduring as the ages, a fit home for an intelligent and liberty-loving citizenship. With our great undeveloped resources for diversified farming and fruit growing in the empire east of the Cascades, with our 1900 miles of shore line for marine development, with our capacity for cheap electrical power in the hills at our very back door, with our unequalled climate for dairying and stock raising, with our unlimited coal and mineral deposits, with such fishing and lumbering resources as cannot be equalled elsewhere; with 3200 miles of main line railroad built and 2000 more under construction, with labor profitably employed

in all lines of industry, and capital receiving fair returns for its investment and seeking new fields for exploitation, surely the future for this commonwealth is bright with promise. We gladly welcome to our wonderful opportunities every industrious, intelligent and patriotic person who is willing to unite with us in laying broad and deep the foundations of this empire state of the Pacific Coast.

HISTORY AND ARCHIVES.

We should not prove recreant in the duty we owe posterity in failing to preserve the early history of our commonwealth. Although young in years, that history is replete with deeds of valor, of self sacrifice and patriotism. The historian is the schoolmaster of patriotism. Our public archives, which are the records of the political and industrial growth of the state, merit our earnest attention. Many of these records already have been lost or have gone to enrich private collections, while a great number are now liable to loss or to remain valueless to public officials and to students of history for lack of systematic arrangement, proper cataloging and indexing. The recent growth of the state has caused a great accumulation of new records, which, when they cease to be of current use, are carelessly stowed away in some corner. I, therefore, recommend the creation of a department of archives to care for the earlier records and their proper arrangement, to the end that they may always be available.

The various historical societies have performed commendable service in marking historical spots and in rescuing and preserving invaluable annals of our early history. The society at Tacoma, as trustee for the state, has a valuable historical collection of documents, memoirs and newspaper files. Its usefulness is weakened, and its service retarded for lack of systematic arrangement and proper support. The society is an agency of the state in perpetuating our early history, and is performing gratuitous service for the commonwealth. The efforts of its founders and officers should be encouraged, and an appropriation be made to facilitate the work in hand.

GRAVES OF FORMER GOVERNORS.

Within the borders of the state are buried the remains of several of our pioneer chief executives. It seems but proper that the state should erect suitable monuments in recognition of their services. Notable among these neglected graves is that of William Wallace, Governor of the territory in 1861. His body lies beside that of his wife in the pioneer cemetery at Fort Steilacoom which now is part of the property of a state institution. Plans have been initiated with the imperfect means at hand to care for the graves of the pioneers there sepulchered. I recommend the erection of a monument over the grave of Governor Wallace, whose distinguished services not only to the territory but to the nation at large entitle him to this distinction. The body of Marshal F. Moore, who was a distinguished general officer in the Union Army, and who served for several years as Governor of Washington Territory,

lies in the cemetery at Olympia. His memory likewise is entitled to suitable commemoration.

On assuming office I was impressed by the fact that the executive chambers, unlike those in many of the state capitols, did not contain the portraits of the former governors of the territory and state. Though without any special appropriation of funds for the purpose, I set about securing those portraits, realizing that longer delay in assembling them would make the task more difficult and costly. Many citizens, the newspapers generally, the surviving former governors, as also the friends and relatives of those who have died, gave me generous assistance, so that now we have the portraits of sixteen of the seventeen men who have held the office of governor. The missing portrait is that of R. D. Gholson, governor of the territory from 1859 to 1861. Governor Beckham of Kentucky and others are endeavoring to locate the desired picture. The total cost to the state so far for the collection, including framing, has been less than thirty dollars, and has been paid from the postage and incidental account of the governor's office.

I am now collecting the portraits of all the twenty-six men who have served the territory or state of Washington in Congress since the erection of the territory in 1853. The majority of these portraits is now in hand.

When the condition of the public funds will permit, all of these portraits, with those of the state and territorial judiciary, should be put in permanent form for preservation.

Mrs. Minnie Sparling Brown has delivered at the Executive office large oil paintings of the four former Governors of the State of Washington, viz.: Elisha P. Ferry, John H. McGraw, John R. Rogers and Henry McBride. A few years ago the plan of installing in the Executive office portraits in oils of the former governors to be painted by Mrs. Brown, was suggested and received the sanction of former Governors McGraw and Rogers. I recommend that suitable compensation be made to the artist for this work, thus permitting the paintings to become the property of the state.

ACCOUNTING OF FUNDS.

An accounting of public funds received by me and paid to the State Treasurer between January 11, 1905, the date I was inducted into office, and January 7, 1907, is as follows:

Notaries Public fees from 1,785 applicants.....	\$ 17,850.00
Commissioners of Deeds, from 14 applicants.....	70.00
From Federal Government as national aid to Soldiers' Home	50,415.44
From Federal Government on 5 per cent. refund for two years of sales of public lands in state.....	39,122.30
From states requiring of other states extradition fees	44.50
From Elmer E. Johnston, Executive Commissioner of Lewis & Clark Exposition Commission, as refund of overcharge on freight	39.20

Total\$107,541.44

On January 11, 1905, when I assumed office, the state bonded indebtedness amounted to \$1,250,000, of which \$85,000 had been incurred in December, 1904, because of the depleted condition of the general fund at that period. The legislature of 1905 found it imperative to appropriate heavily for the actual needs of the commonwealth. Not since the beginning of statehood had there been such extensive improvements projected. Various institutions and buildings were urgently needed to house the constantly increasing wards of the state. With this bonded debt, however, and these heavy appropriations, which included more than \$140,000 for new buildings at various institutions, \$75,000 for the Lewis & Clark Fair, \$144,000 for the new department of state highways, \$75,000 for the railroad commission, and appropriations for the creation of several other needed departments, the administration has created no increased indebtedness but has reduced the bonded debt by \$10,000, so that today it is \$1,240,000, while the Treasurer had on hand January 1, 1907, a total cash balance in all funds of \$1,183,223.50.

FUNDS TO REVERT.

Further than this the administration will be able to return unexpended appropriated moneys on March 31, 1907, in the sum of about \$140,000. Of this the highway department will turn back about \$66,000; the board of control, representing savings in its management of institutions, between \$30,000 and \$40,000; the railroad commission about \$15,000; the Lewis & Clark Exposition commission, \$9,000.

The last Legislature appropriated for the Governor's office \$29,900, of which about \$10,500 will revert to the treasury.

Ten special funds aggregating about \$300,000 lie dormant in the treasury while the state is paying interest on an indebtedness many times in excess thereof. The fund system should be abolished and the various fees and increments which go to create it should be paid directly into the general fund, an account being kept with the source of receipt—disbursements to be made from the general fund and credited to the source of receipt.

CONSOLIDATION OF FUNDS.

A consolidation of the state special funds would permit the treasurer or other authorized officer or board, when a large balance has accumulated in the general fund, to divert the sum in excess of a reasonable balance to the payment of the bonded debt of the state invested in the permanent school fund. By this means within a short time this debt could be materially reduced if not satisfied. The principle of paying interest on public indebtedness when the state is the principal money lender in the Northwest is wrong and its practice is a reflection upon our intelligence and business methods. Such consolidation of these funds will save in interest charges more than \$10,000 annually. The aggregate balance on hand in the state treasury on January 1, 1907, was \$1,183,223.50, while the state bonded indebtedness on that date was \$1,240,000; had the system here suggested been in effect during the past two years, the debt could have been reduced much further without

injury to the welfare of the state and the interest saved. The interest paid is not lost to the public since it is all covered into the current school fund, but the policy of sustaining a bonded indebtedness while having a larger amount of cash on hand than the sum of that debt is an evil that should be eliminated.

The permanent fund created by the sale of granted lands for the benefit of the common schools amounted on the first day of January, 1907, to \$3,842,841.31, and is invested in state, county, municipal and school district bonds bearing annual interest amounting on the aggregate to the sum of \$139,314.54.

GRANTED LAND FUNDS.

The granted lands held by the state in trust for the various charitable, educational, reformatory and penal institutions, have produced in their permanent funds the sum of \$284,817.15. That constant accretions will in time create a grand total of at least \$25,000,000 in a permanent irreducible fund is a conservative estimate. No law exists whereby any officer or board is authorized to invest any of these funds other than the common school fund. I believe a Board of Finance, to be composed of the State Treasurer, the State Auditor and an appointee of the Governor, who should be Secretary, should have the management of this heritage of the commonwealth.

A sum in excess of \$27,000 has accumulated, representing the aggregate of the current funds of the several state institutions. Accretions will follow during the coming two years. These funds are available for the first time in the history of the state for the maintenance of the different state institutions. To prevent their accumulation in large sums the State Treasurer should be required first to exhaust the fund credited to any of the state institutions before paying warrants from the general fund.

ACCOUNTING FOR COLLECTIONS.

Methods of handling state public funds should be devised to insure a systematic and effective check on every state official who performs the duty of collecting moneys. Under the present system no check is kept on collections made by any officer other than the account kept by the officer charged with the duty of receiving such funds. Large amounts accumulate and occasionally a balance exists in excess of the amount of the bond required of the officer. Such a system is fraught with danger to the security of the public funds. Should the people be so unfortunate in the future in the choice of an officer who proved recreant to his trust, large sums entrusted to his keeping could be misappropriated and no complete remedy would exist for the recovery.

In urging action upon this subject, I distinctly disclaim its application to present state officials, who thoroughly enjoy the confidence of the people, and stand ready to have their accounts subjected to a searching investigation by you concerning the integrity of their official acts and conduct, but the suggestion is made as a precaution before the hour of its need arrives.

CORPORATION FEES.

The state suffers a great loss in its revenues by reason of the failure to collect from corporations a large portion of the annual license fees. This fee is a first lien upon the corporate assets and its payment should be speedily enforced. There is no reason why it should not be collected as expeditiously as are general taxes levied upon personal property. Provision should be made for the collection of this tax immediately after it becomes due, with the costs of suit chargeable to delinquent corporations. If the assets of the corporation should prove insufficient to meet the tax and costs, then it should be dissolved by judicial decree. These proceedings could be conducted with very little expense to the state, and would add materially to its income. The fee for incorporating and the annual license thereafter are very small as compared with other states, and it is believed they could be increased to \$25 without injury to existing corporations or without deterring the formation of new ones. This increase would add at least \$150,000 annually to the state's revenues, and to that extent would relieve the burden of general taxation.

The last Republican State Convention demanded the creation of the office of State Bank Examiner. I renew my recommendation in a former message that such a department be established. In addition to the public examination of state banks, such an officer would be invested with authority to examine the accounts of state and county officers and to prescribe a uniform system of public accounting.

CAPITOL DEBT.

The state has accumulated a debt against its capitol building land grant of \$682,044.74, on which it is paying an annual interest charge of \$26,894.75. This indebtedness is not invested in state permanent funds, the interest being paid to individual warrant holders. The management of this debt is a travesty on sound business operations. The state has a land grant of 132,000 acres for capitol purposes, the title to practically all of which has been secured. It has parted with less than five per cent. of the total acreage. I recommend the inauguration of a policy whereby the state in time may assume this entire indebtedness to be repaid into the state treasury from the sales of the granted lands. Interest payments would then be made to permanent fund accounts instead of to warrant holders.

In my message to the Ninth Legislature I called attention to the wisdom of framing revenue laws looking to the ultimate separation of the state from the counties in matters of taxation. Since then the Tax Commission has been created and has made an exhaustive study of the subject, the revelations set forth in its report fully supporting this policy. If the taxation of public utilities, excise and license fees, coupled with the earnings of permanent funds, arising from sale and lease of granted lands, would yield to the state sufficient revenue to defray the expenses of state government, then all the real and personal

property could be released from this burden and subjected only to taxation for county, municipal and special school district purposes. No incentive would then exist for the different counties to depress their values to avoid the state tax. The economy and business ability of each county would then inure to its own benefit.

BOARDS OF VISITORS.

I have recently invited leading citizens of the state to visit, inspect and report on the conduct of the various public institutions and departments. This policy is based on the belief that an outside view is helpful in dealing with problems that arise in connection with details of administration. The visitors I have appointed have served without compensation and, aside from the state officers invited to perform this service, have paid their own traveling expenses. They are, therefore, entitled to the thanks of the people for their gratuitous services in subserving the interests of the commonwealth. I recommend that hereafter visitations of this character be made regularly by members of the Legislature, between sessions, and that you provide by law for such visitations and appropriate a fund to pay the necessary actual traveling expenses of the visitors.

Under the provisions of an Act of the Legislature of 1895, two normal school buildings, one at Whatcom (now Bellingham), the other at Cheney, were erected. An attempt was made to provide for their construction from the proceeds of the sales of normal school lands. Warrants were issued in the sum of \$108,799.07 to the contractors. The validity of the method prescribed for the payment of these warrants was afterward questioned and the Supreme Court held that, under the provisions of the Enabling Act by which the state acquired title to the lands, the fund arising from the sale thereof was a permanent fund and not available for the purpose contemplated by the act. Those warrants are unpaid obligations of the commonwealth, a cloud upon the state's credit. Their holders have not received a cent of principal or interest. The State of Washington should be an exemplar of good financial morals. It cannot place itself in the position of a defaulting debtor or assume to repudiate its own obligations. Its unstained credit is infinitely of more value than the money involved. It is but justice to the credit of the state and to the warrant holders that an appropriation be made to retire these warrants, such appropriation to be large enough to pay the principal thereof with simple interest.

SEPARATE INSURANCE DEPARTMENT.

The office of Insurance Commissioner has become of such importance that I believe it should be separate and independent of any other office. Moreover, the recent developments in regard to the conduct of both fire and life insurance organizations in the United States have been of a character to suggest the expediency and wisdom of encouraging the organization and growth of domestic companies engaged in the insurance business. The rapid and ever increasing growth of the state with

the consequent increase in demand upon the time of the Secretary of State justify a separation of these offices. Therefore, I recommend the creation of the office of State Insurance Commissioner, and that the officer be chosen by vote of the people as other state officers are chosen.

RECIPROCAL DEMURRAGE.

One of the most vital commercial and financial problems confronting our manufacturers and shippers of all kinds is that of the failure of common carriers within the state to perform the functions for which they were created and in consideration of which performance they were granted their privileges, and for the performance of which the public by its support makes their existence possible.

From all reliable information and data obtainable, I am of the opinion that three direct causes for this failure exist: First, lack of sufficient rolling stock, commonly referred to as car shortage; Second, lack of sufficient motive power; Third, lack of sufficient transportation facilities, particularly in the way of terminals, sidings and additional tracks. The railroads, on one hand, contend that the locomotive works, car works and car manufactories have been unable to fill their orders although such orders have been properly and timely placed. They further contend that by reason of the many opportunities presented to laboring men as a result of our general prosperity it has been impossible to obtain labor with which to construct additional tracks, terminals and sidings.

Shippers, on the other hand, and notably those engaged in the shipment of lumber products and wheat, contend that these same conditions, in a greater or lesser degree, have existed for the last ten years, and that the railroads are, therefore, at fault for having constantly failed during such period properly to anticipate the future tonnage. Shippers further contend that the real difficulty lies in the railroads compelling them to insure the carriers against possible loss incident to what might prove to be an over-investment in rolling stock and motive power. The shippers assert that it is the policy of the transportation companies never to invest more capital in rolling stock and motive power than is necessary to move the entire tonnage in twelve months; in other words, never to have so many cars and engines on hand that there would be danger of some of them being idle for any period. Such a policy might be sound were the commerce of the state moved in a steady, well-balanced and well-distributed manner, but we all know that such a balance does not exist; that the salmon pack, the cereal crops and even manufactured forest products move less at one time of the year than others, and hence a congestion in transportation is inevitable at the moving times under the existing system.

Be this as it may, the result is that every man, woman and child within the state is affected by reason of the traffic restrictions placed upon the shipper, whereby he is unable to conduct his business as his necessities require. Many of the most active and promising communities within the state are supported almost entirely by one or more

lumber or shingle mills. When the mill must close all the laboring men in that community are thrown out of work, while the grocer and every other line of trade suffer the most extreme results. The same is equally true of the eastern part of the state. When the wheat must stand upon the platforms at the risk of the elements, or in warehouses for a considerable length of time, everyone in every line of business connected with the community from which the wheat is shipped is injuriously affected. We must, therefore, have some remedy which will afford that protection of their transportation facilities to which all shippers are entitled, and in my judgment it seems that a good and safe step taken in that direction would be the enactment of what is known as the "reciprocal demurrage law," drawn, if possible, in such a manner that it will be effective for interstate business even should the courts ultimately hold it ineffectual as to interstate business.

STATE REFORMATORY.

I recommend the establishment of a state reformatory, designed according to the most approved methods, for the restraint and reformation of persons, between the ages of sixteen and thirty years, who have for the first time violated the criminal statutes. That the sentence pronounced be upon the indeterminate plan, with the parole system as incident thereto.

The creation of such an institution would not entail any additional expense upon the state for without it the state prison must be enlarged. Such an institution would relieve the congestion of labor at the state penitentiary as inmates of the reformatory for a considerable future period could render service in its construction.

It is with regret that we must note a development within the state of youthful offenders whose acts from time to time result in the greatest crimes. This calls for some immediate action different from that taken against incorrigible criminals. Children, and particularly male children, during the years of boyhood may be turned into the right or the wrong path according to conditions and surroundings. To take a boy of this nature, however, be he mentally deficient or morally vicious, and place him behind the bars with hardened sinners and life-long law-breakers, is a step upon a plane beneath that upon which we, as the people of a great and growing commonwealth, should walk. Such young offenders, in my judgment, should be placed in an institution where they can be brought into contact with instructors of pure character, who have been trained as alienists and who are students of sociology and the methods to be applied by them for the reformation and ultimate salvation of such offenders.

The Reform School already provided by the state is greatly overcrowded, and I recommend that some institution be created whereby the boys can be taken from the existing institution and placed in one to be so established, thereby accomplishing another much desired result—the absolute separation of the sexes in an institution of this character.

PENITENTIARY LABOR.

Owing to the inadequacy of existing laws a large number of the convicts in the state penitentiary are unemployed. This condition is costly to the state and inhuman to the prisoners, utterly at variance with the dictates of common sense and sound business methods in the management of a penal institution. The act approved March 16, 1903, permitting convicts to be employed in preparing material for road construction, should be enlarged so as to permit the use of convict labor in improving and constructing highways in the more sparsely settled sections which otherwise would require state aid. Work of this character, in the open air and sunshine, away from prison walls, will have a direct return to the public in the value of the roads constructed, but society at large will reap a richer reward indirectly through the reformatory influences on the prisoners. The same policy should be followed in the counties and the duty enjoined upon county authorities to provide labor on the county highways for the able-bodied men serving sentences in county jails for misdemeanors.

When it is disclosed by a competent tribunal in the investigation of crime that a person has a criminal record, is not regularly employed and has no fixed place of abode, the security of life and property should not be jeopardized by permitting him to remain at large until he has committed some criminal act. A chronic criminal of this character should not be "moved on" by local authorities to become a charge on a neighboring municipality, but should be held in custody, employed on the public highways or given other occupation, and restrained of his liberty until paroled in the custody of some reputable person who will assume responsibility for his good conduct, or until it has been effectually demonstrated that he no longer is a menace to society.

The policy and laws of the state debar the manufacture by prison labor of products that might come into competition with the free labor of the state. A provision of our law exists forbidding the shipment to other states, of goods manufactured by convict labor. Prison-made goods from other states, however, are shipped freely into this state and are sold in competition with the products of our free labor. This condition is manifestly unfair. I am advised that federal legislation on the subject is pending in congress to correct this injustice. A memorial upon the subject requesting restrictive legislation would be timely and might effect good results.

CARE OF INSANE.

The duty of promoting means for the recovery of patients committed to the state hospitals for insane is paramount to the obligation of providing places for their detention and restraint. More effectually to improve the management of these institutions and to achieve a greater success in furthering the recovery of the state's unfortunate wards; the hands of the executive should be strengthened by providing adequate salaries for the superintendents and a corresponding increase in the salaries of the assistants. This expenditure would

permit the state to invite physicians ably equipped in education and experience to render this service. The present salaries of superintendents was fixed by law in 1901, since which time their duties have multiplied on account of the greater accessions to the hospitals. The state, for humanitarian and economical reasons, can well afford to invite the leading alienists of the commonwealth to perform this important work. The inadequate salaries now provided are, however, a serious handicap in extending the efficiency of our institutions to improve the condition of the insane.

The unparalleled growth and development of the state has, with the heavy increase of population incident thereto, brought upon us increased burdens. These burdens we must take up and dispose of in a way commendable and in keeping with the history of the nation. The time has arrived when we are frequently coming in contact with the aged, the infirm, the maimed and the helpless who from injuries sustained or from the wear of years are incapable of maintaining themselves, and who are without relatives and friends who should assume the responsibility of their care. A state infirmary or some similar institution should be provided for such purpose, and with the present prices of material and labor it might be well to consider the purchase, if possible, of some one of the large unoccupied buildings which are known to exist at different points in the state and which doubtless could be acquired at far less than their original cost, thereby saving to the state not only a large percentage of their original cost, but the entire additional amount which it would cost to reproduce similar buildings at this time. Such a step would also go far to guarantee that the daily walks of our citizens will never be interfered with by the hand of want being held before them in a land of plenty.

ENFORCEMENT OF LAW.

As a people devoted to the supremacy of the law, we may justly pride ourselves that we rank among the highest. No great public disturbance, riot or lynching has occurred within the limits of this state within the time I have had the honor to act as its Chief Executive. The military arm of the state has not been invoked to perform any duty other than to promote its own efficiency and to extend relief in deeds purely charitable. Differences have been settled by mutual concessions, arbitration and in the tribunals provided by law. A few homicides, appalling in their atrocity and shocking to the moral sense of our people, have recently disturbed the sacredness and security of human life. The cries of the victims should be answered with measures of restraint to prevent a recurrence, whether the assassin was suffering from ungovernable frenzy, mental disorder or malice. Accounts of such crimes emanating from the courtrooms contain a message directing our attention to the duty of strengthening the arm of police prosecutors in the administration of justice.

The time and labor devoted to, and the expense incurred in, the trial of criminal causes may be reduced without doing injustice to the

accused. Trials under our present procedure may decline into an ordeal to test the physical endurance of courts and juries rather than to determine the criminal responsibility of the defendant. In a trial unnecessarily prolonged jurors may become weary from restraint and impatient with delay, and, therefore, incompetent to discharge their full duty to the state and the accused, allowing, in a few instances, criminals to go unwhipped of justice.

The length of time required to secure juries in criminal trials, and the unnecessary expense incurred, suggests the advisability, without abridging the administration of justice, of amending the law relating to peremptory challenges for cause. The number of peremptory challenges should be reduced and the grounds relating to challenges for cause confined to reasonable limits.

THE JUDICIARY.

All doubts should be set at rest by a proper amendment of the law defining the judgment to be entered where a person charged with a grave offense is acquitted under the plea of insanity. In such cases the person should be committed to an insane department of the state penitentiary, and should remain there during his natural life, or until such time as a competent tribunal or board of alienists, with the approval of the Executive, shall direct his discharge.

The present salaries of the justices of the Supreme Court and of the judges of the Superior Courts are entirely inadequate to the demands of the positions. It is a matter of common knowledge that members of the bar possessing high legal attainments, ability and character must make financial sacrifices for the honor of serving on the bench, and that too, with a tenure of office shorter in this state than in many others. The tendency in the commonwealths of the Union is steadily toward a higher paid judiciary. I recommend an increase in the salaries of Supreme Court and Superior Court judges.

I recommend the passage of a law providing for sittings of the State Supreme Court at stated times in the city of Spokane for the purpose of hearing cases arising in all or in a portion of the counties of Eastern Washington.

PUBLIC PRINTING.

The public printing law, enacted by the legislature of 1905, by which the office of public printer was created has worked satisfactorily. Owing to the fact that many of the department reports are now being printed, it is impossible to give here the exact figures on the relative cost between the new and the old systems. We do know, however, that the present system has proven much more economical than the old, and that, as a whole, the state has received more printing for less money than under previous systems. An appropriation of \$60,000 was made by the Legislature of 1905 for the printing for the current biennial period, a sum less than the work had cost for the previous biennial period by several thousand dollars. The understanding at the time of the passage of the act was that the printing of the five institutions of

higher education, for the National Guard and for certain other purposes was not to be paid for out of the \$60,000, but the text of the bill was so prepared that it was imperative to adopt the opposite view and do this work out of the lump sum appropriated. Even with this heavy burden added, the work has been done without a deficit and that in the face of the fact that there are several new departments of the government, such as the Tax Commission and Railroad Commission, requiring a great deal of expensive printing and binding.

TRANSPORTATION DISASTERS.

Horrified as we frequently are by the many accidents on land and sea, and having the testimony of statisticians that far more fatalities occur in the daily walks of life than in the most sanguinary warfare, it is evident that action should be taken more effectually to safeguard the lives of passengers and crews in our transportation service. Where employes are over-worked and their senses benumbed by loss of sleep they are incompetent to be entrusted with the safety of human lives. It is asserted too, that the shortage of cars and the delay in train service are due in no small measure to loading the trains with excessive tonnage, causing slow running time and long hours of labor. A law regulating the hours of service, therefore, would solve other problems than that of lessening the casualties of travel. Only efficient and experienced men should be employed in this service. Official inspection, with authority to correct abuses, of car and engine equipment, tracks, bridges and crossings would tend to protect the lives of travelers and of those employed in the service.

ALASKA-YUKON-PACIFIC EXPOSITION.

The most important subject for your consideration in conserving the welfare of the state and guarding its treasury is presented in the proposal to extend aid in the construction and maintenance of the Alaska-Yukon-Pacific Exposition. The growth of the commonwealth, the intense energy and patriotism of its citizenship, our interests in the affairs of the world find concrete expression in the plan of holding here on the shores of Puget Sound a great international fair.

The project of the exposition is one that deserves the earnest support of every patriotic citizen of the entire Northwest. The undertaking is one of gigantic magnitude. For every dollar of public or private funds invested in the enterprise, the state will receive a return in multiplied fold. Sound business judgment and business and civic pride in the state's welfare justify an appropriation measured in amount by the ability of the state and its paramount duty to carefully maintain its institutions and departments.

The expediency of co-operating with the management of the exposition was endorsed in the platforms of the two great political parties. That endorsement was affirmed by the people in the November election. I may assume, therefore, that the real vital question for you to answer is what amount, in your judgment, should be appropriated.

To prevent derangement of the state's revenues as now provided to meet the usual expenditures, I recommend that provision be made in the measure for a special levy upon the taxable property of the state for the years 1907, 1908 and 1909 to raise the sum appropriated.

The aims and purposes of the exposition are: To make more widely known the constantly increasing importance of Pacific ocean commerce in which the State of Washington rapidly is becoming the chief beneficiary; to demonstrate the opportunities for the extension of our trade in the regions whose transportation is furnished chiefly by the Pacific ocean; to exploit the resources and the natural wealth and opportunities in Alaska and in the Canadian Yukon Territory; and, finally, to demonstrate the progress of Western America in the past century.

The state is to receive a direct as well as an indirect return from its investment. The money expended by the state in the exposition in a large measure will be for the construction of buildings that later will become permanent structures for the University of Washington, on the grounds of which institution the exposition is to be held. Other buildings to be constructed from other funds are to become the property of the University, and hence of the state, at the close of the fair.

I direct your careful attention to the Jamestown Exposition to be held during the current year near Norfolk, Virginia. This exposition will rank among the most pretentious and representative that have been held in the world. This state should be properly represented on that historical ground. We may well afford to co-operate with the grand old commonwealth of Virginia in making this exposition a great success.

RECOMMEND LEGISLATION.

I recommend most earnestly the enactment of the measures mentioned in the platforms of the two great political parties in the state campaign of last year, namely:

1. The division of the state into congressional districts.
2. The proper safeguarding of all public funds placed on deposit and fixing the rate of interest which depositaries should pay on such funds into the public treasury.
3. The installation of additional machinery in the factory operated by convict labor at the state penitentiary for the manufacture of jute fabrics, so that the increased product may tend to regulate its price to Washington farmers.

The party platforms on which candidates for office were elected in 1906 were in unison in favoring the enactment of a direct primary election law. The discussion of this subject has developed such a distinct manifestation of the popular will that I am warranted in assuming that you will enact such a law in accordance with the views of the people.

Following the language of the Republican party, it should be so framed "as to secure the nomination of United States senators, con

gressmen, all state, county and municipal officers by direct vote of the people."

These vital principles of self-government also should be preserved: The humblest citizen should have an equal chance with the aspiring millionaire in his ambition to serve the people in public office. Corporate favor or a plethoric purse should not be a prerequisite to the privilege of holding office. The act should not discourage genuine leadership nor obliterate party organizations, but it should disarm the power of the political autocrat. If the primary election follows the meeting of a convention that has adopted a concrete declaration of principles, party organizations will be maintained and confusion and a multiplicity of platforms obviated.

Your attention is directed to the provisions of an act of Congress known as the Adams Bill, which act was approved March 16, 1906. This measure made an appropriation of \$5,000 for the current year to the State Agricultural Experiment Station of each state, and provided for increasing the amount of this fund by \$2,000 a year until it amounts to \$15,000 a year. It set forth, however, that the grants of money were made subject to the legislative assent of the several states and territories to the purposes of the grants, but provided that payments on installments of the appropriation falling due to any state or territory before the regular session of the Legislature, meeting next after the passage of the act, should be made on the assent of the Governor thereof. Accordingly, On April, 7, 1906, I gave my assent to the provisions of the act. I recommend that the Legislature now give its assent as provided in the law.

WATERWAY IMPROVEMENTS.

The Columbia river coursing through our state and along its southern boundary is an immense stream which, with its tributaries, but for natural obstructions, which can be overcome, would teem with commerce. It is the natural outlet for Eastern Washington, and should afford a cheap means of transportation which would add much to the profits of agriculture in that section and assist materially in its upbuilding. The importance of its improvement is generally understood. Oregon has made substantial appropriations in aid of its navigation, and Washington producers are enjoying benefits therefrom. We should join efforts with Oregon and the federal government in bringing about an open river from its navigable sources to the sea.

Our harbors should not be allowed to fall entirely under private control or to become the subjects of monopoly. The tide-lands were a generous heritage, the proceeds of sales of which should have been treated as a trust for public improvements. The use of the funds derived from the sale and lease of these lands for the ordinary expenses of government would seem unwise. The growth and development of our shipping affects, and is a matter of concern, to the whole state, and these funds should be conserved and devoted to the improvement of our harbors. I renew my recommendation for the creation of

a commission made up of representative citizens, to serve without remuneration except for necessary expenses, to suggest legislative action in this behalf.

Perhaps nothing so influences the development of a growing country as its means and methods of transportation and the condition of its thoroughfares. While we are providing generously for state highways, we should not lose sight of the fact that the state is traversed by great rivers which offer a serious obstruction to travel by land. To bridge these would impose an expense upon the immediate localities which they are not able and should not be called upon to bear. Neither is it fair to the traveling public that it should be called upon to atton to private concerns for the privilege of crossing them. The bridge across the Snake river, connecting Clarkston with Lewiston, Idaho, is the converging center of travel for a large part of the immigration coming into Eastern Washington. During the past year it was crossed by approximately a quarter of a million vehicles and foot passengers, who were compelled to pay generously for the privilege. Governor Gooding, of Idaho, has recommended the appointment of a committee from both branches of the Idaho Legislature to meet a like committee from this state. I recommend that such a committee be appointed to meet with the Idaho committee for investigation and discussion and to report on the advisability of co-operating with our sister state in providing a public bridge at this point.

INTERNAL AFFAIRS.

In accordance with the established policy of state aid in the construction of inter-county highways, it would be well for the Legislature to take account of the natural barrier to free traffic that is constituted by the Columbia river. By private enterprise assisted by a liberal bonus raised by the citizens of Wenatchee, a bridge is being constructed across this stream at Wenatchee to serve the ever-increasing demands. When completed, this bridge, under present plans, will levy a toll upon all traffic. Toll bridges and toll roads have no place in the economy of a modern state. It is as much the duty of the state to furnish free traffic over the Columbia river as it is to assist in the construction of state highways over that other natural barrier, the Cascade mountains. I recommend, therefore, that you take steps to secure to the state the bridge named, so that it may be operated free to the people of the several counties it will serve.

I recommend that you provide for making effective the legislation of 1901 and 1903 regarding a state geologic, topographic and hydrographic survey in co-operation with the United States Geological Department, the sum appropriated to be effective on the condition that the federal authorities expend an equal amount.

The recent visitation of high waters in a few of the streams and rivers of the state resulted in discomfort to the inhabitants in the flooded districts, great injury to property, and a general suspension of business for a brief period. A spirit of co-operation among the suf-

ferers from floods has resulted in the promotion of plans that will be submitted for your approval tending to forestall future losses in districts liable to such disasters.

NATIONAL GUARD.

The National Guard has progressed steadily along the road to higher efficiency as citizen soldiers. This fact has been most thoroughly demonstrated in the maneuver camps recently held within the borders of our state, which proved the ability of our men to perform their duties in a manner as efficient as those of the regular army. Particularly have the officers of the National Guard of Washington appeared to the best advantage. Most of them have served in their present capacities a number of years, and a great many are veterans of the Spanish-American war. These officers in the maneuver camps were given command and assigned to duty along with the officers of the regular establishment, and I am proud to say were, in every instance, found capable and efficient. Too much praise cannot be given those men who sacrifice time and money to become efficient officers and men in a National Guard organization, and I feel that every encouragement should be offered to induce them to become experts in their line of work, so that upon a call by the federal government, the State of Washington can furnish a volunteer force that will be a credit to themselves and to the state.

The construction of armories in the cities of Seattle, Spokane and Tacoma under the provisions of an act approved March 16, 1903, has been delayed and work thereon suspended by reason of a decision of the State Supreme Court declaring the act unconstitutional. The construction of armories is primarily a duty of the state government. I recommend that early in your deliberations a measure be enacted that will in effect carry out the legislative intent expressed in the act of 1903. The expense of construction to be borne by an appropriation from the State Military Fund.

GENERAL RECOMMENDATIONS.

The Ninth Legislature adopted a resolution appointing a committee to recommend to this body some suitable gift to be presented to the armored cruiser Washington, then in process of construction. The cruiser was launched with due and impressive ceremonies on the 12th day of March, 1905, at which ceremonies the state was properly represented. The committee has selected an appropriate gift, consisting of a silver service, to be presented to the vessel. I recommend the adoption of the report.

By Act of Congress approved March 3, 1905, the United States conveyed to the city of Tacoma the military reservation known as Point Defiance Park for a recreation ground. The tide lands in front of the park are owned by the state and might be sold to private individuals or corporations. The state should imitate the generosity of the government and donate these tide lands to the city of Tacoma for park purposes.

The present system of enrolling bills which have passed both branches of the Legislature is cumbersome and unsatisfactory. The services of the State Printer may be profitably substituted for the labor of the enrolling clerk in the preparation of the enrolled bill. In its printed form its permanency is assured and the possibilities for inaccuracies lessened. If the type used in printing the bills for enrollment was preserved, and the form of the enrolled bill made to conform to the form of the session laws now in use, more than a month's time could be saved in the preparation and delivery of the session laws following the close of the session of the Legislature.

To furnish information covering every part of the state, its resources and industrial development, I urge the creation of a State Board of Publicity, consisting of appointive officers with the State Librarian as Secretary, to serve without extra compensation. This board to be allowed funds for postage, supplies and clerical assistance, and given authority to obtain reports from state, county and municipal authorities. The data thus secured to be furnished without expense to all applicants, particularly to each and every newspaper of the state.

For the collection and dissemination of information useful to the agricultural and horticultural interests of the state, I recommend the creation of a State Board of Horticulture. The members of said board to serve without pay except necessary traveling expenses, and to consist of the president of the State College of Washington, the State Fair Commission, the State Grain Inspector, the State Veterinarian, the Dairy and Food Commissioner and the Horticultural Commissioner.

The health as well as the prosperity of our people merits your attention. The field of usefulness of the State Board of Health should be enlarged by clothing it with power to protect the purity of water used for domestic purposes, and to approve or condemn plans for sewage disposal, and obtain an accurate statement of mortal and vital statistics.

The agitation for the prevention of tuberculosis has found ready response in the organized efforts of the medical profession of the state assisted by earnest laymen. Those interested in the anti-tubercular crusade will offer for your consideration plans for the establishment and maintenance of a state sanitarium for the treatment of sufferers from this dread disease. You will exercise the highest form of benevolence and charity and advance the state to a high place among the commonwealths of the Union if you establish at a suitable location an institution of this nature.

UNIVERSITY LANDS.

I invite your attention to that portion of the report of the State Tax Commission which deals with the lands of the State University not included in the so-called granted lands. This property should be so handled as to make it available as a security asset, that the state at large thereby may be relieved in some measure from the burden of taxation now made imperative by the needs of the University. I recommend that you enact such legislation as will facilitate this object.

I am in accord with the leading educators of the state in the belief that a commission should be appointed to recodify the school laws of the state, and that provision be made for the systematic inspection and supervision of high schools by the state department of public instruction; also that expert supervision of school district finances be prescribed.

I favor the enlargement of the law defining the qualifications of notaries public and members of boards and commissions to the end that women may have equal opportunities with men to serve the state in these positions of honor and trust.

The subject of proposed legislation in many instances is so intricate that a law-making body is generously disposed to welcome those who offer information for its guidance. Representatives of the people attending sessions of this body are always given a fair and considerate hearing. There is, however, a distinction between advice of this nature and that offered by those known as professional lobbyists. Their corrupting influence is one of the patent public evils that demands restriction. Their intrigues, always in opposition to the highest and best interests of the commonwealth, should be made as odious as treason.

IN CONCLUSION.

In conclusion I wish to direct your attention to a matter of great importance. Legislatures in the past have adhered to the custom of doing the greater and the most important part of their work in the closing days of the session. This body could wisely make a departure from this rule that would perpetuate its members in the grateful remembrance of the people as well as better satisfy themselves. Few bills are introduced unless some citizen has an interest in their passage or believes their enactment would be for the good of the state. It must be apparent that to crowd into a brief period at the close of the session much important legislation can only result in one end—and that not only a bad but a dangerous one. Bills may be rushed through and become laws that should never be passed, and much meritorious legislation may be sidetracked or overlooked. If this Legislature should begin its actual labors at once, and, by strict application to duty and prompt attendance at committee meetings, do all the business possible during the first half of the session, every bill would have a fair and intelligent consideration and every member would be better satisfied at the end than if his measures had been arbitrarily shelved by a "sifting" committee. The sixty-day limit as fixed by the constitution is ample for the business if each individual member works with a determination to give thorough and fair consideration to all measures introduced. In my judgment you can in no better way serve the people by whom you have been elected than to be careful as to what laws are passed and in seeing that those that do pass are in proper form and free from constitutional objections. You cannot do this under the system of legislation that has been heretofore observed. I earnestly hope that the idea of procrastination will not be evident in this body and that the better system of dispatch will take its place.

May I extend to you the hope that your relations will be fraternal, and that no act of the law-making body of the state will tend to destroy or interfere with the marvelous prosperity this state is now enjoying, and that it will be your aim to minister to the happiness, comfort and prosperity of our people, to the end that this session will be the brightest in the annals thus far of our state's history.

ALBERT E. MEAD,
GOVERNOR.

On motion of Representative Megler, the joint session was dissolved at 3:25 o'clock p. m.

The Senate was called to order at 3:30 o'clock p. m. by the president.

On motion of Senator Condon the following resolution was adopted:

Resolved, That the committee to receive the application of employes be continued throughout the session, with general supervisory powers over the employes, and with power to discharge any employe found derelict in his duty and appoint his successor.

On motion of Senator Allen the following resolution was adopted:

SENATE CONCURRENT RESOLUTION NO 5.

By Senator Davis, of Pierce.

WHEREAS, the members of the legislature have been harrassed during previous sessions by various persons pretending to issue a legislative manual or handbook which invariably contains no more than a partial list of members and an abbreviated series of pictures, assessments being levied upon many members upon various pretexts; therefore be it

Resolved by the Senate, the House concurring, That this legislature disapproves of any movement or attempt to publish any such manual or handbook.

Senator Paulhamus, on behalf of the committee on Senate employes, recommended the employment of the following persons at the salaries stated:

	Per day.
W. V. Tanner	\$ 7.50
H. L. Tibalds	5.00
Robt. E. McFarland	5.00
Marvin Arnold	5.00
Jno. F. Brill	5.00
Royal L. Sweany	5.00
Lucius McGuire	5.00
George Gregory	5.00
Chas. H. Merriam	5.00

Ed. Neal	4.50
C. Woelffen	4.50
Joe Steiner	4.50
Chas. Barnes	4.50
E. J. Carey	4.50
Jesse Ernst	4.50
A. J. Ahola	4.50
Geo. Lessenger	4.00
J. C. Ferguson	4.00
Geo. Mueller, Jr.	4.00
Herbert Shaw	4.00
Jack Quinn	4.00
J. C. Burns	4.00
A. F. Haynes	3.50
A. E. McDonald	3.50
Lon Thorpe	3.50
P. C. Kaylor	3.50
Clyde Daucett	3.50
Willie Westover	1.50
Walter Skinner	1.50
Leo Cormier	1.50

The Committee also recommended that the salary of the secretary of the Senate be \$6.00 per day, the salary of the assistant secretary \$6.00 per day, and the salary of the sergeant-at-arms be \$5.00 per day.

On motion of Senator Sumner, the report of the committee was adopted.

Senator Paulhamus nominated W. V. Tanner for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Royal L. Sweany for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline,

Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Lucius McGuire for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Senator Paulhamus nominated George Gregory for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Chas. H. Merriam for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Ed Neal for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated C. Woelfen for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Joe Steiner for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated H. L. Tibbals for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Robt. E. McFarland for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Marvin Arnold for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated John F. Brill for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Chas. Barnes for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols,

Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated E. J. Carey for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Jesse F. Ernst for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated A. J. Ahola for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Geo. Lessinger for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair,

Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated J. C. Ferguson for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Geo. Mueller, Jr., for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Herbert Shaw for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Jack Quinn for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated J. C. Burns for postmaster of the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated A. F. Haynes for janitor of the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated A. E. McDonald for janitor of the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed,

Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Lon Thorpe for doorkeeper of the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated P. C. Kaylor for doorkeeper in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Clyde Daucett for watchman in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Willie Westover for page in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-

millar, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Walter Skinner for page in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Paulhamus nominated Leo Cormier for page in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

On motion of Senator Sumner, the Senate adjourned at 3:50 p. m. until 11:00 o'clock tomorrow morning.

J. W. LYSONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.

THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, Wednesday, January 16, 1907.

11 o'clock a. m.

The Senate was called to order at 11 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. F. A. LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Booth, Metcalf, Piper and Pogue, all of whom were excused.

On motion of Senator Paulhamus, R. H. Taylor was elected a janitor of the Senate to fill the vacancy caused by A. E. McDonald declining to accept that position, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Huston, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—38.

Absent or not voting: Senators Booth, Metcalf, Piper and Pogue—4.

The following employees were sworn in by the president: W. V. Tanner, H. L. Tibbals, Robert McFarland, Marvin Arnold, John F. Brill, B. C. Kaylor, Royal L. Sweany, Lucius McGuire, George Gregory, C. H. Merriam, Ed Neal, C. Woelflen, Joe Steiner, Chas. Barnes, Jesse Ernst, J. C. Ferguson, Herbert Shaw, Jack Quinn, J. C. Burns, A. F. Haynes, R. H. Taylor, Lon Thorpe, Walter Skinner, Leo Cormier and Willie Westover.

The following message was received from the House:

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 16, 1907.

MR. PRESIDENT:

The House has passed House Concurrent Resolution No. 1 inviting the Honorable William J. Bryan to address the legislature, and in conformity with said resolution the speaker has appointed Messrs. Rice, Ranck, Whitlow, Kirkpatrick and Romaine as House members to present said invitation to Mr. Bryan upon his arrival in the city.

Also House Concurrent Resolution No. 2 relative to the death of the Honorable J. H. Dawes, D. P. Bowers and A. S. Melcher. Also H. B. No. 1 making an appropriation for the operation of the jute mill at the State Penitentiary.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Williams, the reading of yesterday's journal was dispensed with and it was approved.

Following resolution was adopted, on motion of Senator Davis:

Resolved, That the Rev. F. A. LaViolette be named as the chaplain of the Senate for the session of 1907.

Senator Scott introduced the following resolution, which was adopted on his motion:

Resolved, That the proper officer be requested to furnish the sergeant-at-arms a sufficient number of sets of the journals and the session laws of the last session to supply each Senator, the presiding officer, and the secretary with a set of the same.

Senate concurrent resolution No. 6, by Senators Stevenson, Pauly and Huston, was read, and on motion of Senator Stevenson adopted as follows:

WHEREAS, In view of the vast industrial, commercial and political benefit sure to accrue to the Pacific Northwest through the Columbia and Snake rivers being opened to steamboat navigation at all seasons, and, in view of the vital importance of united and harmonious action by the three states of Oregon, Washington and Idaho, both at home and in their Congressional delegations;

Therefore, Be it Resolved by the Senate, the House of Representatives concurring, That representations be made by the Legislature of the State of Washington to the Legislatures of the states of Oregon and Idaho, of the need of such united action, and that this body invite the others to join in common instruction to the Congressional delegations of the three states, to conduct an active campaign before the Rivers and Harbors Committee and the Appropriations Committee of Congress

and in every way possible to further the great work of opening the rivers.

That for this purpose a committee of three Senators be appointed to join a similar committee of the House to communicate with the Legislatures of the States of Oregon and Idaho with the view of bringing about unity of action of the Legislatures of the said States and of their Representatives in the National Congress.

Following resolution was adopted on motion of Senator Paulhamus:

Resolved, That all officers and employees of the Senate who are elected to clerical positions be and are hereby placed under the direction of the secretary of the Senate, and all other employees be and are hereby placed under the direction of the sergeant-at-arms; and be it further

Resolved, That the secretary of the Senate be authorized to make such changes in assignment of clerks as in his judgment will give to this body the most efficient service.

Following resolution was read by the secretary and on motion of Senator Stevenson, adopted:

SENATE CONCURRENT RESOLUTION NO. 7.

By Senator Stevenson and Senator Paulhamus.

Resolved by the Senate, the House concurring, That the memorial services for the late Senators Russell and Stewart, heretofore fixed for Friday, January 18th in the Senate Chamber, be held on Wednesday, January 23rd at 2:00 o'clock p. m. in the House Chamber, and that the services be held in joint session of the House and Senate.

Petitions praying the enactment of a direct primary law were received from the following counties, and on motion of Senator Condon referred to the Committee on Judiciary, when appointed: Kitsap county, Chelan county, Clarke county, Chehalis county.

INTRODUCTION OF BILLS.

Senate bill No. 1, by Senator Condon: entitled, "An act appropriating \$600,000 for the erection of buildings for the University of Washington, and providing for the use thereof by the Alaska-Yukon-Pacific Exposition Company."

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

Senate bill No. 2, by Senator Huston: entitled, "An act relating to the Superior Courts of Adams, Franklin, Benton, Yakima, Kittitas and Lincoln counties, providing for the election of judges therein, and for the appointment of a judge for Adams, Franklin and Benton counties, and declaring an emergency."

The bill was read the first time, and on motion of Senator Huston 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. 3, by Senator Boone, entitled, "An act prohibiting the sale of intoxicating liquors within five miles of the Washington State College."

The bill was read the first time, and on motion of Senator Boone 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. 4, by Senator Scott, entitled, "An act amending section 144 of the Code of Public Instruction, being section 7378 of Pierces' Code of the State of Washington, relating to the classification and issuance of teachers certificates, to be issued by the authority of the State of Washington, entitling the holder thereof to teach in the schools of this state."

The bill was read the first time, and on motion of Senator Scott 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. 5, by Senator Bratt, entitled, "An act relating to the maintenance of public roads."

The bill was read the first time, and on motion of Senator Bratt 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. 6, by Senator Polson, entitled, "An act to punish for bribery or attempted bribery, and declaring an emergency."

The bill was read the first time, and on motion of Senator Polson 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. 7, by Senator Williams, entitled, "An act to provide for the formation of banking corporations and to regulate the business of banking and securing state supervision thereof, for the appointment of a state examiner, defining his duties, fixing his compensation, and making an appropriation therefor."

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

Senate bill No. 8, by Senator Polson, entitled, "An act to provide for a state board of arbitration for the settlement of differences and controversies between employees and employers, and declaring an emergency."

The bill was read the first time, and on motion of Senator Polson 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, when appointed.

Senate bill No. 9, by Senator Jones, entitled, "An act appropriating the sum of Seventy Thousand Dollars, or so much thereof as may be necessary, for the expenses of the Tenth Legislature."

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

Senate bill No. 10, by Senator Polson, entitled, "An act providing for a State Board of Tax Commissioners, and defining its powers and duties and declaring an emergency."

The bill was read the first time, and on motion of Senator Polson 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. 11, by Senator McGowan, entitled, "An act appropriating \$10,000 for expenses of litigation involving the boundary line between the states of Washington and Oregon,

and effecting the title of islands and lands in the Columbia River.”

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

Senate bill No. 12, by Senator Polson, entitled, “An act defining perjury and providing a penalty therefor.”

The bill was read the first time, and on motion of Senator Polson 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. 13, by Senator Polson, entitled, “An act to punish public officials, their assistants, deputies, clerks and employees of such officers, and all persons who attempt improperly to influence such officers, clerks, etc., and providing for their punishment, and declaring an emergency.”

The bill was read the first time, and on motion of Senator Polson 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. 14, by Senator Cotterill, entitled, “An act providing for the amendment of section 1 of article 2 of the Constitution of the State of Washington, relative to the legislative department of the State of Washington, and providing for the submission of laws and other measures to a vote of the people.”

The bill was read the first time, and on motion of Senator Cotterill 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, when appointed.

Senate bill No. 15, by Senator Kline, entitled, “An act to amend section 222 of the Code of Public Instruction of the State of Washington relating to the State Normal Schools and to repeal all existing acts and parts of acts in conflict therewith; said section 222 being also known as section 7466 of Pierce’s Washington Code as amended by section 4, Chapter LXXXV,

session laws of the State of Washington for 1905, approved March 6, 1905.”

The bill was read the first time, and on motion of Senator Kline 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. 16, by Senator Kline, entitled, “An act providing for the appointment of one additional judge of the Superior Court of the State of Washington, in and for Whatcom county, fixing the term of office of the judge appointed and providing for the election of two judges of said Superior Court at the general state election in November, 1908, and every four years thereafter and declaring an emergency.”

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

On motion of Senator Jones, the Senate resolved itself into a Committee of the Whole to consider Senate bill No. 9, entitled, “An act appropriating the sum of seventy thousand dollars, or so much thereof as may be necessary, for the expenses of the Tenth Legislature.”

The bill was considered in the Committee of the Whole, Senator Jones in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Jones, the report of the committee was adopted, the rules suspended, the reading had in the Committee of the Whole considered the third reading of the bill, the bill was considered engrossed, and placed upon its final passage, and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidermiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Absent or not voting were: Senators Booth, Graves, Metcalf, Piper, Pogue—5.

There being no objection the title of the bill was ordered to stand as the title of the act and on motion of Senator Jones the rules were suspended and Senate bill No. 9, ordered transmitted to the House immediately.

House bill No. 1, by Mr. Reed, entitled, "An act appropriating ninety thousand dollars from the revolving fund for the purchase of jute and operation of the jute mill at the State Penitentiary," was read.

On motion of Senator Jones the rules were suspended, the bill read second time by title, and referred to the Committee of the Whole.

On motion of Senator Jones the Senate resolved itself into a Committee of the Whole to consider House bill No. 1.

The bill was considered in the Committee of the Whole, Senator Knickerbocker in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Davis the report was adopted, the rules were suspended, the reading of House bill No. 1 had in the Committee of the Whole considered the third reading of the bill, the bill considered engrossed and placed on its final passage.

The secretary called the roll and House bill No. 1 passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—36.

Those voting nay were: Senator Paulhamus—1.

Absent or not voting were: Senators Booth, Graves, Metcalf, Piper, Pogue—5.

At 11:50 a. m., on motion of Senator Condon, the Senate adjourned until 2:00 o'clock p. m. January 17, 1907.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FOURTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, January 17, 1907.
2 o'clock p. m.

The Senate was called to order at 2:00 o'clock p. m. by President Coon, pursuant to adjournment.

Chaplain F. A. LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Nichols, Pogue and Veness, all of whom were excused.

On motion of Senator Graves, the reading of yesterday's journal was dispensed with and it was approved.

A memorial was read from the Chamber of Commerce, of Spokane, Wash., relative to opening to permanent navigation the Columbia and Snake rivers between Celilo and Ainsworth.

On motion of Senator Stevenson this memorial was referred to the Committee on Memorials, when appointed.

The secretary read a communication from "Washington Livestock Association," of Spokane, Wash., relative to meat inspection. On motion of Senator McGregor, the communication was referred to the Committee on Dairy and Live Stock, when appointed.

The following message was received from the House of Representatives:

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 17, 1907.

MR. PRESIDENT:

The House has passed House Concurrent Resolution No. 3, entitled: "An act providing for joint action of Oregon, Washington and Idaho to secure the opening of the Snake and Columbia rivers," and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

House concurrent resolution No. 3, by Mr. Godman, "Providing for joint action of Oregon, Washington and Idaho, to secure the opening of Snake and Columbia rivers, etc.," was read, and on motion of Senator Stevenson, referred to Committee on Judiciary, when appointed.

A communication was received from the Secretary of State of the state of New York transmitting a concurrent resolution from the State Legislature of the State of New York, relative to the "more effectual prohibition of the practice of polygamy, etc." was read by the secretary, and on motion of Senator Condon referred to the Committee on Memorials, when appointed.

House concurrent resolution No. 1, by Mr. Ranek, was read, as follows:

Resolved, by the House of Representatives, The Senate concurring, that Hon. William J. Bryan be, and he hereby is invited to address the Washington Legislature during his stay in the capital city and a committee of five shall be appointed from each house to present the invitation to Mr. Bryan on his arrival.

On motion of Senator Cotterill, House concurrent resolution No. 1 was adopted.

The president appointed as a committee under House concurrent resolution No. 1, Senators Graves, Polson, Minkler and Stevenson.

A communication was read from the city clerk of the city of Spokane, December 28th, 1906, as follows:

WHEREAS. The county had from its organization up to a couple of years ago maintained at considerable expense, a set of Tract Indices to the record of real estate transfers in the Auditor's office, the use of said indices being of incalculable value to the businessmen and citizens of the county, and,

WHEREAS. The courts of the state have decided that the law as at present in force, does not warrant the keeping of said indices, therefore be it

Resolved, That it is the sense of this body that the law should be amended so as to warrant the keeping of these indices, and that the clerk is directed to transmit a copy of this resolution to the presiding officers of the two houses of the Legislature.

On motion of Senator Graves the communication and attached resolution were referred to the Committee on Revenue and Taxation, when appointed.

A communication was read from the Washington Good Roads Association relative to report of Joseph M. Snow, State Highway Commissioner of the State of Washington.

On motion of Senator Bratt the communication was referred to the Committee on Roads and Bridges, when appointed.

The secretary read the following resolution, and on motion of Senator Cotterill it was adopted:

RESOLUTION BY SENATOR METCALF.

Resolved, That the courtesies of the Senate be extended to representatives of the daily newspapers now in attendance on this session, and that the following named persons be assigned seats at the Senate press table:

F. P. Goss, Seattle Post-Intelligencer; Ed. S. Cowen, Seattle Post-Intelligencer; N. A. Fessle, Seattle Post-Intelligencer; M. M. Mattison and W. H. Curry, Seattle Times; Jay Thomas, Seattle News; R. T. Buchanan and E. S. Reynolds, Tacoma Ledger; W. A. Rupp and J. F. Gilbert, Tacoma News; Joe Smith, Spokane Spokesman-Review; J. H. Brown and E. W. Wright, Portland Oregonian; D. F. McKenna, Bellingham Herald; F. W. Middaugh, Spokane Chronicle; Rodney Sprague, Olympian; H. L. Lewis and Dick Brown, Olympia Recorder; Mrs. Blankenship, Portland Telegram; A. T. Renfro, Seattle Star.

The president announced that inasmuch as a request had been received for a conference with the House Committee on Rules and Joint Rules, he would at this time give the names of the Senate Committee on Rules and Joint Rules, and appointed as such committee Charles E. Coon, president of the Senate, chairman, Senators Jones, Graves, Sumner and Booth.

On motion of Senator Condon, Rule No. 6 was suspended and the appointment of the committee was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Watson, Williams—39.

Absent or not voting were: Senators Nichols, Pogue, Veness—3.

Senator Jones, president pro tem, was called to the chair.

House concurrent resolution No. 2, relating to the death of Representatives J. H. Dawes, D. P. Bowers and A. S. Melcher and providing for memorial services, was read by the secretary and on motion of Senator Kennedy, adopted.

House concurrent resolution No. 3, relative to the opening of the Columbia and Snake rivers to permanent navigation, which was heretofore referred to the Committee on Judiciary, was taken up at this time on motion of Senator Stevenson and on his motion was passed.

Following resolution was introduced by Senator Paulhamus and on his motion adopted:

Resolved, That L. J. Irwin be employed as clerk at \$5.00 per day, to be assigned to duty by the secretary; that W. M. Dooley be employed as clerk at \$4.00 per day in place of E. J. Carey, resigned; that E. Amaden be employed at \$3.50 per day as night watchman, in place of Clyde Daucett, resigned.

Senator Paulhamus nominated L. J. Irwin for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Watson, Williams—39.

Absent or not voting were: Senators Nichols, Pogue and Veness—3.

Senator Paulhamus nominated W. M. Dooley for clerk in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Watson, Williams—39.

Absent or not voting were: Senators Nichols, Pogue, Veness—3.

Senator Paulhamus nominated E. Amaden for night watchman in the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Watson, Williams—39.

Absent or not voting were: Senators Nichols, Pogue, Veness—3.

Following resolution was adopted, on motion of Senator Allen:

Resolved, That the sergeant-at-arms be authorized to purchase forty dollars' worth of postage stamps for the use of the Senate, and that a mail box be provided by the postmaster, who is hereby instructed to stamp and mail all official letters and documents deposited with him by the officers and members of the Senate.

INTRODUCTION OF BILLS.

Senate bill No. 17, by Senator Reed, entitled, "An act amending Code of Public Instruction to establish a uniform system of public schools."

The bill was read the first time, and on motion of Senator Reed 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. 18, by Senator Ruth, entitled, "An act to confirm the title and charter of conveyances of certain oyster and tidelands heretofore sold in 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, ordered printed and referred to the Committee on State, Granted, School and Tidelands, when appointed.

Senate bill No. 19, by Senator Graves, entitled, "An act creating two judicial districts out of the counties of Stevens, Ferry, Douglas, Chelan, Okanogan and providing judges therefor 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, when appointed.

Senate bill No. 20, by Senator Jones, entitled, "An act authorizing the formation of metropolitan park districts, providing for park officials, fixing their powers and duties and declaring an emergency."

The bill was read the first time, and on motion of Senator Cotterill the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class, when appointed.

Senate bill No. 21, by Senator Metcalf, entitled, "An act allowing to defendant an attorney's fee in actions of eminent domain and providing for the collection thereof."

The bill was read the first time, and on motion of Senator Metcalf 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. 22, by Senator Kline, entitled, "An act amending section 5994 of Ballinger's Annotated Codes and Statutes of Washington, relating to admissibility in evidence of testimony of persons under certain relations."

The bill was read the first time, and on motion of Senator Kline 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. 23, by Senator Reed, entitled, "An act amending section 4726 of Ballinger's Annotated Codes and Statutes of Washington, the same being section 4388 of Pierce's Washington Code, relating to the appointment, qualifications, etc., of Court Commissioner, and declaring an emergency."

The bill was read the first time, and on motion of Senator Reed 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. 24, by Senator Reed, entitled, "An act pro-

hibiting the employment of working men in underground mines or workings for more than eight hours per day except in cases of emergency, and providing a penalty for violation."

The bill was read the first time, and on motion of Senator Reed 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 Cotterill, entitled, "An act relating to express companies, providing for delivery within the limits of incorporated cities or towns and fixing penalty for the violation thereof."

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

Senate bill No. 26, by Senator Stevenson, entitled, "An act to create and establish the Columbia and Snake Rivers Improvement Commission, etc., making an appropriation therefor and declaring an emergency."

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

The president resumed the chair and the following employees were sworn in by the president:

A. J. Ahola, G. W. Lessinger, L. J. Irwin, Geo. Mueller, Jr., W. M. Dooley and E. Amaden.

At 2:30 o'clock p. m., on motion of Senator Graves, the Senate adjourned until 10 o'clock tomorrow morning.

J. W. LYSONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.

FIFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, January 18, 1907.
10 o'clock a. m.

The Senate was called to order at 10 o'clock a. m. by President Coon pursuant to adjournment.

Chaplain F. A. LaViolette offered prayer.

The president called the roll, all members being present except Senators Nichols, excused, and Pogue, excused.

On motion the reading of yesterday's journal was dispensed with and it was approved.

January 18, 1907.

MR. PRESIDENT:

Senate Bill No. 9, making an appropriation for legislative expenses, has been carefully compared with the original and found to be correctly enrolled.

Respectfully,

J. W. LYSONS *Secretary.*

The following message was received from the House:

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 17, 1907.

MR. PRESIDENT:

The speaker has signed House Bill No. 1, entitled: "An act appropriating the sum of ninety thousand dollars from the revolving fund for the purchase of jute and operation of the jute mill at the State Penitentiary," and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 17, 1907.

MR. PRESIDENT:

The House has passed Senate Bill No. 9, entitled: "An act appropriating \$70,000 for legislative expenses."

Also, S. C. R. No. 6, changing the date of holding memorial services for the late Senators Russell and Stewart.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

House bill No. 1 and Senate bill No. 9 were signed by the president.

INTRODUCTION OF BILLS.

Senate bill No. 27, by Senator Allen, entitled, "An act to amend sections one, two, three, four, five, six and seven of an act entitled 'An act to provide for the relief of indigent Union and Mexican war soldiers, 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, ordered printed and referred to the Committee on Appropriations, when appointed.

The following message was received from the House:

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 18., 1907.

MR. PRESIDENT:

The speaker has signed S. B. No. 9, entitled: "An act appropriating the sum of \$70,000 or so much thereof as may be necessary for the expenses of the Tenth Legislature," and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

Senator Graves, on behalf of the committee appointed under House concurrent resolution No. 1, reported that the House was ready to receive the Senate in joint session for the purpose of being addressed by Hon. Wm. J. Bryan, and, on motion of Senator Graves the Senate at 10:22 a. m. adjourned to meet the House in joint session.

JOINT SESSION.

The sergeant-at-arms announced the arrival of the Senate.

The president of the Senate called the joint session to order at 10:25 a. m.

The secretary of the Senate called the roll of the Senate, all members being present except Senators Nichols, excused, and Pogue, excused.

The clerk of the House called the roll of the House, all members being present except Messrs. Abrams, Hewitt, Sheets, excused, and Vergowe, excused.

The president announced the purpose of the joint session to be to listen to an address by Hon. Wm. J. Bryan and instructed the committee to invite Mr. Bryan before the joint assembly.

Hon. Wm. J. Bryan appeared before the joint session with Governor A. E. Mead and escorted by the committee consisting of Senators Graves, Cotterill, Polson, Minkler, Stevenson and Representatives Rice, Ranck, Whitlow, Kirkpatrick and Romaine.

After being introduced to the joint session by the president, Mr. Bryan addressed the assembly.

On motion of Senator Paulhamus the joint session extended to Mr. Bryan a vote of thanks for his very able address.

At 11:27 o'clock a. m., on motion of Senator Davis, the joint session dissolved.

The Senate was called to order at 11:30 o'clock by President Coon.

INTRODUCTION OF BILLS.

Senate bill No. 28, by Senator Cotterill, entitled, "An act to amend section 2 of 'An act to amend sections 1362 and 1394 of Ballinger's Annotated Codes and Statutes of the State of Washington, relating to actions,'" etc.

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

Senate bill No. 29, by Senator Ruth, entitled, "An act providing for the investment of permanent school funds, the permanent funds of normal schools, state university, 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, ordered printed and referred to the Committee on Educational Institutions, when appointed.

Senators Blair, Hunter, Nichols, Smith, Sumner and Williams were excused until 2 o'clock Monday, January 21, 1907.

At 11:45 a. m., on motion of Senator Paulhamus, the Senate adjourned until 2 o'clock this afternoon.

AFTERNOON SESSION.

The Senate was called to order at 2 o'clock p. m. by President Coon.

The secretary called the roll, all members being present except Senators Blair, Hunter, Nichols, Pogue, Smith, Sumner and Williams, all of whom were excused.

The president stated that he was about to announce the standing committees of the Senate, and in connection with the same made the following statement:

"The president deems himself the servant of the Senate, its will being expressed by a majority of members. Under the rules he is required to appoint all committees; the standing committees being under a new rule adopted this year, subject to the confirmation of the Senate.

The president, however, cannot refrain from pointing out that, while he has endeavored to meet the views of the majority, as expressed to him in various conferences, he is aware that the list as submitted may be subject to some criticisms and objections. But he believes that he has a duty to perform to the people and that the position to which he was called carries with it responsibilities, and these responsibilities he is willing to assume."

Following were announced as the standing committees of the Senate:

STANDING COMMITTEES OF THE SENATE.

Agriculture—Blair, Chairman; Reed, Pogue, Bratt, Pauly, Stevenson, McGregor.

Appropriations—Veness, Chairman; Sumner, Condon, Booth, Piper, Boone, Paulhamus, Polson, Minkler, Stevenson, Rosenhaupt, Kennedy, Pauly.

Banks & Banking—Boone, Chairman; Smith, Ruth, Paulhamus, Hunter, Condon, Brown, Knickerbocker, Veness.

Cities of the First Class—Jones, Chairman; Sumner, Cotterill, Kline, Williams, Rosenhaupt, Eidemiller.

Claims & Auditing—Eidemiller, Chairman; Davis, Brown, Rosenhaupt, Piper.

Commerce & Manufactures—Condon, Chairman; Smith, Metcalf, Hunter, Minkler, Eidemiller, Watson.

Congressional Districts—Rosenhaupt, Chairman; Anderson, Jones, Kline, Reed, Potts, Rands.

Constitution & Constitutional Revision—Williams, Chairman; Watson, Pauly, Jones, Ruth, Metcalf, Presby.

Corporations Other Than Municipal—Davis, Chairman; Smith, Boone, Scott, Condon, Allen, Piper, Metcalf.

Counties & County Boundaries—Anderson, Chairman; Reed, Gunn, Boone, McGregor, Eidemiller, Blair.

Dairy & Livestock—McGregor, Chairman; Stevenson, Bratt, Boone, Pogue.

Dikes, Drains & Drainage—Minkler, Chairmna; Cotterill, Anderson,

Education—Reed, Chairman; Kennedy, Presby, Knickerbocker, McGowan, Stevenson, Anderson.

Educational Institutions—Nichols, Chairman; Gunn, Bratt, Rands, Williams, Kline, McGregor.

Election & Privileges—Presby, Chairman; Graves, Metcalf, Jones, Kline.

Engrossed Bills—Pogue, Chairman; Gunn, Ruth, Pauly, Anderson.

Enrolled Bills—Metcalf, Chairman; Allen, Condon, Booth, Davis.

Fisheries—Watson, Chairman; Hunter, Presby, Minkler, Smith, Eidemiller, McGowan, Blair, Williams.

Game & Game Fish—Potts, Chairman; Brown, Boone, Knickerbocker, Polson, McGowan, Williams.

Harbor & Harbor Lines—Cotterill, Chairman; Polson, Condon, Davis, Blair.

Horticulture & Forestry—Gunn, Chairman; Paulhamus, Blair, Presby, Bratt.

Insurance—Hutson, Chairman; Veness, Knickerbocker, Davis, Watson, Allen, Eidemiller.

Irrigation & Arid Lands—Scott, Chairman; Hutson, Cotterill, Reed, Ruth, Gunn, Minkler.

Judiciary—Graves, Chairman; Rands, Hutson, Rosenhaupt, Knickerbocker, Nichols, Presby, Scott, Booth, Metcalf, Hunter.

Labor & Labor Statistics—Hunter, Chairman; Veness, Jones, Potts, Sumner, Allen, Davis.

Medicine, Dentistry & Hygiene—Brown, Chairman; Pogue, Booth.

Memorials—McGowan, Chairman; Piper, Kennedy.

Military—Piper, Chairman; Reed, Rands, Booth, Rosenhaupt, Blair.

Mines & Mining—Kline, Chairman; Scott, Ruth, Bratt, Brown, Pogue, Watson, Pauly, Williams.

Municipal Corporations—Smith, Chairman; Knickerbocker, Nichols, Rosenhaupt, Stevenson, Boone, Hunter, Hutson, Kennedy.

Printing—Kennedy, Chairman; Allen, Potts, Gunn, Jones, Piper, Minkler.

Public Buildings & Grounds—Ruth, Chairman; Rands, Pogue, Bratt, Blair, Rosenhaupt, Minkler.

Public Revenue & Taxation—Sumner, Chairman; Hutson, Veness, Condon, Rands, Scott, Pauly, Paulhamus, Polson, Cotterill, Kline.

Purchases & Supplies—Booth, Chairman; Scott, Nichols.

Railroads & Transportation—Paulhamus, Chairman; Reed, Stevenson, Piper, Graves, Kennedy, Nichols, Hutson, Anderson, Sumner, Hunter, Metcalf, McGregor.

Roads & Bridges—Bratt, Chairman; Smith, Polson, Kline, Cotterill, McGregor, Paulhamus, Metcalf, Gunn, Anderson, Ruth.

Rules & Joint Rules—Chas. E. Coon, president of the Senate, Chairman; Jones, Graves, Sumner, Booth.

Salaries & Mileage—Allen, Chairman; Boone, Booth, Condon, Anderson.

Senate Employees Other Than Regular—Stevenson, Chairman; Davis, Eidemiller, Nichols, Potts.

State Charitable Institutions—Rands, Chairman; Brown, Watson, Pott., Metcalf, Nichols, Williams.

State Granted School & Tidelands—Polson, Chairman; Veness, Kline, McGowan, McGregor, Smith, Piper, Graves, Allen.

State Library—Knickerbocker, Chairman; Kennedy, Graves.

State Penal & Reformatory Institutions—Pauly, Chairman; Stevenson, Knickerbocker, Potts, Polson, Minkler, Presby.

Senator Condon moved that that portion of rule 6, providing that confirmation of the appointment of standing committees go over until the next day, be suspended and the Senate do now proceed to confirm the appointment of standing committees made. The motion was carried.

Senator Condon moved that the appointment of standing committees be confirmed.

The following Senators demanded a roll call on the motion: Senators Hutson, Allen, Davis, Gunn, Booth, McGregor, Polson and Condon.

The secretary called the roll and the appointment of standing committees of the Senate was confirmed by the following vote:

Those voting aye were: Senators Anderson, Boone, Booth, Bratt, Condon, Cotterill, Eidemiller, Graves, Gunn, Jones, McGowan, Metcalf, Minkler, Paulhamus, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Veness, Watson—25.

Those voting nay were: Senators Allen, Brown, Davis, Hut-

son, Kennedy, Kline, Knickerbocker, McGregor, Pauly, Rands—10.

Absent or not voting were: Senators Blair, Hunter, Nichols, Pogue, Smith, Sumner, Williams—7.

Senator Allen made the following statement at the time the secretary called his name:

“Being a new member of this body I have no personal kick coming on the committee appointments as read.

“I feel, however, that I would not be true to the trust reposed in me by my constituents if I failed to enter a protest against the attitude of the majority members of this body towards older members of the Senate in the matter of the distribution of committee chairmanships.

“These older members were entitled to more consideration than has been accorded them. Among the majority responsible for the committee slate are some King county members. The older members discriminated against by them have in the past proved themselves friendly to King county, and at this time I desire to go on record as protesting against the unfair treatment of which I complain, and I therefore wish to be recorded as voting ‘No.’”

Senator Stevenson moved that when the Senate adjourn this afternoon, it adjourn until 2 o'clock p. m. Monday, January 21, 1907. The motion was carried.

The secretary read a petition from the citizens of Rochester, Washington, praying the enactment of a direct primary law.

On motion of Senator Jones the petition was referred to the Committee on Election and Privileges.

The following communications from the Governor were read by the secretary:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 18, 1907.

To The Honorable The Senate of the State of Washington:

GENTLEMEN:—I have this day approved Senate Bill No. 9, entitled: “An act appropriating the sum of seventy thousand dollars, or so much thereof as may be necessary, for the expenses of the Tenth Legislature.”

ALBERT E. MEAD, *Governor.*

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 18, 1907.

To the Honorable Senate of the State of Washington:

GENTLEMEN:—I have the honor to present herewith a copy of the report made to me by a special committee I appointed recently to investigate the shortage of fuel now existing in the State of Washing-

ton. The committee is still in existence and the report presented now is not to be regarded as its final report on the subject.

A transcript of the testimony taken by the Committee and the other documents submitted and on file with the body mentioned have been placed in my office and are subject to inspection at your convenience.

Yours very truly,
ALBERT E. MEAD, *Governor*.

OLYMPIA, WASH., December 26, 1906.

To His Excellency, Albert E. Mead, Governor of Washington:

SIR:—Your committee, to whom was referred the investigation of the present fuel shortage in the State of Washington, ascertaining the reasons for such shortage, determination of what immediate relief could be secured, and for suggestions to prevent a recurrence of present conditions, report as follows:

Immediately upon the notification of our appointment we met in Olympia and organized by selecting H. A. Fairchild chairman of the committee. Numerous telegrams were at once sent to the mayors and commercial bodies of towns and cities in Eastern Washington for information as to the coal shortage in their towns and vicinities. Telegrams were also forwarded to the independent mine owners in the state to ascertain if their output was curtailed by the shortage of transportation facilities, and asking their co-operation in ascertaining the cause of the shortage, and suggestions for relief, and also urging such independent mine operators to meet with the committee in their sittings at Seattle and Tacoma, hereinafter referred to.

The committee decided to accept the invitation of the Tacoma Chamber of Commerce and fixed a meeting at its rooms in Tacoma for the afternoon of December 19, at two o'clock, and notification was forwarded to Tacoma to that effect with a request that all interested persons be notified, and that all persons having any information which would tend to enlighten the committee be present at such meeting.

At two o'clock on Wednesday, the 19th, your full committee met at the rooms of the Chamber of Commerce in Tacoma and received statements from the following gentlemen:

Mr. Pratt, Secretary—Tacoma Chamber of Commerce.

I. Winsor, Sales Agent—Representative of the Carbonado Mine.

Capt. Burleigh, representative of large shipping interests—Puget Sound.

J. M. Walters, Manager—Evans Creek Coal Co., of Tacoma.

Mr. Barlow, local coal dealer of Tacoma.

Joshua Pierce, Secretary and Treasurer—Little Falls Fire Clay Co.

Mr. Boucher, of the Pacific Fuel Co.

W. H. Dickson, Chairman of the Board of County Commissioners of Pierce County, and,

Mr. Cleghorn, General Manager—Mining interests of the Northwestern Improvement Co.

Cablegrams were received from representatives of coal companies not appearing at the hearing as follows:

“WILKESON, WASH., December 19, 1906.

D. C. Botting, State Mine Inspector, Olympia, Washington:

At present we are not mining much coal, so shortage of cars does not matter.

TREMONT C. & C. Co.”

“RENTON, WASH., December 18, 1906.

D. C. Botting, State Mine Inspector, Olympia, Washington:

Output from four to five hundred tons per day, P. S. E. Ry. handles it all. Not troubled by car shortage.

SEATTLE ELECTRIC CO.”

“TACOMA, WASH., December 18, 1906.

D. C. Botting, State Mine Inspector, Olympia, Washington:

Railroad moving coal promptly as it is loaded. Car supply about up to requirements. Shipments going forward without undue delay.

J. F. MENZIES, Gen'l. Sup't. Roslyn Mines.”

“CLEELUM, WASH., December 18, 1906.

D. C. Botting, Inspector, Olympia, Wash:

All coal shipped that has been mined; no delay account of car shortage. Sufficient cars being furnished.

SUMMIT COAL MINING CO.”

This session of your committee lasted until 5:30 o'clock of the 19th.

As your committee had notified the Chamber of Commerce of Seattle of their desire to visit Seattle, and had arranged for a session there on the 20th, an adjournment of the committees was had to meet at 10 o'clock at the Chamber of Commerce rooms in Seattle on the 20th inst.

On Thursday the 20th, at 10 o'clock, your committee met in Seattle and the following named persons were examined:

Mr. Kirkpatrick, independent operator, representing Wilson Coal Co.

Mr. Gibbons, owner of Occidental mine.

James Anderson, Manager Pacific Coast Company's mines.

W. B. Monks, retail coal dealer.

J. B. Keating, retail coal dealer.

R. Cleghorn, General Manager, mining interests of Northwestern Improvement Co., was recalled.

Mr. Clausen, agent of Pacific Coast company.

Vivian M. Carkeek, representing the Seattle Commercial Club, and

H. F. Grant, manager Seattle Electric company.

By request of the committee Mr. Yandell, secretary of the Seattle Chamber of Commerce, had requested a very large number of dealers in fuel, and independent mine operators, to appear before the committee, but the persons above named were the only ones answering the request.

Your committee continued in session from 10 o'clock until 12:15, meeting again at 1:30 and remaining in constant session until after 5 o'clock, when an adjournment was taken to meet in Tacoma for the purpose of examining the operating department of the Northern Pacific Railway company, and further witnesses in Tacoma.

On 10 o'clock on the 21st your committee met at the rooms of the

Tacoma Chamber of Commerce, and the following persons were examined,—the session lasting from 10 o'clock until after 12 in the forenoon, and from 2 until 4 in the afternoon:

W. C. Albee, Division Supt. Northern Pacific at Tacoma.

Mr. Winsor.

Henry Hewitt, representative of the Wilkeson mines.

Mr. Griffin, of the Griffin Transfer company.

Mr. Bagley, Gen'l. Manager Tacoma Eastern R. R. Co., and

Mr. Dimmock, Gen'l. Manager Tacoma R. & Power Co.

Your committee caused the examination of the parties to be taken by a stenographer and the same is herewith annexed, together with all telegrams, letters and other correspondence received by your committee. A perusal of the testimony will show that your committee carefully examined the representatives of the principal mines operating in Washington, and the operating department of the transportation companies furnishing the transportation facilities for such mines. As a result of the investigation, your committee report that the fuel supply in the State of Washington is inadequate to meet the demand made upon it and that a serious shortage exists in the fuel supply.

Two causes are responsible for this condition:

First—The increased demand for fuel supply;

Second—The decreased supply of fuel coming from points outside the state.

The increased demand, in the judgment of your committee, has been brought about:

First—The unprecedented growth and development of the state, both in population and the development of commercial enterprises.

Second—The increased demand made upon the traffic of the railroads causing a decided increase in the consumption of fuel by the railroads.

Third—The activity in maritime business and steamboat trade of Puget Sound, causing an increased consumption of fuel by the steamboats.

The decrease in the supply of fuel, in the judgment of your committee, is due to the following causes:

First—The withdrawal from the markets of Washington and Oregon of the Rock Springs Wyoming coal heretofore furnished the trade by the Union Pacific Coal company.

Second—The existence of a strike by laborers at Fernie, B. C., extending over a period of some four months. From this supply the Great Northern procured coal for its use in supplying fuel for moving its cars in Washington, Idaho, and portions of Montana. This supply being cut off, an increased demand was made upon the Washington supply.

Third—The extreme high water in the month of November, causing the flooding of mines, the washing away of bridges, trestles and railroad embankments, and causing practically a cessation of operations in the coal mines for some eleven days.

Fourth—Owing to the high wages prevailing on Puget Sound the supply of wood for fuel has been greatly curtailed, the dealers being unable to procure wood choppers, and by reason thereof an increased demand for coal.

The supply has not kept pace with this increased demand upon our output. A few years ago the supply of coal far exceeded the local demand, and large quantities of coal were shipped from Washington ports. The Northwestern Improvement company and the Union Pacific Coal company were active competitors in the market and controlled the local situation. Although the Union Pacific Coal company was not engaged in mining in this state, it was a strong competitor in Oregon and Eastern Washington, shipping its coal largely from Wyoming. Independent capital hesitated to enter into competition with these rival companies, and in consequence there has been but little development from independent operators in Washington, and but few independent mines have been developed.

Owing to the scarcity of labor during the present year the mines now in operation have been unable to work to their full capacity, and the output, by reason thereof, has not been the full capacity of the mine. This applies more especially to the Roslyn mine of the Northwestern Improvement company. In short, the demand from our increased population, the new manufacturing enterprises, the railroads consuming some 250,000 tons more in 1906 than in former years, the increased demand of water craft, the withdrawal of the Rock Springs coal, the strike at Fernie, the loss in production from floods and the increased demand for coal to take the place of an inadequate wood supply, have made a demand on the Washington output that our increased supply could not meet.

The output from the mines in Washington for the year 1905 amounted to 2,846,901 tons; the output from the Washington mines for the year 1906, based on the reported output for nine months and estimates for the remaining three months, will approximate 3,195,436 tons. This will show an increased output for this year over 1905 of 348,535 tons. The decrease in shipment from the ports of Washington for 1906 over 1905 approximate only 35,000 tons, leaving less than 400,000 surplus to fill the increased demand. The extreme shortage in Eastern Washington is largely due to the withdrawal of the Rock Springs coal by the Union Pacific Coal Co. To meet this shortage the Roslyn output, in excess of that needed by the Northern Pacific in supplying fuel used by it, has been sent to points in Eastern Washington on the lines of the Northern Pacific and the Washington & Columbia River Railway company, instead of being shipped to Seattle and Tacoma. This, and the increased demand of the Northern Pacific, has withdrawn from the Puget Sound market over 200,000 tons of Roslyn coal heretofore furnished.

Your committee especially directed its investigation to ascertaining whether or not the transportation companies were responsible for the present acute condition of the fuel supply. Statements were made to

the committee that the Carbonado mine had been curtailed in its output by reason of the failure of the Northern Pacific Railway Co. to furnish it with all the cars required. From an examination of Mr. Albee, in charge of the operating department of the Pacific division, your committee are satisfied that the output of this mine has been hampered more or less by the failure of the railroad to furnish sufficient cars. From its investigation your committee found nothing to justify it in saying that there had been an unjust discrimination against the Carbonado mine, and in justice to the operating department of the Northern Pacific Railway Co. your committee report that, in its judgment, the operating department has furnished all the cars and equipment that it was able to do, and is now furnishing all possible aid to relieve the present acute conditions. Your committee report further that in their judgment the financial and executive department of the Northern Pacific Railway Co. has not made proper or adequate appropriations to enable the operating department of its line in Washington to keep pace with the increased demands of the business coming to it.

The Union Pacific Coal Co. during the past few years has practically driven out competition with the Wyoming coal on the lines of the Oregon Railroad & Navigation Co. in Eastern Washington and in Oregon. Evidence was produced showing that mine operators in Washington had knowledge of the intention of the Union Coal Co. to withdraw from competition in the domestic trade early in the summer of 1906. Your committee feel that the management of the Union Pacific Coal Co. justly merits censure in not advising its patrons of its intention to withdraw its coal from the market, and of its intention not to supply the domestic trade in Eastern Washington and Oregon, prior to its actual withdrawal, so as to enable such patrons to take steps to procure fuel from other sources.

Your committee became satisfied that there was a shortage of coal for domestic uses in the city of Seattle. Mr. Anderson, engineer and general manager of the coal mining interests of the Pacific Coast Co., stated that the output of his mine in excess of the contracts, in coal known as Black Diamond Mine Run, approximated 1,000 tons a day; that the Mine Run coal was not desired by the domestic trade because they were not properly educated in its use; that this class of coal was particularly desired by the steamboat trade, and that the market which they had been seeking for this coal heretofore was the commercial steamboat trade; that he would give the preference to domestic trade and would be glad to furnish the citizens of Seattle and vicinity with 1,000 tons of coal per day of this quality of coal. While this coal may not be as desirable as other qualities of coal for domestic purposes, if this suggestion of Mr. Anderson is carried out no suffering need result to Seattle by reason of a shortage in coal, as the amount is ample to supply its present needs.

Your committee ascertained in their first hearing in Tacoma that large quantities of wood were stored on the line of the Tacoma Eastern Railroad, but the owners were unable to procure the same by reason

of their inability to procure cars for its transportation. Your committee took this matter up with Mr. Bagley, General Manager of the Tacoma Eastern R. R. Mr. Bagley stated that, in order to accommodate the owners of the wood, it was necessary to have the cars switched to the lines of the Northern Pacific Railway Co., and from past experience the delay in returning the cars was such that under the present demand he could not permit the cars to pass out of his company's control. At the solicitation of your committee he stated, that, if assurance could be given him by the Northern Pacific Co., that they would promptly return to his company the cars, he would furnish cars and promptly and expeditiously transport the wood on the line of his road to Tacoma. Your committee took this matter up with the operating department of the Northern Pacific and received from them assurances that the cars would be promptly switched for unloading and return to the Tacoma Eastern.

Your committee also ascertained that there was a large quantity of wood on the line of the Tacoma R. & Power Co. extending to Steilacoom and to Puyallup, but the owners of this fuel were unable to secure cars to transport the same to Tacoma. Your committee took this matter up with Mr. Dimmock of the Tacoma R. & Power Co. and he promised your committee to co-operate with the fuel dealers owning the wood on the company's line to the end that the wood on its line might be promptly transported to Tacoma. Your committee feel that these matters will greatly relieve the condition in Tacoma.

Your committee was informed that more coal was being produced at Crow's Nest points in B. C. than could be transported, owing to the lack of transportation facilities by the Spokane International Railroad Co. Your committee then opened communication with Mr. R. B. Miller, General Traffic Manager of the Oregon Railroad & Navigation Co., and urged Mr. Miller to supply cars for the purpose of hauling this coal, especially to non-competitive points on the Oregon Railroad & Navigation company's lines in Eastern Washington. Mr. Miller assured your committee that the Oregon Railroad & Navigation company would supply all cars necessary for the purpose of relieving the patrons of its lines, provided coal could be secured from British Columbia. Your committee entered into negotiations with Mr. Corbin of the Spokane International Railroad Co. and have received from Mr. Corbin the following telegram:

"H. A. Fairchild, Olympia, Wash.

Spokane International will be in a position to haul from Crow's Nest points to Spokane all coal offered us. I think sufficient supply is obtainable if equipment is furnished.

D. C. CORBIN."

Your committee believe that the conditions in Eastern Washington at Oregon Railroad & Navigation company's points will be relieved by the co-operation of the Oregon Railroad & Navigation company and the Spokane International

Charges were made in the press that operators and dealers in coal had taken advantage of the shortage to abnormally advance the price of fuel. This subject received careful attention. The price of coal has been advanced from 25cts. to 50cts. per ton by the operators during the summer and fall. Conditions appeared to justify this increase. The examination showed the charge to be groundless so far as it affected operators and dealers. The conditions in Seattle appear to have been overdrawn, and teamsters would form in line as early as one o'clock in the morning and receive coal from the bunkers on their opening at seven o'clock. Purchasers from these teamsters were charged accordingly, which undoubtedly gave rise to the report. Your committee found nothing to justify the report that a combination of operators existed to curtail the output of coal; on the contrary the statements showed that the operators in this state were working every available man.

Your committee feel that no alarm need be felt as to the future supply of coal. The authoritative announcement of the accredited representative of the Northwestern Improvement Co. that the Northern Pacific Railway company desired to withdraw from competition in coal and would reserve their output for the sole use of the Northern Pacific Railway Co., as soon as the coal demand could be supplied elsewhere, and the further announcement that the Union Pacific Coal Co. had withdrawn its coal from commercial uses in Washington, together with the further statement by Mr. Cleghorn that the Northwestern Improvement Co. was willing to execute advantageous leases of its undeveloped coal lands, will, in the judgment of your committee, encourage capital to invest its money in the development of the coal mines of Washington. The evidence introduced before your committee showing the vast deposits of coal in this state and the increasing demand therefor, will unquestionably induce capital to promptly invest where the insurances of adequate returns are as flattering as all indications show investments in coal developments will produce.

The advantages which the transportation companies necessarily possess, while engaged in competition with individual operators in the operation of coal mines, accentuates the importance of the government retaining such control over its deposits of coal as to prevent improper combinations on the part of any class of operators. Your committee endorses the recommendation of President Roosevelt that the government retain ownership and control of its coal and recommend legislation by our state legislature looking to the retention of the ownership and control of coal lands by the execution of long leases on advantageous terms, subject to revocation whenever the operators fail in the discharge of the duty of properly serving the public.

Your committee feel that too much publicity cannot be given to the statement showing the intention of the Northern Pacific Railway company to withdraw from competition, and its willingness to co-operate with independent capital in the development of this great industry.

From the evidence and statements introduced before your committee we feel it is due to the employees in the different mines operating in this state to say that they have co-operated most valiantly in an effort to relieve the present conditions. The statements of the mine operators show that during the present shortage the employees in the mines have willingly worked Sundays in order to relieve the present conditions, and are lending every effort to prevent any suffering from lack of fuel.

Your committee in its investigation became convinced that the present duty on coal in no manner contributes to the present shortage in coal. Practically every retail dealer appearing before the committee stated that they had exhausted every effort to procure coal from Vancouver Island in B. C. to relieve present conditions, but were unable to receive a shipment from that source. They were unanimous in the expression of opinion that the 62 cts. duty per ton in no manner deterred shipment of coal from British Columbia, as the price at the present time cut no figure.

Your committee therefore feel that the recommendation of the Seattle Commercial Club, to the effect that the duty on coal should be removed, would not only not be conducive to relief at the present time, but would have a tendency to delay the development of our own mines by independent capital, which, as before suggested, is the proper solution for the future supply of coal in the state of Washington.

Your committee have forwarded many letters to different sections of the state asking to be kept informed as to fuel supply, especially whether the suggestions offered above are being carried out. We therefore ask that we be not at this time discharged, so that if further action be necessary we will be authorized to proceed without further authority from you.

Respectfully submitted,

H. A. FAIRCHILD,
ORTIS HAMILTON,
D. C. BOTTING,
ALEX CLARK,
J. S. McMILLAN,

J. C. LAWRENCE,
C. F. HUBBARD,
S. S. KING,
JOHN D. ATKINSON,
F. A. HUNTLEY.

On motion of Senator Paulhamus the communication from the Governor referring to the fuel shortage, together with the report of the committee attached to same, were referred to the Committee on Railroads and Transportation.

INTRODUCTION OF BILLS.

Senate bill No. 30, by Senator Paulhamus, entitled, "An act relating to corporations, and repealing an act entitled, 'An act authorizing and empowering any corporation to subscribe for, or to acquire by purchase or otherwise and hold, own, sell, as-

sign and transfer shares of capital stock of another corporation, etc.' ”

The bill was read the first time, and on motion of Senator Paulhamus 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. 31, by Senator Metcalf, entitled, “An act authorizing and directing the Commissioner of Public Lands to certify certain tidelands to the Governor for deed and authorizing and directing the Governor to execute and the Secretary of State to attest a deed conveying to the city of Tacoma certain Tideland for use as and in connection with its public park, and for no other purpose.”

The bill was read the first time, and on motion of Senator Metcalf 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 Tidelands.

Senate bill No. 32, by Senator Metcalf, entitled, “An act relating to, regulating and providing for the nomination of candidates for public office in the State of Washington by primary election and providing penalties for violation thereof.”

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

Senate bill No. 33, by Senator Metcalf, entitled, “An act relating to corporations.”

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

Senator Watson was, at his request, excused until Tuesday at 2 o'clock p. m.

At 2:45 p. m. on motion of Senator Graves the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

EIGHTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, January 21, 1907.
2 o'clock p. m.

The Senate was called to order at 2:00 o'clock p. m. by President Coon pursuant to adjournment.

The secretary called the roll, all members being present except Senators Eidemiller, Paulhamus, Pogue and Watson, all of whom were excused.

On motion of Senator Piper the reading of yesterday's journal was dispensed with and it was approved.

A communication was read from C. F. Hubbard, State Labor Commissioner, tendering the use of his offices for meetings of Senate committees.

The secretary read a communication from the Governor, as follows:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 21, 1907.

To the Honorable The Senate of the State of Washington:

GENTLEMEN: I forward you herewith a report made to me by a committee I appointed to investigate and report on the condition of the State Capitol building and grounds and to make recommendations for their future management.

ALBERT E. MEAD, *Governor.*

OLYMPIA, WASH., December 19, 1906.

Hon. Albert E. Mead, Governor of Washington, Olympia, Wash:

YOUR EXCELLENCY:—In obedience to the request in your letter, this committee met December 3, 1906, in the office of the State Board of Control and organized by the selection of State Senator A. S. Ruth as chairman and J. H. Brown as secretary. In company with Hon. Sam H. Nichols, secretary of State and *ex officio* custodian of the state capitol building and grounds, this committee made a thorough and careful inspection of the state capitol building. Subsequently sub committees were selected from the general committee to take up details of investigation, the results of which are herewith submitted.

Your committee has to report that the present state capitol building and grounds, with such improvements as are herewith recommended, are ample for the requirements of this state for years to come; and that with these suggested improvements there will be an abundance of large, sanitary, well heated, thoroughly lighted rooms more than sufficient for the needs of all the state offices.

We report that Hon. Sam H. Nichols as custodian of the building has been seriously handicapped by failure of appropriation of any fund for repairs or improvements, and by the lack of legal authority to assign and apportion the several office rooms of the different departments. The limited funds at his disposal for the maintenance of the buildings and grounds have been expended by Mr. Nichols to the best possible advantage, and he has secured for the state the best possible service upon the limitations imposed upon him.

Because of the enormous increase in the duties of the secretary of state by reason of the phenomenal growth of the insurance and corporation departments of his office, and his increasing duties in relation to his membership on the state board of land commissioners, etc., and because of the fact that expenditures are recommended for the completion of certain unfinished portions of the capitol, requiring constant supervision during construction, it is the unanimous recommendation of this commission (Messrs. Davis and Brown not voting) that all expenditures herein recommended should be made under the supervision of the State Board of Control; and that said board should be by law given charge of the custody and control of the state capitol buildings and grounds, with special authority to make assignments of all offices in the building, from time to time, as the best interests of the state may demand.

We wish to call your particular attention to the fact that the appropriations here recommended for the completion of certain portions of the state capitol will not come from a general tax levy but should be paid for from the state capitol grant. The legislature may provide for the issuance of warrants against the state capitol building fund and may provide that interest on these warrants will be guaranteed by the state. By this means the warrants may be issued to draw not to exceed four per cent interest. Thus, increasing taxes, the state will be enabled to make improvements at the capitol, change the heating system as hereinafter recommended, and effect an annual saving, over and above the interest on the new warrants, of thousands of dollars a year.

We desire to call the attention of your excellency to the fact that recently the city of Olympia has caused the vacation of that part of Washington street lying between the capitol building and capitol park. The original plans with relation to the park and capitol provided for a cement walk on the west and north sides of the park and grounds. We recommend that an eight-foot cement walk be laid on the west and north sides of the park and on the east side of the capitol block, to connect with the present walk to the north of the capitol. We also recommend that the services of an expert landscape artist be procured

to lay off the capitol grounds and park, providing for narrow drives on Washington street and through the park, for paths, lawn, shrubs, and the like. For the construction of this walk, the employment of a landscape gardener and the improvements of the grounds according to his plans, we recommend an appropriation of \$2,000 be asked of the legislature.

We recommend that all floors except engine room and corridor floors in the old part of the state capitol building be taken out and new floors constructed of concrete and expanded metal. Said floors to be supported on bench concrete foundation walls, and that these bench walls, placed on one side of the floors, be sunken deep enough to allow of a subway for all steam and other pipes; said subway to be at least six feet wide by five feet high with small four-inch "I" beams placed about eight feet apart at right angles to the subway walls for attaching pipe hangers. The bridge walls supporting the concrete floors to have ventilating openings 2 feet 12x12 inches, placed about twelve centers lengthwise of bridge walls. At the end of the building opposite the engine room to have two openings two feet square to outside atmosphere. On the top of these concrete floors we recommend wood floors be laid.

Upon examination we find that a great portion of the basement is unoccupied by state offices, and that a large portion, or more than one-half, of the total basement area is in an unfinished condition. Owing to the demand for more office room, your committee recommends the basement to be finished fit for use and occupation, thus providing a large number of good, well lighted offices.

Your committee finds that present allotments of rooms and space to the different departments is extravagant and badly arranged. Most of the apartments have more room than is necessary, and by rearranging the departments regarding space occupied, and by finishing the basement, as above mentioned, there will be ample room for all requirements. Your committee recommends that the present library, located on the top floor, be removed to the basement, as the floor where it is at present located is not strong enough to sustain the required loads.

We also recommend that the present smoke-stack, made of iron, be abandoned, and that the brick flues already constructed by the side of the small elevator be substituted for the present iron stack.

We would also recommend the electric cables over the boiler in the boiler room be taken down and placed in a more suitable place.

The cost of the foregoing improvements, which includes replacing floors, finishing basement and changing electric cables, together with some minor changes in the electric plant, will amount to the sum of \$13,000.

We also find that the water closets and the plumbing generally in the old part of the capitol building is in a dangerous and unsanitary condition and demands immediate attention. We recommend that \$800 be provided for this purpose.

We recommend that the vaults in the State Auditor's office be provided with metallic fireproof files and fittings. The present fittings are of wood, and in case of fire would furnish fuel enough to destroy the contents of the vault. We would recommend that \$4,200 be provided for this purpose.

We recommend that the present gravity system of heating the state capitol building be revised to the basis of the Webster Vacuum System. This work to be done at the same time as the changes that are made in the basement of the old portion of the capitol building, and the present mains and branches in this portion removed from the ceiling and placed in the pipe trenches under the basement floors. Present runs of pipes and connections to be changed to comply with the new system, but in a large measure the present lines will be left intact and only those additional lines installed to make the plant a complete success.

The benefits to be derived may be summed up briefly: The average back pressure at present is 5 pounds and the average boiler pressure is 80 pounds; assuming that the mean effective pressure is 40 pounds in the engine and elevator and other pumps. The vacuum system will remove this back pressure, insure thorough steam circulation without initial pressure in the pipes and radiators, and represent a saving of fifteen and one-half per cent.

We recommend as a part of the revised heating plant, the rearrangement of the exhaust and live steam lines in and about the boiler and engine rooms, the installation of a chemical combined feed water heater, purifier and receiver, together with pumps and auxiliary apparatus in the large room in front of boilers, affording much more space for this apparatus and making exhaust connections from engines and pumps shorter and more serviceable. The chemical heater to be complete with chemical tanks and valves, and besides serving as a receptacle for the condensation from heating system, to be capable of heating and purifying all boiler feed water within two degrees of the temperature of the exhaust steam.

We further recommend the installation of new boiler feed pump with metal valves, special oil separator, vacuum regulating valve, special vacuum pump and fixtures, high pressure trap on steam separator of main engine, and a shortening of the live steam line to large engines, saving 50 per cent of exposure and steam travel.

We recommend that all pipe and mains, both high and low pressure, be covered with suitable pipe covering.

We recommend that an oil burning system be substituted for the present fuel, consisting of oil tank capable of holding two carloads of fuel oil, placed outside the building underground with oil set in boiler room, complete with connections.

The benefits to be derived by the use of fuel oil may be summed up as follows: With wood at \$3.75 per cord, and the average consumption of three and one-half cords for twenty-four hour run, the yearly wood cost is \$4,788. On an accepted basis of fuel comparison; $1\frac{1}{2}$ cords of wood

equal 1 ton of coal; 1 ton of coal equals 3 barrels of oil; with oil at 80 cents per barrel, Olympia, fuel cost per year, on same basis of load and service equals \$2,043, making a fuel saving of \$2,745 per year.

The total cost of revising the heating system, installation of chemical heater and auxiliary apparatus, pipe covering, oil burning system, as outlined in the foregoing, will be \$8,500. By reference to the foregoing it will be seen that the saving over the present system of operation will amount to 70 per cent.

(Signed)

A. S. RUTH,
EDMUND RICE,
P. H. CARLTON,
JOHN G. PROCTOR,
J. H. DAVIS,
GEO. G. MILLS,
J. H. BROWN,

Committee.

On motion of Senator Blair the communication with the attached report was referred to the Committee on Public Buildings and Grounds.

Following communication from the Governor was read by the secretary:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 21, 1907.

To the Honorable The Senate of the State of Washington:

GENTLEMEN:—I present to you herewith a copy of a report of a committee consisting of state officials and citizens which I appointed some weeks ago to investigate and report on existing conditions at the Washington State Penitentiary, and to recommend needed improvements at that institution.

ALBERT E. MEAD, *Governor.*

To His Excellency, Honorable Albert E. Mead, Governor of the State of Washington:

We, the committee appointed by you to investigate the conditions at the State Penitentiary located at Walla Walla, and to report on same, beg leave to submit the following report. In this connection, permit us to quote the language in which you directed us to examine and report on these conditions:

"I want a free, open and candid statement of conditions existing at the penitentiary; suggestions as to what can be done toward increasing the manufactured product of the institution without causing competition with the free labor of the state, suggestions on the result of your observation and opinion of the matters of disciplinary features of the institution, the medical and surgical treatment of the convicts, the food supply, amusements, additional buildings and improvement of quarters for employees, sanitary conditions, proper care for female prisoners, the necessity for the establishment of a reformatory for first offenders, the necessity for more thorough classification of pris-

oners, the efficacy of the parole law, and such other matters as in your good judgment may be found necessary."

This committee met at Walla Walla on November 12th, as per arrangement made at your request by Adjutant General Ortis Hamilton, who was a member of the committee. All of the members appointed, with the exception of Hon. S. G. Cosgrove, were present. The committee organized by the election of Professor E. E. Elliott, chairman, and Dr. A. E. Stuht secretary. In order to facilitate the investigation the work among the various members, and the general report, as follows, is made up from the individual reports of these members. As will be noted, some of these reports overlap each other, as would naturally be the case. The report as a whole is signed by all the members of the committee, although in a few points there was not perfect accord.

The visit of the committee was placed at a very opportune time, coming as it did almost at the close of the administration of Warden Kees and the beginning of the administration of the newly appointed warden, M. F. Kincaid. The committee was also greatly favored by having on its membership the Hon. J. B. Catron, who for many years was at the head of the institution. Interviews with the gentlemen named added very much to the information obtained by the committee in its investigation.

So far as could be noted the administration of the affairs of the penitentiary was being conducted in as thorough a manner as the equipment would permit, and the recommendations of your committee are intended, principally, to improve these conditions and to provide for a more efficient administration, and make the penitentiary at Walla Walla one of the model prisons of the country.

DISCIPLINE.

In the matter of discipline, we would recommend a total separation of the guards from the convicts, including the trusties. This should be done as thoroughly as possible. The present conditions are such that the best discipline cannot possibly be maintained. The guards should take their meals outside of the prison walls. The trusties employed as clerks, etc., should be required to do their work, not in the same room with the civil employees, but so separated that their supervisor may be able to maintain his control of them. A set of printed rules should be published and conspicuously posted for the benefit of all concerned.

In the matter of punishments, we find that there is a certain class of convicts on whom at times there must be inflicted some heroic punishment. That now in vogue at the penitentiary is not satisfactory as at present practiced; that is, we find that the punishment known as "hosing" has been seriously misapplied. While the committee is unable to suggest any better form, we would recommend that this punishment be inflicted only under the direct supervision of the warden and in the presence of the resident physician.

The employment of guards under the present system is very unsatisfactory. We believe that only men should be selected for this work who are especially fitted for the same. No man should be employed who is under twenty-five years of age, as the responsibilities thrown upon the shoulders of a guard may become very great at any time, and therefore only men who have arrived at the age of discretion should be entrusted with this work. Pay of the guards we find entirely too small. The guards should memorize all printed rules. The present form of employment of guards through political preferment is decidedly injurious to the present service. Some system of civil service examination should be established and forever maintained to govern the employment of guards and officers at this institution, with the possible exception of the warden and the captain. We feel that the importance of this change is such that immediate steps should be taken to make it. In the past, men have been thrown upon the warden to perform this important duty who have had absolutely no qualifications whatever as guards. In the matter of salary, we would recommend that the pay of the warden be increased to not less than \$2,500 per year and maintenance, and other officers in proportion down the line.

A system of target practice both for rifle and revolver should be established and maintained throughout the year. Nothing can tend towards good discipline more than a knowledge among all convicts that the guards over them are able to shoot effectively. We would recommend a graded system of fines or temporary suspension of pay, ranging upward to public dismissal, would probably be a good plan.

At the present time when all classes of labor are commanding such high salaries, the proper men for this work must be well paid, and if so well paid, it will be necessary to establish some form of examination in order to secure the most efficient service.

We note that, at the present time, the women prisoners are dressed in costumes, such as are worn in the ordinary walks of life, and as they are accustomed to dress prior to their incarceration. We recommend that this class of prisoners should be clad in suits of uniform texture, make and color, thus avoiding all feelings of envy or jealousy on the part of those who do not possess fine clothing or friends outside of the walls to furnish them with such.

HEALTH AND SANITATION.

On investigating the sanitary conditions of the penitentiary we find that the new wing built five or six years ago is in a splendid condition and have no fault to find with the condition there. The balance of the prison is in a very deplorable condition. The drains through which must pass all the drainage and water used in scrubbing corridors, are without vents and traps, allowing the sewer gas to escape into the corridors, thus menacing the health of the prisoners.

The sewer system recently installed and known as the septic tanks is very good, going a great way toward solving the sewerage question of the institution, and we believe if the system is managed carefully and

correctly these septic tanks will take care of the sewage. The sewage after passing through the tanks should be collected and used as a fertilizer on the light soil, making it especially adapted to the gardening industry; but by so doing you not only take care of the sewage but add one item toward putting the institution on a self-supporting basis.

The sanitary condition of the jute mill is very deplorable, but if the recommendation of your committee with regard to the jute mill, as found in another part of this report, is accepted by the legislature this condition will be remedied.

All cooking utensils should be made of copper, as far as possible, as a sanitary precaution. These can be made in the tin shop of the institution at a very small expense. We find that the kitchen furniture is constructed of wood, allowing the accumulation of dirt in the cracks. All wood work should be eliminated from the kitchen, as far as possible, cement and porcelain being used instead.

Two large steam cookers should be installed, so that the food prepared for the convicts is well and thoroughly cooked. With the present facilities only part of the food is cooked properly, the balance being served to the convicts half cooked. This is a constant menace to the health of those convicts eating the half-cooked food.

The floors of the convict dining room should be constructed of cement instead of wood, as a sanitary precaution. We recommend the installation of a steam laundry to take care of the clothing of the convicts. The present laundry is entirely too small and under the present operation it is impossible to have the clothes of the convicts thoroughly cleaned.

We find the ventilation in the corridors where the convicts are confined very poor, but Mr. Kincaid, the present warden, assured us that this condition will be remedied at once by the installation of electric fans, which will insure good ventilation.

The water supply of the institution we believe to be a constant menace to the health of the convicts. At present the water is procured at a well and pumped to a stand-pipe. This well we believe to be unsanitary because of the fact of the accessibility of surface water to it, which could easily contaminate the well water and cause a serious epidemic of disease.

We recommend two solutions of this difficulty; either connect with the proposed new water system of the city of Walla Walla, or drill an artesian well on the prison ground. We believe the latter plan the best, for the reason that the institution would own and control its own water supply and the surplus water could be used for irrigation.

The penitentiary has recently installed a new packing house and cold storage plant for the slaughtering and care of their own meats and the manufacturing of their own ice. These plants are first class and are a credit to the institution.

The wing set apart for the female convicts is too small, poorly lighted and ventilated, and entirely devoid of any sanitary precautions.

A recommendation for the care of female convicts will be found in another part of this report.

THE PENITENTIARY FARM AND DOMESTIC FOOD SUPPLY.

The operation of the farm connected with the penitentiary should be carried on with the sole purpose in view of the benefit it can render toward the support of the institution. It is well to note that to a very large extent this has already been done.

Your committee inspected the farm and barn, so far as it was possible to do this, and find that the management has been intelligently carried on. We believe, however, that a very great extension of the farm operation is not only possible, but advisable. Unfortunately, the lands of the penitentiary are not extremely fertile, but with the use of the sewage and the application of fertilizing material, which can easily be obtained from the city of Walla Walla, it is possible to largely improve their condition and producing capacity. Employment of prison labor for the various operations of the farm has been successfully carried out, and a considerably larger number of men could be thus employed. The number of horses is not sufficient for all the work of the farm, and it is recommended that at least one additional team be secured and used in this connection. The present barn is used for both horses and cattle and is large enough for all the use required. We believe that a very large increase in the number of dairy cows could be profitably maintained. The products of the dairy would go far toward furnishing a healthful and much needed part of the daily food supply, and there is no reason why the entire amount of milk necessary for the dining table should not be furnished by the penitentiary farm. The dairy farm at present consists of some eighteen or twenty cows and one bull. The cows are of average stock, but of no well defined dairy breed. Of the total number of cows only ten or twelve are at present furnishing milk. It can readily be seen that this number is totally inadequate to the needs of the institution.

We would recommend that, as soon as possible, the present herd be disposed of and that their places be filled by a high grade or pure bred herd of Holstein cattle, it having been demonstrated that this breed of cattle is especially adapted to the needs of such institutions, where a considerable quantity of milk of fair quality is needed. The dairy barn is sufficiently large to accommodate a herd of twenty-five or thirty cows, and the present structure can be remodeled at very little expense and made to serve very well for all the needs of the herd. On the request of Warden Kincaid, plans and specifications for remodeling this building are being prepared and it is possible that the work will be done by the time this report reaches your hands.

It is further advised that a large silo be constructed, in order to supply the proper food for the maintenance of the dairy. The penitentiary farm produces fair crops of corn. These can be utilized in filling the silo, and thus maintaining a constant flow of milk on the part of the dairy herd. As the penitentiary has a large supply of brick

on hand, the silo could be constructed of this material by prison labor without much expense to the state. As now operated the farm is having to grow a considerable excess of hay above the need of the stock maintained upon it. With a careful study of the conditions the maintenance of the stock upon the farm can be easily worked out.

The enlargement of the herd of swine is advisable, as the entire product, which is fed at a minimum of cost, finds its way to the table and thus forms no inconsiderable saving to the state. The waste from the kitchen table combined with grain purchased in the market enables the foreman to produce this pork at a minimum of expense. The facilities for slaughtering cattle, as provided for by the erection of the new slaughter house, are very complete. If the removal of the jute mill to the new location be made, it will interfere with the present arrangement of the swine and poultry yards. It is recommended that these be removed to other locations not so near the stockade as at present, and that new buildings of more modern design be constructed.

We believe that a more liberal use of whitewash on the interior of all farm buildings would add very much to their appearance as well as to their sanitary condition. If a sufficient water supply can be secured by means of an artesian well, or otherwise, a considerable area, which is now occupied by the mill and jute yard, could be put under irrigation, and the amount of garden and other products which could thus be produced would give employment to a considerable number of men and would also assist in working out the problem of self-support for the institution.

NEW BUILDINGS.

Your committee after carefully investigating and studying the conditions and requirements in way of improvements at the penitentiary beg to respectfully recommend the necessity of the construction of a new administration or office building on the site of the present building. We find the present structure is not of sufficient size to meet the present requirements. The second story and attic of the building are occupied as officers' and guards' sleeping apartments. This part of the building is particularly unsanitary, and unsafe; in fact an old rookery that should be abandoned. We would recommend that a building be constructed of sufficient size to meet all requirements for office purposes, and so construct the upper stories of the building as to provide sleeping room and quarters for the officers and guards of the penitentiary. In this connection your committee would further recommend that there should be provided an amusement hall where the guards and employees could congregate and entertain themselves. In addition to this we would strongly advise that an officers' dining room and kitchen be built in connection with the administration building. The necessity for this improvement is of great importance, as we will now endeavor to show. At the present time the officers' and guards' dining room is in the most desirable cell room space of the penitentiary. It will be seen that by removing this dining room from the penitentiary proper

to the proposed new administration building that this space could then be utilized for cell room purposes. In the second story of this space in the penitentiary occupied as officers' dining room is the female convicts' quarters. In this connection we desire to state that the quarters provided for the female prisoners of the institution are not what they should be by any means. They also should be transferred to quarters elsewhere, which would then leave the entire front wing of the penitentiary free to be used for cell room purposes, which is a great need at the present time. The space thus provided would accommodate probably two hundred convicts. On further examination your committee finds that the present hospital at the penitentiary is not of sufficient size to meet the requirements of today, and so constructed that the management of the penitentiary feels unsafe in assigning desperate long sentenced men to the hospital for treatment, because of insecurity there, owing to the way in which the building is constructed. We would recommend that a new modern up-to-date hospital be built of sufficient size to meet all requirements on a site directly east of the penitentiary building—in the stockade enclosure, and directly south of the present hospital. This building to be built by the State Board of Control and under the supervision and advice of the State Board of Health. Plans and specifications should specify a ward for the control of contagious diseases and also a balcony to be used for the treatment of tubercular convicts. The building of the new hospital would solve the question of a desirable building and suitable quarters for the female prisoners. The old hospital with very slight expense could be easily converted into quarters for women prisoners. It could be made admirable quarters for the female inmates of the institution and would assist the management greatly in the discipline and government of the penitentiary in general. In addition to this the proposed new quarters for the female prisoners will accommodate all the female inmates of the penitentiary at present, and probably all that might be confined therein for several years to come and leave sufficient room, for instance, in the second story of the hospital building for a work room or small manufacturing industry to provide employment for these female prisoners.

ENLARGEMENT OF CONVICTS' DINING ROOM.

On studied examination your committee finds the present convict dining room and kitchen very commodious, light and airy, but of sufficient size only to accommodate approximately six hundred men. It is now necessary to feed these inmates in relays, which is very undesirable and must necessarily greatly interfere with the general government of the prison. We therefore recommend that the present convict dining room building be enlarged or extended back to a sufficient depth to accommodate a seating capacity of one thousand prisoners. This is entirely practicable and can be accomplished with a nominal expense. These improvements to be made in accordance with the recommendations of your committee under the head of Health and Sanitation.

The bakery at present is located in the basement under the present officers' and guards' dining room and it is a distance of probably four or five hundred feet from the convict dining room. This should be also moved, and a small structure be built on the east side of the proposed extension of the dining room and kitchen. This would be of much benefit in the way of making these necessary adjuncts desirable and handy. By making these changes it would also place the dining room directly opposite the new cold storage plant, which would be very desirable. The enlargement of the dining room would also provide exceptionally good temporary arrangements for a chapel or assembly hall for the convicts. The fact that the officers' dining room is in the prison proper is very undesirable. It is not in keeping with a well regulated and modern governed prison. It carries with it possibilities for wholesale loss of life.

NEW CELL ROOM.

On further examination your committee finds that the cell room at present is limited, and that before the next legislature convenes an additional wing for cell rooms must necessarily be provided. The building of a new administration building and a new hospital, which as shown heretofore in this report, would remove the officers' and guards' dining room, and female prisoners from their present quarters and leave a space now occupied by them available for cell room purposes. We would therefore recommend that the above referred to space be changed into a wing adapted to cell room for prisoners.

EMPLOYMENT OF CONVICTS.

The problem of employing convicts at the penitentiary is probably the most difficult for the management of the penitentiary to deal with, in connection with the government of the institution. At the present time there are about 450 or about one half of the population of the prison employed. Any one at all familiar with the successful management of penal and reformatory institutions realizes that constant occupation is absolutely necessary for the incarcerated man, both from a humane and disciplinary standpoint.

Some years ago the legislature wisely enacted a law and appropriated the sum of money necessary for the construction of a jute mill, whereby grainbags and other jute fabrics might be manufactured by prison labor. At the present time there are about 250 convicts employed by prison labor. Convict labor utilized in the manufacturing of jute grain bags does not in any particular compete or interfere with common labor. Because of the fact that the state penitentiary being located in the center of the great wheat growing section of the state of Washington, and the further fact that this convict labor so utilized competes less with paid labor than probably any other way in which they might be employed, makes this a most practical and attractive way of employing the labor of the inmates of the institution. There are approximately at the time being 35,000,000 bushels of grain growing in this state annually, requiring about 15,000,000 sacks for same each

year, which will be seen is only a small per cent of the number required. We therefore take pleasure in recommending that your Excellency recommend to the next legislature that they enact a law and appropriate funds to enlarge the present jute mill to double its capacity. In our opinion, it would strike the proper chord of the tax payers in general throughout this state, and more particularly the farming element of Eastern Washington, if the jute mill was enlarged to double its present output.

At the time the jute mill manufacturing plant was located at its present site a very serious mistake was made in the selection of the site for the mill. It is situated at the foot of the hill, several hundred yards from the prison. The prisoners have to be marched up and down this hill and return four times daily. This necessitates an extra force of armed guards to insure proper protection and safety during the interval that these men are being taken to and from the jute mill at the prison.

The present location is not desirable from any point of view, besides being objectionable because of having to depend upon extra guards to insure safety. It is dangerously unsafe when the atmosphere is heavy and foggy, making it difficult for the guards to see the men at all. In this case if an outbreak was to occur it would probably result in the loss of many lives. In short, the possibilities for a dangerous outbreak are too great and should, if possible, be remedied. Another good and humane reason for the removal of this mill to a site nearer the prison is the exposure the convicts are now subjected to in their thinly clad condition, on going to and from the mill when the weather is cold. This condition would be obviated were the mill located nearer the present stockade enclosure.

In this report your committee has recommended that the jute mill be enlarged to double its capacity. In the event that Your Excellency deems it wise to make recommendation to the Honorable Legislators to appropriate moneys to permit of the increase in capacity of the mill and the legislature appropriates the necessary money to make this improvement, we, your committee, would respectfully recommend that the mill be removed from its present location to a point directly west and adjoining the present prison stockade wall. With a new stockade surrounding the mill, similar to that now around the prison, all objectionable features now existing would be removed. The mill could be operated with less employees, which within itself would in a short time offset the expense of removing the mill. This change would be business-like and in every particular a greater improvement than we have words to express. On examination, the contour of the ground is such that a reasonable grade could be obtained, so as to carry the raw material and manufacturing product of the jute mill directly to and from the new location. This would also bring about other material advantages, for instance, the fuel required is unloaded at present in bunkers at the foot of the hill and necessitates conveying all coal and wood used at the prison proper by horse power up this hill, which is a great avenue for

the escape of convicts. By moving the mill to the proposed new site the railroad could then convey all fuel, merchandise and other supplies necessary to maintain and operate both the Penitentiary and mill to the bunkers, store and warehouse inside the stockade. This arrangement would be as nearly perfect as it could be made and would be as an individual enterprise would make it.

The method of distributing products of the jute mill have been much criticised, and an investigation of the facts leads us to believe that such criticism is well founded. An examination of the records shows that the distribution of grain bags has been very largely local and that the wheat producing counties of the state have not received their full proportion of the product. In support of this statement we append a list of the purchasers of grain bags for the years 1905 and 1906. As will be shown, in the years 1905 and 1906 the total output was 1,506,700 and 1,329,600 bags, respectively, and were distributed to the various counties in the following proportion: In 1905, Walla Walla and adjoining counties, 1,098,800 bags; in 1906, Walla Walla and adjoining counties, 1,048,600 bags. It is apparent, so far as the grain producers of the state are concerned, this inequality of distribution has worked great injustice. We would recommend that the Board of Control distribute the output of grain bags to the various counties in the state producing wheat, in proportion to the total amount of grain produced each year; said amount to be estimated by the State Grain Inspector's office. These bags will be set aside for the benefit of such counties and the same will be held for thirty days after February 1st of each year. Should any part of the amount be unappropriated at the end of the thirty days, these will revert to the common fund and made available to such counties as have made application for them. In order to secure some revenue to the state from the operation of the jute mill, we believe that the price to be placed upon the grain bag output should be at least one cent per sack above cost. With the present capacity of the mill this would bring the treasury of the state, at least, \$15,000, and would thus prove a long step toward making the institution self-supporting.

Investigation shows that considerable loss has resulted to the state from the purchase of the raw jute used in the manufacture of the products of the jute mill. It is apparent that the price of raw jute, as well as jute products, is largely controlled by two or three firms which have a controlling influence of the producer's market. In securing bids for the necessary supply of jute, competition is practically eliminated, as the various districts producing the raw product are each under the control of the different firms. It has been estimated that the loss in purchasing the supply through these channels for the year 1906 practically amounted to \$22,000. In order to prevent this and to secure the requisite supply as economically as possible, your committee recommends that a purchasing agent at a liberal salary be maintained at the point of production. This agent should be expected to make a study of the sections where jute is produced and the markets where it is sold and the various systems of manufacture. Only by some such means can the

present combination, which restrains the trade, be overcome. If the output of the jute mill can be sold, as suggested, so as to return a profit to the state, and this saving in the purchasing of the supply can be effected, the total saving will be very large and will go far toward working out the problem of self-support.

If the selection of an agent for the purchase of jute on the India market could be handled in conjunction with the other jute consuming states, viz., Oregon and California, Washington's portion of this man's salary would be very moderate, and we would recommend that this plan be adopted.

HAS THE STATE BOARD OF CONTROL PURCHASED ALL THE RAW JUTE POSSIBLE WITH THE FUNDS AVAILABLE?

We believe that this question can be best answered by referring to a few figures which the records of the Penitentiary and the State Board of Control will show.

The appropriation for the revolving fund for the present biennial period was \$150,000, the same as for the two preceding biennial periods. The expenditures from this revolving fund are made for the following purposes: Salaries, purchase of light, heat and power, raw jute, freight, machinery and tools, and oils. In explanation of the last item, we wish to say that a considerable quantity of oil is used in preparing the raw jute to be manufactured into grain bags and other jute fabrics. These expenditures for the periods ending 1902 and 1904 were in round numbers \$100,000 each; for the period ending September 30, 1906, which does not include the last six months of the present biennial period, were \$123,000. This excess in expenditures up to this time, over and above that for the two preceding biennial periods, can be accounted for by mentioning the excessive price the Board has had to pay for the raw jute during the last biennial period, as other expenses have remained approximately the same. The figures for the last three biennial periods are as follows:

Average price per bale for biennial period ending 1902...	\$14.92
Average price per bale for biennial period ending 1904...	13.85
Average price per bale for biennial period ending 1906...	19.50

This rate has made it necessary with the amount of jute already purchased to expend about \$23,000 in excess of the expenditures for the same time in the two preceding biennial periods. It will therefore be seen that there is still remaining in the revolving fund only \$27,000, which must last until the 1st of April, 1907, the end of the present appropriation period. The records of the State Board of Control show that there have been manufactured during the present biennial period 2,432,285 grain bags, while in 1901 and 1902 there were manufactured 2,492,500 grain bags, and in 1903 and 1904 2,129,150 grain bags. It would therefore appear from the above figures that the State Board of Control has purchased about all the raw material the available funds will stand, and that there have been manufactured during the last biennial period a considerable quantity of grain bags in excess of that

manufactured during either one of the two preceding periods. Now, as to whether or not the Board of Control has so timed its purchases that it could or did take advantage of the lowest possible price of the raw material during the last two years, we are from the records unable to say, and we believe it impossible for any man to determine what the price of the raw material may be at any time in the future, as the market is, strictly speaking, a speculative market and not necessarily controlled by the law of supply and demand.

THE EMPLOYMENT OF CONVICTS ON PUBLIC HIGHWAYS.

Even though the capacity of the jute mill be doubled, thereby employing five hundred men and taking into consideration the number of men required for other purposes in connection with the maintenance of the Penitentiary, there would still remain a large number of unemployed convicts. The question of what to do with these unemployed men is one that is occupying the attention of the management of the Penitentiary.

The people generally are becoming more interested in the subject of good roads, and giving the matter much serious thought. Regarding the best and most practical methods by which this can be accomplished, we believe that none shall be found possessing greater possibilities, more pleasing or practical than by the use of convict labor. In our opinion there is no way by which this surplus labor might be employed to better advantage to the people of the state and conflict so little with ordinary labor as by employment on the public highways.

The climatic conditions of this state are such that the men might be employed almost the entire year. It would also be beneficial to their general health, the fresh air and sunshine would do much to strengthen their physical condition. That this is practical has been demonstrated, as many states of the South have long since successfully adopted this method of employing the great surplus labor to be found within the walls of their penitentiaries. The amount of work that might be accomplished by the present available surplus labor at the Penitentiary within a period of five or ten years would be surpassingly large. We are not adverse to contending that if this method of employing convict labor was adopted throughout the state, it would stand as a wholesome monument and be a credit to the commonwealth, such as we might not otherwise hope to accomplish by any other method in half a century.

Each legislative session appropriates large sums of money for the construction of roads within the various counties of the state. If the surplus labor of the Penitentiary was employed on these highways it would not be necessary to make such large appropriations. The taxpayers of the state under the present laws are taxed for the maintenance of the Penitentiary and keep of these criminals, without receiving practically any benefit whatever. If a law was enacted whereby these men could be utilized on the construction of these highways, they would then be put on a basis of being, at least, partially self-supporting. Your

committee would respectfully recommend that the Legislature be asked to enact a law whereby convict labor might be used on the public highways of the State of Washington, and that such appropriations be made as found necessary to successfully carry on this work.

THE MORAL AND PHYSICAL WELFARE OF THE CONVICTS, PRESENT AND FUTURE.

In brief, we do not consider the moral and physical conditions of the convicts, at present, satisfactory, nor do we believe it possible to appreciably better their conditions in either particular until by legislative enactment or otherwise, these general propositions are recognized:

First. Crime is as much the evidence of a disease as are the recognized evidences of insanity, smallpox, typhoid fever or diphtheria.

Second. As the insane person is sent to the asylum, there to remain *until cured* or pronounced incurable, so, too, should the criminal be sent to a reformatory or other place of detention, there to remain *until cured* or pronounced incurable. The sentence in one case is indeterminate—it should be in the other.

Third. Mere youths and first offenders should not be classed and compelled to associate with older criminals and degenerates.

For consideration in connection with the above, we submit data taken from the prison records, as follows:

Summary of the Statistical Tables of the Washington State Penitentiary for the Biennial Period Ending September 30th, 1906, Walla Walla, Washington.

Number of convicts in Penitentiary September 30th, 1904....	667	
Number of convicts on parole September 30th, 1904.....	26	693
Received during the two years ending September 30th, 1906..	760	
Discharged during the two years ending September 30th, 1906	613	147
Number of convicts in Penitentiary September 30th, 1906....	807	
Number of convicts on parole September 30th, 1906.....	33	840
September 30th, 1904.....	693	
September 30th, 1906.....	840	
Increase for two years.....	147	
Percent of increase of 1905.....	9.92%	
Percent of increase of 1906.....	11.7%	
Total increase in two years.....	21.65%	
To be exact	21.21%	

TERM OF SENTENCE.

From four months to life. Of this number 205 are serving two years or less, and 502 of the total number are serving 5 years or less, which means that about 24% of the total have 20 months or less to serve,

while about 60% of the total number have 3 years and 7 months, or less. This is based on the usual commutation of sentence for good behavior.

PLACE OF BIRTH.

Foreign born	217
Native born Americans.....	623

DISTRIBUTION OF FOREIGN BORN.

Great Britain and Ireland.....	72
Canada.....	39
Germany.....	27
Norway.....	15
Sweden.....	14
Scattering 1 to 6 from other countries.....	50

SEX OF CONVICTS ON HAND

Males.....	828
Females.....	12
	<hr/>
	840
On parole, males.....	32
On parole, females.....	1
	<hr/>
	33

AGES OF CONVICTS ON HAND.

From 16 to 69 years. Of this number, 145 are 21 years of age or less, while the greatest number are between the ages of 22 years and 35 years, with a total of 178 between the ages of 22 and 25 years.

OCCUPATION OF CONVICTS ON HAND.

Professing to have some knowledge of a trade or profession.....	614
Having no knowledge of any trade or profession.....	226

Of the total 614 who profess some trade, at least 300, or nearly 50% are classed in those occupations commonly called laborers, viz., loggers, miners, sailors, waiters, teamsters, etc.

RELIGION OF CONVICTS ON HAND.

Protestants.....	511
Catholics.....	265
Mormons.....	1
Jews.....	6
Heathens.....	3
Atheists.....	2
No religion	52

EDUCATION OF CONVICTS ON HAND.

Collegiate or academic.....	5
Common schools	751
Self educated, very slight.....	28
No education	56

PLEAS OF CONVICTS ON HAND.

Plead guilty	456
Plead not guilty.....	384

HABITS OF CONVICTS ON HAND.

Intemperate.....	619
Temperate.....	216
Moderate.....	3

PAROLE SYSTEM SINCE MARCH 3RD, 1899.

Total paroles granted prior to September 30th, 1904.....	78
Total paroles granted during two years ending Sept. 30, 1906....	57

 135

ADDITIONAL INFORMATION.

1. The average increase in the number of convicts per year is about 10%, which indicates a possible total in ten years of 1680.
2. Native born Americans are largely in the majority.
3. Age of convicts:
 - 17.26% are 21 years old or younger.
 - 38.45% are 25 years old or younger.
 - 21.19% are between 22 and 25 years.
4. The number of competent mechanics, clerical or professional men will not exceed 10% of the total 840.
5. About 93% of the convicts profess some form of religion and 90% were educated in the common or higher schools, showing that education is a slightly greater deterrent of crime than religion.
6. At the present time 484 of the convicts are without work of any kind and are confined in their cells.
7. Many of the convicts are afflicted with contagious diseases and the lack of proper and modern laundry facilities is such that their clothing being washed with that of others becomes a menace to the health of all.
8. Six hundred and nineteen of the 840 convicts had led intemperate lives, and of the 456 who plead guilty over 95% gave as an excuse for committing the crime, either being drunk or being in bad company.
9. Of the 135 who have been paroled all but 22 have kept their paroles and are now useful and law-abiding citizens. The average wages earned by the paroled convicts during the past two years has exceeded \$40 per month.
10. There is no chapel where men can be assembled for religious service, lectures or entertainment, no room where those of limited education may receive instruction, nor any place for the criminally insane except in cells in close proximity to other prisoners. At the time of our visit the amount of funds in the hands of the Warden, available for educational purposes, was forty-eight dollars (\$48.00), no part of which was supplied by the state.
11. Prisoners are classified generally as to conduct: Vicious or dangerous men who wear the red-black stripes, the ordinary or main

body of men who wear the white-black stripes, and the trusties, who wear blue-black stripes. There is no sub-classification for treatment and improvement mentally, morally, physically, and instruction in the trades.

12. Lengths of the sentences imposed by the different courts for the same crime differ radically.

13. Present laws, lack of proper buildings at the Penitentiary and other conditions make punishment the chief aim of our prison system and *reformation* of minor importance.

Such briefly stated, are the conditions. The Warden, Mr. Kincaid, assumed office out a few days before our visit. He is a good executive, well fitted for the work and greatly in earnest, but handicapped by these conditions to such an extent that unless relief is granted success will be doubtful.

THE REMEDY.

The Reformatory System. The Indeterminate Sentence.

The Reform School, an Intermediate Reformatory and the Penitentiary should comprise the system as a whole. The general plan is best set forth in House Documents, Vol. 91, Fifty-Sixth Congress, Reformatory System in the United States, 1900, pages 29 and 35, by Frank B. Sanborn, reading as follows, the same being extracts from former reports made by Mr. Brockway, superintendent of the famous Elmira Reformatory, "The ideal of a true prison reform system."

"The central aim of a true prison system is the protection of society against crime, not the punishment of the criminals.

"The causes of crime are primarily in the person; secondarily, in the circumstances that surround him.

"The change sought in the character of criminals (called reformation) is of a practical nature, and has to do with daily life in ordinary social relations.

"The reformatory should contain dormitories, affording to each prisoner a separate room, such as a respectable citizen might occupy; a dining hall upon the plan of a well-regulated restaurant for work people; a library building and public hall, suitable for reading rooms, religious services, scientific, and other intellectual exercises of a public nature; suitable industrial apartments for the exercises of a public nature; suitable industrial apartments for the branches of mechanical business to be carried on; the whole to be organized substantially upon the cooperative plan.

Sentences should be indeterminate; all persons convicted of crimes to be committed to custody until they may be returned to society with ordinary safety.

"The true basis of classification for prisoners is *character*, not conduct; good conduct may be assumed, but good character never.

"Intellectual education must take a more prominent place. Education occupies the time and affords society in solitude, whose tendency otherwise is always deteriorating."

At a later date, but following the same line of thought, Mr. Brockway added:

"Any classification of prisoners will be of doubtful utility unless it is so comprehensive as to provide occupation for all the working hours. The management must know, if it does direct, all their intellectual exer-

cises. The varied activities of the day should leave no idle moments for hand or head."

"As the indeterminate sentence alone has permitted these means to be fully employed, so next in importance is classification and gradation, in regard to the diversified character of which Mr. Brockway has recently made these remarks:

"The principle of classification is a fundamental requisite for any useful effort at reforming criminals; and its practical extension at Elmira may be thus described:

"(a) There are three character grades, with two subgrades, one for incorrigibles, the other for some who seem to be cured of their criminal intent, but for one reason or another are detained in service, with or without pay. The last subgrade is very small. The privileges of each grade differ, the object of the whole scheme being to intensify motives for self-support and improvement.

"(b) There are three intellectual grades, comprised in 28 classes for mental development and school instruction and common knowledge.

"(c) All are then classified in trade classes, dependent on idiosyncracies and earning opportunities, the aim being to fit each one for easily earning an honest living, with legitimate pleasures, in free society.

"(d) Again they are classified in 16 military companies (4 battalions and a regiment) for drill and training, with the manly feeling, bearing and movement thus likely to be gained.

"(e) For a third time they are classified, not by religious persuasions, either of themselves or their families, into Roman Catholic, Protestant, and Hebrew divisions, not to maintain or promote sectarianism, but for better impressing the men themselves, and incidently to cultivate a tendency for religious association, when released, with others of their own faith.

"(f) The specially defective are next divided in three groups, each representing persons of like deficiency. The first group contains those mathematically incompetent; the second those greatly deficient in morals, and the third those generally dull. These groups are again subdivided into sections for training by manual exercises, which may aid them to overcome their respective defects. Thus this whole special classification forms a manual training class, occupying the time each day for these persons, which is not taken up with the general reformatory work.

"(g) A smaller number are in the physical training (or renovation) group, made up of the anæmic and undeveloped, the semi-invalids, the feeble minded, those showing mental aberration, the sexual perverts, the moral imbeciles, to whom are added all prisoners newly arrived, who for a month are treated with baths and physical exercises in the gymnasium. The aim here is to repair and fit the organism for its normal functions, increasing nervous energy, and thus strengthening character."

We also quote from the Science of Penology, by Henry M. Boise, 1901, page 147:

"The 'indeterminate sentence' is a sentence which commits a convict to confinement in a scientific reformatory until he is pronounced fit to be restored to social freedom by a competent tribunal; with the condition that when this tribunal pronounces the convict incurable or incorrigible he shall be transferred to a prison, where secure seclusion and the cheapest maintenance are the chief objects, for continuous imprisonment. In this prison or penitentiary the more expensive efforts and agencies of reformation and cure yield precedence to economy of administration; but the convict may still achieve his liberation by satisfying

the tribunal of his cure. The convict holds the key of the door of the reformatory in his own control so long as he is in it, and if he goes to the penitentiary he is again given the key of that door also. The hope and possibility of liberty are never entirely cut off. Despair and imprisonment for life are the consequence solely of his own contumacy and incorrigibility. The responsibility for the severity of his punishment is thus always left resting upon himself. No definite end or limit for the imprisonment is or can be rationally connected with the sentence. The commitment is like that of an insane person to an asylum, or a sick one to a hospital, until cured. The disease is dangerous to the public, therefore the state must keep the criminal shut up for the protection of the public, until it is assured by competent authority that it will be safe to discharge him; but the hope of release lasts till death."

AN ADVISORY BOARD OF VISITORS.

Believing that the welfare of the prisoners, moral, and physical, would be promoted, the Warden and officers aided and encouraged, and the community in general aroused to greater interest in matters so vital to the state, we suggest that you recommend the passage of a law authorizing the appointment of an Advisory Board of Visitors, composed of representative men whose profession, education, or occupation best fits them for such appointment. The members of such board should serve without compensation except for actual railroad fare at the rate of three cents per mile.

RECOMMENDING AN INTERMEDIATE PRISON.

In the State Penitentiary located at Walla Walla are confined more than eight hundred criminals of all classes. Beginners in crime are forced to associate with old and hardened offenders. That the reformation of many beginners is rendered well nigh impossible by this demoralized influence is beyond dispute. Owing to construction of buildings and mode of employment at the State Penitentiary, it is almost impossible to separate and class the men incarcerated there. The method of the institution to care for the criminals from sixteen to twenty-five years of age; to separate offenders from associating with hardened criminals; to afford the best and most modern methods of reforming the young offenders has long been felt in our state. As it is, if the criminal is too old to be sent to the industrial school at Chehalis, he must go to the Penitentiary, where he is thrown into constant association with those who have made crime their avocation. We, your committee, therefore recommend the enactment of such legislation as may be necessary to accomplish this and we further recommend that such an institution be located on the west side of the mountains; that said institution be so equipped that convict offenders may be taught the literary branches, moral effects, trades, and proper physical branches. A further suggestion would be to locate this intermediate prison on a section or tract of land, now owned by the state, whereby if possible the young offenders in crime might be kept in employment on the farm or otherwise, with the idea in view of making the institution self-supporting. Then when

they leave the institution they are equipped with a trade, by means of which they can earn a living. This way the state could not make an investment which would produce better returns.

RELATIVE TO CHANGE IN LAW REGULATING REVOLVING FUND APPROPRIATIONS
FOR THE STATE PENITENTIARY.

With reference to the revolving fund, which constitutes, as is well known, the manufacturing revenues of the State Penitentiary, we, your committee, would respectfully recommend that it be made a revolving fund in fact, and not in dubious designation, as it may now be accounted.

Under the custom at present in vogue the proceeds of the jute mill and brick yard are transmitted monthly to the State Treasurer, who, as we understand it, under a former ruling of the Attorney General, holds them subject to disbursements, solely at the discretion of the Legislative Assembly. Thus they are withdrawn from utility in behalf of the Penitentiary, a proceeding manifestly unfair, seeing that a proportion of the remittances represents profits earned by prison labor. In lieu of such regulation, therefore, which necessarily carries in its wake many and obvious embarrassments, we would respectfully recommend that a sum be appropriated by the next Legislature, adequate in amount to operate the jute mill from year to year, and so legalized under the statutes as to be rendered accessible to the State Board of Control, or the superintendent of the institution.

We would recommend that the Legislature adopt this plan and have for its objects the realization of this end. A fund so created would be "revolving" in reality; and in keeping with its purposes, would be subject to costs for revolving expenses, and deposits from the revolving returns. An amount not exceeding \$100,000 probably might be termed fully adequate for this object and, assuredly, it is infinitely to be preferred to the method now in force of appropriating a particular sum for each biennial period. In short, under the present law \$150,000 must now be appropriated in each session of the Legislature, whereas, were the law altered, and designed in the light of business principles, the plan might be conducted in fashion as an individual enterprise, and this fund, once started, would continue uninterruptedly to revolve. Moreover, the necessity for biennial appropriations would thereupon permanently cease. Hence, seeing that the revolving receipts, including profits, are deposited with the State Treasurer, and, that the moneys so collected lie dormant with that official pending legislative measures transferring them into the general fund of the state.

We are firm in the opinion that a departure, such as outlined, should merit hearty approval. We would recommend that the law regulating the sale of grain bags and other jute products be changed, so that the management of the Penitentiary could sell the manufactured products for a margin of profit each year to be fixed or agreed upon by the State Board of Control and the superintendent of the Penitentiary.

Under this system the fund would gradually increase, and at the end of each biennial period the surplus thus accumulated could be turned into the maintenance fund of the institution, thereby reducing the appropriation made by the Legislature and thereby benefit the tax payers of the state at large. This measure, if adopted, would be a step toward putting the Penitentiary on a self-supporting basis, and to this end your committee further recommends that it should be the policy and purpose to make such legislation as may serve best to put the institution on a self-supporting basis.

In our judgment, the prison should be so managed that the inmates should be required to labor industriously towards their own keep, and thereby lessen the burden from the shoulders of the tax payers of this commonwealth.

In order to make this report of your committee more easily grasped we would append herewith a summary of the recommendations which we have seen fit to make, trusting that these may have been so stated in the report as to be easily referred to.

First. A separation of the employees from the convicts, so far as possible.

Second. Modification of the extreme form of punishment known as "hosing."

Third. Civil service for the employment of guards and employees.

Fourth. Increase in salaries along the entire line.

Fifth. Uniforms for women prisoners.

Sixth. Improvement of the sewerage of the old prison, and more sanitary appliances in the kitchen.

Seventh. The employment of women in some form of active labor.

Eighth. The enlargement of the dining hall, and the construction of a new bakery.

Ninth. Improvement of the water supply through connection with the city system or artesian wells.

Tenth. Enlargement of the dairy barn and herd, and greater development of the Penitentiary farm.

Eleventh. Removal of the jute mill to a site adjacent to the stockade and doubling its capacity.

Twelfth. A better system of distributing the products of the jute mill throughout the state.

Thirteenth. The employment of convicts on the public highways, and the construction of public works for the state.

Fourteenth. The construction of a new hospital and the removal of the women prisoners to the present building used for a hospital.

Fifteenth. The establishment of an intermediate prison west of the Cascades.

Sixteenth. Recommending a change of the law regulating the revolving fund appropriations.

This report is offered by your committee in the hope that your excellency may be able to make such recommendations to the Legislature as will work out a great improvement in the administration of the

Penitentiary and bring it up to such a standard of efficiency that it will be known throughout the entire country as a model of its kind.

We would thank you for the opportunity of serving in this capacity, and for the interest that has been awakened on our part in this most important subject, which relates to the welfare of such a large number of the unfortunate citizens of our state.

Respectfully submitted,

E. E. ELLIOTT,
Chairman.

A. E. STUTH, M.D.

Secretary.

JNO. B. CATBON.

J. W. ABRASMITH.

FRANK J. BARNARD.

ORTIS HAMILTON.

Since preparing the above report, we find that on January 1st, 1907, there remained in the revolving fund \$20,020.47, out of which the board will have to pay \$13,825 for jute to be delivered February 1st. This will leave a balance of \$6,195.40 for running expenses to April 1st. These expenses amount to something over \$2,000 per month.

LIST OF GRAIN BAGS SOLD DURING THE SEASONS OF 1905 AND 1906 BY THE WASHINGTON STATE PENITENTIARY.

Name.	Address.	No. of Bags.
W. P. Reser	Walla Walla	20,000
Robt. Kennedy	Walla Walla	40,000
G. C. Welch	Walla Walla	8,000
B. Ferrel	Walla Walla	10,000
S. A. Feider	Walla Walla	5,600
Jacob Myers	Walla Walla	4,000
W. S. Malloy	Walla Walla	6,000
W. F. Spear	Walla Walla	3,000
C. L. Shemwell	Walla Walla	2,500
H. D. Eldridge	Dixie	5,000
J. H. Edwards	Eureka	5,000
A. Baldwin	Sprague	3,500
H. J. Murphy	Waitsburg	1,500
John Lyons	Walla Walla	10,000
Baumeister & Dwelley	Walla Walla	9,000
J. Nelson	Thornton	1,000
Pat Lyons	Walla Walla	14,000
H. F. Clodius	Waitsburg	12,000
J. C. Scott	Walla Walla	10,000
William Jones	Tacoma	45,000
W. E. Waggoner	Walla Walla	7,000
Josh Barnes	Waitsburg	3,500
J. Buehler & Sons	Ritzville	5,000
W. F. Marsh	Walla Walla	12,000
Mike Fox	Walla Walla	1,500
M. Poetrzyki	Dayton	3,500
E. H. Letterman	Pullman	3,000
C. Lyman	Dayton	4,000
Fred Hoffer	Prescott	15,000

Name.	Address.	No. of Bags
C. B. Lane.....	Walla Walla	3,500
E. B. Fletcher.....	Pullman	7,500
P. Ryan.....	Pullman	7,000
B. F. Misner.....	Almira	2,000
E. Dexter.....	Clyde	4,000
Daniel Rudledge.....	Prescott	3,500
J. Miller.....	Walla Walla	2,500
D. E. Benedict.....	Walla Walla	7,000
Chas. Plucker.....	Eureka	4,000
J. D. Price.....	Waitsburg	4,500
H. Kaseburg.....	Waitsburg	2,500
C. Miller.....	Waitsburg	1,000
Jno. W. McGhee.....	Waitsburg	1,000
E. L. Bryan.....	Waitsburg	2,000
A. Drysdale.....	Prescott	20,000
D. D. Wallace.....	Dayton	5,000
H. Lasater.....	Walla Walla	5,000
W. H. Ingalls.....	Waitsburg	5,500
O. T. Cornwell.....	Walla Walla	8,500
D. G. Ferguson.....	Walla Walla	8,000
Fred Stine.....	Walla Walla	9,000
S. M. Kees.....	Walla Walla	3,000
J. R. Ruply.....	Pullman	3,000
W. S. Cantonwine.....	Dixie	4,500
Jos. Lane.....	Walla Walla	2,000
J. M. P. Snyder.....	Walla Walla	20,000
Ed. R. Young.....	Pullman	3,000
Otto Labudde.....	Walla Walla	4,000
Nat Webb.....	Walla Walla	6,000
F. W. Theil.....	Walla Walla	8,000
F. Sterns.....	Pullman	1,000
A. G. Cornwell.....	Walla Walla	6,000
Mrs. A. Martin.....	Walla Walla	8,000
J. M. Resser.....	Walla Walla	10,000
Demaros & Co.....	Dixie	9,000
H. L. Price.....	Waitsburg	1,700
I. D. Brunton.....	Dixie	4,000
T. Lyons.....	Walla Walla	12,000
R. J. Tompkins.....	Clyde	10,000
P. McDonald.....	Walla Walla	3,000
T. Copeland.....	Walla Walla	3,500
W. R. Copeland.....	Walla Walla	3,500
C. M. Rice.....	Eureka	5,000
A. J. Evans.....	Walla Walla	5,500
H. Johnson.....	Almira	5,000
T. G. Elliott.....	Walla Walla	3,200
W. L. Starling.....	Walla Walla	900
Est. of J. Longhead.....	Walla Walla	1,500
Jennie Curtis.....	Walla Walla	500
H. R. Sylster.....	Walla Walla	400
Helen A. Papoon.....	Walla Walla	500
J. S. Kershaw.....	Dixie	2,500
Jno. Thonney.....	Walla Walla	3,000
J. Beaston.....	Clyde	4,000
C. M. Taylor.....	Waitsburg	2,000
W. E. Barnett.....	Wescott	1,500
T. W. Hauschild.....	Ritzville	3,000
J. C. Waddell.....	Walla Walla	1,000

Name.	Address.	No. of Bags
Z. Hoffman.....	Eureka	20,000
A. Collard.....	Clyde	2,500
Pacton & Stine.....	Walla Walla.....	3,000
H. Shaw.....	Prescott	4,000
B. Grote.....	Clyde	30,000
H. H. Vincent.....	Prescott	30,000
M. C. Moore & Sons	Walla Walla.....	10,000
C. I. Hall.....	Walla Walla.....	4,000
P. Yenny.....	Walla Walla	6,000
W. Sksborf.....	Waverly	1,000
J. F. Corkum.....	Walla Walla	4,000
J. A. Patterson.....	Walla Walla	4,000
C. J. Broughton.....	Dayton	40,000
E. H. Wyrick.....	Leon	5,000
W. A. Shelton.....	Walla Walla	3,500
O. O. Bowman.....	Dayton	2,000
G. Steinke.....	Walla Walla	4,000
W. H. Gross.....	Walla Walla	6,000
B. H. Gross.....	Walla Walla	6,000
Mrs. J. P. Denny.....	Waitsburg	2,000
E. Angell.....	Walla Walla	2,000
E. Bollick.....	Asotin	4,000
J. Kibler.....	Walla Walla	9,500
J. Cochran.....	Clyde	7,000
R. J. Day.....	Clyde	6,000
S. E. Snider.....	Dayton	11,000
J. W. Harbert.....	Walla Walla	7,000
J. E. Painter.....	Clyde	3,000
G. Struthers.....	Walla Walla	25,000
H. C. Acton.....	Dixie	2,000
J. Martin.....	Walla Walla	8,000
C. E. Kellough.....	Walla Walla	5,000
Dyce & Clague.....	Prescott	7,000
M. H. Hauser.....	Pomeroy	50,000
T. P. Touseti	Clyde	7,000
J. Thomney.....	Walla Walla	1,000
T. Ennis.....	Walla Walla	25,000
Taylor Brothers.....	Waitsburg	5,000
J. J. Fix.....	Dayton	3,500
W. M. Callahan.....	Clyde	1,500
A. Dunnigan.....	Walla Walla	7,000
F. Richmond.....	Prescott	10,000
J. J. Rhom.....	Walla Walla	2,000
H. Parker.....	Walla Walla	5,000
J. Culbertson.....	Dayton	3,500
T. Buckley.....	Walla Walla	15,000
Abbott & Haney.....	Walla Walla	11,000
W. M. Raymond.....	Walla Walla	15,000
J. Sterick.....	Colfax	3,000
M. A. Johnson.....	Dayton	2,000
J. P. McLary.....	Dayton	4,000
G. Goodwin.....	Dayton	3,000
G. P. Bryan.....	Dayton	4,000
E. A. Holman.....	Dayton	3,000
G. T. Pollard.....	Huntsville	3,000
F. Maxwell.....	Huntsville	1,500
F. Hoskins.....	Huntsville	4,000
L. W. Vernon.....	Huntsville	3,000

Name.	Address.	No. of Bags
S. A. Samuel.....	Dayton	4,000
T. B. Courtney.....	Dayton	6,000
E. Zachray.....	Dayton	6,000
L. Winnett.....	Huntsville	3,000
D. B. Stimmell.....	Huntsville	3,500
W. S. Starr.....	Huntsville	1,000
C. N. Smith.....	Huntsville	12,000
J. R. Rinehart.....	Huntsville	2,500
I. N. Raybum.....	Waitsburg	3,000
W. H. McElwan.....	Huntsville	2,000
W. E. McCauley.....	Huntsville	1,500
L. B. McCauley.....	Dayton	1,000
J. H. McCauley.....	Dayton	3,000
R. W. Lorndagin.....	Huntsville	500
W. Kenworthy.....	Huntsville	8,000
L. Hammer.....	Huntsville	1,000
G. Hammer.....	Huntsville	1,500
L. Fuge.....	Huntsville	1,200
J. H. Fudge.....	Huntsville	6,000
T. M. Fine.....	Huntsville	1,000
J. D. Ertte.....	Dayton	2,000
J. Denny.....	Huntsville	2,000
J. Danelson.....	Huntsville	10,000
Mrs. H. E. Bateman.....	Huntsville	1,000
J. F. Rosenoff.....	Ritzville	3,000
G. H. Wolf.....	Walla Walla.....	2,000
D. G. Sharrow.....	Eureka	4,000
Hungate & Son.....	Walla Walla.....	12,000
W. G. Preston.....	Waitsburg	0,000
P. M. Preston.....	Waitsburg	25,000
W. S. Atkinson.....	Waitsburg	10,000
J. L. Harper.....	Waitsburg	10,000
W. B. Shaffer.....	Waitsburg	5,000
J. E. Berryman.....	Walla Walla.....	4,000
R. L. Lush.....	Pomeroy	4,000
C. Gilkerson.....	Walla Walla	2,000
G. L. Minnick.....	Waitsburg	3,000
H. C. Minicke.....	Waitsburg	10,000
L. B. Windust.....	Dayton	5,000
W. E. Cahill.....	Dayton	10,000
H. Thell.....	Ritzville	2,000
D. A. Scott.....	Ritzville	5,000
T. J. Hallewell.....	Waitsburg	1,500
H. C. Actor.....	Dixie	1,500
R. Laughry.....	Dayton	500
T. H. McCormick.....	Waitsburg	5,000
T. McRae.....	Walla Walla.....	7,000
W. F. Newland.....	Walla Walla.....	4,000
J. P. Anderson.....	Walla Walla.....	6,000
A. J. McCullough.....	Waitsburg	2,000
F. Kemball.....	Waitsburg	5,000
G. B. Dague.....	Walla Walla.....	4,000
J. Dacres.....	Walla Walla.....	10,000
C. E. Shaffer.....	Waitsburg	5,000
J. M. Shaw.....	Walla Walla.....	3,500
W. S. Barnett.....	Walla Walla.....	5,000
Tim Barry.....	Walla Walla.....	2,000
D. C. Eaton.....	Waitsburg	8,000

Name.	Address.	No. of Bags
Mary F. White.....	St. John.....	10,000
G. A. McGuire.....	Walla Walla.....	1,000
W. H. Barnett.....	Walla Walla.....	3,000
J. L. Rogers.....	Walla Walla.....	3,500
G. Duwalt.....	Ritzville.....	2,000
H. Duran.....	Ritzville.....	2,000
J. G. Gillett.....	Ritzville.....	4,000
J. Waitenburger.....	Ritzville.....	3,000
R. W. Theil.....	Ritzville.....	5,000
F. Snaddrick.....	Ritzville.....	4,000
J. G. Vehis.....	Ritzville.....	5,000
J. K. Wilson.....	Walla Walla.....	12,000
W. S. Ayers.....	Dayton.....	1,500
H. P. Estes.....	Walla Walla.....	8,000
J. Burcker.....	Walla Walla.....	4,000
W. E. Ayers.....	Dayton.....	1,000
J. P. Ayers.....	Dayton.....	1,500
P. W. Preston.....	Waitsburg.....	10,000
F. J. Kent.....	Walla Walla.....	10,500
J. E. Caspar.....	Walla Walla.....	2,000
M. Zuger.....	Walla Walla.....	15,000
J. F. Irby.....	Ritzville.....	2,000
W. H. Eaton.....	Dayton.....	6,000
M. J. McDaniel.....	Starbuck.....	15,000
W. M. Biermann.....	Ritzville.....	3,000
M. Thiel.....	Ritzville.....	4,000
W. S. Egbers.....	Ritzville.....	5,000
C. J. Bowers.....	Spokane.....	6,000
J. S. Breitger.....	Walla Walla.....	3,000
C. W. Peterson.....	Starbuck.....	15,000
H. Komermann.....	Dixie.....	1,000
W. H. Kirkman.....	Walla Walla.....	6,000
P. Strahn.....	Dixie.....	3,500
J. Danekas.....	Ritzville.....	3,000
H. E. Hill.....	Ritzville.....	1,000
Mrs. H. M. Stone.....	Walla Walla.....	25,000
H. B. Strong.....	Walla Walla.....	10,000
T. H. Brents.....	Walla Walla.....	12,000
F. Grenwell.....	Walla Walla.....	2,000
F. T. Keiser.....	Waitsburg.....	6,000
E. C. Cluster.....	Pomeroy.....	30,000
W. H. Babcock.....	Walla Walla.....	35,000
E. H. Bradberry.....	Clyde.....	3,000
G. Wagner.....	Walla Walla.....	600
P. J. Wigen.....	La Crosse.....	4,000
D. McGilivery.....	Walla Walla.....	1,500
H. E. Hodges.....	Dixie.....	500
F. H. Aldrich.....	Waitsburg.....	4,000
C. E. Presser.....	Dixie.....	500
Jas. McNamara.....	Walla Walla.....	1,500
C. Leroux.....	Walla Walla.....	500
E. H. Leonard.....	Prescott.....	3,500
W. C. Smith.....	Walla Walla.....	500
Hungate & Son.....	Walla Walla.....	3,000
S. M. Cleaves.....	Walla Walla.....	4,000
S. Hilliard.....	Uniontown.....	10,000

FOR THE SEASON OF 1906.

Name.	Address.	No. of Bags
D. R. Kirk.....	Clyde	20,000
M. L. Smith.....	Clyde	6,000
R. L. Moore.....	Walla Walla.....	20,000
G. W. Gluck.....	Touchet	6,000
R. J. Tompkins.....	Walla Walla.....	10,000
B. Holt.....	Walla Walla.....	10,000
B. Ferrel.....	Walla Walla.....	10,000
H. H. Vincent.....	Prescott	35,000
W. R. Paxton.....	Walla Walla.....	1,000
R. Keenedy.....	Walla Walla.....	5,000
J. M. Reser.....	Dayton	4,000
G. Goodwin.....	Dayton	1,000
T. B. Courtney.....	Walla Walla.....	10,000
C. L. Shemwell.....	Walla Walla.....	4,500
T. H. Cornick.....	Walla Walla.....	8,000
B. L. Sharpstein.....	Walla Walla.....	2,000
Mary J. Stine.....	Walla Walla.....	7,000
Paxton & Stein.....	Walla Walla.....	2,500
R. F. McLean.....	Walla Walla.....	1,500
A. J. Moore.....	Walla Walla.....	600
W. H. Carter.....	Clyde	2,000
G. Harkins	Clyde	6,000
D. M. Collinwood.....	Waitsburg	5,000
C. H. McEvoy.....	Walla Walla.....	2,000
C. H. McEvoy.....	Walla Walla.....	2,000
J. P. McLary.....	Dayton	7,000
G. Spallinger.....	Dayton	8,000
Baker Loan & Inv. Co.....	Walla Walla.....	13,000
Baumliester & Dwelley.....	Walla Walla.....	10,000
H. Lasater.....	Walla Walla.....	5,000
J. Beaston.....	Prescott	7,000
J. Thomney.....	Walla Walla.....	4,000
J. Hoffman.....	Eureka	40,000
W. F. Speer.....	Walla Walla.....	6,000
D. McRae.....	Walla Walla.....	7,000
Louisa Pierce.....	Walla Walla.....	3,500
J. M. Glover.....	Walla Walla.....	6,000
L. Eilert.....	Clyde	500
W. Ewalt.....	Clyde	10,000
T. Copeland.....	Walla Walla.....	3,500
M. Zuger.....	Walla Walla.....	13,000
M. C. Herald.....	Eureka	4,000
J. Rogers.....	Walla Walla.....	7,000
G. B. Dague.....	Walla Walla.....	7,000
N. Webb.....	Walla Walla.....	8,000
F. W. C. Hale.....	Walla Walla.....	5,000
Mrs. Ella Yennd.....	Walla Walla.....	8,000
W. H. Plucker.....	Eureka	4,000
Chas. Plucker.....	Eureka	4,000
S. Hilliard.....	Uniontown	20,000
A. J. Evans.....	Walla Walla.....	5,000
Adeila Plucker.....	Walla Walla.....	3,000
J. L. Sharpstein.....	Walla Walla.....	3,000
G. Copeland.....	Walla Walla.....	3,000
W. S. Malloy.....	Walla Walla.....	17,000
A. V. Olson.....	Walla Walla.....	5,000

Name.	Address.	No. of Bags
U. F. Cochran.....	Walla Walla.....	7,000
W. J. Cochran.....	Walla Walla.....	8,000
W. P. Reser.....	Walla Walla.....	25,000
G. E. Snyder.....	Dayton.....	8,000
C. F. Bennet.....	Farmington.....	3,500
J. R. Hevel.....	Farmington.....	4,000
J. W. Langdon.....	Walla Walla.....	10,000
W. A. Langdon.....	Walla Walla.....	1,500
D. H. Cox.....	Walla Walla.....	1,500
S. M. Yennde.....	Walla Walla.....	6,500
F. Stein.....	Walla Walla.....	10,000
O. Waggoner.....	Walla Walla.....	7,000
M. A. Johnson.....	Walla Walla.....	2,000
J. A. Marlatt.....	Uniontown.....	3,000
J. M. Thorn.....	Farmington.....	3,500
C. J. Bowers.....	Walla Walla.....	3,000
Mrs. H. M. Stone.....	Walla Walla.....	25,000
B. G. Davies.....	Walla Walla.....	10,000
H. T. Clodious.....	Walla Walla.....	15,000
Wm. Jones.....	Walla Walla.....	30,000
T. Buckley.....	Walla Walla.....	10,000
F. Hoffer.....	Walla Walla.....	15,000
J. A. Scott.....	Walla Walla.....	10,000
T. Lyons.....	Walla Walla.....	15,000
H. B. Strong.....	Walla Walla.....	10,000
Wm. Hector.....	Walla Walla.....	16,000
S. C. Actor.....	Dixie.....	4,000
W. W. Maxwell.....	Walla Walla.....	15,000
Brown & Cochran.....	Clyde.....	11,000
W. S. Barnett.....	Clyde.....	7,000
G. Struthers.....	Walla Walla.....	30,000
Sharp Brothers.....	Prescott.....	8,000
J. Dodd.....	Touchett.....	1,500
A. Taylor.....	Walla Walla.....	3,000
C. J. Springer.....	Touchett.....	1,500
E. L. Brysn.....	Walla Walla.....	2,000
J. Fayne.....	Clyde.....	3,000
F. J. Kent.....	Walla Walla.....	5,000
W. H. Burnett.....	Walla Walla.....	8,000
O. Labudde.....	Walla Walla.....	3,000
G. Gregory.....	Walla Walla.....	3,000
Moore, Crawford & Gregory.....	Walla Walla.....	1,000
G. H. Mathews.....	Dayton.....	3,500
Willer & Dwyer.....	Rosalia.....	5,000
A. J. Stone.....	Rosalia.....	5,000
Mrs. P. Martin.....	Walla Walla.....	10,000
Mary Bureker.....	Walla Walla.....	2,000
L. G. McInroe.....	Walla Walla.....	4,000
W. T. Nelson.....	Walla Walla.....	5,000
Isabella Miller.....	Walla Walla.....	9,500
M. H. Lane.....	Walla Walla.....	3,000
W. J. Cantonwine.....	Walla Walla.....	3,500
A. H. Harris.....	Walla Walla.....	1,000
R. J. Denny.....	Waitsburg.....	3,500
W. McDole.....	Dayton.....	8,996
O. Vergrein.....	Dixie.....	1,500
J. L. Manhundo.....	Walla Walla.....	5,000
Nunamaker Bros.....	Washtucna.....	10,000

Name.	Address.	No. of Bags
J. V. Marlott.....	Uniontown	3,000
O. T. Cornwell.....	Walla Walla.....	4,000
B. C. Roff.....	Dixie	4,000
M. McDonald.....	Walla Walla.....	3,000
J. H. Edwards.....	Eureka	5,000
C. McInroe.....	Walla Walla.....	3,000
Nancy Kuhl.....	Walla Walla.....	7,000
H. Meiner.....	Walla Walla.....	4,50
W. A. Shelton.....	Walla Walla.....	4,000
J. Miller.....	Walla Walla.....	3,500
H. W. Theil.....	Ritzville	5,000
J. G. Viers.....	Ritzville	8,000
J. Wertenberger.....	Ritzville	4,000
J. Danakas.....	Ritzville	5,000
C. T. Nelson.....	Walla Walla.....	3,500
O. Demaris.....	Dixie	3,500
W. Trueman.....	Dixie	3,500
W. A. Raymond.....	Walla Walla.....	3,500
J. A. Yend.....	Walla Walla.....	2,000
E. A. Yend.....	Walla Walla.....	3,000
F. E. Sharp.....	Prescott	2,000
C. C. Alexander.....	Walla Walla.....	2,500
W. C. Copeland.....	Walla Walla.....	4,500
H. R. Reynolds.....	Walla Walla.....	3,000
W. S. Cantonwine.....	Dixie	8,000
E. A. Reser.....	Walla Walla.....	9,000
H. D. Eldridge.....	Dixie	4,000
C. M. Rice.....	Eureka	8,000
Bowman & Maurer.....	Walla Walla.....	10,000
Demaris & Co.....	Dixie	9,000
A. A. Halterman.....	Pomeroy	25,000
C. B. Lane.....	Walla Walla.....	3,500
W. L. Arnold.....	Walla Walla.....	4,500
E. Bergus.....	Walla Walla.....	2,000
J. E. Berryman.....	Walla Walla.....	6,000
H. Shaw.....	Prescott	10,000
T. C. Elliot.....	Walla Walla.....	10,000
Knettle & McKiernan.....	Pomeroy	50,000
H. E. Hodges.....	Dixie	3,000
A. N. Bibbins.....	Johnson	3,000
T. Wolf.....	Walla Walla.....	1,000
J. Lacornu.....	Walla Walla.....	1,000
D. C. Shaver.....	Eureka	6,000
E. H. Lenard.....	Prescott	20,000
H. C. Baker.....	Walla Walla.....	11,000
Pentecost Brothers.....	Walla Walla.....	5,000
B. Vaughn.....	Walla Walla.....	500
J. M. Martin.....	Dusty	2,000
D. Donavan.....	Walla Walla.....	10,000
C. Donavan.....	Walla Walla.....	15,000
A. Mackey.....	Clyde	5,000
A. Mackay.....	Clyde	7,000
Sam Loney.....	Walla Walla.....	2,000
D. McGillery.....	Walla Walla.....	2,000
J. C. Long.....	Spokane	3,000
Jno. Meer.....	Walla Walla.....	200
H. Hanson.....	Ellensburg.....	2,000
B. B. Morehead.....	Walla Walla.....	4,000

Name.	Address.	No. of Bags
W. Dick	Dungeness	2,000
D. Vaughn	Walla Walla	4,500
J. Welsandt	Ritzville	2,000
A. Mauke	Ritzville	1,500
A. Rutz	Ritzville	3,000
W. Vierman	Ritzville	3,000
A. Danielson	Dayton	2,500
T. Barry	Walla Walla	2,000
O. Demaris	Dixie	1,500
F. Koegler	Edwall	3,000
W. C. Smith	Eureka	2,500
T. C. Elliot	Walla Walla	100
D. W. Lamb	Walla Walla	200
F. Seigel	Ritzville	1,500
D. F. Cresswell	Kennewick	3,000
Knight & Eby	Dungeness	3,000
W. L. Waggoner	Walla Walla	3,500
D. Marshall	Walla Walla	1,200
J. A. Batter	Walla Walla	500
S. Rogers	Page	4,500
D. McGilvery	Prescott	2,000
P. Hughes	Summit	1,000
E. F. Schoepflin	Edwall	5,000
J. J. Batter	Waukon	1,000
F. Schultz	Ritzville	2,000
S. Kisson	Ritzville	3,000
J. Hemberger	Ritzville	3,000
W. C. Lodius	Ritzville	2,000
E. H. Leonard	Prescott	10,000
A. Patterson	Prescott	3,500
T. Lyons	Walla Walla	1,500
S. G. Leonard	Kennewick	6,000
J. Hughes	Walla Walla	600
G. Deer	Ritzville	3,000
V. G. Bigs	Pasco	2,000
R. M. Drumheller	Walla Walla	500
W. J. Cantonwine	Walla Walla	500
W. W. Price	Kennewick	1,000
J. Hille	Ritzville	2,000
B. Grote	Eureka Jet	2,500
R. Kennedy	Walla Walla	1,000
H. H. Hungate	Walla Walla	2,000
G. H. Achziger	Lind	2,000
L. E. McClurcken	Pasco	2,000
F. Montgomery	Ennis	500
A. L. Pettijohn	Shaw Siding	1,000
Katherine Harder	Kahlotus	700
H. H. Hungate	Walla Walla	500
J. H. Achziger	Lind	4,000
W. W. & C. S. Co.	Walla Walla	200
H. H. Hungate & Co.	Walla Walla	1,300
N. Patterson	Walla Walla	1,000
Jno. Rogers	Prescott	2,000
Katherine Harder	Kahlotus	600
J. O. Alheit	Walla Walla	500
T. C. Elliot	Walla Walla	1,000
J. Z. Smith	Walla Walla	500
S. M. Kees	Walla Walla	1,000

Name.	Address.	No. of Bags
H. H. McLane.....	Ennis	1,500
J. Weitz.....	Endicott	4,000
G. Weitz.....	Endicott	4,000
A. Weitz.....	Endicott	4,000
H. H. McLane.....	Ennis	1,000
A. G. Kershaw.....	Dixie	4,000
D. B. Rogers.....	Prescott	1,000
P. J. Hughes.....	Walla Walla	225
D. O'Connor.....	Prescott	5,000
J. W. Pointer.....	Kiona	2,000
W. J. Cantonwine.....	Dixie	5,000
C. A. Hungate.....	Quincy	1,500
A. Kirkwood.....	Toppenish	1,000
J. L. Sharpstein.....	Walla Walla	5,000
John Lyons.....	Walla Walla	5,000
Ed. Lyons	Walla Walla	12,000
J. I. Yennnd.....	Walla Walla	6,000
Jas. Yennnd.....	Walla Walla	2,000
E. Yennnd.....	Walla Walla	1,000
S. N. Yennnd.....	Walla Walla	3,500
J. LaCornu.....	Walla Walla	750
T. Ennis.....	Walla Walla	24,000
C. S. Shelly.....	Pomeroy	2,500
M. F. Goose.....	Pomeroy	5,000

On motion of Senator Pauly, the communication with the report attached was referred to the Committee on State Penal and Reformatory Institutions.

The secretary read the following communication from the Governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 21, 1907.

To the Honorable, the Senate of the State of Washington:

GENTLEMEN—I present to you herewith copies of reports made by Dr. S. B. Nelson, State Veterinarian, and Mr. L. N. Hanson, State Dairy Instructor, on the stock and stables, and the dairy equipment at the Washington State Penitentiary.

ALBERT E. MEAD, *Governor.*

PULLMAN, WASHINGTON, December 19th, 1906.

His Excellency, Governor A. E. Mead, Olympia, Washington:

DEAR SIR—I beg to report that on November 29th I had the honor of inspecting the stables and stock at the Penitentiary at Walla Walla. I did not inspect the hogs for the reason that I had just inspected a herd of hogs infected with hog cholera, and consequently, it was not safe for me to go near the pens.

The cows were all in good condition and the stables well kept. Some changes in the sanitary conditions of the stables could be improved very much.

At the present time the cattle all face in. I think it would be a very great improvement to have them face toward the light. The present

stable, as you know, is a square stable with sheds at both sides and the cattle stand in these sheds facing the stable. I think, if the stable measures over 28 feet, that it would be a very wise plan to tear out part of the sheds, put the cows in the stable and face them out. With 28 feet of length in the stable, there is plenty of room for this. Then there certainly would be at the Penitentiary one of the best sanitary stables in the Northwest.

The horses were all in good condition and well kept, but some of them are very old and practically past their usefulness. They should be replaced as soon as possible. The slaughter house and the ice plant were all models of neatness. Things were indeed in very good condition relative to the stables and the stock.

I regret to say that because of the funds of the office of State Veterinarian being exhausted, it is impossible for me to visit the school located at Vancouver. I should, however, be glad to do this for your excellency some time in the future if you should desire to have me do so.

Very respectfully submitted,

(Signed) S. B. NELSON,

State Veterinarian.

STATE OF WASHINGTON, OFFICE OF DAIRY & FOOD COMMISSIONER,
DAVENPORT, WASHINGTON, July 19, 1906.

Hon. Albert E. Mead, Governor of Washington:

SIR:—I have the honor to submit herewith my report of the inspection of the dairy equipment at the State Penitentiary at Walla Walla according to your request.

I visited that institution on June 4th, 1906, and in company with superintendent Kees, made a complete investigation of the conditions there. The dairy herd consists of about 18 cows and one bull. The cows are a mixed grade of Durham and Red Polland cattle. The sire is a Durham, but not a pedigreed animal. The herd appeared in good, healthy condition. However, there is considerable room for improvement in the upbuilding of the herd. This can best and most cheaply be accomplished by securing another sire, of a recognized dairy type, a registered sire, if that can possibly be done. At present the herd supplies sufficient milk and cream for the institution's needs, but does not furnish butter.

The barn is a large brick structure, with accommodations for about one hundred head. At present the horses and cattle are stalled on the same side of the barn. This should be changed, the cattle should be placed on one side together. Cement gutters should be installed, insuring good drainage and permitting the utilization of the liquid manure. Cattle do not do so well where they are stalled with horses.

At present milk, as it is drawn from the cows, is strained into cans which are kept in the barn. This method is not conducive to cleanliness. I would suggest that a receiving room be built, apart from the rest of the barn, where the milk can be taken and strained, placed in

the cans, which can be kept in cold water tanks. This room should be well ventilated and should be kept clean and sweet.

From the receiving room the milk now goes to a dairy room. This room is used for milk alone, but is a small room with improper ventilation. Milk is allowed to cream in shallow pans. By this method the milk becomes contaminated with the surrounding impurities, which is always true unless the ventilation is of the very best. I would suggest, first, that the cream be separated by the hand separator process. A hand separator is indispensable to successful dairying. Second, that the present dairy room be abandoned and a larger, better ventilated room be secured. This room should be used for all dairy products, milk, cream, butter, and cheese. One portion should be fitted up with sinks for properly washing the dairy utensils. I found the utensils kept in good sanitary condition. But such a room would facilitate matters greatly.

The institution is fortunate in having an abundance of excellent pasturage and hay land. In the matter of feeding, I would suggest that a silo be built. A silo 16x32 would be large enough to meet the present requirements, and another might profitably be constructed later on. All the necessary ensilage could be produced upon the farm, and the results in increased milk supply and reduced cost of feeding would amply justify the expenditure.

In conclusion I desire to state that the institution offers excellent opportunities for the operation of a model dairy farm. With good water, good feed, labor cost reduced to the minimum, and proper management, the dairy farm at the State Penitentiary can, in the course of a comparatively short time, be greatly improved. Not only will it bring in increased profits to the state, but will stand a concrete example of successful dairying under modern methods.

Respectfully submitted,

L. N. HANSON, *State Dairy Instructor.*

On motion of Senator Pauly the communication and attached report were referred to the Committee on State Penal and Reformatory Institutions.

A report from the Committee on Salaries and Mileage was read and on motion of Senator Rosenhaupt was adopted, as follows:

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, *January 21, 1907.*

MR. PRESIDENT:

We, your Committee on Salaries and Mileage, beg leave to report the following mileage due the members of the Senate in traveling to and from the session, and we recommend that the same be adopted.

NAMES.	Postoffice.	County.	Miles.	Amount.
Allen, P. L.	Seattle	King	147	\$14 70
Anderson, A. W.	Colville	Stevens	1,053	105 30
Blair, J. L.	Friday Harbor	Jefferson	307	30 70
		San Juan		
Boone, H. M.	Palouse	Whitman	1,035	108 50
Booth, R. F.	Seattle	King	147	14 70
Bratt, E. C.	Plaza	Spokane	945	94 50
Brown, Dr. C. G.	Spokane	Spokane	875	87 50
Coon, Chas. E., L't. Gov'r.	Port Townsend	Jefferson	240	24 00
Condon, R. W.	Port Gamble	Island	227	22 70
		Kitsap		
		Mason		
Cotterill, Geo. F.	Seattle	King	147	14 70
Davis, Lincoln	Tacoma	Pierce	66	6 60
Eldemiller, Fred.	Tacoma	Pierce	66	6 60
Graves, Will G.	Spokane	Spokane	875	87 50
Gunn, Arthur	Wenatchee	Chelan	475	47 50
		Kittitas		
Hunter, T. A.	Blaine	Whatcom	412	41 20
Hutson, C. T.	Connell	Adams	765	76 50
		Walla Walla		
		Franklin		
Jones, J. S.	Tacoma	Pierce	66	6 60
Kennedy, Geo. A.	Odessa	Lincoln	686	68 60
Kline, R. L.	Bellingham	Whatcom	340	34 00
Knickerbocker, J. B.	Auburn	King	110	11 00
McGowan, H. S.	McGowan	Pacific	230	23 00
		Wahkiakum		
McGregor, P.	Colfax	Whitman	1,015	101 50
Metcalf, Ralph	Tacoma	Pierce	66	6 60
Minkler, B. D.	Lyman	Skagit.	339	33 90
Nichols, Ralph	Seattle	King	147	14 70
Paulhamus, W. H.	Sumner	Pierce	90	9 00
Pauly, F. M.	Walla Walla	Walla Walla	725	72 50
Piper, G. U.	Seattle	King	147	14 70
Pogue, Dr. J. L.	Pogue	Okanogan	.....	.....
		Stevens		
Polson, Alex.	Hoquiam	Chehalis	120	12 00
Potts, W. G.	Seattle	King	147	14 70
Presby, W. B.	Goldendale	Klickitat	528	52 80
		Skamania		
Rands, E. M.	Vancouver	Clarke	280	28 00
Reed, W. J.	North Yakima	Yakima	394	39 40
Rosenhaupt, Harry	Spokane	Spokane	875	87 50
Ruth, A. S.	Olympia	Thurston	.....	.....
Scott, W. D.	Spokane	Spokane	875	87 50
Smith, S. T.	Marysville	Snohomish	220	22 00
Stevenson, J. R.	Pomeroy	Asotin	850	85 00
		Columbia		
		Garfield		
Sumner, T. B.	Everett	Snohomish	210	21 00
Veness, J. A.	Winlock	Lewis	60	6 00
Watson, A. L.	Kalama	Cowlitz	164	16 40
Williams, E. M.	Seattle	King	147	14 70

P. L. ALLEN, *Chairman.*

We concur in this report: Robert F. Booth, H. M. Boone, R. W. Condon, A. W. Anderson.

INTRODUCTION OF BILLS.

Senate bill No. 34, by Senator Graves, entitled, "An act relating to the organization, powers and duties of the Supreme Court, and amending section 4 of an act entitled 'An act relating to the organization, powers and duties of the Supreme Court, etc.'"

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. 35, by Senator Graves, entitled, "An act to amend sections seven and twelve entitled, 'An act to provide for the incorporation of associations for social, charitable and educational purposes,' etc."

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. 36, by Senator Graves, entitled, "An act relating to appeals to the supreme court and amending section 37 of chapter XLI of the Session Laws of 1893, etc."

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. 37, by Senator Graves, entitled, "An act relating to the taking of exceptions and to the settling and certifying of bills of exceptions and statements of fact, etc."

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. 38, by Senator Blair, entitled, "An act amending section 8 of an act entitled, 'An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes, etc.'"

The bill was read the first time, and on motion of Senator Blair 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. 39, by Senator Kline, entitled, "An act relating to the construction of a state armory at Bellingham, Washington, etc."

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

Senate bill No. 40, by Senator Presby, entitled, "An act providing for the purchase and installment of additional machinery for the manufacture of grain bags and bagging at the State Penitentiary, etc."

The bill was read the first time, and on motion of Senator Presby 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. 41, by Senator Anderson, entitled, "An act compelling railroads to fence their rights-of-way and to protect the owners of stock injured by moving railway trains, etc."

The bill was read the first time, and on motion of Senator Anderson 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. 42, by Senator Kline, entitled, "An act to provide for the improvement of public highways."

The bill was read the first time, and on motion of Senator Kline 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. 43, by Senator Boone, entitled, "An act amending section 22 of an act entitled, 'An act to establish a railroad commission for the state of Washington,' etc."

The bill was read the first time, and on motion of Senator Boone 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. 44, by Senator Boone, entitled, "An act to amend section 1 of an act entitled, 'An act to enable cities of the first, second and third class and other cities and towns working under special charters, having sufficient population to authorize them to re-incorporate, etc.'"

The bill was read the first time, and on motion of Senator Boone 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. 45, by Senator Knickerbocker, entitled, "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 or buildings at the World's Fair of Alaska-Yukon-Pacific Exposition, etc."

The bill was read the first time, and on motion of Senator Knickerbocker 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. 46, by Senator Knickerbocker, entitled, "An act to provide for state depositories and regulating the deposits of public moneys therein."

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

Senate bill No. 47, by Senator Piper, entitled, "An act to secure and perpetuate liens upon monuments, markers and tombstones for the contract price therefor, etc."

The bill was read the first time, and on motion of Senator Piper 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 Booth, entitled, "An act empowering boards of county commissioners to make exhibits of the products of their respective counties at the Alaska-Yukon-Pacific Exposition in the year of 1909."

The bill was read the first time, and on motion of Senator Booth 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. 49, by Senator Gunn, entitled, "An act to amend an act entitled, 'An act to amend section 1657 of Ballinger's Annotated Codes and Statutes of Washington, relating to revenue and taxation,' etc."

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

Senator Scott was granted unanimous consent to withdraw Senate bill No. 4 from the Committee on Judiciary and on his motion Senate bill No. 4 was referred to the Committee on Education.

Senator Smith was, at his own request, excused from serving on the Committee on Corporations Other Than Municipal.

Senator Pauly was, at his own request, excused from serving on Mines and Mining.

The chair announced the appointment of Senator Smith to the Committee on Mines and Mining and the appointment of Senator Pauly to the Committee on Corporations Other Than Municipal.

On motion of Senator Condon, that portion of rule 6 which provides that confirmation of committee appointments shall go over until the following day, was suspended and the appointment of Senators Smith and Pauly to the respective committees mentioned was confirmed.

Senator Allen asked, and was granted, unanimous consent to recall Senate bill No. 27 from the Committee on Appropriations.

On motion of Senator Allen, Senate bill No. 27 was referred to the Committee on Military.

At 2:45 o'clock p. m., on the motion of Senator Paulhamus, the Senate adjourned until 11 o'clock tomorrow morning.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

NINTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, January 22, 1907.
11 o'clock a. m.

The Senate was called to order at 11 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Booth, Eidemiller, Paulhamus, Pogue, all of whom were excused.

On motion of Senator Jones the reading of yesterday's journal was dispensed with and it was approved.

Petitions were received and read from Whitman, Thurston and Wahkiakum counties, praying for the enactment of a direct primary law, and on motion of Senator Huston were referred to the Committee on Elections and Privileges.

Following resolution was adopted on motion of Senator Graves:

Resolved, That the sergeant-at-arms mail to any public library in the state that may apply therefor, daily files of the Senate bills introduced.

A report of the Committee on Rules and Joint Rules was read as follows:

REPORT OF COMMITTEE ON RULES AND JOINT RULES.

Your Committee on Rules and Joint Rules beg leave to report and recommend that the joint rules of the Ninth Legislature be adopted as the joint rules of the Tenth Legislature.

Your committee further recommends that the state constitution be included in the manual to be printed by the Tenth Legislature, that 1000 copies of the Manual be printed for the use of the legislature, state

officers and state library, and that 150 copies of the manual be reserved and supplied to the members of the Eleventh Legislature when elected.

Respectfully submitted,

CHRALES E. COON, *Chairman.*

We concur in this report: J. A. Falconer, speaker, Will G. Graves, T. B. Sumner, Jesse S. Jones, Frank H. Renick, J. A. Fancher, Wm. Schultz, J. W. Stevenson, Geo. E. Dickson, J. G. Megler, Geo. T. Reid.

Dated at Olympia, Washington, January 21, 1907.

On motion of Senator Jones the report of the committee was adopted and joint rules adopted as follows:

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

REGULAR SESSION OF 1907.

COMMITTEE OF CONFERENCE AND FREE CONFERENCE.

RULE 1. In every case of an amendment of a bill, or joint or concurrent resolution, agreed to in one house, dissented from in the other, and not receded from by the one making the same, such house shall appoint a committee to confer with a like committee to be appointed by the other, and the committee so appointed shall meet at a convenient hour, to be agreed upon by their respective chairmen, and shall confer upon the differences between the two houses as indicated by the amendment made in one and rejected in the other, and report as early as convenient the result of their conference to their respective houses. If after such a report the two houses shall disagree upon the recommendations of the reporting committees as to their differences between the two houses, a committee of free conference shall be appointed to whom the whole subject matter embraced in the bill or resolution shall be committed, and the committee of free conference may report by new bill or resolution, or otherwise, and bills or resolutions so reported shall be treated as amendments, unless such bills or resolutions are comprised entirely of original matter, in which case they shall receive the treatment required in the respective houses for original bills or resolutions, as the case may be.

MESSAGES.

RULE 2. Messages from the Senate to the House of Representatives shall be delivered by the secretary or assistant secretary, and messages from the House of Representatives to the Senate shall be delivered by the chief clerk or assistant clerk who shall be announced by the doorkeeper, enter within the bar, announce or deliver his message.

BILLS.

RULE 3. Each house shall communicate its final action on any bill, or resolution, or matter in which the other may be entrusted, in writing, signed by the secretary or clerk of the house from which such notice is sent.

RULE 4. After a bill shall have passed both houses, it shall be duly enrolled by the enrolling clerk of the house in which it originated, and shall be examined by the enrolling committee of such house, who shall carefully compare the enrollment with the engrossed bill, as passed, correcting any errors that may be discovered in the enrolled bill, procure in open session the signature thereto of the necessary officers of the two houses, present the same to the governor, and forthwith report to such house the time when such presentation to the governor was made. The enrolling clerk shall endorse upon the back of each bill the house in which said bill originated.

RULE 5. All joint resolutions to be presented to the governor, excepting such as may be addressed to him, shall take the usual course of bills.

RULE 6. Each house shall transmit to the other, papers on which any bill or resolution may be founded.

PRINTING.

RULE 7. The standing committees of printing of the two houses shall be a joint standing committee, who shall examine all matters proposed to be printed by concurrent order, and shall report what part of such matter is needful to print. Each house may order the printing of bills introduced, reports of its own committees and other matters pertaining to such house only; but no other printing shall be ordered except by a concurrent resolution passed by both houses. It shall be the duty of the secretary of the Senate and the clerk of the House to compare 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.

RESOLUTIONS.

RULE 8. Joint resolutions and memorials addressed to congress, or either house thereof, or to the president of the United States, or the head of any of the national departments, or proposing amendments to the state constitution, shall be treated in all respects as bills.

VETOS.

RULE 9. Bills which have passed a previous legislature, and which are transmitted to the legislature next sitting, accompanied by a message or statement of the governor's disapproval, or veto of the same, shall become the subject of a special order; and when the special order for their consideration is reached and called, the said message or statement shall be read, together with the bill or bills so disapproved or vetoed, and the message and bill shall be read by the clerk without interruption, consecutively, one following the other, and not upon separate occasions; and no such bill or message shall be referred to any committee, or otherwise acted upon, save as provided by law and custom; that is to say, that immediately following such reading the only question, (except as hereinafter stated) which shall be put by the speaker is, "Shall the bill pass, notwithstanding the objections of the governor?" It shall not be in order, any time, to vote upon such vetoed bill without the same shall have first been read, from the first word of

its title to and including the last word of its final section; and no motion shall be entertained after the chair has stated the question save a motion for the "previous question," but the merits of the bill itself may be debated.

RULE 10. That the Senate bills in the House, and House bills in the Senate be the special order on Wednesday of each week during the session.

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 confirm to this rule.

INTRODUCTION OF BILLS.

Senate bill No. 50, by Senator Metcalf, entitled, "An act defining the competency of witnesses in certain cases, and providing for immunity from indictment, information, prosecution and punishment for such witnesses, and declaring an emergency."

The bill was read the first time, and on motion of Senator Metcalf 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 Metcalf, entitled, "An act relating to violation of criminal laws of the state, and securing of information with reference thereto by prosecuting attorneys, etc."

The bill was read the first time, and on motion of Senator Metcalf 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. 52, by Senator Gunn, entitled, "An act amending an act entitled, 'An act to amend section 3 of chapter LXXXIII of the laws of 1897, relating to revenue and taxation,' etc."

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

Senate bill No. 53, by Senator Graves, entitled, "An act relating to practice and proceedings in the trial of actions, etc."

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. 54, by Senator Blair, entitled, "An act to establish a state fish hatchery on the Lyle river in Clallam county in the state of Washington."

The bill was read the first time, and on motion of Senator Blair 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. 55, by Senator Graves, entitled, "An act defining the crime of murder in the first degree, etc."

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 Cotterill, entitled, "An act relating to license fees for the sale of intoxicating liquors within five miles outside of the boundary line or limits of any city of the first class."

The bill was read the first time, and on motion of Senator Cotterill the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 57, by Senator McGregor, entitled, "An act amending sections 3523 and 3526 of Ballinger's Annotated Codes and Statutes of Washington, relating to partition fences."

The bill was read the first time, and on motion of Senator McGregor 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. 58, by Senator Boone, entitled, "An act to provide for state depositaries and regulate the deposit of public moneys therein."

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

Senate bill No. 59, by Senator Piper, entitled, "An act providing for the erection of certain buildings for the University of Washington creating a fund to be known as the University Building Fund, etc."

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

Senate Memorial No. 1, by Senator Stevenson: To the Congress of the United States, relating to the improvement of the Columbia and Snake rivers, etc."

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

Following resolution, introduced by Senator Knickerbocker, was adopted on his motion:

Whereas, the secretary of state now has in his possession, as the property of the state of Washington, a quantity of small pocket maps of the state of Washington.

Now, Therefore, Be it Resolved, That the secretary of state be and is hereby requested to furnish each officer and member of this body with one of said pocket maps.

On motion of Senator Knickerbocker the following resolution was adopted:

Resolved, That the bill clerk be directed to furnish 25 copies of all Senate bills to the State Librarian for use in exchanging with other legislatures now in session.

The chair announced the appointment, in accordance with House concurrent resolution No. 3, of the following committee: Senators Stevenson, Pauly and Hutson.

On motion of Senator Metcalf, 650 additional copies of Senate bill No. 32, known as the Direct Primary bill, were ordered printed.

At 11:19 a. m., on motion of Senator Jones, the Senate adjourned until 11 o'clock tomorrow morning.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

TENTH DAY.

MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, Wednesday, January 23, 1907.

11 o'clock a. m.

The Senate was called to order at 11 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senator Pogue, excused.

On motion of Senator Jones the reading of yesterday's journal was dispensed with and it was approved.

Senator Scott introduced the following resolution:

Resolved, That Senate rule No. 30 be amended so as to provide for the printing of 450 copies of all Senate bills, instead of 350 copies.

At the request of Senator Scott, unanimous consent was granted to consider the resolution at this time, the rules being suspended.

On motion of Senator Scott the resolution was adopted.

Following resolution was adopted on motion of Senator Scott:

Resolved, That the state librarian is hereby instructed to send all Senate bills to the following places: State University at Seattle, State College at Pullman, to Public libraries at Bellingham, Everett, Seattle, Tacoma, Spokane, Walla Walla, North Yakima, to Chambers of Commerce at Wenatchee, Seattle, Spokane, Tacoma, Bellingham and Everett and to commercial clubs of Seattle, Hoquiam, Aberdeen and Montesano.

The following message from the House was read by the secretary:

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASHINGTON, January 23, 1907.

MR. PRESIDENT:

The House has passed H. C. R. No. 4, providing for the purchase of twelve copies of Pierce's Code for the use of the legislature, and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Graves, the following resolution was adopted:

Resolved, That the secretary of the Senate be directed to group the standing committees of the Senate and assign the committee clerks and designate the rooms in which the committees shall hold their meetings.

The secretary reported the following committee groupings and clerk assignments and assignments of committee rooms and on motion of Senator Graves the report was adopted:

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 23, 1907.

MR. PRESIDENT:

In accordance with resolution adopted by the Senate, I beg to report the following committee groupings, clerk assignments and assignments of committee rooms.

Very respectfully,
J. W. LYSONS, *Secretary*.

COMMITTEE GROUPING AND CLERK ASSIGNMENTS.

Group 1—Judiciary—W. V. Tanner, clerk.

Group 2—Appropriations—Lucius McGuire, clerk.

Group 3—Public Revenue and Taxation, Congressional Districts, State Granted School and Tide Lands, Salaries and Mileage, Education and Educational Institutions—Chas. H. Merriam, clerk.

Group 4—Election and Privileges, Printing, State Library, Fisheries, Dikes, Drains and Drainage, Municipal Corporations, Harbor and Harbor Lines and Senate Employees Other Than Regular—A. J. Ahola, clerk.

Group 5—Cities of the First Class, Railroads and Transportation, Dairy and Live Stock, Agriculture, Labor and Labor Statistics, Commerce and Manufacture—Ed Neal, clerk.

Group 6—Corporations Other Than Municipal, Irrigation and Arid Lands, Constitution and Constitutional Revision, Military, State Penal and Reformatory Institutions, State Charitable Institutions—M. L. Arnold, clerk.

Group 7—Roads and Bridges, Insurance, Memorials, Game Fish and Game, Banks and Banking and Horticulture and Forestry—Chas. L. Barnes, clerk.

Group 8—Medicine, Dentistry, Surgery and Hygiene, Claims and Auditing, Mines and Mining, Counties and County Boundaries, Public Buildings and Grounds—C. Woelfen, clerk.

Group 9—Rules and Joint Rules, Purchase and Supplies, Secretary to the President—Harvey L. Tibbals, clerk.

COMMITTEE ROOM ASSIGNMENTS.

Room 3—Judiciary.

Room 2—Public Revenue and Taxation, State Granted, School and Tide Lands, Irrigation and Arid Lands.

Room 4—Stenographers.

Room 5—Journal celrk.

Room 6—Harbor and Harbor Lines, Mines and Mining.

Room 7—Appropriations, Election and Privileges.

Room 8—Rules and Joint Rules, Salaries and Mileage, Senate Employes other than Regular, Purchase and Supplies.

Room 10—Enrolling and Engrossing.

Room 11—Constitution and Constitutional Revision, Banks and Banking, Public Buildings and Grounds, Medicine, Dentistry, Surgery and Hygiene, Claims and Auditing.

Room 12—Fisheries, Dikes, Drains and Drainage, Cities of the First Class, Counties and County Boundaries, Roads and Bridges, Game and Game Fish, Congressional Districts.

Room 13—Corporations other than Municipal, Dairy and Live Stock, Memorials, Agriculture, Horticulture and Forestry.

Office of Insurance Commissioner—Insurance.

Office of Adjutant General—Military.

Office of School Superintendent—Education, Educational Institutions.

Office of State Auditor—Railroads and Transportation.

Office of Board of Control—State Penal and Reformatory Institutions, State Charitable Institutions.

Office of Labor Commissioner—Commerce and Manufactures, Labor and Labor Statistics.

Office of Law Library—State Library, Municipal Corporations.

The secretary read the followign communication from the Governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 22, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I forward you herewith a report made by L. Davies, State Dairy and Food Commissioner, to me, following an inspection, at my request, of the slaughter houses and packing houses from which the people of the State of Washington get their meat supply.

ALBERT E. MEAD, *Governor.*

To Honorable A. E. Mead, Governor of the State of Washington:

Complying with your request I have the honor to submit a report of my inspection of packing and slaughter houses so far as finances permitted.

One of the large wholesale and retail houses of Tacoma is the Union Meat Company of that city, now owned by Swift & Company. This firm formerly did their own killing within this state, but now all the butchering is done in Oregon and the dressed meat shipped to the house

at Tacoma. The meat is all government inspected, the inspections being made both before and after killing. The cured meats sold by this house are also shipped from Portland, these also being government inspected. The place of business is kept in a very cleanly condition. In the back room of the place, where the sausage is made, is a toilet not fully shut off from the room itself. The toilet itself seems to be kept in a cleanly condition but the meats as made into sausage are not wholly protected from the emanations naturally arising from the most cleanly of toilets.

The Tacoma Meat Company is one of the largest establishments visited where there is no inspection of any kind. This firm does a large retail business and considerable wholesale. Their slaughter house is on the tide flats, near the Puyallup Indian Reservation, the drainage being into the Puyallup River. About 150 head of cattle per month are slaughtered here. The sanitary conditions are as good as the others, the refuse and offal from the killings being taken immediately to a fertilizer manufactory but a few hundred yards from the slaughter house, the blood flowing into the Puyallup River. The greater part of the stock slaughtered here comes from Oregon, some from Washington.

The Carstens Packing Company's plant, located on the tide flats at Tacoma, was next visited. This firm kills about one hundred head of cattle each day besides several hundred hogs and sheep, all of the stock killed being government inspected, both before and after killing. This is a model plant, everything modern and up to date and the sanitary conditions being of the best with one exception, one of the cooling rooms in which hung meat cooling and waiting for the markets seems to have considerable blood and scraps of meat lying about, in fact, such quantities and lying there so long as to become sour and fetid.

The stock killed at this plant comes from over a large territory, the hogs being shipped from the Middle West states, and the cattle being gathered up in the Pacific Northwest states. All their killing is done at the packing house, the offal, refuse, and blood being saved and worked into fertilizers in their own manufactory; this work is done in such a manner as to allow none of the offensive odors arising therefrom to come in contact with freshly killed meats.

The Bay City Market at Tacoma is wholly a retail establishment, is in good sanitary condition, and sells only government inspected meats.

The Frye-Bruhn wholesale and retail establishments at Tacoma were also visited. These were in fair sanitary condition. The meats sold here are all government inspected and killed at the packing house of the same firm at Seattle.

The Frye-Bruhn packing house at Seattle is on the tide flats and drainage is obtained for the plant in this way. The offal and all refuse from the plant is worked in to fertilizers in their own manufactory. The meats freshly killed are well protected from the odors arising from the fertilizer works. About one hundred and thirty head of cattle in addition to large numbers of sheep and hogs are killed daily at this packing house. The meat is all subject to strict government inspection, both before and after killing. The sanitary condition seemed excellent

here except in the sausage department, where there seems to be offensive odors arising from scraps of meat lying about. These pieces had evidently been left long and care was not taken to remove them so that the odors arising were of necessity absorbed by the sausage as it was manufactured and being packed. The stock at this packing house is gathered from a great territory, hogs coming from the Middle West, sheep from Montana principally, and the cattle from the Pacific Northwest states.

From a strictly sanitary standpoint, the packing and wholesale establishment of E. H. Santon & Co., in Spokane, seemed in excellent condition. The killing of animals for meat by this firm is done in their separate slaughter house outside the city limits and I did not visit it, so can make no report as to conditions surrounding the slaughter of stock there. In this house there is no inspection by the federal authorities at all, the only inspection being that provided by Spokane city ordinance and this applies to sanitary conditions rather than to the physical condition of the stock.

A number of shops and slaughter houses were visited where only enough stock is killed to furnish business of the particular shop. This occurs most frequently in the smaller towns, and the sanitary conditions are not, as a rule, of the best; in fact, no place that I visited shows the need of some form of strict inspection as these small town shops.

From the number of inspections made no comprehensive report can be made. But drawing conclusions from the limited number inspected, it would seem that the principal source of the meat supply of this state is as follows: Cattle from Oregon, Montana, Idaho and Washington; sheep from Montana and Eastern Oregon, and hogs from Nebraska. A large amount of corn-fed fresh meat is also shipped in from the Middle West states. Cured meats are obtained from our own packing houses and from the Middle West packing houses.

It is impossible, from the territory covered, to give a correct estimate of the percentage of meats used in Washington which are slaughtered within the state. Were one to judge as to this point from the packing houses within the state, the percentage would be very large, but in large retail establishments where they purchase all meats retailed a great deal of Eastern corn-fed meat is sold, making it, without a very thorough canvass of the entire state, a matter of mere conjecture.

In packing houses where federal inspectors are located the principal question is as to the sanitary condition under which the meat is killed and cared for before reaching the consumer, for there is good assurance that, from these establishments, only healthful animals are killed, or if killed, allowed to go on the markets for public consumption. In one packing house I witnessed the slaughter of one hundred hogs out of which number thirteen were condemned by the inspectors at hand and the carcasses placed in a "condemned" room and from there run to the fertilizer manufacturing department. The public has the assurance that meats killed at packing houses maintaining federal inspectors and where there are proper sanitary conditions, are healthful and cleanly.

In all packing houses and slaughter houses where there is no inspection the public is at the mercy of the honesty of the proprietor, and, be he ever so well intentioned, if he is not skilled in such matters, many deceased meat animals may unwittingly be placed on the market by him. In other words, the public is entirely at the mercy of these people, and this in itself is ample argument for the establishment of some sort of rigid inspection by the state. This inspection should extend not only to the sanitary conditions surrounding the packing houses, slaughter houses, and abattoirs, but especially to the stock.

In portions of the state there is absolutely no federal inspected meat used; in other portions the large portions of meats consumed has been subjected to rigid inspection by competent federal inspectors. From careful estimates made, it would seem that in the city of Tacoma, about seventy per cent of the meat used is federal inspected. In Seattle the percentage is not so great, probably under fifty per cent, while in the city of Spokane but a very small percentage has been subjected in any form to federal inspection except the cured meats, a fair proportion of which has the national inspection stamp affixed. Cured meats that have been inspected by federal authorities reach all portions of the state, but in the smaller cities and towns the fresh meat consumed is mostly killed and eaten by the general public, and it must be understood that federal inspection is not obligatory except on meats to be shipped in and from the state. In making the above statements I wish it to be understood that I am in no way reflecting upon the State Veterinarian or his deputies, for they are doing excellent work, but all the stock slaughtered for food does not come under their supervision.

The slaughtering branch of the packing houses visited seem to be conducted on sanitary principles. As much can not be said, however, of all slaughter houses; many of these latter are well taken care of and careful attention is given to the cleanliness, drainage, and prompt disposal of all offal, but a goodly percentage show the need of rigid inspection and the vigorous enforcement of inspection law. To reach these there should be a state inspection provided for.

It would be impossible for me to state whether deceased cattle and other meat animals are butchered for sale or not, with the limited time given the matter.

The very fact hereinbefore mentioned, however, of witnessing thirteen out of one hundred hogs killed condemned by federal inspectors for the reason that they were all affected with hog cholera would impress one with the horrible possibilities of the condition of many of the animals slaughtered without being subjected to any sort of inspection, either before or after killing; and this possibility is but an argument for inspection. While looking into this matter, many instances and examples of the slaughter of cattle affected with tuberculosis, even in its last stages, and the placing of this meat on the market, were related to me, but in no case did I come in personal contact with the actual facts so can not state this to be a fact. It is not, however, pleasant to contemplate that, as at present, there is nothing to assure us that the meats

we eat daily with perfect confidence in their healthful condition and fitness for human consumption are not full of hog cholera germs or practically putrid from advanced stages of tuberculosis.

Whether diseased cattle are offered for sale or not depends to a large extent upon what has just been said as to the butchering of diseased stock for meats. Meats, both fresh and cured, shipped in from other states are now inspected by federal authorities, and if one can ascertain that the meat he is buying came from other states he can be assured for the above reason that he is not eating diseased meats. Prior to the taking effect of the national meat inspection law the people had no positive assurance, in any way, that the meat shipped in or killed here were not diseased; however strict enforcement of the federal statute sets this face of the subject at rest.

Very respectfully submitted,

(Signed) L. DAVIES,

Dairy and Food Commissioner.

On motion of Senator McGregor the communication with the attached report was referred to the Committee on Dairy and Live Stock.

The following communication from the Governor was read by the secretary:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASHINGTON, January 23, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN:—I forward you herewith the report of a committee appointed by me to investigate, consider and report as to the advisability of establishing a reformatory in this state along the lines of that now being operated in Elmira, New York, Mansfield, Ohio, and Hutchinson, Kansas.

ALBERT E. MEAD, *Governor.*

Honorable Albert E. Mead, Governor of the State of Washington, Olympia:

We, your committee appointed to investigate, consider and report as to the advisability of establishing a reformatory in this state along the lines of that now being operated in Elmira, New York, Mansfield, Ohio, and Hutchinson, Kansas, beg leave to report as follows:

The committee convened at the office of Shank & Smith in Seattle, on December 8, and organized by electing Corwin S. Shank chairman and Professor Henry B. Dewey secretary. Reports from the reformatory institutions were discussed and considered, and after an investigation of these facts, the committee was subdivided for the purpose of examining more in detail two questions—first, the reason and purpose as well as the advisability of the reformatory; and second, the financial side of the question, which involved the cost to the state and the saving that might accrue from having a reformatory system, thus

relieving the penitentiary at Walla Walla. We therefore make the following report upon these two questions:

1st. Is it wise to have a reformatory in this state, and if so, what would be its purpose?

Since the enormous growth and rapid development of Washington, the study of legislation forces itself more and more upon the minds of the thoughtful who have the future interests as well as the present welfare of the state at heart, and becomes a daily occupation of the good citizen. Men must govern men with every possible success. The legislator who helps to guide his fellow man in the proper respect due to the law, and brings him back to its desired practice, if unfortunately he has disregarded it, such legislator will particularly contribute towards the successful crowning of law's intent and purpose. This is eminently true when applied to our criminal classes, who of necessity will creep into new countries, have crept into ours, and swell the burdens of legislation.

There are two theories, or rather two aims, in the separation of the criminal classes from the rest of the community. One aim is the protection of society. If the criminal is confined in the penitentiary, he has little opportunity for inflicting injury on his fellows. The second object of removing the criminal from association with his fellow man is the reformation of the man himself. The aim is to provide conditions such that the better nature of man will be given an opportunity for development. For the first class of offenders, the state prison, such as we have at Walla Walla, is sufficient. To such an institution should be sent the hardened criminal, whom neither kindness nor reason can reach. He has earned the severe discipline, the hard fare, the joyless hours that characterize the life of such an institution. He has voluntarily forfeited his rights in the community. He must be content to pay the penalty for his crime and to serve as an example of the old adage that "the way of the transgressor is hard."

There is another class of prisoners who are not hardened criminals, who are in fact often merely the victim of circumstances. They could easily become criminal by being compelled to associate continually with professional crooks. These men are usually ignorant and frequently belong to the class whom psychologists describe as "over-suggestive." They are easily influenced for good or bad. They act on impulse too frequently. The state prison is not a suitable place for such persons. They need an entirely different environment. Under proper conditions many of these persons will eventually become useful members of society. Too often they have not had a fair chance in life; their childhood has been passed amid surroundings and conditions conducive to everything except mental and moral growth. Accident and incident have been more powerful factors in the careers of such men than deliberate purpose. Under different conditions these men would have been different citizens. The aid of the penal reformatory is to provide these different and improved conditions.

The penal reformatory will separate the first offender from the professional law breaker; the youthful sinner from the convict; the misguided adolescent from the experienced criminal; the weak from the strong and cunning; the spirited boy from the perverted felon.

The penal reformatory will provide industrial and commercial training for all prisoners. This is the very basis of a true reformation. The majority of the youthful convicts sent to the penitentiary have had no systematic training. They are in prison because they have not been taught to do some one thing well enough to make it a trade. They lack the discipline that results from continuous effort; they lack the mental balance that results from good habits. The reformatory will train them to form good habits, such habits as regularity, persistency, abstinence, obedience to constituted authority. In the reformatory such trades as the following will be taught: Barbering, bookbinding, blacksmithing, bricklaying, carpentry, frescoing, horse-shoeing, painting, photo-engraving, plumbing, printing, shoe-making, sign-painting, stenography and typewriting, stonecutting, tailoring, telegraphy, upholstery, etc. Congenial work will be found for every inmate. He will be trained along the lines for which he is best fitted. He will be given the training that will make him a self-supporting, self-respecting citizen when he is released. As a result of such training of hand and head he will develop self-reliance, perseverance and respect for honest labor.

The reformatory will provide needed physical and moral training. The military discipline, the gymnasium, the bath rooms, develop and strengthen the physically weak; while the kindly ministrations of the priest, the minister, the rabbi, soften the hearts and awaken the consciences of those with whom they come in contact.

The reformatory will provide for the indeterminate sentence and the parole system. The indeterminate sentence is the basis of real reformatory legislation. No judge can tell just how long it will take to change a man's nature so that he can be trusted to associate with his fellow man. The theory of the indeterminate sentence is that a man should be confined until he has learned self-control; that he shall not be released to be a menace to law-abiding citizens. The prisoner's period of detention is measured by his capacity for good, his conduct, and his reformation while at the institution. The parole system extends the watchfulness of the state for some time after the prisoner is released. If he continues to improve, secures and retains remunerative employment, demonstrates by his conduct and life that he no longer requires further restraint he is then given an absolute discharge.

2nd. The cost and saving to the state by having a reformatory, thus relieving the overcrowded condition at the Walla Walla penitentiary.

It has occurred to your committee that the selection of a site should be left to the State Board of Audit and Control and four electors chosen by the governor, and that the site should be as convenient to the centers of population of the state as will best serve the state's interest from the standpoint of expense in transportation. As soon as the site is selected the State Board of Audit and Control could then transfer from

the Walla Walla penitentiary such number of prisoners as could be safely kept and used in the construction of buildings for the retention of prisoners, together with such administration and outbuildings, as well as other improvements, as might at once be necessary. In this manner the labor upon the reformatory could and would be performed by the prisoners of the state who are practically idle, thus making the only cost to the state the cost for the site and the material used in the improvements. In the same manner improvements could be made, from time to time, by the inmates.

The specific requirements and cost may be summed up as follows:

(a) At least one section of land should be secured as a site for such reformatory. This could be purchased from the state lands, thus requiring but a small payment at present and insuring the acquirement of such a site without the possibility of inflated values which would be placed upon the property provided it was purchased from private parties. The school fund of the state would likewise receive the benefit of the sale. This land in whatever condition it might be in its native state could be put into cultivation by the inmates of the reformatory and made to produce such crops as would aid in reducing the cost of supporting the inmates. Indeed, it is possible for such a tract of land to be put into such a productive condition as to not only contribute largely to the support of the commissary department of the reformatory, but to contribute something to the other state institutions.

(b) Two permanent brick buildings should be erected so as to permit of classifying the inmates. These structures can be built of sufficient size to meet the present demands for about \$30,000 each. In addition to this there should be administration and out buildings, and other improvements, which would require approximately \$15,000 more, making a total cost for the buildings and improvements of about \$75,000.

(c) An investigation of the needs and requirements of the penitentiary at Walla Walla discloses the fact that there will be required an appropriation of from \$100,000 to \$125,000 to meet the immediate demands of the penitentiary. Practically none of this would be required if the reformatory were established. We are informed that there are about 875 men in the penitentiary. From one-third to one-fourth of these men could and would be removed to the reformatory, thus leaving ample accommodation for the prisoners at Walla Walla and for the needs of the state for the next ten to fifteen years. These men would be brought to the reformatory, and under the rules and regulations there could be employed on and about the reformatory, and aid materially in producing a part of their own living.

It will therefore be seen that less than will be required for improvements at the Walla Walla penitentiary would supply the requirements of the reformatory, thus from the standpoint of first cost, making it a matter of economy for the state.

Respectfully submitted.

HENRY B. DEWEY, *Secretary*. (Signed) CORWIN S. SHANK, *Chairman*.

On motion of Senator Pauly the communication with the attached report was referred to the Committee on State Penal and Reformatory Institutions.

The secretary read the following communication from the Governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 23, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN:—I forward you herewith the report of a committee appointed by me to consider the matter of topographic, geologic and hydraulic surveys for the state of Washington and to make recommendations thereon.

ALBERT E. MEAD, *Governor*.

Hon. Albert E. Mead, Governor of Washington:

DEAR SIR:—Your committee appointed to consider the matter of topographic, geologic, and hydraulic surveys for the state of Washington and to make recommendations to you to be submitted to the legislature beg leave to report as follows:

I. TOPOGRAPHIC SURVEYS.

The Topographic Map. A topographic map is designed to show the form and slope of the surface of the land and the elevation of all points above the sea level. The positions of streams, lakes and ponds, public and private roads, towns, and important objects such as houses, are shown in their correct relative positions. The map indicates boundaries of counties and the position of section lines wherever the land has been surveyed. In the making of the necessary surveys for such maps permanent marks, consisting of iron posts, copper bolts or tablets, are set to mark elevation above sea level at points not more than six miles apart. These serve as datum points for further spirit level work, for engineering investigation, and for such public works as canals, water supply, railway and other public or private surveys.

The topographic map is made with such accuracy and in such detail that it is useful to almost every citizen. In a new state that is inviting immigration the map is valuable in order to show the location of desirable farm lands and the general character of the country. From it the position of streams and lakes may be seen and the possibilities of these for purposes of water power or irrigation may be largely determined. The topographic map facilitates the construction of railroads and wagon roads, since upon it available routes may be laid out without the preliminary surveys ordinarily necessary for improvements of this kind. In our public schools such a map is indispensable in that it places before the children truthful maps of our commonwealth instead of those that are glaringly inaccurate.

Topographic Work of United States Geological Survey in Washington. The topographic maps now in existence in Washington have all been made by the United States Geological Survey. In the making of such maps the areas selected for such survey are defined by lines of latitude and longitude and are called quadrangles. Each quadrangle, and the topographic atlas which represents its features, is designated by the name of the most prominent place or topographic feature included within it. The scale generally used on topographic maps is about two miles to the inch, and on this scale the area of a quadrangle is about eight hundred square miles. In Washington the topographic map when completed will comprise, in round numbers, ninety sheets, complete or fractional, of which about twenty-five have already been surveyed. The United States Geological Survey began its work in 1893, and at the present rate of progress the Federal survey working alone will require fifty years longer in order to cover the whole state.

In order to expedite the topographic survey a scheme of co-operation has been entered into in a large number of states between the Federal survey on the one hand and the individual states on the other, each party paying one-half of the cost of the work. In each of the co-operating states there is an agreement by which an appropriation on the part of the state legislature is met by the allotment of an equal sum by the Federal survey. In Washington, for instance, where the cost of making a topographic map is approximately twelve dollars per square mile, this sum would be met by appropriation by both the Federal and state government, amounting to six dollars per square mile for each party. It is now the policy of the United States Geological Survey to expend its funds in those states where co-operation is entered into, so that the work in our state will probably be brought to an end unless we follow the lead of other states and continue our topographic surveys under the scheme of co-operation.

II. GEOLOGICAL SURVEYS.

Laws Establishing Geological Surveys. The legislature of 1901 created the Board of Geological Survey of the state of Washington, consisting of governor, lieutenant-governor, state treasurer, president of the University of Washington, and the president of the Washington Agricultural college and School of Science. As set forth in the law, the Board of Geological Survey was to provide for examination and reports upon the metalliferous deposits of the state, the coal fields, the building stones, road making materials, water supplies, etc.; in fact to carry on a geological, topographic and hydraulic survey. In 1903 the legislature amended the act, providing for the work to be done in co-operation with the United States Geological Survey, a provision being inserted that the Director of the United States Geological Survey shall agree to expend upon the part of the United States upon said surveys a sum equal to that expended by the state.

Work of the State Geological Survey. The legislature of 1901 appropriated \$10,000 for the next biennium to carry out the provisions of the

act noted above. The Board of Geological Survey elected a State Geologist, employed capable assistants, and published two reports, viz., one for 1901 and another for 1902. These reports described in a general way the topography and geology of the state; the location of the principal metalliferous deposits then known; building stones; coal fields; soils; road making materials; limestone desirable for lime burning and cement making; water resources suitable for city and town supplies, water power, or irrigation. These reports were distributed free of cost and because of their valuable information they have been very helpful in the exploitation and development of our mineral resources. The Board of Geological Survey has done no field work since 1901-3 because of a lack of appropriations. The State Geologist has carried on an extensive correspondence and has been able to supply needed information concerning the various phases of the mineral resources of the state. Inquiries are constantly pouring in upon the State Geologist and other state officials regarding the underground wealth of Washington; and the continuation of the field work of the survey is now imperatively demanded. The mining industry in Washington is languishing more from lack of definite and suitable information concerning our valuable minerals than from any other source. In the next biennium both the metalliferous deposits and the coal fields should receive attention. The best known coal fields are chiefly now in the hands of large companies, and the state owes it as a duty to her citizens to map all the coal fields of the commonwealth so that no company or companies may secure control of our chief fuel supply. Especially is it desirable that the state lands should be examined for coal and other valuable minerals in order that if found they should be retained for the benefit of the whole state and not for the fortunate few. It is easily demonstrable that the cost of an investigation of our mineral resources made by the state would not reach a hundredth part of the cost if made by individuals working independently.

III. HYDROGRAPHIC SURVEYS.

Definition. A hydrographic survey is an examination of the water resources of the state or parts thereof, in order to determine the possible supplies of portable water, water for power plants, or for the purpose of irrigation. The water supply of the state is of more importance to the life and pursuits of the people than any other natural resource, as the health and economic development of every community are directly dependent on the character and volume of the available supply. Where water is used for irrigation or for the development of power, the flow must never fall below a certain point. Where it is used for domestic supply it must be free from disease producing organisms. And where it is used for manufacturing purposes or in boilers it must not contain harmful ingredients.

Hydrographic surveys have to do with both the surface and underground waters of the state. The rivers must be used for domestic and industrial supplies, power purposes, navigation and irrigation. In order

that there may be no useless expenditure in the development of these resources studies must be made to determine the amount of water that is available throughout the various seasons of the year and throughout a series of years. Along the principal streams of the state gauging stations should be maintained in order to secure records of flow which would indicate the fluctuations that might be expected in the quantity of the water.

A subject of even more importance to Washington as a whole, because of the arid conditions in many places, is an investigation of the underground water. This investigation should include a determination of the areas that are underlain by water-bearing strata, of the depths at which these strata occur, of the amount of water that may be obtained, of the rate of artesian flow, and of the character of the water. A knowledge of the existence of water-bearing strata is very necessary not alone for purposes of irrigation but in some parts of the state settlement is impossible because not enough water for domestic purposes alone has as yet been obtained. In hundreds of instances wells have been driven blindly in the hope of striking a water-bearing vein, but the majority of these wells have failed because no intelligent study has been made of the ground water conditions. The money that is being needlessly spent about the state in a study of the water resources would pay several times over for an intelligent investigation on the part of the state.

Co-operation. In the matter of hydrographic surveys in Washington, co-operation is asked for by the United States Geological Survey on the same plan as that outlined for topographic surveys, viz., each party to bear one-half of the expense.

IV. RECOMMENDATIONS.

After a full study of the whole subject and a thorough consideration of the matter your committee unhesitatingly recommends that the legislature be requested to make an appropriation for topographical, geological and hydrographical surveys. With the coming to Washington each year of so large a number of immigrants who believe that it is obligatory upon the state to furnish these people and all citizens with the accurate detailed information afforded by such surveys, in order that hundreds of thousands of dollars need not be spent in misdirected and unintelligent individual investigation. We find that no additional legislation is necessary, the Acts of 1901 and 1903 being entirely adequate to cover the matter of these surveys as outlined above. As to the amount of appropriation desired at this time, we are of the opinion that a sum not less than \$10,000 yearly is necessary. That is the smallest amount which would permit of the work being carried on economically and expeditiously.

It has been suggested that the legislature at this session be requested to pass an act establishing a Mining Bureau for the state. While this matter is not mentioned by you in your letter appointing this committee, the subject was brought before us for discussion. In the opinion

of a majority of the committee the subject of the establishing of a Mining Bureau is outside of the instruction given with our appointments, and therefore in this matter we have no recommendation to make.

Respectfully submitted.

(Signed) HENRY LANDES,
J. M. HITT,
A. N. BROWN,
ALBERT W. MCINTIRE,
JOSEPH M. SNOW,
RALPH D. NICHOLS.

On motion of Senator Davis the communication, with the attached report, was referred to the Committee on Appropriations.

Petitions praying the enactment of a direct primary law were received from Wahkiakum, Thurston, Whitman, Jefferson, Walla Walla, Kittitas and Cowlitz counties and on motion of Senator Metcalf were referred to the Committee on Elections and Privileges.

On motion of Senator Cotterill, 650 additional copies of Senate Bill No. 14, known as the Initiative and Referendum bill, were ordered printed.

House concurrent resolution No. 4, providing for the purchase of twelve copies of Pierce's Code of the State of Washington, was adopted on motion of Senator Graves.

INTRODUCTION OF BILLS.

Senate bill No. 60, by Senator Gunn, entitled, "An act to amend section 1263 of Ballinger's Annotated Codes and Statutes of Washington, relating to the filing of plats, etc."

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

Senate bill No. 61, by Senator Pauly, entitled, "An act amending section 2 of an act entitled, 'An act authorizing the assessment of lands held or owned by any county in the state, within the limits of incorporated cities or towns in such county for local improvements, etc.'"

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

Senate bill No. 62, by Senator Boone, entitled, "An act to amend an act entitled, 'An act fixing the fees to be paid to the secretary of state by corporations doing business in the state.'"

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

Senate bill No. 63, by Senator Graves, entitled, "An act relating to the criminal insane, their trial, commitment and custody."

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. 64, by Senator Rosenhaupt, entitled, "An act to provide for the making of a topographic map and investigation of the water supply of the state of Washington, etc."

The bill was read the first time, and on motion of Senator Rosenhaupt 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. 65, by Senator Jones, entitled, "An act authorizing and empowering cities of the first class to include within local improvement districts land in school sections, the title to which remains in the state of Washington, etc."

The bill was read the first time, and on motion of Senator Jones the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 66, by Senator Jones, entitled, "An act authorizing cities of the first class to provide for the filling and closing cesspools and for the removing of garbage, debris, etc."

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

by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 67, by Senator Minkler, entitled, "An act for the relief of James O'Loughlin, etc."

The bill was read the first time, and on motion of Senator Minkler 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. 68, by Senator Blair, entitled, "An act amending section 21 of the Code of Public Instruction, etc."

The bill was read the first time, and on motion of Senator Blair 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. 69, by Senator Anderson, entitled, "An act creating two judicial districts out of the counties of Ferry, Okanogan, Douglas and Chelan, and providing judges therefor and declaring an emergency."

The bill was read the first time, and on motion of Senator Anderson 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. 70, by Senator Hunter, entitled, "An act to amend section 1 of an act entitled, 'An act to amend an act entitled, "An act providing liens upon saw logs, spars, piles or other timber, etc."'"

The bill was read the first time, and on motion of Senator Hunter 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. 71, by Senator Booth, entitled, "An act relating to contracts and providing that certain contracts shall be void unless in writing."

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

A communication from the Brotherhoods of Locomotive Engineers, Locomotive Firemen and Railroad Trainmen and the Order of Railway Conductors, praying that the hours of continuous service required by railway companies be limited by law, was read by the secretary and on motion of Senator Davis was referred to the Committee on Railroads and Transportation.

At 11:35 a. m., on motion of Senator Graves, a recess was taken until 1:55 this afternoon.

AFTERNOON SESSION.

The Senate was called to order at 1:55 p. m. by President Coon.

By unanimous consent, at the request of Senator Davis, the Senate returned to the order of business, "Introduction of Bills."

Senate bill No. 72, by Senator Davis, entitled, "An act to amend section 42 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 Davis the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Revenue and Taxation.

The hour of 2 o'clock having arrived, the Senate repaired to the House to meet that body in joint session for the purpose of holding memorial services.

JOINT SESSION.

The sergeant-at-arms announced the arrival of the Senate.

The joint session was called to order by Lieutenant Governor Charles E. Coon, president of the Senate, at 2 o'clock p. m.

The president invited Governor Mead to a seat on the rostrum.

The secretary of the Senate called the roll of the Senate, all members being present except Senators Booth, Minkler, Pauly, Ruth, Scott, Williams and Senator Pogue, excused.

The clerk of the House called the roll of the House, all members being present except Mr. Weir, excused.

Lieutenant Governor Coon, presiding, addressed the joint session as follows:

"The mysteries of life and death are unfathomable. We know not why we come nor whence we go. But we cannot rest in the belief that, after a brief space of the life we know, all is to end in the cold obstruction of what we call death. There is implanted in every breast something which creates an earnest and soul-inspiring faith in an immortality of life in the great hereafter; a life measureless; eternal.

"Death is no respecter of persons. The highly gifted, full of honors; the lowly placed; the young and those full of years are alike subject to the stern and unavoidable summons.

"We are met today to commemorate the public and private virtues of those of our members who have answered the final roll call and have passed to the great beyond. May their virtues ever remain deeply graven on the tablets of love and memory, while their faults, if any they had, be swept away by the sweet charity which enobles mankind."

The president announced that these memorial services were as a mark of respect to the memories of Senators Carey L. Stewart and Samuel S. Russell and Representatives A. S. Melcher, D. P. Bowers and Joseph H. Dawes.

Rev. F. A. LaViolette, chaplain of the Senate, offered the following prayer:

"Eternal and all wise God, our Father, we wait before thee at this time with a deep sense of our mutibility and conscious of the brevity and frailty of life. We are assembled to give tribute and pay our respects to the memory of those members of this body that have left us sorrowing behind. We would cherish their virtues on marble tablets and their faults on shifting sand. We would pay proper reverence to those services that make us to be conscious of a great loss and keep fresh in our minds the honor of our dead.

"We especially pray that heavenly care and protection may be about the lives of the loved families left behind. Thy special blessing upon the widow and orphan and all bereaved ones whom death has saddened. Let thy gracious favor be upon them all. Let thy enduring mercy care and protect them. Let thy tender and loving care as a heavenly Father be with them always.

"And now while we wait, almost feeling the touch of the vanished hands and the sound of the voices long stilled, help us by thought, word and action to emulate their virtues and enlarge and enrich the great brotherhood of man, that by our lives when we shall be called hence, we may long speak to the living.

"Grant us these favors we humbly entreat thee, for Jesus sake; Amen."

The secretary of the Senate called the names of Carey L. Stewart and Samuel S. Russell, but called in vain.

The clerk of the House called the names of A. S. Melcher, D. P. Bowers and Joseph H. Dawes; there was no answer.

Eulogies on the life of Samuel S. Russell were delivered by Senators Graves, Hutson, Boone and Stevenson, and on the life of Carey L. Stewart by Senators Paulhamus, Davis, Rands, Smith and Representative Sheets.

Addresses in memoriam were made by Messrs. Freudenberg and Griffin on the life of Joseph H. Dawes, by Messrs. Bassett and Johnson on the life of A. S. Melcher and by Messrs. Gregg and J. B. Gilbert on the life of D. P. Bowers.

Senator Graves said:

"To a great extent man is the puppet of the Eternal Power. He cannot be wholly what he would, but is chiefly what he must be. Yet every man may in some degree rule himself. The duties of life he may discharge well or ill; he may do with thoroughness that which is put before him to do, or he may shirk the tasks which are imposed upon him. It is given to few to be among the great of the world or of the nation; to most is assigned the humbler portion. Yet in the eternal plan the one is no higher than the other, and he who discharges his duties in life conscientiously and well, no matter in what place his lot has fallen, has fulfilled the purpose for which he was placed upon earth.

"I knew nothing of the late Senator Russell's home or business life. I did not know him except during the legislative session of 1905, when we were fellow-members of the Senate. But I feel that even that brief acquaintance enabled me to gauge the man. The public servant who serves the people faithfully and well, neither putting private interest first nor satisfied with the ease of mere routine, but earnestly striving for the public weal at whatever cost to himself, may be confidently counted upon as a man who in every relation in life has done his duty. Such a man was Senator Russell. He was possessed of more than ordinary industry, ability and integrity, and he brought these endowments into fullest play for the benefit of the people of the state. The measures he fathered were just and wise; his work in the committee rooms lessened the work of his colleagues; and his vote was always cast on the side of justice and right. A man who has so lived need not fear to die. Life was given to him to use, and he may surrender it to his Creator calmly confident that he has not abused his trust."

Senator Hutson spoke as follows:

"It has often been said that death loveth a shining mark. Proof of such saying is found in the taking away of a life so full of promise as that of our departed friend and colleague, Senator Samuel S. Russell.

"Strong, ambitious, in the very prime of life, he was called to his reward by the Great Arbiter of our destinies, and his family, friends, and this great state of Washington are left to mourn his loss.

"That death is foreordained to man is true. Not a day, not a second of time passes, but that some soul is freed from its earthly home, and wings its flight into the Great Beyond. Some die in infancy, and know nothing of the trials, tribulations, and happiness of this earthly life. To others is permitted the living out of their lives to the fullest maturity—to plan their life work, to perfect the same, and to spend their declining years enjoying the returns of a life well-spent. With the latter, as age increases, the body becomes frail, thoughts of death more common, the last long sleep, in a manner, looks inviting, and the soul seeks a natural and an earned release. Others are called suddenly in the prime of life, in the most vigorous manhood, when life's work has but just been initiated, when it would seem that the initiator could best complete the work, and not leave it but half done, to be finished by another. In such a manner was Senator Russell called. We cannot understand why, and it is useless to question. We must bow our heads to the will of our Creator, and submit unquestionably to his mandates.

"Senator Russell went out into the world at an early age to fight life's battles alone and unaided. He used well all opportunities presented to him, and was admitted a few years prior to his death to the practice of his chosen profession, the law. He was a man not content to remain in the lower ranks of his profession, and he strove continually for leadership therein. He was an indefatigable worker, and his efforts were seemingly receiving a well-earned recognition, when he was stricken down with the sickness from which he never rallied.

"It was my misfortune that my acquaintance with him was very brief. I served with him in the Senate of the Ninth Legislature, and by reason of a similarity of professions, it was my privilege to be intimately associated with him during that session. I learned to respect Senator Russell, and to recognize his sterling worth.

"As a partisan, he was open, frank, honest, and persistent; as a legislator, careful, deliberate, slow in forming opinions, yet when once decided, he could not be swerved from the course he believed right.

"As a man among men, he was kindly, considerate, helpful, optimistic,—a good friend.

"Such was Samuel S. Russell as I knew him."

Senator Boone addressed the joint session as follows:

"In the death of Senator Russell this commonwealth has lost one of her noble young men. What an inspiration for generations yet to come are lives such as his. When the scroll of time shall be unrolled and the record of men be laid bare; when the sum of human action is taken into account and the balance sheet of time is struck; then will stand out in characters bold these splendid traits of men such as he.

"Devotion to duty, nobleness of character with an eye single to the welfare of his people and his state; all of these splendid attributes belonged to our departed brother."

Senator Stevenson spoke as follows:

"MR. PRESIDENT: This occasion brings forcibly home to all present the fact of the uncertainty of life and the certainty of death, and we feel the force of Gray's impressive words:

"The boast of heraldry, the pomp of power,
And all that beauty, all that wealth e'er gave
Await alike the inevitable hour;
The paths of glory lead but to the grave."

"We are assembled here today not as a great legislative body to enact laws for a great commonwealth, but as a larger fraternity and brotherhood. We have met to recall the sacred memories of the adorable character of a departed friend and honored member of this legislative body, the Honorable Samuel S. Russell. And while occasions of this character bring back to all present a host of recollections of the lives of those of our friends who have gone before, we desire to especially commemorate at this time the life and achievements of that honored member of this body who since the last adjournment has passed to that bourne whence no traveler returns."

"As we stand today in this magnificent chamber dedicated to the sacred work of formulating laws for the guidance of this great commonwealth, it is but fitting that we pay our tributes of respect and appreciation to the lives of those who cast their lot with us in earlier days and nobly wrought to reclaim from the primeval forest, the wild mountain and the grand rolling prairies of this magnificent state the matchless wealth and prosperity which we now enjoy."

"Among those who contributed to the building up of this great country I do not hesitate to name my predecessor in this body, Senator Russell."

"I first knew him about fifteen years ago, as a young but successful teacher of my county. He came to our state from Pennsylvania as a youth, and grew up with our young community. I knew him as a teacher, as sheriff of my county, and as State Senator."

"Whatever position he occupied, he was ever faithful to his trust. I knew him as a man of sterling worth and noble purpose. He was a good citizen, a genial friend, a trusted public official, a kind and loving husband and father."

"I shall not speak of his service as a member of this Senate. Your ready adoption of the resolution calling for this service, your presence here today, indicate your estimate of him as a colleague."

"I am sure there are many here today who remember him kindly, and who truly regret his untimely taking away, upon the very threshold of a public career, which, I am sure, would have proven an honor to himself and a credit to his state."

"Mr. Russell was a strong man physically as well as mentally, and his death came as a shock to us all. As friend follows friend to the unknown shore, the sense of bereavement and loneliness at times seems oppressive.

"Were it not for the hope of immortality divinely implanted in our hearts and minds the ceaseless departure of loved ones would have us shrouded in impenetrable gloom. But as each one joins the 'innumerable caravan' we feel the loosening of another tie that bound us here, and see another hand beckoning from the Great Unknown.

"On behalf of district No. 10, which he so ably represented, and of those who were bound by closer ties, I thank you for all this tribute to the memory of my predecessor and friend, the Honorable Samuel S. Russell."

Senator Davis spoke as follows:

"It was my good pleasure as well as my good fortune to know Senator Carey L. Stewart, and to know him well. There are many good and sufficient reasons why he should have been a prominent citizen and a leader in the affairs of this state. He was a native son of Washington, his parents having been among those hardy pioneers who left behind all that was near and dear to them, when they moved forward into the unexplored Territory of Washington, a good many years ago.

"Owing to the death of his father he was placed in charge of the large mercantile business at Puyallup at the early age of seventeen years, which he successfully conducted until the time of his death. In addition to that he had many other interests which, of themselves, would have taken all of the time of a great many men.

"He was a broad-minded man, of generous disposition, kindly impulses, unselfish, thoughtful of the interests of others, and always seeking to assist in the welfare of his fellow men, to do any beneficent act possible, and in general, to make the lives of his friends and neighbors happier and his community better for having lived in it.

"It was my pleasure to sit with him through three sessions of the legislature, and I never met any member of that body who, at all times, and under all circumstances, was more fair to all the people of the state, and more desirous of good citizenship, and more interested in the upbuilding of the interests of the commonwealth than was Senator Stewart.

"The best evidence, in my judgment, of how his neighbors felt toward him, was when on the day of his funeral, all affairs of his home city, Puyallup, were absolutely suspended, and all the business houses draped in mourning.

"It was better for all the people of the State of Washington that Senator Carey L. Stewart lived among us, for there are few of our compatriots in civic life and in the affairs of state who have made the paths of our friends and associates more pleasant, whose record is more deserving, whose faults were less, and whose virtues and excellent

traits of character are more worthy to be engraved on the enduring tablets of our memory."

Senator Rands spoke as follows:

"When we pause to think that the ever busy reaper, Death, is always before approaching with swinging scythe and certain speed upon the single track being traversed by each of us, and that the inevitable head-end collision must sooner or later be fatal to each of us in turn, we can but wonder that the ever-nearing approach of that moment does not cause us to consider more carefully the way in which we are speeding to join the innumerable caravan on the other side of the Great Divide.

"But the uncertainty of the hour of dissolution coupled with the buoyant hope that our race is far from run, causes us to give little heed to the signals that another is on the track with the right of way.

"I speak thus because the stallwart frame and robust appearance of Carey L. Stewart indicated to the casual observer that he at least might easily have expected to pass the allotted three score years and ten of human life.

"Neither you nor any person meeting him two years ago as he came and went about these halls would have pointed to his seat in the hall at the other end of the corridor and even thought that it would be vacant ere the opening of this session, and he the first of our number to enter and cross the dark river of the Shadow of Death.

"Yet, I am told, what I did not then know, that he knew that that river, which he has since crossed, lay only a little way down the road that he was traveling, and that his feet were even then approaching very closely to its brink.

"Yet he did not quail or shrink from the faithful performance of those duties entrusted to him by his constituents. Few of us perhaps would have been so cheerful, knowing that the end was near. Few would have been disposed to give careful attention to public duties under such circumstances, natural instincts would urge and dictate that the time be devoted to personal matters, and to those bound by the closest of human ties.

"There was the spirit of a noble man, yet none of us at that time appreciated him at his real worth. *We did not know.*

"Though we did not then realize that he was on the last long track toward the unknown sea of futurity and so credit his noble spirit with those higher virtues and qualities which entitled him to our admiration and esteem. Yet those of us who sat for successive sessions with him at the other end of the building had learned to know, esteem and love him as a man.

"He bore the stamp of honest manhood on his face.

"His every act proclaimed him worthy of confidence, a good citizen and an upright man.

"The close associations and relations of members of either body of the legislature, and more particularly those of the Senate, where on

account of fewer members greater intimacy exists, are such that we come very soon to appreciate a fellow member nearly at his actual worth.

"Carey L. Stewart was a man of keen intellect, possessed of good judgment and more than ordinary business ability. These qualities were soon recognized and appreciated by his associates who placed reliance upon his opinions and accepted his word as absolutely good.

"A man of truth, honor and integrity he was relied upon and esteemed and loved because of these qualities.

"In our intercourse and associations here we come to rely on the man and to trust him just so far as he proves himself worthy. Each stands or falls according to his merit.

"Carey Stewart never fell. I never heard a fellow member say an ill word of him. I never heard his word or honesty of purpose questioned. To know him intimately was but to love and esteem him.

We miss his cordial, cheery greeting. We miss his safe counsel and good advice in matters appertaining to the state's welfare, and from time to time, despite the pressing cares of life's duties, the niche in our hearts wherein his memory is enshrined will open and we will find there only kind thoughts, loving remembrances and esteem for our departed friend and associate and brother.

"The green acacia marks the resting place of our departed brother. The emblematic sprig of evergreen rests upon the breast of his mortal frame. The ways that he trod shall know him no more forever, but greener and fresher than the acacia or evergreen are the memories of him that lie enshrined in our hearts there to remain till we too shall answer the last trump and cross to the other shore, where we trust that our spirits may be reunited to his in a realm where death comes not and sorrow and pain are not known."

Senator Smith said:

"It was my good fortune to be an intimate associate of Senator Carey L. Stewart during the sessions of 1903-05, and on account of his many manly qualities of heart and mind I learned to love, honor and respect him. Words of mine are too feeble to express the esteem in which I held him, and in which I know he was held by every other member of the Senate. All of his colleagues knew that his word was as good as any man's bond—that his promise once given was never broken. They all knew that as a member of this body he had no other desire or object than to serve to the best of his ability not only the district in which he was elected, but the entire state of Washington. While always a hard and honest worker in behalf of any cause which he espoused, his treatment of his opponents was uniformly so fair and courteous that it can be truthfully said of him that his most active antagonist respected and admired him.

"As a Senator his work in committee and upon the floor of this chamber was always conservative and well considered and his efforts redounded in no small measure to the welfare of the state.

"I believe that he did his appointed work while upon this earth and that upon his crossing the great divide he was greeted with the most comforting words, 'Well done, thou good and faithful servant.'"

Mr. Sheets said:

"It is with a heavy heart and mind crowded with memories of my departed friend and co-worker, that I arise to pay tribute to the late Senator Carey L. Stewart.

"Carey Stewart, as he was affectionately called by his loyal constituents in the Twenty-fifth Senatorial District, where he probably had a wider personal acquaintance than any other resident therein, was descended from a line of staunch, true-hearted and highly intellectual men and women. The paternal ancestry of this prominent merchant and legislator of Puyallup, Washington, was of Scotch origin, but the family located in Delaware county, New York, many generations ago, and descendants of the original family are still residing there. It was on a farm near East Franklin (now Treadwell) Delaware county, N. Y., that his father, James P. Stewart, was born, on September 20, 1883. He grew up on the farm in that county and from an early period was exceedingly ambitious to gain an education, and notwithstanding the limitations of school facilities in those days, managed to get a fairly good training, although as he often said in his later years, he learned most in the school of experience. He had not reached his majority when in the fall of 1853, he determined to seek his fortune in the west, where he believed the opportunities were better for on of his restless energy and ambition. Accordingly he made the decisive move of his life when he set out for New York City one day, and there took ship for San Francisco, going by way of the Isthmus of Panama. He arrived at the Golden Gate in May, 1854, and from there went to Portland, Oregon, by boat, where he landed May 23, 1854. This was not his final destination, however, and he went on to Corvallis, Oregon, where he laid the foundation for his future career by starting a small store and where he also taught school. His burdens increased under his careful management and he had not been long in Corvallis when the citizens chose him to the office of sheriff of Benton county, which proposition he held until he left Oregon in 1859. This was the year of his arrival at the Puget Sound, so that he can well be called one of the old-timers.

"He took up a claim in the Puyallup valley, in Pierce county, and the city of Puyallup now stands on that claim. He farmed on this place for some time, and there built a store, which was the nucleus of what has since become and is now the large mercantile establishment of J. P. Stewart & Sons. He was a member of the territorial legislature and in 1889 was in the constitutional convention which formed the constitution for the state of Washington. His death occurred at Puyallup, January 13, 1895.

"His wife was Margaret A. McMillan, who had come to this country when a child, in 1852, and her family was one of the most prominent in this section; she died at Puyallup on November 2, 1898.

"Carey Logan Stewart, the eldest son of the illustrious father, and the subject of this memorial, had the distinction of being a native born citizen of Puyallup, where he came into the world on November 3, 1864. He received a common school education and enjoyed alternating experience on the farm and in the store, up to his sixteenth year. He was then considered competent to take charge of the store, which he did, and conducted the business successfully until the time of his death, having become the owner at the time of his father's demise. He also owned a large amount of land in the county, which is mostly devoted to the hop industry.

"I am proud to tell you that I enjoyed a personal acquaintance with the late Senator Stewart for twenty years, having first met him in 1885. He had the advantage of possessing a big, kindly nature, and of making friends wherever he went, so that it is not surprising that he was early called upon to fill official positions. He was a member of the city council for several years, was twice elected mayor, and in November, 1898, was chosen to the Lower House of the legislature. When his term in this body was completed, the people were so well pleased with his services that in 1900 they elected him to the Senate, from the Twenty-fifth district for the term of four years, which he served with marked distinction, having been a member of some of the most important committees and the prime mover in many measures of advantage to the state. He was re-elected to the Senate in 1904 and had served half of his term at the time of his death, June 27, 1906.

"Senator Stewart had been in failing health for more than three years, being a sufferer from diabetes. Several trips were made to New York and other eastern cities where specialists were consulted, and a trip to California was made only a few months before his death but of no avail and he was forced to submit to the dread disease, and passed peacefully to rest, the twenty-seventh day of last June, after being confined to his bed only four days. Funeral services were held from his late home, Friday afternoon, June 29, at 2 o'clock, under the auspices of the Masonic fraternity, Rev. B. F. Brooks of Tacoma officiating, assisted by Rev. W. B. McMillan of Puyallup and Rev. Ludwig of Orting. It is estimated that more than 500 people viewed the remains, among them distinguished persons, including a number of his colleagues in the Senate. Between the hours of one o'clock and five all business houses in the city were closed and draped in mourning and flags were at half-mast, the last tributes of respect the sorrowing community could pay to one held in such high esteem. He was married on December 19, 1892, to Miss Jessie C. Jackson, who survives him, and whom many here have the pleasure of meeting. They had no children.

"Senator Stewart was president of the Citizens' State Bank in his home city, a Royal Arch Mason, and a life-long Republican. As an able

citizen of sound and unswerving judgment, as a generous and distinguished promoter of the welfare of his town, district and state, he was held in the highest regards and his name mentioned always in cordial praise. 'Large was his bounty and his soul sincere.' High and noble minded, his loss as a neighbor, townsman, friend and statesman, is a severe one.

"And ever near us the unseen,
The dear immortal spirits tread;
For all the boundless Universe
Is Life—there are no dead."

Senator Paulhamus spoke on the life and character of Carey L. Stewart.

Mr. Freudenberg addressed the assembly as follows:

Mr. President and Gentlemen of the Legislature:

"There has always been a sentiment among mankind to pay a tribute of respect to the memory of its dead; to frame, as it were, a funeral cortege to bear their spirit from the realm of the known to the great unknown. This sentiment was born with man, and sprang into existence when truth first shed its life divinely upon him, and the blossoms of inspiration and hope blew their breath into his daily life. All along the pathway of history may be seen its enobling monuments. It breaks into expression in the simple ceremony that attends the sepulchre of the peasant, and the solemn pomp that attends the obsequies of a king. Its monuments are seen alike in the rounded tuft that marks the grave of humble poverty and the marble shaft that lifts itself above the remains of departed grandeur. It is this sentiment that has brought us together at this hour to pay our respects, in official form, to the memory of the deceased members of this body.

"It was not my good fortune to know personally any of our deceased brothers save and except Joseph H. Dawes. It was my good fortune to personally know and enjoy the friendship of Mr. Dawes. A better friend, a truer lawyer, or a more devoted public servant never lived; whether at the bar, in public life, at the fireside or at the banquet, he was always the same courteous, congenial, inspiring person. He was in all respects a prince among men.

"To those intimately acquainted with him it was known that the dark angel of death had marked him as one soon to become his own. To the public he betrayed no fact or evidence of physical decay which he knew to be upon him. But the indomitable spirit as Louis the XVIII, of France, who believed that a being should die standing and who died in that belief, he toiled faithfully to the end, and literally dropped in the harness.

"He was an omniverous reader, especially of literature, and particularly fond of poets. The last time I saw him in his office, he talked of the future. The ascendant sun seemed to have a bright ray, yet in the light of what soon occurred, namely, his untimely death, I have always

believed that he had at that time a premonition of his early demise. I can see him now, as in his clear, manly voice, he recited those matchless lines of Lord Tennyson:

“Sunset and evening star,
And one clear call for me,
And may there be no moaning of the bar
When I put out to sea.

“But such a tide as moving seems asleep,
Too full for sound or foam,
When that which drew from out the boundless deep,
Turn again home.

“Twilight and evening bell,
And after that the dark,
And may there be no sadness of farewell,
When I embark.

“For though far from out the bourne of time or place,
The floods may bear me far,
I hope to see my pilot face to face,
When I have crossed the bar.’

“To me ever since that time those lines have seemed as the song of the dying swan.

“Now my friends, I will not detain you longer. I turn from my sad theme with a full conviction that in the death of the Honorable Joseph H. Dawes the state has lost a faithful public servant, the nation a patriotic citizen, and humanity a devoted friend.

Mr. Bassett said:

“There is no one who listened to the great orator who was with us last week but must appreciate the wonderful power of oratory. I trust that the voices of some who are able to speak with eloquent tongues will be heard in eulogy of our friend from Lincoln county who passed away so sadly. But at the same time I am glad that his life and character were so in keeping with the common and unromantic in life as to make it fitting that some of us who entirely lack the power of oratory should add our word of appreciation for him who is gone.

“Mr. Melcher's early life was like that of a majority of our citizens who have risen in the world. He was born in a farming community in the East, of humble German ancestry, was brought up to work and early taught by precept and example that character was of more importance than property. He married early and happily, adopted farming as a life occupation, and came West by several successive stages, living most of his life among pioneers and sharing their troubles. To many of us the life of the early settlers on the prairies of our state is but a chapter of our own life history. Future generations will mark their achievements better than we can do. Of this strenuous life Mr. Melcher bore a full part. He settled in Lincoln county in the eighties, taking as a homestead one of the places which he owned at the time of his

death. He commenced here with little means and found himself at once obliged to contend with poverty, with inexperience, with the elements, with animal pests which had had the country to themselves for generations, with all the adverse powers of nature combined with universal hard times abroad. A wonder it is that he and others like him lived to tell the tale. But live he did, and soon his life was crowned with success as faithful work always is in the state of Washington. He prospered greatly, learned the methods of farming best adapted to his surroundings, bought more land and as he began to have more leisure for outside duties entered eagerly into the life of the community about him. He taught school for years, at first for a livelihood and later for love of the good he could do; he served as county commissioner; he made himself an authority on county road building; he started a local library in his district that his children might not lack advantages which he would have prized as a boy. He attended teachers' institutes in his county for years and was a most valued helper the latter part of the time. He was always glad to extend a helping hand to his neighbors. Every newcomer sought his house first and was welcomed and aided in every way possible. Without identifying himself with any religious body he thoroughly appreciated religious matters and at home and abroad was regular in his attendance upon such privileges.

"It is not necessary to describe Mr. Melcher's life here to those who were with him in the last legislature. He came unheralded and unattended, and maintained the quiet simplicity of his life during all the session. But none the less every member knew him personally, and had at some time passed a pleasant greeting; all had received his heartfelt good wishes. Every one felt that he was a man of reserve force, thoroughly at home in a legislative body. He brought no hobbies with him, he had no ambitions to gratify. His only desire, as he often told his friends, was to do his duty, and his colleagues can testify how well he did it. He was always ready for a roll call, always attentive, studied legislation in advance, was very generous to new ideas, never abtruding but always willing to express himself in public when he felt duty required it. He became one of the best authorities in the House on road matters; he was active in securing the advantages of local insurance for his constituents, he was at the front in all educational matters, he labored hard for a railroad commission. He did not interest himself in these objects for any selfish interest but because he felt his duty to the citizens of the state required him to secure for every one of them every advantage possible. In his love of the individual he was a ready follower in the path so eloquently pointed out for us by Mr. Bryan last week. That very conscientiousness which made life at last not worth living as he viewed it unless it were of use to some one else made him an invaluable public servant. After he returned home ill health began to claim him. One misfortune followed another; fire, sickness, family troubles, duties too hard for his weakened body. He struggled against them all but the burden was too great and to

the sorrow of many besides his immediate family the end came suddenly and unexpectedly.

"But I am not here for a eulogy. Our friend is where the most telling of speeches cannot benefit him and were that the purpose of this gathering it must be given to others to accomplish. There is one thought which must be in the minds of all of us. We are not gathered to do justice to the memory of our friend because he was great or rich or had been called to serve the state in any great way, nor even merely because he was a former member of this body. Rather we are paying tribute to him as one called to serve as we are and who showed that service could be given acceptably and usefully by the faithful service of a common individual. My friends, we are on the threshold of similar duties. To but few of us is it given to take conspicuous places in the ship of state but to every one of us the call does come to serve our state with single-heartedness, without graft or selfish considerations. Should we be strengthened in our resolve for such service in any way by thinking of our friend who is gone I know such tribute would be most acceptable to him and most beneficial for the state which we are serving."

Mr. Gregg said:

"Birth, growth, maturity and decay. Such is the normal history of man. Twenty years of growth, thirty years of maturity, and twenty years of decay. This in total would constitute the biblical allotment of time to man, but for the fact that we labor under a load of our ancestral sins, increased and intensified by our delinquencies and follies, the life of the average man is cut much shorter. How pleasant the picture; twenty years of happy childhood and youth, filled with all the joys and hopes of youth; thirty years of manhood, filled with all the busy cares of the world, and then twenty years of slow and almost unconscious decay. Man in his grandest perfection is full of frailty.

"A noted author has said that 'Life is a vale between the cold and barren peaks of two eternities. We arrive to look beyond. We cry aloud, but the only answer is the echo of our wailing cry. From the voiceless lips of the unreplying dead there comes no answer. In the night of death hope sees a star and listening love hears the rustle of a wing.'

"The late Mr. Bowers had followed the fascinating pursuit of mining. He belonged to that class that has added prosperity to our great northwest. He was a man that was respected and admired in his community, and when he represented his constituents in this House his work was that of a careful and painstaking Representative. He was of a retiring disposition but he was always in touch with the people of his district. Although stricken down in the early afternoon of life his work was well done and how we are reminded of the words of the poet,—

"'Oh, why should the spirit of mortal be proud,
Like a swift flying meteor, a fast flying cloud,
A flash of the lightning, a break of the wave,
Man passeth from life to his rest in the grave.'"

Senator Scott said:

"MR. PRESIDENT: I find it most difficult to make words express the loss the state of Washington has sustained in the death of the Honorable David Paul Bowers, who was born on October 26, 1860, in Stevenson county, state of Illinois.

"Just a short time prior to the breaking out of our late Civil War, while yet a mere child, his parents moved to the state of California, where he received his education. Shortly thereafter he came to the northwest, where he followed mining for a number of years, later purchasing himself a farm near Latah, Spokane county, Washington, where he established a home for his family, and there remained until a few months prior to his death, at which time he had removed to Spokane, Washington, from which home the Great Reaper, Death, claimed him.

"Assembled as we are here today to pay tribute to the memory of departed members of this legislative body, it is with no little feeling that I speak of my departed friend and colleague, the Honorable D. P. Bowers; at this time I had known him but a few years previous to his untimely death, but I learned to love and esteem him as a brother. As a legislator there were none more vigilant or careful of the interests of his constituents whom he had the honor to represent. He fearlessly and boldly advocated those measures which in his judgment he believed to be right. Even those who differed with his opinions never questioned his honesty of purpose. He always fought in the open and used only fair and honorable means to accomplish his desires.

"'When the shore is won at last,
Who will count the billows past?'

"'There is no death! What seems so is transition;
This life is of mortal breath.
Is but a suburb of the life elysian,
Whose portal we call death.'"

Address by J. B. Gilbert:

"MR. SPEAKER:—We have met here today to pay a last tribute of respect to Senators and Representatives who have served in the Senate and House on former occasions and who have passed on to the great Unknown Beyond. And it gives me pleasure coupled with a feeling of pain and sorrow, to eulogize on the life, character and demise of so worthy a man as I know the late D. P. Bowers to have been. I am sorry to say that my acquaintance with him was very brief, only knowing him during the campaign of 1904, and his subsequent service in the House of Representatives during the session of 1905. But from my short acquaintance with him and statements made by his most intimate friends, I am led to believe that he was a man of refinement and pure habits; that he was highly respected in the community in which he lived; that he was gentle and kind to his bosom companion and to his family, and that his memory is a sacred admonition to his loved ones and to all who knew him personally. He was of a very modest turn of

mind. He served his county, and state, as a legislator, with distinction and honor to himself, and his name will ever be cherished by those who were associated with him in the House, as a man of strong convictions and of sterling worth. Although his last days were full of pain and agony, yet he peacefully endured, until relief came through the monster Death, when he peacefully and calmly succumbed, and his sun light sank into the ocean of great eternity like the sinking of the summer sun into the peaceful ocean of the west."

Mr. Griffin spoke as follows:

"MR. SPEAKER: I feel that no words of mine can do full justice to the memory of a man like Joseph H. Dawes. There are many here who were more closely associated with him and knew of the sterling qualities of Joseph H. Dawes. The noble impulses, the generous actions of the man. Joe. Dawes was born in the year 1866, in the state of Pennsylvania and at the time of his death was forty years of age; in the very prime of life. He had obtained his education in Pennsylvania and it was there that he first took an interest in public affairs, under the then recognized leader of the state, Matthew Stanley Quay. The friendship between the two lasted until the latter was called to the Great Beyond.

"About 14 or 15 years ago Joe moved from the state of Pennsylvania to the state of Washington, making his home in the city of Seattle, where he engaged in the practice of law. He soon won recognition at the Seattle bar and also the friendship of every person whom he met.

"Because of the confidence in which they held him the people of the 44th Legislative District in the year of 1901, and again in the year of 1905, elected him to represent them in the Lower House of the Legislature. That they made no mistake in their selection is evidenced by his record in the House and the number of warm friends he made there. I think I am safe in saying that no man in the House during the two sessions had more friends or more loyal ones than did Joe Dawes. He was faithful to every trust reposed in him and acted for the best interests of the many as against the greed of the few. Joe Dawes is gone, but his memory as a brilliant lawyer and House legislator, a loyal friend, will ever live. In his death Washington loses one of the best and most honored of its citizens."

Mr. Johnson said:

"Our gathering together in this fashion marks the trend of civilization. The man of the past was of harder heart, mingling with each other in the daily walks of life, we learn the spirit of forgiveness; we learn to spread the mantle of charity over the faults and to emulate the virtues.

"Mr. Melcher was unostentatious, he was not known as a speaker on the floor of the House, but those of us who sat with him in the last session soon came to know the quiet man who did his duty as he saw it, and did it fearlessly.

"The architect and builder who plans a building places the cornerstone in place and it is to the passerby as the most important part of the structure, but to the builder it is only one of the many parts simply serving its own purpose, but serving it no better than the smallest stone hidden away from public view. So it is in the mind of the Great Builder. There is a plan and each of us is a part of the same. Happy is he who serves the purpose of the builder.

"Mr. Melcher as a member of the house of the ninth session exemplified this principle well. He was considerate in his deliberations and while he said but little, was found on the side of right on all subjects and had his place beside he who occupied the floor most and indulged in speechmaking most frequent.

"He was deeply interested on the subject of education and attended every meeting of the committee of the same, of which he was a valuable member. His suggestions were always marked by mature thought upon the subject in hand.

"But this valuable member of the legislative body has been removed from us. Have we failed to observe all of his virtues until his sudden departure? If so, may we not profit by this, our own negligence.

"We halt today in the midst of the busy duties of this session to pay tribute to the memory of our departed numbers. We lament the fact of their taking away, if possible more especially the taking away of the subject of this sketch. More so do we sorrow when we consider the anguish of heart and mind which was so severe as to overthrow his reason and cause the rash act of self-destruction, but we lay no blame at the door of our friend. His virtues were such that only in an hour of mental derangement, could he have committed so rash an act and with tenderest feelings for his memory, we say, 'Peace to his ashes,' and we spread the mantle of charity over him, forgetting his errors and remembering his many virtues and hope that when we are called hence, it may be said of us, as we now say of him, he did his duty as a faithful servant, an honest man."

At 3:20 o'clock p. m., on motion of Mr. Griffin, the joint session dissolved.

The Senate was called to order at 3:25 p. m. by the president.

At the request of Senator Rosenhaupt, the Senate by unanimous consent returned to the order of business.

INTRODUCTION OF BILLS.

Senate bill No. 73, by Senator Rosenhaupt, entitled, "An act to provide for the appointment of a permanent commission to investigate the condition of the blind of the state of Washington, etc."

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

Following message from the House was read by the secretary:

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 23, 1907.

MR. PRESIDENT:

The House has unanimously passed as amended Senate C. R. No. 3 providing for the adjournment of the Legislature on the 25th day of February, 1907, with the following amendment: Strike out everything after the word "concurring" in line 12 and insert in lieu thereof the following: "That no bills, other than appropriation bills coming from the Appropriations Committee shall be introduced in either House after the 20th day of February, 1907, except by a vote of two-thirds of each house," and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

The president announced the receipt of a request that a member of the Senate be appointed to deliver an address at the First M. E. church the 29th inst. when memorial services would be held in honor of the late President McKinley, and appointed Senator Rands to deliver said address.

On motion of Senator Boone there was ordered printed 500 additional copies of Senate bill No. 7.

Senator Boone moved that the Senate at this time consider Senate concurrent resolution No. 3 with the amendments as returned from the House. The motion was carried.

Senate concurrent resolution No. 3, relative to the legislature adjourning at the end of a 40 day session, was read by the secretary.

On motion of Senator Rosenhaupt the further consideration of the resolution went over until tomorrow.

At 3:30 o'clock p. m., on motion of Senator Graves, the Senate adjourned until 11 o'clock tomorrow morning.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate

ELEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, Thursday, January 24, 1907.

11 o'clock a. m.

The Senate was called to order at 11:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Allen, excused, and Pogue, excused.

On motion of Senator Boone, the reading of yesterday's journal was dispensed with and it was approved.

A petition was read from Whitman county praying the enactment of a weed law.

On motion of Senator McGregor the petition was referred to the Committee on Agriculture.

Petitions praying the enactment of a direct primary law were received from Kitsap, Island and Franklin counties, and on motion of Senator Metcalf were referred to the Committee on Elections and Privileges.

Following resolution was introduced by Senator Metcalf and on his motion adopted:

WHEREAS, To devise an improved system of revenue and taxation is a problem of vital importance before this legislature and the members should have all available information upon the subject:

Resolved, That the Senate authorize the printing of 250 copies of the address of Lawton Purdy, president of the Department of Taxes and Assessments of the city of New York, delivered before the Ohio State Board of Commerce on December 13, 1906.

Following resolution was adopted on motion of Senator Veness:

WHEREAS, An invitation has been extended to the State Legislature by the regents of the State University to visit that institution on Saturday, January 26, 1907; Therefore, be it

Resolved, That the invitation be accepted on the part of the Senate and the members thereof proceed to Seattle on January 26th for the

purpose of inspecting said institution and ascertaining the needs thereof.

INTRODUCTION OF BILLS.

Senate bill No. 74, by Senator Polson, entitled, "An act to amend section 2 of an act entitled, 'An act creating a fund to be known as the Public Highway Fund, etc.'"

The bill was read the first time, and on motion of Senator Polson 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. 75, by Senator Ruth, entitled, "An act authorizing and directing the Commissioner of Public Lands to certify certain tidelands to the Governor for deed, 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, ordered printed and referred to the Committee on State, Granted, School and Tidelands.

Senate bill No. 76, by Senator Ruth, entitled, "An act providing for the purchase of site, construction and furnishing of a residence for the Governor of the state of Washing, appropriating the sum of \$35,000 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. 77, by Senator Watson, entitled, "An act to establish a state fish hatchery on the Lewis river or some of its tributaries, in Cowlitz county, in the state of Washington."

The bill was read the first time, and on motion of Senator Watson 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. 78, by Senator Blair, entitled, "An act to regulate the employment of legislative lobby counsel and agents and to provide for the return of legislative expenses."

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

time by title, ordered printed and referred to the Committee on Election and Privileges.

Senate bill No. 79, by Senator Cotterill, entitled, "An act amending sections 1336 and 1337 of Ballinger's Annotated Codes and Statutes of Washington, relating to inspectors, judges, clerks and challengers at elections."

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

Senate bill No. 80, by Senator Scott, entitled, "An act providing for four judges of the superior court of the state of Washington, in and for Spokane county, and fixing the term of office of the additional judge appointed, etc."

The bill was read the first time, and on motion of Senator Scott 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. 81, by Senator Cotterill, entitled, "An act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary conditions, etc."

The bill was read the first time, and on motion of Senator Cotterill 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. 82, by Senator Booth, entitled, "An act relating to and requiring the publication by railway companies of schedules showing the time of arrival and departure of trains and providing a penalty for the violation thereof."

The bill was read the first time, and on motion of Senator Booth 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. 83, by Senator Nichols, entitled, "An act to establish a bureau of publicity, statistics and immigration, making an appropriation therefor, etc."

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

On motion of Senator Ruth, Senate bill No. 29 was taken from the Committee on Educational Institutions and referred to the Committee on Public Revenue and Taxation.

Senate concurrent resolution No. 3, as amended in the House, was read by the secretary and, on motion of Senator Jones, was referred to the Committee on Rules and Joint Rules.

At 11:22 a. m., on motion of Senator Veness, the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

TWELFTH DAY.

MORNING SESSION.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, Friday, January 25, 1907.

10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. A. L. Swick offered prayer.

The secretary called the roll, all members being present except Senators Allen, Jones, Pogue, Smith and Sumner, all of whom were excused.

On motion of Senator Boone the reading of yesterday's journal was dispensed with and it was approved.

Petitions praying the enactment of a direct primary law were received from Wahkiakum, Thurston and Whitman counties, and

on motion of Senator Metcalf were referred to the Committee on Elections and Privileges.

The following reports were read by the secretary:

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, January 25, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 10, entitled, "An act providing for a state board of tax commissioners, and defining its powers and duties 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 referred to the Committee on Public Revenue and Taxation.

WILL G. GRAVES, *Chairman.*

We concur in this report: Ralph D. Nichols, Ralph Metcalf, T. A. Hunter, Robert F. Booth, I. B. Knickerbocker, Harry Rosenhaupt, Charles T. Hutson, W. D. Scott, E. M. Rands, W. B. Presby.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, January 25, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 6, entitled, "An act to punish for bribery or attempted bribery, 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.

WILL G. GRAVES, *Chairman.*

We concur in this report: Ralph D. Nichols, Ralph Metcalf, T. A. Hunter, Robert F. Booth, I. B. Knickerbocker, Harry Rosenhaupt, Charles T. Hutson, W. D. Scott, E. M. Rands, W. B. Presby.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, January 25, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 21, entitled, "An act allowing to defenrant an attorney's fee in actions of eminent domain, and providing for the collection 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:

Strike the title of the printed bill and substitute therefor the words "An act relating to the allowance of attorney's fees in eminent domain proceedings."

In line 6, section 1 of the printed bill, strike out the words, "or if the plaintiff shall take such property."

Strike out section 2 of the printed bill.

WILL G. GRAVES, *Chairman.*

We concur in this report: Ralph D. Nichols, Ralph Metcalf, T. A. Hunter, Robert F. Booth, I. B. Knickerbocker, Harry Rosenhaupt, Charles T. Hutson, W. D. Scott, E. M. Rands, W. B. Presby.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, January 25, 1907.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 17, entitled, "An act amending Code of Public Instruction, and to establish a uniform system of public schools," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WALTER J. REED, *Chairman.*

We concur in this report: I. B. Knickerbocker, A. W. Anderson, George A. Kennedy, J. R. Stevenson, H. S. McGowan, W. B. Presby.

On motion of Senator Reed the report of the committee was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 84, by Senator Veness, entitled, "An act providing for the completion of a state road in Yakima and Lewis counties, and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Veness 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 Ruth, entitled, "An act to amend section twenty-eight (28) 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.'"

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 Tidelands.

Senate bill No. 86, by Senator McGregor, entitled, "An act to amend section 3 of an act entitled, 'An act in relation to estrays, etc.'"

The bill was read the first time, and on motion of Senator McGregor 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. 87, by Senator Reed, entitled, "An act to amend the Code of Public Instruction of the State of Washington, etc."

The bill was read the first time, and on motion of Senator Reed 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. 88, by Senator Hunter, entitled, "An act to amend section 1 of an act entitled, 'An act to regulate the employment of child labor, etc.'"

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

At 10:20 a. m., on motion of Senator Watson, the Senate adjourned until 2:30 o'clock Monday afternoon, January 28th, 1907.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FIFTEENTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, Monday, January 28, 1907.

2:30 o'clock p. m.

The Senate was called to order at 2:30 o'clock p. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Booth, Kennedy and Pogue, all of whom were excused.

On motion of Senator Williams the reading of yesterday's journal was dispensed with and it was approved.

A petition was read from citizens of Pierce county praying the enactment of a direct primary law, and on motion of Senator Metcalf was referred to the Committee on Elections and Privileges.

A communication was received from the Adjutant General's office inviting the Senate to attend the McKinley memorial services to be held at the First M. E. church, Olympia, on the 29th of January, 1907.

The communication was ordered placed on file.

Following resolution, introduced by Senator Paulhamus, was read:

Resolved: That the following Senate employees be allowed extra compensation for work performed prior to the day on which they were sworn in, as follows:

H. L. Tibbals, 2 days.....	\$10.00
George Gregory, 1 day.....	5.00
L. J. Irwin, 1 day.....	5.00
George Mueller, Jr., 2 days.....	10.00
Jesse F. Ernst, 1 day.....	5.00
J. F. Brill, 2 days.....	10.00
W. V. Tanner, 2 days.....	15.00

Marvin L. Arnold, 2 days.....	10.00
C. H. Merriman, 1 day.....	5.00
E. Amidon, 1 day.....	3.50
Willie Westover, 1 day.....	1.50
A. F. Haynes, 1 day.....	3.50

That the per diem of George Mueller, Jr., be fixed at \$5 per day instead of \$4, that the per diem of Jesse F. Ernst be fixed at \$5 instead of \$4.50.

That the Committee on Senate Employees Other Than Regular, be directed to employ three additional stenographers for the Senate, when needed, at \$5 per day.

Senator Paulhamus moved the adoption of the resolution.

Senator Davis moved that an amendment be added increasing the per diem of pages to \$2 per day from \$1.50. The amendment was carried.

The resolution was adopted.

A resolution was introduced by Senator Boone as follows:

SENATE CONCURRENT RESOLUTION NO. 8.

WHEREAS, Under Sec. 3, chapter 81, Laws of 1905, "An act establishing a Railroad Commission" ample power and authority is given the Railroad Commission of this state to enforce demurrage and reciprocal demurrage charges for and against all common carriers of this state, and,

WHEREAS, Great damage and loss has been sustained by our people because of their inability to secure transportation facilities—thus entailing a great pecuniary loss to our numerous industries throughout the state, and,

WHEREAS, Governor Mead, in his message, after duly and wisely considering this grave question, advises the enforcement of the reciprocal demurrage as a means of relief for our people; Therefore

Resolved by the Senate, the House concurring, That we demand of the Railroad Commission of the State of Washington that they at once promulgate an order establishing demurrage and reciprocal demurrage charges, which shall apply alike to the shipper and carriers of this state.

Senator Boone moved the adoption of the resolution.

Senator Stevenson moved as a substitute that the resolution be referred to the Committee on Railroads and Transportation. The substitute was carried and the resolution ordered referred to the Committee on Railroads and Transportation.

The following message from the House was read:

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 28, 1907.

MR. PRESIDENT:

The House has passed House bill No. 43, entitled: "An act providing for the investment of the permanent school funds," etc.

Also, House bill No. 4, entitled: "An act to provide for the punishment of parents or persons responsible for or contributory to the delinquency of children of the age of 17 years or under."

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Hunter, the following communication from the Governor, with the attached report, was referred to the Committee on Fisheries.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 28, 1907.

To the Honorable, the Senate of the State of Washington:

GENTLEMEN—I transmit to you herewith a copy of a report made to me by a special committee which I appointed to visit and inspect the office of the State Fish Commissioner.

ALBERT E. MEAD, *Governor.*

REPORT OF COMMITTEE APPOINTED BY THE GOVERNOR TO
VISIT AND INSPECT THE OFFICE OF THE STATE
FISH COMMISSIONER.

Honorable A. E. Mead, Governor of the State of Washington, Olympia, Washington:

DEAR SIR—On the 15th day of November, 1906, the undersigned were appointed respectively members of a committee to visit and inspect the office of the State Fish Commissioner, located at Bellingham, Washington, and pursuant to such appointment, met at the office of the Fish Commissioner at Bellingham, Washington, on the 18th day of December, 1906, all of said committee being present at said time with the exception of four members.

The committee organized by the election of A. M. Hadley as chairman, and B. W. Huntoon as secretary.

Mr. John L. Riseland, the State Fish Commissioner, was invited to confer with and advise the committee as to the conditions pertaining to his office, and addressed the committee at some length. Thereupon it being deemed advisable that the various subjects to be considered in connection with said office, be assigned to sub-committees for careful examination. On motion four committees were appointed by the chairman to investigate various subjects as designated to each of said committees by such appointment and report at a general meeting of the

entire committee to be held at the same place on the 3d day of January, 1907.

On said last mentioned date the committee again met, all being present with the exception of three. The reports of the various subcommittees were received and fully considered, and further conference had with the Fish Commissioner, his deputies and especially the superintendent of hatcheries, and as a result of the deliberations of the committee, we beg to report our findings and recommendations upon the various matters suggested in your letter of appointment, as follows:

We find that the manner of keeping the books and accounts of the department is excellent, and we have no recommendation to make as to any improvement in that behalf.

As to the sufficiency of the compensation paid those rendering service to the department, we are unanimously of the opinion that the salary of the Fish Commissioner should be increased to \$2,500.00 per year, and that the salary of the superintendent of hatcheries should be fixed and determined at \$1,800.00 per year.

We make no recommendations as to any other changes in compensation paid.

We find that the expense incurred in the conduct of the department has been reasonable and proper and that the present revenues of the department are sufficient and approve of the manner in which they are now derived, but suggest some changes in the manner of appropriation and expending the same, as will appear later in this report.

As to the success the department has attained in the enforcement of the laws for the protection and preservation of fish and game, the sufficiency of the present boat used to patrol the waters of Puget Sound, and recommendations as to a proper patrol system and the enforcement of the close season law, we beg to report that from our investigation we find that the department has done all in its power with the means at its command along these lines, but that the equipment for patrol service is insufficient. That the Fish Commissioner has been compelled during the salmon fishing season to charter and employ boats and launches to assist in patrolling and has had no fund out of which to pay for the same except the fund provided for his own traveling expenses, which was limited, and he has therefore been unable to procure effectual service.

We also find that the present boat "The Bessie" used in the service of the Fish Commissioner's office, is too small and unseaworthy for the purposes intended, but are advised that, with a comparatively small expenditure of money, she may be enlarged and fitted up so as to more nearly meet the requirements.

We find that appropriations have heretofore been made to a fund for the payment of a salary of an engineer for "The Bessie," fuel, and other expenses, and we recommend that the fund be enlarged and extended so as to include the expenses of repairing and re-building of "The Bessie," and the employment of other boats and launches for a patrol system, as one general fund against which the Commissioner

may draw for any of the above purposes, and that that sum be created in the sum of \$5,800.00 for the next ensuing two years. The estimates upon which this recommendation is made, are as follows:

For salary of engineer.....	\$1,800.00
Fuel and other expenses, two years.....	2,000.00
Repair and re-buildings of "The Bessie".....	1,000.00
Employment of other craft for patrol system, two years.....	1,000.00

We do not, however, recommend that these appropriations be made separately, but that they all be placed in one fund to be used for the purposes indicated in the discretion of the Fish Commissioner.

As to the success of the department in the preservation of game, we find that under the present system it has little power except a general supervision. The employment of game wardens, fixing of salaries and compensation, collection and expenditures of revenues, etc., is left almost exclusively to the various counties, and we believe that more efficient results in this behalf could be obtained by the creation of a system of state hunter's license, such licenses to be issued by the various county auditors, as at present, and the funds turned into the state treasury, subject to distribution upon vouchers from this department; and the various game wardens, their appointment, control, supervision and compensation, placed directly under this department.

We endorse the recommendations of the Fish Commissioner in his report, for a trout hatchery for Western Washington, especially if the game wardens and game protection are placed under the control of his department.

We further suggest that the duties of game wardens and fire wardens might be combined and performed as efficiently by a less number of men for less expense than under existing laws.

We fully endorse the report recently made to you by the International Fish Commission, or Washington Fisheries Commission, appointed by you in June of 1905, and recommend that appropriate legislation be enacted to carry out the recommendations of that commission.

Our views as to the matter of the close season for salmon fishing agree with those expressed in the report of the last named commission which report we have endorsed.

We fully approve of the work now being done by the State Fish Commissioner in the propagation of salmon, but find that owing to the small amount of appropriations made by the Legislature of 1905 for hatchery purposes this department has been considerably hampered in this behalf, and that revenues have accumulated which were designed and should have been used for hatchery purposes, which the Commissioner has been wholly unable to use or expend for want of authority from the Legislature.

The superintendent of hatcheries, in whose judgment we place great confidence, advises us that all the funds now on hand in the hatchery fund and all revenues which may be reasonably anticipated to come into that fund, under existing laws, during the next succeeding two

years, will be required for the proper equipment, operation and maintenance of present hatcheries and the construction of new ones.

We believe that a few of the existing hatcheries have outlived their usefulness and should be disposed of, but a sthis matter has been fully covered by the Fish Commissioner's report, we have not gone into the details of it. We estimate from the information given us by the Fish Commissioner that with the present funds on hand and revenues reasonably to be anticipated for the next two years, there will be available in the hatchery fund for the two years from one hundred and five to one hundred and fifteen thousand dollars, and we recommend that the appropriations for hatchery purposes be made sufficiently large that this entire fund may be at the disposal of the department for hatchery purposes.

After careful consideration we also especially recommend that a new salmon hatchery be established and operated on the south fork of the Nooksack river, in Whatcom county, Washington, primarily for the propogation of Chinook or Spring salmon, which are now of great commercial value, and which frequent that stream for spawning purposes, and also for the propogation of such other varieties of salmon as may be found there.

This site was investigated and recommended by T. R. Kershaw, then Fish Commissioner, and John L. Riseland, then deputy, now Fish Commissioner, in the State Fish Commissioner's report to the Governor for 1903-1904.

Various other matters suggested by the Fish Commissioner, and embodied in his biennial report, were discussed by the committee, but since they were all fully covered by his report, we did not deem it advisable to incumber our proceedings with a discussion of the same.

Dated at Bellingham, Washington, January 3, 1907.

A. M. HADLEY, *Chairman*,
 B. W. HUNTOON, *Secretary*,
 J. WAYLAND CLARK,
 R. L. KLINE,
 T. A. HUNTER,
 J. W. ROMAINE,
 CHAS E. GACHES,
 WILLIAM SHULTZ,
 JAMES INKS,
 CHAS. W. VAN HORN,

Committee.

INTRODUCTION OF BILLS.

Senate bill No. 89, by Senator Scott, entitled, "An act prescribing the mode of procedure in condemnation proceedings to appropriate lands owned by the state, or in which it has an interest, and declaring an emergency."

The bill was read the first time, and on motion of Senator Scott 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. 90, by Senator Stevenson, entitled, "An act amending section 715 of Ballinger's Annotated Codes and Statutes of Washington, and relating to the organization, classification, incorporation and government of municipal corporations, and declaring an emergency."

The bill was read the first time, and on motion of Senator Stevenson 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. 91, by Senator Stevenson, entitled, "An act to amend section 5 of an act entitled, 'An act in relation to the powers of courts and judicial officers' and being section 4699, volume 2 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 Stevenson 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. 92, by Senator Presby, entitled, "An act providing for the manner of sale and distribution of all grain sacks manufactured at the State Penitentiary."

The bill was read the first time, and on motion of Senator Presby 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. 93, by Senator Graves, entitled, "An act relating to railroad passenger rates within the state of Washington, amending section one (1) of chapter 113 of the Session Laws of 1905."

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 Railroads and Transportation.

Senate bill No. 94, by Senator Boone, entitled, "An act for the improvement of the State College of Washington, and making appropriation therefor."

The bill was read the first time, and on motion of Senator Boone 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. 95, by Senator Polson, entitled, "An act providing for the survey and establishment of a public highway from Montesano, in Chehalis county, to Port Angeles, in Clallam county, and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Polson 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. 4, by Mr. Beebe, entitled, "An act to provide for the punishment of parents or persons responsible for or contributing to the delinquency of children of the age of 17 years or under."

The bill was read the first time, and on motion of Senator Knickerbocker 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. 43, by Mr. Carlton, entitled, "An act providing for the investment of the permanent school funds, the permanent funds of the normal schools, State University, Scientific School, Agricultural College, Charitable, Educational, Penal and Reformatory institutions 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, ordered printed and referred to the Committee on Public Revenue and Taxation.

GENERAL FILE.

Engrossed Senate bill No. 21, entitled, "An act relating to the allowance of attorneys' fees in eminent domain proceedings," was read third time.

Senator Rands moved that the bill be amended by striking the words "either before or" after the word "shall" in line 4 of section 1 of the printed bill. The motion was lost.

The bill was placed on final passage and passed by the following vote:

Those voting aye were Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—39.

Those absent or not voting were: Senators Booth, Kennedy and Pogue—3.

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

Senator Rands gave notice of a motion to reconsider the vote by which Senate bill No. 21 passed the Senate.

Senate bill No. 17, entitled, "An act to amend sections 75, 78, 89, 97 and 98 of an act entitled, 'An act to establish a general uniform system of public schools in the state of Washington, etc.,' " was read third time.

On motion of Senator Graves the following words were stricken from lines 1 and 2 of section 6 of the printed bill, "from and after its passage and approval," and the word "immediately" was inserted in lieu thereof.

Senator Boone moved that the word "forty" in line 16 of section 1 of the printed bill, be stricken and the word "fifteen" be inserted in lieu thereof. The motion was lost.

On motion of Senator Cotterill, the words "one hundred and fifty thousand" in line 16 of section 4 of the printed bill were stricken, and the words "two hundred and fifty thousand" were inserted in lieu thereof.

On motion of Senator Nichols the words "one acre" in line 25 of section 4 of the printed bill were stricken, and the words "five acres" inserted in lieu thereof.

On motion of Senator Nichols, the words "at least" in line 20 of section 4 of the printed bill were stricken out.

Senator Pauly moved to strike the word "fifty" in line 13 of section 4 of the printed bill and insert in lieu thereof the words "one hundred."

The motion was lost.

On motion of Senator Scott the word "registration" in line 20 of section 2 of the printed bill, was stricken, and the word "re-registration" inserted in lieu thereof.

On motion of Senator Graves, Senate bill No. 17, as amended, was referred to the Committee on Judiciary.

The following message was received from the House:

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., January 28, 1907.

MR. PRESIDENT:

The House has passed H. C. R. No. 6, providing for a joint committee of three members of the House and two members of the Senate to meet a like committee of the Oregon Legislature to agree upon joint fishing laws; and the speaker has appointed Messrs. Megler, Stevenson and Blackmore, to serve upon said committee, and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

House concurrent resolution No. 6, providing for a joint committee of three members of the House and two members of the Senate to meet a like committee of the Oregon legislature to agree upon joint fishing laws, etc., was read by the secretary and on motion of Senator Watson was adopted.

In accordance with House concurrent resolution No. 6, the president appointed as a committee under same Senators Watson and Hunter.

On motion of Senator Bratt an additional 500 copies of Senate bill No. 5 were ordered printed.

At 3:45 p. m., on motion of Senator Piper, the Senate adjourned until 11:00 o'clock tomorrow morning.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

SIXTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, Tuesday, January 29, 1907.

11 o'clock a. m.

The Senate was called to order at 11:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Kennedy and Pogue, both of whom were excused.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, January 29, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 34, entitled, "An act relating to the organization, powers and duties of the supreme court, and amending section 4 of an act entitled, 'An act relating to the organization, powers and duties of the suyreme court, and declaring an emergency to exist,'" approved December 23, 1889, 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 1 of the title of the printed bill, strike the words "relating to an organization, powers and duties of the supreme court, and."

WILL G. GRAVES, *Chairman.*

We concur in this report: Charles T. Hutson, Ralph Metcalf, Ralph D. Nichols, Robert F. Booth, W. D. Scott, T. A. Hunter, Harry Rosenhaupt, W. B. Presby, I. B. Knickerbocker.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, January 29, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 53, entitled, "An act relating to practice and proceedings in the trial of actions, and amending section 1 of chapter 81 of the Session Laws of

1903," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILL G. GRAVES, *Chairman.*

We concur in this report: Charles T. Hutson, Ralph Metcalf, Ralph D. Nichols, Robert F. Booth, W. D. Scott, T. A. Hunter, Harry Rosenhaupt, W. B. Presby, I. B. Knickerbocker.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 29, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 17, entitled, "An act to amend sections 75, 78, 89, 97 and 98 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 the same back to the Senate with the recommendation that it be amended as follows, engrossed and placed on general file:

Strike the title of the printed bill and substitute therefor the following: "An act relating to the public school system of the state of Washington, amending sections 75, 78, 89, 97 and 98 of chapter 118 of the Session Laws of 1897, approved March 19, 1897, and declaring an emergency."

WILL G. GRAVES, *Chairman.*

We concur in this report: Charles T. Hutson, Ralph Metcalf, Ralph D. Nichols, Robert F. Booth, W. D. Scott, T. A. Hunter, Harry Rosenhaupt, W. B. Presby, I. B. Knickerbocker.

Senator Graves moved that the report of the Committee on Judiciary be adopted.

Senator Knickerbocker moved as a substitute that the amendments to Senate bill No. 17 in the report of the Judiciary committee be adopted. The substitute motion was carried.

Senator Knickerbocker moved that the bill be referred to the Committee on Education, and the motion was carried.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 29, 1907.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 74, entitled, "An act to amend section 2 of an act of the legislature of the state of Washington, approved March 9th, 1905, entitled, 'An act creating a fund to be known as the public highway fund, 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. C. BRATT, *Chairman.*

We concur in this report: Alex. Polson, Geo. F. Cotterill, Ralph Metcalf, Arthur Gunn, Peter McGregor, A. W. Anderson, R. L. Kline, A. S. Ruth, S. T. Smith.

INTRODUCTION OF BILLS.

Senate bill No. 96, by Senator Boone, entitled, "An act providing for co-operative agricultural investigations by the State Agricultural Experiment Station, and making appropriations therefor."

The bill was read the first time, and on motion of Senator Boone 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. 97, by the Judiciary Committee, entitled, "An act relating to the salaries of the judges of the supreme and superior courts."

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 placed on general file.

Senate bill No. 98, by Senator Piper, entitled, "An act relating to the special Alaska-Yukon-Pacific Exposition Fund, making certain warrants to be drawn upon it preferential, etc."

The bill was read the first time, and on motion of Senator Piper 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. 99, by Senator Piper, entitled, "An act to provide for an exhibit of the resources, products and advantages of the state of Washington, and the erection of a state building or buildings at the World's Fair of the Alaska-Yukon-Pacific Exposition, etc."

The bill was read the first time, and on motion of Senator Piper 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. 100, by Senator Piper, entitled, "An act appropriating six hundred thousand dollars for the erection of buildings for the University of Washington and providing for the use thereof by the Alaska-Yukon-Pacific Exposition, and declaring an emergency."

The bill was read the first time, and on motion of Senator Piper 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. 101, by Senator Piper, entitled, "An act to provide for the establishment of harbor lines, survey, platting and appraisal of shorelands of the first class of Lakes Washington and Union, in King county, Washington, and the sale and disposition of said shorelands, the creating of the Alaska-Yukon-Pacific Exposition Fund, and declaring an emergency."

The bill was read the first time, and on motion of Senator Piper 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. 102, by Senator Booth, entitled, "An act to enable cities of the first, second and third class to exercise the right of eminent domain for the taking and damaging of land and property for public purposes, and declaring an emergency."

The bill was read the first time, and on motion of Senator Booth 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. 103, by Senator Cotterill, entitled, "An act validating municipal indebtedness and bonds therefor, etc."

The bill was read the first time, and on motion of Senator Cotterill 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. 104, by Senator Rands, entitled, "An act relating to the nomination of state officers, including Senators and Representatives in Congress."

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 Election and Privileges.

Senate bill No. 105, by Senator McGowan, entitled, "An act for the relief of Andrew Eskkola, etc."

The bill was read the first time, and on motion of Senator McGowan 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. 106, by Senator Polson, entitled, "An act relating to revenues and taxation, etc."

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

On motion of Senator Piper, Senate bills Nos. 98, 99, 100 and 101 were ordered given right of way over other Senate printing.

At his request, Senator Hunter was relieved from service on the committee appointed under House concurrent resolution No. 6, providing for a meeting with a committee of the Oregon Legislature to formulate joint fishing laws governing the Columbia river, etc.

The president appointed to serve in Senator Hunter's stead, Senator McGowan.

On motion of Senator Cotterill, Senate bill No. 79 was withdrawn from the Committee on Elections and Privileges and referred to the Committee on Judiciary.

At 11:32 o'clock, on motion of Senator Graves, the Senate adjourned until 11:00 o'clock tomorrow morning.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

SEVENTEENTH DAY

MORNING SESSION.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, Wednesday, January 30, 1907.

11 o'clock a. m.

The Senate was called to order at 11:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senator Pogue, excused.

A message was received from the House as follows:

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASHINGTON, January 28, 1907.

MR. PRESIDENT:

The House has passed House memorial No. 1 calling the attention of Congress to the necessity for improvement of the Columbia and Snake rivers;

Also House concurrent resolution No. 7, providing for a joint committee to examine the system of bookkeeping in use in its various state offices.

Also House bill No. 71, providing for the payment of all state moneys into the general fund, etc.

Also House bill No. 79 appropriating funds for the relief of Newton Thomas.

Also House bill No. 31 regulating the hours of service of employees in train service upon railroads, etc.

Also House concurrent resolution No. 8 providing for a joint session of the House and Senate at the hour of 2 o'clock this afternoon.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

Hon. F. H. Luce, former Lieutenant Governor of the state of Washington, was presented by the president and occupied a seat on the rostrum.

On motion of Senator Reed the reading of yesterday's journal was dispensed with and it was approved.

Petitions praying for the enactment of a local option law were received from King, Pierce and Lewis counties and on motion of Senator Cotterill referred to the Committee on Judiciary.

A number of petitions praying for the enactment of a direct primary law were received and on motion of Senator Metcalf referred to the Committee on Elections and Privileges.

A petition praying the enactment of an initiative and referendum law was received from King county, and on motion of Senator Graves was referred to the Committee on Constitutional Revision.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 30, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 71, entitled, "An act relating to contracts and providing that certain contracts shall be void unless in writing," 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: Charles T. Hutson, Ralph Metcalf, Ralph D. Nichols, Robert F. Booth, W. D. Scott, T. A. Hunter, Harry Rosenhaupt, W. B. Presby, I. B. Knickerbocker.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 30, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 55, entitled, "An act defining the crime of murder in the first degree, providing for the punishment thereof, and amending section 786 of the Code of Washington Territory of 1881, the same being section 7035 of Ballinger's Annotated Codes and Statutes 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: Charles T. Hutson, Ralph Metcalf, Ralph D. Nichols, Robert F. Booth, W. D. Scott, T. A. Hunter, Harry Rosenhaupt, W. B. Presby, I. B. Knickerbocker.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 30, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 70., entitled, "An act to amend section 1 of an act entitled, 'An act

to amend an act entitled, "An act providing for liens upon saw logs, spars, piles or other timber, and upon lumber and shingles and concerning the remedy to secure and obtain such liens," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILL G. GRAVES, *Chairman*.

We concur in this report: Charles T. Hutson, Ralph Metcalf, Ralph D. Nichols, Robert F. Booth, W. D. Scott, T. A. Hunter, Harry Rosenhapt, W. B. Presby, I. B. Knickerbocker.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, January 29, 1907.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate bill No. 81, entitled, "An act to prohibit the making or publishing of false or exaggerated statements or publications, 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 line 11 of section 1 of the printed bill strike out the word ten and the figures 10,000 and insert in lieu thereof the word five and the figures 5,000.

Strike sections 2 and 3 from the bill.

R. L. KLINE, *Chairman*.

We concur in this report: A. S. Ruth, E. C. Bratt, A. L. Watson, M. E. Williams, S. T. Smith, W. D. Scott, C. G. Brown.

On motion of Senator Kline the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, January 29, 1907.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 1, entitled, "To the Congress of the United States; the legislature of the state of Washington presents this memorial in respect to the improvement of the Columbia and Snake rivers, and etc.," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be adopted immediately and transmitted to the House, and when concurred in, to be transmitted to the Senate and House of Representatives of the National Congress; and that copies be mailed to Senators Ankenny and Piles and Representatives Jones, Cushman and Humphries.

HENRY S. MCGOWAN, *Chairman*.

We concur in this report: George U. Piper, Geo. A. Kennedy.

On motion of Senator Stevenson the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 30, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 63, entitled, "An act relating to the criminal insane, their trial, committment and custody," 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 3, section 6 of the printed bill, after the word "shall," insert the following: "apply to the physician in charge of the criminal insane for an examination of his mental condition and fitness to be at large. If the physician shall certify to the warden that there is reasonable cause to believe that such person has become sane since his committment and is a safe person to be at large he may"

In line 21, section 6 of the printed bill, after the word "become" strike the remainder of said section and substitute therefor the words "sane and safe person to be at large, he may upon a certificate of probable cause by the attending physician, which shall show a change in his mental condition since the last trial, his present sanity and fitness to be at large, again petition for discharge, and the proceedings thereon shall be as hereinabove provided."

WILL G. GRAVES, *Chairman.*

We concur in this report: Charles T. Hutson, Ralph Metcalf, Ralph D. Nichols, Robert F. Booth, W. D. Scott, T. A. Hunter, Harry Rosenhaupt, W. B. Presby, I. B. Knickerbocker.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 29, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate bill No. 98, entitled, An act relating to the special Alaska-Yukon-Pacific Exposition fund, making certain warrants to be drawn upon it preferential, and transferring any residue thereon into the general fund of 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.

J. A. VENESS, *Chairman.*

We concur in this report: George U. Piper, W. H. Paulhamus, Henry Rosenhaupt, H. M. Boone, R. W. Condon, J. R. Stevenson, Geo. A. Kennedy, Robert F. Booth, Fred M. Pauly, B. D. Minkler, Alex. Polson, T. B. Sumner.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 29, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate bill No. 99, entitled, "An act to provide for an exhibit of the resources,

products and advantages of the state of Washington, and the erection of a state building, or buildings at the World's Fair of Alaska-Yukon-Pacific Exposition, to be held at Seattle, Washington, in 1909, making an appropriation to pay the cost of such exhibit and state building or buildings out of a special fund to be created, 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 section 8 and in lieu thereof insert the following:

Section 8. Indebtedness incurred and warrants issued hereunder shall be payable only from the Alaska-Yukon-Pacific Exposition fund and shall never be nor become general indebtedness against the state.

Add section 9, which shall read as follows:

Section 9. An emergency exists and this act shall take effect immediately.

J. A. VENESS, *Chairman.*

We concur in this report: George U. Piper, W. H. Paulhamus, Henry Rosenhaupt, H. M. Boone, R. W. Condon, J. R. Stevenson, Geo. A. Kennedy, Robert F. Booth, Fred M. Pauly, B. D. Minkler, Alex. Polson, T. B. Sumner.

On motion of Senator Veness the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, January 29, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate bill No. 100, entitled, "An act appropriating six hundred thousand dollars for the erection of buildings for the University of Washington, and providing for the use thereof by the Alaska-Yukon-Pacific Exposition, 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 following amendments:

Strike out words, "a bill for," of the title.

Strike present section 3 and in lieu thereof insert the following:

Section 3. Indebtedness incurred or warrants issued hereunder shall be payable only from the Alaska-Yukon-Pacific Exposition fund, and shall never be nor become general indebtedness against the state.

Add section 4, which shall read as follows:

Section 4. An emergency exists and this act shall take effect immediately.

J. A. VENESS, *Chairman.*

We concur in this report: George U. Piper, W. H. Paulhamus, Henry Rosenhaupt, H. M. Boone, R. W. Condon, J. R. Stevenson, Geo. A. Kennedy, Robert F. Booth, Fred M. Pauly, B. D. Minkler, Alex. Polson, T. B. Sumner.

On motion of Senator Veness the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 30, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate bill No. 101, entitled, "An act to provide for the establishment of Harbor Lines, Survey, Platting and Appraisal of Shore Lands of the First Class of Lakes Washington and Union, in King county, Washington, the sale and disposition of said shore lands, the creation of the Alaska-Yukon-Pacific Exposition Fund, 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 section 6, and in lieu thereof insert the following:

Section 6. Those shore lands in Section 16, Township 25, north range 4 E. W. M., lying in front of the limits of what is known as the University of Washington site, and all shore lands within the harbor lines or waterway lines herein provided for, which lie in front of any public park donated to or belonging to the city of Seattle, are exempted from sale hereunder. The lands lying in front of the University site are hereby donated to the University of Washington and shall be held and used for University purposes only. The shore lands lying in front of the public parks are donated to the city of Seattle; *Provided, however,* That all such lands donated to the city of Seattle shall be used by it only in connection with and as a part of its public park system. Any diversion or attempted diversion of such lands from park purposes shall cause the title of said lands to revert to the state.

J. A. VENESS, *Chairman.*

We concur in this report: George U. Piper, W. H. Paulhamus, Henry Rosenhaupt, H. M. Boone, R. W. Condon, J. R. Stevenson, Geo. A. Kennedy, Robert F. Booth, Fred M. Pauly, B. D. Minkler, Alex. Polson, T. B. Sumner.

House concurrent resolution No. 8, "providing for a joint session in the House at 2:00 o'clock on the afternoon of January 30, 1907, and that Railroad Commissioners Fairchild and Lawrence be requested to appear before said session and make verbal report as to work accomplished by said railroad commission," was read by the secretary, and on motion of Senator Paulhamus was adopted.

House concurrent resolution No. 7, relative to the appointment of a joint committee consisting of three members of the House and two members of the Senate, to examine the system of bookkeeping now in use in the various state offices located in the Capitol building and report thereon as early as practicable, was

read by the secretary and, on motion of Senator Boone, was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 107, by Senator Stevenson, entitled, "An act relating to the exercise of the power of eminent domain by corporations generating and transmitting electricity, etc."

The bill was read the first time, and on motion of Senator Stevenson 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. 108, by Senator Jones, entitled, "An act to repeal and repealing sections 160 and 161 of the Penal Code of the State of Washington as codified and annotated by William Lair Hill, etc."

The bill was read the first time, and on motion of Senator Jones 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. 109, by Senator Anderson, entitled, "An act to provide for the formation of banking corporations, and to regulate the business of banking, and securing the state supervision thereof, etc."

The bill was read the first time, and on motion of Senator Anderson 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. 110, by Senator Graves, entitled, "An act to provide against the adulteration of foods, drinks, drugs, etc."

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 Medicine, Dentistry and Hygiene.

Senate bill No. 111, by Senator Graves, entitled, "An act amending section 565 of Pierce's Washington Code, relating to the exemption of wages, etc."

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. 112, by Senator Stevenson, entitled, "An act to provide for annexing certain territory to a neighboring county, etc."

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

Senate bill No. 113, by Senator Kline, entitled, "An act relating to coroners and prescribing their qualifications."

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

Senate bill No. 114, by Senator Piper, entitled, "An act relating to the tax paid by law under Pierce's Code 5651, Ballinger's Code 2837 by fire insurance companies, etc."

The bill was read the first time, and on motion of Senator Piper 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 Piper, entitled, "An act relating to sale and conveyances by corporations, etc."

The bill was read the first time, and on motion of Senator Piper 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. 116, by the Committee on Horticulture, entitled, "An act regulating commission merchants or persons selling farm, dairy, orchard or garden produce, etc."

The bill was read the first time, and on motion of Senator Gunn the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 117, by Senator Sumner, entitled, "An act to amend sections 2 and 3 of article VII of the Constitution of the

state of Washington, relating to the assessment and taxation of property within this state.”

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 Judiciary.

Senate bill No. 118, by Senator Watson, entitled, “An act making an appropriation for the town of Kalama, etc.”

The bill was read the first time, and on motion of Senator Watson 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. 119, by Senator Sumner, entitled, “An act fixing the salaries of the county commissioners in counties of the fifth class, 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, ordered printed and referred to the Committee on Judiciary.

Senate bill No. 120, by Senator Scott, entitled, “An act providing for the control, regulation, distribution and measurement of stored waters and flowing waters, etc.”

The bill was read the first time, and on motion of Senator Scott 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. 121, by Senator Veness, entitled, “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, etc.’”

The bill was read the first time, and on motion of Senator Veness 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. 122, by Senator Knickerbocker, entitled, “An act relating to the taxation of inheritances, etc.”

The bill was read the first time, and on motion of Senator Knickerbocker 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. 123, by Senator McGregor, entitled, "An act to require promissory notes and other evidences of indebtedness taken or given for any registered stallion, jack or bull, etc."

The bill was read the first time, and on motion of Senator McGregor 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. 124, by Senator Boone, entitled, "An act fixing the maximum charge for carrying passengers over any railroad in the state of Wahsington, etc."

The bill was read the first time, and on motion of Senator Boone 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. 125, by Senator Cotterill, entitled, "An act to amend an act entitled, 'An act amending section 10 of an act entitled, "An act providing for the organization, classification, incorporation and government of municipal corporations, etc."'"

The bill was read the first time, and on motion of Senator Cotterill the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 126, by Senator Ruth, entitled, "An act relating to county engineers."

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 Roads and Bridges.

House bill No. 31, entitled, "An act regulating the hours of service of employees in train service upon railroads and providing a penalty."

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

time by title, ordered printed and referred to the Committee on Railroads and Transportation.

Senator Scott moved as a substitute that the bill be referred to the Committee on Judiciary. The substitute carried and the bill was ordered referred to the Committee on Judiciary.

House bill No. 79, entitled, "An act appropriating funds for the relief of Newton Thomas as Sheriff of Okanogan county."

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

House bill No. 71, entitled, "An act to provide for the payment of all state moneys into the general fund except those received from taxes levied for special purposes and excepting the permanent irreducible fund, etc."

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

House memorial No. 1, memorializing Congress in relation to the improvement of the Columbia and Snake rivers, etc."

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

Senator McGowan asked and was granted unanimous consent of the Senate that the Committee on Memorials be permitted to report at this time on Senate memorial No. 1.

January 30, 1907.

We, your Committee on Memorials, hereby submit our report on House memorial No. 1, with recommendation that it be adopted.

H. S. MCGOWAN, *Chairman.*

We concur: George U. Piper, George A. Kennedy.

On motion of Senator Veness the report of the committee was adopted.

On motion of Senator Stevenson the report of the committee was adopted, the rules were suspended, the memorial considered engrossed, read third time and placed on final passage.

Senator Rosenhaupt moved to amend House memorial No. 1 by striking out the following: In paragraph 6 on page 4 of the

printed memorial beginning with the word "Moreover" to and including the words "Pacific Northwest." The motion was lost.

The secretary called the roll on final passage of House memorial No. 1, and it passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—40.

Those absent or not voting were: Senators Pogue, Rosenhaupt—2.

Engrossed copy of Senate bill No. 98, entitled, "An act relating to the special Alaska-Yukon-Pacific Exposition fund, etc.," was read third time; placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Those absent or not voting were: Senator Pogue—1.

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

Engrossed copy, Senate bill No. 99, entitled, "An act to provide for an exhibit of the resources, products and advantages of the state of Washington, and the erection of a state building, or buildings at the World's Fair of Alaska-Yukon-Pacific Exposition, etc."

On motion of Senator Piper the Senate resolved itself into a Committee of the Whole to consider Senate bills Nos. 99 and 100.

The bills were considered in the Committee of the Whole; Senator Paulhamus in the chair, and reported back to the Senate with the recommendation that they do pass.

On motion of Senator Paulhamus the report of the committee was adopted, and the reading of Senate bills No. 99 and 100 had in the Committee of the Whole considered the third reading of said bills, the rules being suspended.

Senate bill No. 99 was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting were: Senator Pogue—1.

The secretary called the roll on the passage of the emergency clause of Senate bill No. 99, and it was passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Those absent or not voting were: Senator Pogue—1.

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

Senate bill No. 100, engrossed, entitled, "An act appropriating six hundred thousand dollars for the erection of buildings for the University of Washington, and providing for the use thereof by the Alaska-Yukon-Pacific Exposition, and declaring an emergency," was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols,

Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting were: Senator Pogue—1.

The secretary called the roll on the passage of the emergency clause of Senate bill No. 100 and the same passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Those absent or not voting were: Senator Pogue—1.

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

Senate bill No. 101, entitled, "An act to provide for the establishment of harbor lines, etc.," was read the third time.

On motion of Senator Cotterill the following amendments were made in section 1 of the printed bill:

In line 5 after the word "Seattle" the following was inserted: "As the corporate limits shall at that time be established, and including also the city of Columbia in the event said city be not at that time consolidated with the city of Seattle."

In line 6 of the printed bill after the first word "the," the word "said" was inserted.

In line 8 of the printed bill after the first word "Seattle" the following was inserted: "And the city of Columbia if the said city be not then consolidated with the city of Seattle."

In line 8, the word "or" was stricken and the word "and" inserted in lieu thereof.

On motion of Senator Cotterill the following amendments were made in section 6 of the printed bill:

The following was inserted in line 5 after the word "Seattle:" "or in front of any lands which may have been acquired by the

city of Seattle for park purposes prior to the final appraisal of the shore lands."

And in line 9 the following was added after the word "parks," viz: "and acquired lands hereinabove referred to."

On motion of Senator Cotterill the bill was considered engrossed, the rules were suspended, and Senate bill No. 101 was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting were: Senator Pogue—1.

The secretary called the roll on the passage of the emergency clause and the same passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

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

On motion of Senator Boone the rules were suspended and House memorial No. 1 and all bills passed at today's session were ordered transmitted to the House immediately.

On motion of Senator Stevenson, Senate memorial No. 1 was indefinitely postponed.

On motion of Senator Reed there was ordered printed 300 additional copies of Senate bills Nos. 4, 15 and 17 as amended.

On motion of Senator Boone there was ordered printed 500 additional copies of Senate bill No. 3.

At 12:51 p. m., on motion of Senator Condon, a recess was taken until 1:50 o'clock this afternoon.

AFTERNOON SESSION.

The Senate was called to order at 1:50 o'clock p. m. by President Coon.

A petition was received from certain citizens of Ballard, Washington, praying the enactment of an initiative and referendum law and on motion of Senator Cotterill was referred to the Committee on Constitution and Constitutional Revision.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, January 30, 1907.

MR. PRESIDENT:

We, your Committee on Senate Employees Other than Regular respectfully recommend the employment of Geo. B. Kile and E. J. Eisele as Senate stenographers.

J. R. STEVENSON, *Chairman*.

We concur in this report: Lincoln Davis, W. G. Potts, Ralph D. Nichols, Fred Eidemiller.

Senator Stevenson moved that George B. Kile be employed as stenographer to the Senate, and Geo. B. Kile was elected stenographer by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

Senator Stevenson nominated E. J. Eisele to be stenographer to the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols,

Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Absent or not voting: Senator Pogue—1.

The sergeant-at-arms announced that the House of Representatives was ready to receive the Senate in joint session.

The hour of 2:00 o'clock p. m. having arrived, the Senate repaired to the House chamber to meet the House in joint session.

JOINT SESSION.

The arrival of the Senate was announced by the sergeant-at-arms.

President Coon of the Senate called the joint session to order at 2:00 o'clock p. m.

The secretary of the Senate called the roll of the Senate, all members being present except Senator Booth, Senator Pogue (excused) and Senator Sumner.

The clerk of the House called the roll of the House, all members being present except Messrs. Gregg, Hogan and Wade.

The president announced the purpose of the joint session to be to hear the members of the Railroad Commission, in accordance with House concurrent resolution No. 8.

On motion of Senator Paulhamus the Railroad Commissioners were invited to address the assembly.

The joint session was addressed by H. A. Fairchild, chairman of the Railroad Commission, and J. C. Lawrence, Railroad Commissioner.

At 4 o'clock p. m., on motion of Senator Paulhamus, the joint session dissolved.

The Senate was called to order at 4:05 p. m. by President Coon.

George B. Kile and E. J. Eisele were sworn in by the president as stenographers to the Senate.

At 4:10 o'clock p. m., on motion of Senator Paulhamus, the Senate adjourned until 11:00 o'clock tomorrow forenoon.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

EIGHTEENTH DAY.

MORNING SESSION.

SENATE CHAMBER.**OLYMPIA, WASHINGTON, Thursday, January 31, 1907.****11 o'clock a. m.**

The Senate was called to order at 11:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Piper and Pogue, both of whom were excused.

On motion of Senator Pauly the reading of yesterday's journal was dispensed with and it was approved.

Following message was received from the House:

MESSAGE TO THE SENATE.**HOUSE OF REPRESENTATIVES,****OLYMPIA, WASHINGTON, January 31, 1907.****MR. PRESIDENT:**

The House has passed House bill No. 74, entitled, "An act providing a method for the assessment and collection of an excise or privilege tax from express companies doing business in this state, and the same is herewith transmitted.

LEO O. MEIGS, Clerk of the House.

On motion of Senator Kline Senate concurrent resolution No. 9 was adopted as follows:

WHEREAS, Mr. S. C. Lancaster, lecturer for the National Good Roads Association, is now in the state of Washington and is arranging an itinerary for this state, and

WHEREAS, The subject of good roads is of great importance to the people of the state of Washington and to this legislature: Therefore, be it

Resolved by the Senate, the House of Representatives concurring, That Mr. Lancaster be invited to address the legislature in joint session on Tuesday evening February 4, 1907, at 7:30 o'clock p. m.

A petition was read by the secretary from A. Lincoln Post No. 4, G. A. R., located at Walla Walla, Washington, praying

the removal of the Soldiers' Home from its present location at Orting, Washington.

On motion of Senator Reed the petition was referred to the Committee on Military.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 30, 1907.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 54, entitled, "An act to establish a state fish hatchery on Lyle river, in Clallam county, 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.

A. L. WATSON, *Chairman*.

We concur in this report: H. S. McGowan, Fred Eidemiller, E. M. Williams, T. A. Hunter, John L. Blair, S. T. Smith, W. B. Presby, B. D. Minkler.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 30, 1907.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 77, entitled, "An act to establish a state fish hatchery on Lewis river or some of its tributaries, in Cowlitz county, 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.

A. L. WATSON, *Chairman*.

We concur in this report: H. S. McGowan, Fred Eidemiller, E. M. Williams, T. A. Hunter, John L. Blair, S. T. Smith, W. B. Presby, B. D. Minkler.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 30, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 79, entitled, "An act appropriating funds for the relief of Newton Thomas, as sheriff of Okanogan county," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman*.

We concur in this report: H. M. Boone, R. W. Gordon, Fred M. Pauly, Robert F. Booth, J. R. Stevenson, W. H. Paulhamus, Harry Rosenhaupt, Alex. Polson, T. B. Sumner, Geo. A. Kennedy, B. D. Minkler.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 30, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 76, entitled, "An act providing for the purchase of site, construction and furnishing a residence for the Governor," 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.

J. A. VENESS, *Chairman.*

We concur in this report: H. M. Boone, R. W. Gordon, Fred M. Pauly, Robert F. Booth, J. R. Stevenson, W. H. Paulhamus, Harry Rosenhaupt, Alex. Polson, T. B. Sumner, Geo. A. Kennedy, B. D. Minkler.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 30, 1907.

To the Honorable The Senate of the State of Washington:

GENTLEMEN:—Under an act of Congress, approved June 30, 1906, (34 Stat., 684) it is required that ten per centum of all moneys received by the Federal Government as revenues from its forest reserves be returned to the state in which the reserves lie. The act requires that the proceeds of each reserve are to be expended as the legislature of each state receiving them may prescribe for the benefit of the public schools and public roads of the county or counties in which forest reserves are situated. Provided, That when any forest reserve is in more than one county the distributive share to each from the proceeds of such reserve shall be proportioned to its area therein. Recently I received a warrant for \$1922.22, being the state's share of revenues from the forest reserve in this state for the fiscal year ending June 30, 1906, and I have transmitted this money to the state treasurer. In as much, as legislation is required for the proper distribution of this money in the state of Washington, I referred the matter to the Attorney-General with the request that he prepare a bill for that purpose. Herewith I have the honor to submit a draft of the bill so prepared for your consideration.

ALBERT E. MEAD, *Governor.*

An act, providing for the distribution and expenditure of moneys received from forest reserves.

Be it Enacted by the Legislature of the State of Washingtons

Section 1. That the state treasurer is hereby directed to turn over to the treasurers of the respective counties within the forest reserves the amount of money belonging to such county received from the federal government from such forest reserve, in accordance with an act of Congress, approved February 1, 1905. Where the reserve is situated in more than one county, the money shall be distributed in proportion to the area of the respective counties interested; and, to that end, the state treasurer is hereby authorized and rekuired to obtain

the necessary information to enable him to make the distribution on such basis.

Section 2. County commissioners of the respective counties to which the money is distributed are hereby authorized and directed to expend said money for the benefit of the public schools and public roads thereof and not otherwise.

On motion of Senator Paulhamus the message with the attached draft of a bill were referred to the Committee on Appropriations.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, January 30, 1907.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands, to whom was referred Senate bill No. 18, entitled, "An act to confirm the title and character of conveyance of certain oyster and tide lands heretofore sold 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 amended as follows: Add to the printed section the following words:

Amendment to Senate Bill No. 18:

Provided, That nothing in this act shall be construed to confirm the title in the purchaser or his grantee of any tide lands sold from state oyster reserves as oyster lands or otherwise, after said reserve had been surveyed under the law of 1903, page 340 of session laws of 1903 and that as amended it be placed on general file.

ALEX. POLSON, *Chairman*.

We concur in this report: H. S. McGowan, J. A. Veness, R. L. Kline, S. T. Smith, Peter McGregor, Will G. Graves, P. L. Allen.

Senator Rands moved that a copy of the amendment to Senate bill No. 18 be placed on each Senator's desk and that the consideration of the report of the committee go over until tomorrow.

The motion was carried.

INTRODUCTION OF BILLS.

Senate bill No. 127, by Senator Reed, entitled, "An act to promote the interest of Apiculture in the state of Washington, etc."

The bill was read the first time, and on motion of Senator Reed 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. 128, by Committee on Appropriation, entitled, "An act amking appropriation for the maintenance of the office of the Commissioner of Public Lands, etc."

The bill was read the first time, and on motion of Senator Veness the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 129, by Senator Rosenhaupt, entitled, "An act to apportion the state of Washington into three congressional districts."

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

Senate bill No. 130, by Senator Cotterill, entitled, "An act concerning the alteration, vacation or replatting of cemetery plats, etc."

The bill was read the first time, and on motion of Senator Cotterill 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. 131, by Committee on Medicine, Dentistry, Surgery and Hygiene, entitled, "An act to regulate the practice of Osteopathy in the State of Washington, etc."

The bill was read the first time, and on motion of Senator Brown 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. 132, by Senator Anderson, entitled, "An act amending section 38 of an act entitled, 'An act to provide for the establishment and creation of drainage districts, etc.'"

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

Senate bill No. 133, by Senator Scott, entitled, "An act to amend section 111 of the Code of Public Instruction, etc."

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

Senate bill No. 134, by Senator Scott, entitled, "An act to amend section 17 of chapter LXXI of the laws of 1897, said act being 'An act to provide for the collection and assessment of taxes, etc.'"

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

House bill No. 74, entitled, "An act providing a method for the assessment of an excise or privilege tax from express companies, etc."

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

GENERAL FILE.

Senate bill No. 97, entitled, "An act relating to the salaries of the judges of the supreme and superior courts," was read the third time.

Senator Smith moved that the words "five hundred" in line 3 of section 1 of the printed bill be stricken.

Senator Ruth moved as a substitute that the words "four thousand five" be stricken and the words "thirty six-- inserted in lieu thereof in line 3 of section 1 of the printed bill, and in line 4 section 1 of the printed bill the words "four thousand" be stricken and the words "three thousand" be inserted in lieu thereof.

A roll call was demanded by Senators Graves, Hutson, Rosenhaupt, Metcalf, Rands, Nichols, Ruth and Booth.

The roll was called on the substitute and it was lost by the following vote:

Those voting aye were: Senators Blair, Boone, Bratt, Brown, Condon, Cotterill, Paulhamus, Ruth, Watson—9.

Those voting nay were: Senators Allen, Anderson, Booth, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Scott, Smith, Stevenson, Sumner, Veness, Williams—31.

Those absent or not voting were: Senators Piper, Pogue—2.

A roll call was demanded on the amendment offered by Senator Somith by the following Senators: Smith, McGregor, Polson, Nichols, Graves, Davis and Paulhamus.

The roll was called by the secretary and the amendment was lost by the following vote:

Those voting aye were: Senators Allen, Blair, Davis, Kennedy, Kline, McGregor, Minkler, Paulhamus, Pauly, Smith, Stevenson, Sumner, Veness, Watson—15.

Those voting nay were: Senators Anderson, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Knickerbocker, McGowan, Metcalf, Nichols, Polson, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Williams—25.

Those absent or not voting were: Senators Piper, Pogue—2.

Senator Smith moved that the bill be amended by inserting in line 4, section 1 of the printed bill after the word "four" the words "five hundred."

The amendment was lost.

Senator Paulhamus moved that the bill be amended by striking the word "six" in line 1 of section 1 of the printed bill, and inserting in lieu thereof the word "five."

A roll call on the amendment was demanded by Senators Ruth, Polson, Booth, Allen, Graves, Rosenhaupt and Rands.

The secretary called the roll and the amendment was lost by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Cotterill, Paulhamus, Polson, Ruth, Watson—11.

Those voting nay were: Senators Allen, Booth, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf,

Minkler, Nichols, Pauly, Potts, Presby, Rands, Reed, Rosenhaupt, Scott, Smith, Sumner, Veness, Williams—29.

Those absent or not voting were: Senators Piper, Pogue—2.

Senator Condon moved to amend section 1 of the printed bill in line 4, by striking the words "other than the first class" and inserting in lieu thereof the words "counties of the second to the seventh class inclusive."

At 12:20 p. m., on motion of Senator Reed, the Senate adjourned until 2:30 this afternoon.

AFTERNOON SESSION:

The Senate was called to order at 2:30 o'clock p. m. by President Coon pursuant to adjournment.

The secretary called the roll, all members being present except Senators Piper and Pogue, both of whom were excused.

Senator Cotterill moved that Senate bill No. 97 be referred to the Committee on Appropriations, that committee to report in connection with same a bill covering increases in salaries for other state officials.

The motion was lost.

Senator Graves moved to amend the amendment proposed by Senator Condon so as to have the same read "each judge of the superior courts of all counties shall receive an annual salary of three thousand dollars."

The amendment was accepted by Senator Condon.

The proposed amendment was lost.

Senator Smith moved that after the word "first" in line 2 of section 1 of the printed bill, the words "second, third, fourth and fifth" be inserted. The motion was lost.

Senator Paulhamus moved that the figures "1909" in line 2 of section 2 of the printed bill be stricken and the figures "1919" be inserted in lieu thereof. The motion was lost.

Engrossed Senate bill No. 97 was placed on final passage and passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Brown, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Polson, Potts, Presby, Rands, Rosenhaupt, Scott, Stevenson, Sumner, Williams—27.

Those voting nay were: Senators Boone, Bratt, Condon, Cotterill, Eidemiller, Kline, Paulhamus, Reed, Ruth, Smith, Veness, Watson—12.

Those absent or not voting were: Senators Davis, Piper, Pogue—3.

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

Engrossed copy of Senate bill No. 53, entitled, "An act relating to practice and proceedings in the trial of actions, etc.," was read third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—40.

Those absent or not voting were: Senators Piper, Pogue—2.

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

Senate Bill No. 55, entitled, "An act defining the crime of murder in the first degree, etc.," was read third time.

Senator Rands moved to strike the words "shall suffer death or" in lines 7 and 8 of section 1 of the printed bill and the words "shall suffer death penalty or" in line 9 of section 1 of the printed bill.

Senator Booth moved that the bill be indefinitely postponed.

The following Senators demanded a roll call on the motion of Senator Booth, viz.: Senators Eidemiller, Jones, Davis, Rosenhaupt, Condon, Blair and Anderson.

The secretary called the roll and the motion to indefinitely postpone was carried by the following vote:

Those voting aye were: Senators Anderson, Blair, Booth, Bratt, Brown, Davis, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Smith, Stevenson, Veness, Watson, Williams—27.

Those voting nay were: Senators Allen, Boone, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Minkler, Ruth, Scott, Sumner—13.

Those absent or not voting were: Senators Piper, Pogue—2.

On motion of Senator Bratt the consideration of Senate Bill No. 74 went over until tomorrow.

On motion of Senator Veness Senate Bill No. 70 went over until tomorrow.

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, January 31, 1907.

MR. PRESIDENT:

We, your Committee on Senate Employees Other than Regular, beg leave to recommend the employment of C. W. McKercher as stenographer of the Senate, in accordance with resolution heretofore adopted.

J. R. STEVENSON, *Chairman*.

We concur in this report: Fred Eidemiller, Ralph D. Nichols.

On motion of Senator Stevenson the report of the committee was adopted.

Senator Stevenson moved that C. W. McKercher be employed as stenographer to the Senate and he was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—40.

Those absent or not voting were: Senators Piper, Pogue—2.

At 3:22 p. m., on motion of Senator Sumner, the Senate adjourned until 10:00 o'clock tomorrow morning.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

NINETEENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February 1, 1907.
10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain La Violette offered prayer.

The secretary called the roll, all members being present except Senators Pogue and Sumner, both of whom were excused.

On motion of Senator Smith, Senator Sumner was excused until 2:00 o'clock p. m. Monday, February 4, 1907.

On motion of Senator Boone the reading of yesterday's journal was dispensed with and it was approved.

MESSAGE TO THE SENATE.

OLYMPIA, WASHINGTON, February 1, 1907.
HOUSE OF REPRESENTATIVES,

MR PRESIDENT:

The House has passed House bill No. 14, entitled, "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,'" etc.

Also, H. B. 116, authorizing county commissioners to acquire and operate quarries, etc., also

H. B. 105, amending existing laws relating to liens upon saw logs, spars, piles, etc.

Also, H. B. 46 amending section 2 of an act creating a fund to be known as the Public Highway fund, etc.

Also, H. B. 90, regulating the keeping and deposit of public funds in banks by the several county treasurers, etc.

Also, H. M. No. 3, asking Congress to make section 2477 of the Revised Statutes of the United States applicable to all forest reserves in this state.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

A petition praying the enactment of a local option law was received from Mason county and, on motion of Senator Condon, was referred to the Committee on Judiciary.

Petitions praying the enactment of an initiative and referendum law were received from Seattle and South Park, Washington, and on motion of Senator Cotterill were referred to the Committee on Constitution and Constitutional Revision.

A communication from the Plymouth Congregational church, of Spokane, praying the enactment of a local option bill, was read, and was ordered referred to the Committee on Judiciary.

Senator Reed moved the adoption of the following resolution:

Resolved, That the sergeant-at-arms is hereby authorized and directed to supply each member of the Senate and the president, secretary, assistant secretary and sergeant-at-arms, five dollars worth of postage stamps.

Senator Stevenson moved as an amendment to strike the word "five" in the resolution and insert in lieu thereof the word "three."

Senator Allen moved as a substitute that the sergeant-at-arms be instructed to purchase \$50.00 worth of postage and place the same in the hands of the Senate postmaster for the use of the Senate and Senate officers. The substitute was carried and the resolution as amended was adopted.

Senator Stevenson moved that the Senate adjourn at 12:00 o'clock noon Saturday, February 2, 1907, to meet at 2:00 o'clock p. m. Monday, February 4, 1907.

The motion was lost.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 1, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill no 58 entitled, "An act to provide for state deposi-

tories and regulate the deposits of public moneys therein," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

T. B. SUMNER, *Chairman*.

We concur in this report: R. L. Kline, E. M. Rands, W. D. Scott, Alex Polson, J. A. Veness, R. W. Condon, W. H. Paulhamus, Fred M. Pauly, Charles T. Hutson, George F. Cotterill.

On motion of Senator Huston the report of the committee was adopted, and the bill was indefinitely postponed.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, January 31, 1907.

MR PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 71, entitled, "An act to provide for the payment of all state moneys into the general fund, 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 of the printed bill by adding thereto "and declaring an emergency."

In line 3 of section 2 strike the word "Whereas" in the printed bill and insert in lieu thereof the word "Sec. 3.," change the letter "a" of the word "an" to a capital "A" and strike the word "exist" and insert in lieu thereof the word "existing."

T. B. SUMNER, *Chairman*.

We concur in this report: R. W. Condon, Fred M. Pauly, E. M. Rands, Charles T. Hutson, J. A. Veness, Alex Polson, George F. Cotterill.

On motion of Senator Huston the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, January 31, 1907.

MR PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 43, entitled, "An act providing for the investment of the permanent school funds, 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 of the printed bill by adding thereto "and declaring an emergency."

Strike "sec. 5." of the printed bill, inserting in lieu thereof "Sec. 5. An emergency existing this act shall take effect immediately."

T. B. SUMNER, *Chairman*.

We concur in this report: R. W. Condon, Fred M. Pauly, E. M. Rands, Charles T. Hutson, J. A. Veness, Alex Polson, George F. Cotterill.

On motion of Senator Rands the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 30, 1907.

MR PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 57, entitled, "An act amending sections 3523 and 3526 of Ballinger's Annotated Codes and Statutes of Washington, relating to partition fences," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN L. BLAIR, *Chairman.*

We concur in this report: Walter J. Reed, Fred M. Pauly, Peter McGregor, E. C. Bratt, J. R. Stevenson.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 31, 1907.

MR PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 17, entitled, "An act amending Code of Public Instruction to establish a uniform system of public schools," 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 11 of section 2 of the printed bill, strike the word "two," inserting thereof the word "five."

At the end of line 14 of said section of the printed bill change the period to a semicolon and insert the following: "Provided that during the period of ten (10) days immediately preceding the closing of registration books as aforesaid, such books of registration shall not close earlier than seven (7) p. m. of each day."

Beginning with the words "a sum" in the 15th line of section 4 of the printed bill, strike all of said line up to and including all of line 16 and the letters "lars" on line 17, inserting in lieu thereof the following: "Or a school district regularly employing two hundred (200) or more teachers in the public schools thereof a sum not exceeding one hundred thousand (\$100,000) dollars; and in cities having a population exceeding one hundred thousand (100,000), or a school district regularly employing four hundred (400) or more teachers in the public schools thereof a sum not exceeding two hundred thousand (\$200,000) dollars."

In line 20 of said section of the printed bill strike the words, "at least."

In line 25 of said section of the printed bill strike the words "one acre," inserting in lieu thereof the words "five acres."

Strike all of section 6 of the printed bill beginning the word "from" up to and including the word "approval," inserting in lieu thereof the word "immediately."

WALTER J. REED, *Chairman.*

We concur in this report: A. W. Anderson, George A. Kennedy, H. S. McGowan, J. R. Stevenson, W. B. Presby, I. B. Knickerbocker.

On motion of Senator Reed the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 1, 1907.

MR PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred Senate bill No. 92, entitled, "An act providing for the manner of sale and distribution of all grain sacks manufactured at 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 amendments:

Add to section 3 of the printed bill the following words: "Such estimate shall be furnished to the board of control on or before April 1st of each year."

In line 7 of section 5 of the printed bill strike the words "Secretary of the board of control," and insert in lieu thereof the words "Superintendent of the State Penitentiary."

In line 2 of section 6 of the printed bill, strike the words "Board of Control," and insert in lieu thereof the words, "Superintendent of the State Penitentiary."

FRED M. PAULY, *Chairman.*

We concur in this report: W. B. Presby, I. B. Knickerbocker, J. R. Stevenson, B. D. Minkler.

On motion of Senator Stevenson the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 1, 1907.

MR PRESIDENT:

We, your committee on State Penal and Reformatory Institutions, to whom was referred Senate bill No. 40, entitled, "An act providing for the purchase and installment of additional machinery for the manufacture of grain bags and bagging at the State Penitentiary, 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.

FRED M. PAULY, *Chairman.*

We concur in this report: W. B. Presby, I. B. Knickerbocker, J. R. Stevenson, B. D. Minkler.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 1, 1907.

MR PRESIDENT:

We, your Committee on Medicine, Dentistry, Surgery and Hygiene to whom was referred Senate bill No. 73, entitled, "An act to provide for the appointment of a permanent commission to investigate the condition of the blind of the state of Washington, and to report thereon and to make appropriations to meet the expenses of such commission," have

had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

C. G. BROWN, *Chairman.*

We concur in this report: Robert F. Booth.

On motion of Senator Veness Senate bill No. 40 was referred to the Committee on Appropriations.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 31, 1907.

MR PRESIDENT:

We, your Committee on Dairy and Live Stock, to whom was referred Senate bill No. 86, entitled, "An act to amend section 3 of an act entitled, 'An act in relation to estrays, providing for their detention, regulation and sale, and prescribing penalties for its violation,' approved February 16, 1905," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

PETER MCGREGOR, *Chairman.*

We concur in this report: H. M. Boone, J. R. Stevenson, E. C. Bratt.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, January 30, 1907.

MR PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate bill No. 18, entitled, "An act to confirm the title and character of conveyance of certain oyster and tide lands heretofore sold 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 amended as follows: Add to the printed section the following words:

Provided, That nothing in this act shall be construed to confirm the title in the purchaser or his grantee of any tide lands sold from state oyster reserves as oyster lands or otherwise, after said reserve had been surveyed under the law of 1903, page 340 of Session Laws of 1903.

And that as amended it be placed on general file.

ALEX POLSON, *Chairman.*

We concur in this report: H. S. McGowan, J. A. Veness, R. L. Kline, S. T. Smith, Peter McGregor, Will G. Graves, P. L. Allen.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 1, 1907.

MR PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 46, entitled, "An act to provide for state depositories and regulate the deposits of public moneys therein," 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 the title of the printed bill by striking the word "public," inserting in lieu thereof the word "state," and adding thereto the following: "and declaring an emergency."

In line 1 of section 1 of the printed bill, strike out all of said line, beginning with the words "a board," up to and including the words, "known as," in line 2 of said section and bill beginning with the word, "consisting," strike the rest of line 2 of said section and bill, and all of line 3 of said section and bill.

In line 5 of section 1 of the printed bill strike the word, "public," inserting in lieu thereof the word "state."

Strike all of line 6 of section 1 of the printed bill beginning with "The," up to and including line 7 of said section and bill, ending with the word, "duties."

Between the words "Auditor" and "to" of line 10 of section 2 of the printed bill insert the following: "or State Bank Examiner."

Between the words "capital," and "nor," of line 7 of section 4 of the printed bill, insert the following: "and surplus."

After the word "it," in line 4 of section 5 of the printed bill, insert the following, "and surplus."

Between the words "and" and "revoke," of line 6 of section 5 of the printed bill insert the following, "upon failure so to do may after fifteen (15) days notice to said depository."

Strike all of line 7 of section 5 of the printed bill, beginning with the word, "and," up to and including all of lines 8 and 9 to the word, "withdraw."

Between the words "each," and "month," of line 1 of section 6 of the printed bill, insert the word, "calendar."

In line 2 of section 6 of the printed bill strike the word, "public," inserting in lieu thereof the word "state," and also the word "deposited," inserting in lieu thereof the words, "on deposit."

Between the words "the" and "treasurer," in line 7 of section 6 of the printed bill, insert the word, "state."

Between the words "shall" and "be," of line 8 of section 6 of the printed bill, insert the following: "be upon such forms as may be prescribed by the state board of finance and."

In line 17 of section 6 of the printed bill strike the words, "first day," inserting in lieu thereof the words, "fifteenth (15) day of January."

Add the following section: "Sec. 7. An emergency exists and this act shall take effect on the first day of March, 1907."

We concur in this report: R. L. Kline, E. M. Rands, W. D. Scott, Alex. Polson, A. J. Veness, R. W. Condon, W. H. Paulhamus, Fred M. Pauly, Charles T. Hutson, George F. Cotterill.

Senator Paulhamus moved that the bill be referred to the Committee on Public Revenue and Taxation. The motion was lost.

On motion of Senator Cotterill the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 1, 1907.

MR PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 72, entitled, "An act to amend section 42 of an act entitled, 'An act to provide for the assessment and collection of taxes in the state of Washington,' approved March 15, 1897," 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 the title of the printed bill by adding the following: "and declaring an emergency."

Between the words "item" and "and," of line 4 of section 1 of the printed bill, insert the following: "from which any exemption allowed by law shall be deducted;" also in the same line between the words, "and" and "shall," insert the following: "the remainder."

Strike all of section 2 of the printed bill.

Strike from section 2 of the printed bill the words beginning with "and," and ending with the word "governor;" insert in lieu thereof the word, "immediately."

We concur in this report: R. L. Kline, E. M. Rands, Alex. Polson, J. A. Veness, Fred M. Pauly, R. W. Condon, Charles T. Hutson.

On motion of Senator Scott the bill was ordered referred to the Committee on Public Revenue and Taxation.

The following communication from the governor was read by the secretary:

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, January 30, 1907.

To the Honorable The Senate of the State of Washington:

GENTLEMEN:—I have the honor to transmit herewith a copy of an address from the National Congress on Uniform Divorce Laws to the President and Congress of the United States and the Governors and Legislatures of the several states, together with the resolutions adopted by the Divorce Congress at Washington, D. C., February 19 to 22, 1906, also draft of a uniform law relating to annulment of marriage and divorce and separate laws relating to return of statistics on marriage and divorce as finally adopted by the Divorce Congress of Philadelphia, November 13th and 14th, 1906.

ALBERT E. MEAD, *Governor.*

On motion of Senator Graves the communication with the report attached was referred to the Committee on Judiciary.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 1, 1907.

To the Honorable The Senate of the State of Washington:

GENTLEMEN:—I have the honor to transmit to you herewith copies of reports on the State Soldiers' Home made to me by a special committee which I appointed to inspect and report on conditions there. The State Veterinarian Dr. S. B. Nelson, L. W. Hanson, State Dairy Inspector, Ira P. Whitney, Dairy Instructor of the Washington State College, and F. A. Huntley, State Commissioner of Horticulture.

ALBERT E. MEAD, *Governor.*

Hon. Albert E. Mead, Governor of the State of Washington, Olympia, Washington:

We, your committee appointed "to inspect the Soldiers' Home and report findings and conclusions as to what should be done towards improving conditions there with a view to adding to the comfort of the members of the institution," hereby respectfully reports: That your committee met at the Home on the evening of Thursday, December 27th, last past, and remained there in performance of the duties assigned them until the morning of Saturday, December 29th, during which time a thorough and systematic inspection and examination of all departments of the institution, separately and in every detail, was exhaustively made by the committee, in doing which, valuable and courteous assistance was rendered by the Commandant, Willis L. Ames.

Ascertaining that the registered membership of the institution aggregated, according to the Commandant's last report to the National government, three hundred and eighty-five veterans of the Civil, Spanish-American and Indian wars, the committee conducted its investigations and inquiries largely with reference to this fact, with a view of determining the sufficiency or degree of insufficiency of the present accommodations for that number of persons, and having further in view the almost absolute certainty that the number likely to seek and be entitled to admission during the next few years will be greatly augmented by reason of the advancing ages of the veterans resident in this state.

The first inspection made by the committee was of the general dining hall and the building in which it is contained. The dining room has the capacity for the comfortable seating at meals of one hundred and ninety-two persons, which is manifestly too small for the number necessary to be provided for.

In the rear of the dining room are the kitchen, store-room, bakery, milk room, and room for preparing the vegetables, all in good condition and under satisfactory management. The arrangements of the kitchen, however, in case of the enlargement of the dining room, should be so changed and adjusted as to provide for increased facilities and capacity for the cooking and preparation of the meals.

The second story of this building, although not intended nor well adapted for the purpose of a dormitory—being little more than a ceiled

attic—is being used from the necessity of the situation for lodging and sleeping, the regular dormitories built for the purposes being entirely insufficient to provide sleeping accommodations for the members of the Home. Besides two small ante-rooms used for bathing and toilet purposes, this attic story consists of one entire room, containing forty cots standing closely side by side and used by that number of persons. It is entirely lacking in lockers, wardrobes, closets or other provisions for the clothing and other personal effects of the occupants of the room, and has no means whatever for ventilation except such as may be temporarily provided by opening the windows, which must necessarily produce drafts over the cots and their occupants, thus subjecting these veterans to discomfort and serious risks of sickness and suffering.

For the use of the forty occupants of this extemporized dormitory, there is but one bath tub, two wash stands or basins, and two water closets or toilets.

There is no adequate means of escape from this attic in case of fire, except such as is offered by a narrow, inconvenient stairway, which for practical purposes in case of a fire panic would more likely prove dangerous to life and limbs than by means of a safe egress.

The building known as Rogers Hall, one of the dormitories for the institution, is in its present condition a disgrace to the state of Washington. It is crowded to overflowing. The second story, originally intended for sleeping purposes, is partitioned into rooms of fair size, but in a number of instances there are three, four and five persons occupying a single room, too crowded for either comfort or health. In several instances cots have been placed in nooks and corners of hallways, and there occupied by members of the Home. The worst feature of this building, however, is the use of the attic for sleeping purposes. This is reached by a narrow, steep and absolutely unsafe stairway from the second story, which is little better than a ladder. This is the only way by which some forty elderly Union War veterans are able to go to and from their sleeping quarters. This attic is a low apartment directly under a slanting roof, unplastered, unheated and possessed of no comfortable or convenient arrangements for sleeping purposes, except some forty cots, some of which are under the slanting rafters of the roof, with scarcely space between the roof and the occupants of the cots to get out of bed. In this very objectionable attic forty sleepers of an advanced age—heroes of the nation—are nightly lodged; and for the total of eighty-five who are provided for in this building in the ways mentioned, there are but two bath tubs, and a corresponding number of wash basins, urinals, and water closets.

The so-called fire escapes to this building are steep, wooden ladders, so that in case of fire, especially if at night, with the necessity of the forty men occupying the attic to descend three stories from their sleeping place, the danger of loss of life and limb to these old, weak and infirm men would be imminent.

The same lack of ventilation exists in this building as mentioned in regard to the attic of the dining hall.

The visit to the dormitory in the old main building developed substantially the same disgraceful features as were found in Rogers Hall. A two-story building, with an unfinished, unplastered and unheated attic. In this building are accommodated eighty men of whom about one-half occupy the attic, some of the cots being under the slanting rafters and roof. For these eighty men there are but two baths, two urinals, four seats, no ventilation except by open windows, and the so-called fire escapes are the same kind referred to in connection with the other buildings previously visited by the committee. They cannot be truthfully designated as fire escapes.

In the Hospital building there were at the time of the committee's visit, eighty-five patients, who are as well cared for as can be expected with the limited conveniences and appliances at hand. But for these eighty-five invalids, to which number additions are likely to be made at any time, there are only two bath tubs, five toilets, with three seats and two urinals, and the physical condition of many of the patients requiring attention and watchfulness is such that it is almost impossible to keep them in a cleanly condition with such scant lavatory facilities. For the care and attention to the hospital's patients there are three day and two night nurses—nervous old soldiers themselves who are paid for their services \$20.00 each per month; and a competent physician with his office in the building gives medical attention to the patients, and an attentive and competent matron faithfully looks after the comfort of these invalids.

The new portion of the hospital recently built contains conveniences and comforts more modern and up-to-date than the older buildings on the ground. The dining room is well lighted and cheerful and large enough for the present number of the hospital membership, and the same is the case as to the kitchen and other departments, and all are in good order and condition. The hospital sitting room, however, is too small, and the sitting rooms generally of the institution are less commodious and capacious than is desirable.

The committee also examined and investigated the horse and cow stables, chicken quarters, heating and electric lighting plant, sewer departments of the institution, and as the result of their investigations, present the following as their findings, conclusions and recommendations:

FINDINGS.

First—The Buildings.—With the exception of the new portion of the hospital, the assembly hall, and the commandant's dwelling, all the buildings are old, insufficient for the purposes for which they are used, and lacking in the accommodations requisite to the comfort and safety of the members of the home. The assembly hall, with a seating capacity of two hundred, was found to be conveniently arranged, and in good condition. The commandant's residence is of good and convenient size and is also in apparently very good state of repair.

Second—Ventilation.—There is no provision for the proper or satisfactory ventilation of any of the buildings except the new portion of the hospital.

Third—Plumbing.—The plumbing is old and in an unsatisfactory condition.

Fourth—Sleeping Quarters.—All rooms and wards are overcrowded and the third floor attics used for sleeping quarters are absolutely unfitted for the purpose.

Fifth—Fire Escapes.—There are no fire escapes worthy of the name.

Sixth—The Hospital.—The newly constructed hospital is in good condition, but of insufficient capacity for the present and prospective requirements of the institution.

Seventh—The Dining Room.—This is entirely too small for the needs of the home.

Eighth—The Laundry and Bakery.—They are both in satisfactory and excellent condition.

Ninth—The Bath Rooms, Toilets, Etc.—These are entirely insufficient in number for the number of persons using them.

Tenth—Water Supply.—The system is that of gravity, and the water is of the most excellent quality, but at certain periods of the year is of insufficient quantity, especially in order to reach the upper stories.

Eleventh—Heating and Lighting.—The steam heating and electric lighting plants are both excellent, giving full satisfaction and are under good management.

Twelfth—The Sewerage System.—As far as can be discovered or ascertained, the sewerage system is in good and satisfactory condition.

Thirteenth—The Cemetery.—The cemetery provided for the burial of the deceased members of the home is such as is calculated to bring reproach upon the fair name of our state. The location is such that at certain times of the year, water is reached at a depth of less than 4½ feet. In digging the graves men have to be employed to bail out the water constantly until the body of the deceased is lowered into its place. In order as far as possible to obviate this condition, some portions of the present burial place have been terraced with an embankment of three feet, and even with this additional three feet of earth, graves cannot be dug deeper than four and one-half feet without striking water. The remains of about two hundred of deceased soldiers of the home have already been buried there, and the probability is that they are all resting in watery graves.

Fourteenth—The Stock.—The committee upon making an inspection of the cows, horses, hogs and poultry, found them all in very fair condition, and very well cared for. The horses are very well housed, the horse stable being a fairly comfortable building. The cows, sixteen in number, are most of them good average dairy cows. They are under the charge of two men who receive \$12.50 each per month for their work. The horse stable and the cow stable are situated on very low ground so that it is almost impossible to get good drainage, thus rendering the sanitary condition very bad. The cow stable is a disgrace

to the state. It is a shame to keep cows in such a place. The hay mow is in the center of the stable and the cows face up to the mow and no passage way in front of them to feed them. The feeding has to be done before the cows are put in the stanchions, and there is not room for anyone to pass behind them comfortably.

The floors are in no condition to protect the cows, being nearly level, and practically no gutters or drops, and when the cows lie down they unavoidably become very dirty, and it requires great care to keep them in anything but a filthy condition.

The hogs are a valuable asset to the home. There are about two hundred head, big and little, and are being kept in very good condition; the same will apply to the poultry department, the yards and building being kept in very fine condition.

Fifteenth—The Saloon Grievance.—There are five licensed saloons and drinking places in the small town of Orting, which is but $1\frac{1}{4}$ miles distant from the home and constantly and easily approachable from the institution by board walk. These drinking places are the source and cause of frequent annoyance to the management of the home and a continuous menace to peace and good order. Old soldiers readily are furnished by the proprietors of these resorts with excessive drinks, and they frequently return from their visits to them in a condition of excessive intoxication, and often bring with them to the home bottles of liquor with which their comrades are made intoxicated. Whilst the commandant handles all of these cases with excellent judgment and as well as is possible with the authority with which he is invested, yet nothing that he or any commandant in charge can accomplish, is found to be a satisfactory solution of this grievance.

From these findings of the committee, they present the following conclusions and recommendations:

First—The Buildings.—That all of the buildings except the new hospital, the assembly hall and the commandant's residence, be thoroughly overhauled, repaired and renovated inside, and properly ventilated.

Second—Plumbing, Bath Tubs, Etc.—That the entire plumbing be overhauled and perfected, and a sufficient number of bath tubs and toilets be added.

Third—Sleeping Quarters.—That the use of attics and halls of all the buildings be discontinued for sleeping or lodging purposes at the earliest practicable time, and that all overcrowding of dormitories be avoided and made unnecessary by providing additional and suitable accommodations for sleeping purposes, and that convenient lockers or wardrobes or other proper provisions for the placing of the clothing and effects of the occupants be provided in all the dormitories.

Fourth—The Hospital.—That a new and complete hospital be built sufficiently large to accommodate two hundred patients, and that the present hospital be converted into a dormitory, and enlarged, whereby the present and prospective membership of the home may be comfortably and properly accommodated and provided for, the committee finding that, after eliminating the attics, hallways and hospital, not more

than one hundred and fifty can be properly accommodated in the present condition. It is also recommended that a hospital steward and at least one experienced nurse with adequate and reasonable compensation be provided.

Fifth—Fire Escapes.—That adequate, up-to-date and absolutely secure and ample fire escapes be provided for all the buildings.

Sixth—The Dining Room and Kitchen.—That the dining room be enlarged by erecting an addition thereto on the side of the present dining room to an extent sufficient to accommodate at least one hundred more members of the home than can now be seated for their meals, and that the kitchen be so arranged as to provide for cooking for such additional number of persons.

Seventh—The Water Supply.—That such measures be adopted as will give a sufficient water supply throughout the whole year for all purposes.

Eighth—The Cemetery.—That the cemetery be removed to a higher location and to a position above the danger of water in the graves, and that such removal be made in the near future and without unnecessary delay.

Ninth—The Stock, Stables, Etc.—That a few of the inferior cows should be disposed of, and the money realized from their sale reinvested in better stock; the herd increased to about twenty, and a good competent dairyman placed in charge of them, paying him as good wages as will secure the employment of such a person. Under good management such as thus proposed, we are of the opinion that the herd of twenty cows would produce a sufficient quantity of milk to supply the wants of the present members of the home, which is not now the case. It is further recommended that some arrangements be made for a new cow barn, and a silo should be built on the most modern plans, as it would save the state the price of it in two years in mill feed alone. If a new barn cannot now be built as recommended, then and in that case, we think the suggestion of our State Veterinarian, S. B. Nelson, could be adopted to good advantage, to-wit: to convert the horse barn into a cow barn and the cow barn be used for the horses, as such change could be made without very much expense to the state, as the work could be done by the men at the home. But your committee would not recommend a change of that kind to be made only as a temporary matter, as the old cow barn can never be made a good sanitary place for horses or cattle.

Tenth—The Saloon Grievance.—The committee recommends to the Legislature the adoption of such measures as will give full authority to the commandant of the home to enforce such discipline as may be found necessary without resorting to discharge, and that it should include police authority.

Eleventh—Branch Home.—The following resolution was unanimously adopted:

This committee recommends that the Legislature, in addition to the appropriations that are made for the maintenance of the Washington State Home and to carry out the recommendations of this committee,

make a further appropriation of such sum as is necessary for the establishment and maintenance of a branch state home for the admission of honorably discharged soldiers and their wives, and widows of deceased soldiers of the Civil, Indian and Mexican wars.

This recommendation is made for the reason that many honorably discharged soldiers of the American wars, who have wives living with them, and dependent upon them, and are citizens of this state, are deprived of admission to the home as now constituted, although they are in such condition of feebleness and pecuniary means as to render their admission urgently needed; their deprivation from admission to the present home being for the reason that they are not permitted to bring their wives with them; and they are too true and affectionate to consent to a separation. The committee suggests that such proposed home be located on a convenient, accessible and healthful place on the waterfront of Puget Sound, where passing vessels can be seen.

Twelfth—Sidewalk.—The committee recommends the building of a new sidewalk from the home to the railroad station in Orting within the coming two years, the present sidewalk being old and undergoing rapid decay.

Before closing this report the committee hereby expresses their heartfelt appreciation of the kind attention and hospitable entertainment which they received from the commandant of the home, Willis L. Ames, and his estimable wife, the matron of the institution, whereby the visit of the committee was rendered most pleasant and enjoyable, and at the same time this committee would in this connection congratulate the Governor of the state and the state itself in having in charge of the Soldier's Home a most competent, attentive, and faithful commandant and matron.

We found throughout the entire inspection of the institution marked and convincing evidences of the efficiency and success with which the present management is conducting its operations. Cleanliness, order, and system appear at all points, and as much is being accomplished for the comfort and happiness of the veterans as can be expected with the institution in the condition which the committee has herein set forth. And the satisfactory conditions referred to are attributed largely and primarily to the executive ability and faithful and watchful attention of the commandant, who mingles in his discipline, firmness and good judgment with kindness for all under his charge, and in all of which he is faithfully supported and assisted by his wife, the matron of the institution.

All of which is respectfully presented as the unanimous report of the committee.

J. M. WEISTLING, *Chairman.*
MRS. LIDA MCKERRHER.
GEO. W. TIBBETTS.
LOIS K. APPLETON.
GEO. H. BOARDMAN.
J. C. TAYLOR.
JOHN KINZIE.
SAM H. NICHOLS.

Dated January 10, 1907.

REPORT OF THE STATE VETERINARIAN ON STATE SOLDIER'S HOME.

On November 13th, 1906, I visited the Soldier's Home.

Cows.—The cows were physically in good condition, and there were some cows that looked very good as dairy cows. They were clean and pretty well kept. I think it would be advisable if the herd could be increased from 16 to 30 so as to give the old soldiers plenty of milk.

The horses I saw were in good condition, and well kept.

The hogs kept up for fattening looked healthy and thriving. For the breed sows I would recommend the portable hog house.

STABLES.—Both the cow stables and the horse stables are situated on very low ground and it is difficult to give them the drainage they should have. I found the horse stable in very good condition. The cow stable, however, is merely an excuse. It is impossible to keep the herd of cows in the cow stable under anything near sanitary conditions. The cows face up close to the hay mow. There is not sufficient room for a man to pass comfortably behind the cows. There is no passage-way in front of them to feed them. The feeding has to be done before the cows are put in, which is very unsatisfactory. On one side of the stable there is no gutter, but simply a drop of about two inches, and when the cows lie down they unavoidably become besmeared with manure, requiring a great deal of work to keep them clean.

I would recommend that the horse barn be converted into a cow barn. And this can be done at a very small expense, making it a very neat and sanitary cow barn. I suggest further that one end of the present cow stable be made into a horse barn, the horses facing toward the windows. This, I think, will be a very desirable change.

There should be a broad board walk between the two stables. There is no reason why, in wet weather, attendants, either hired or old soldiers, should wade in mud from four to six inches in depth in getting from one stable to the other.

It appeared to me that the best interests of the farming operations of the home would be served by the employment of a farmer who would have charge practically of the farming operations. He could be, to a great extent, assisted by the old soldiers; nevertheless, there should be, it seems to me, someone besides the commandant who would be responsible for the details of the farming operations.

S. B. NELSON, *State Veterinarian.*

SEATTLE, WASH., July 26, 1906.

Mr. L. Davies, State Dairy & Food Commissioner, Davenport, Wash.:

DEAR SIR—I have the honor to submit the following report of my inspection of the Soldiers' Home at Orting, Washington.

The inspection was made on July 19th, in company with the superintendent of the home, Mr. Ames, who extended every courtesy to me in the matter.

The herd consists of 19 head, 18 milch cows and 1 sire. The cows are average cows, of no particular breed. They appeared to be in good

condition. The sire is claimed to be a full-blood Jersey, though I did not see the records of his pedigree. Records should be kept of the yield of milk of each cow. By this system the unprofitable ones can be gradually weeded out. At present the herd supplies all the needs for milk and cream. No butter is produced here. With regard to the sire, while no doubt he is a good animal, still a Holstein sire would be more profitable for this station. Under the conditions as they exist at the home, labor is not readily accessible, and as the years go by will be less and less so. It seems to me we should not undertake to produce our butter for that station there. Hence, our aim should be the production of a herd yielding a good quality of medium, rich milk. For this purpose Holstein sires exceed Jerseys by far.

The barn is small, accomodating about 40 head, and is an old structure, very unsanitary and not conveniently arranged. On either side are the stalls for the cows, with a wide driveway through the barn from side to side, thus making four sections of stalls. No drainage is provided for in the gutters, the liquid manure must seep through the gutter, or be dipped up in buckets and carried away. Cattle are fastened with stanchions. The space between the stalls on either side is completely filled with hay, leaving no access to the stalls for feeding purposes, except by going back of the cows. This is an inconvenient method and entails a great loss of time. It will be impossible to improve the drainage conditions in the barn, without considerable expense. The barn is too near the hospital. In my opinion it will not pay to attempt to remodel the barn and make it a sanitary and modern affair. A new barn is the correct solution.

No place is provided for the straining of milk. Considerable contamination results from the present antiquated method, namely, straining the milk in the barn and leaving the cans there during milking time.

The milk room or creamery at the commissary department is in good condition. A special room has been set apart for this purpose, with cement floors, shelves for the pans, good ventilation, and all kept in a clean sanitary condition. A good tank for storing the milk, using the shot gun can, and keeping the milk cold *my running water through* the tank would be a great improvement on the system of pans kept on the shelves.

The milk is served whole, that is, without skimming. Hence no separator is needed. And for the same reason, it would be better to store the milk in these shot gun cans, which are from nine to twelve inches in diameter and eighteen to twenty inches deep, until ready for use.

The farm is well adapted for dairying. Plenty of good water, excellent pasturage and sufficient hay land. The dairy division might be better cared for, being somewhat run down.

I would suggest the construction of a modern, sanitary barn, and also a silo. There is an abundance of land, which with a little work

could be made into good pasture. The milk house should by all means be constructed near the barn, for use during milking time.

Respectfully submitted,

L. W. HANSON,
State Dairy Instructor.

A REPORT ON THE EXISTING DAIRY CONDITIONS AT THE SOLDIERS' HOME.

On Monday, September 3rd, I visited the Soldiers' Home at Orting and on arriving there made the acquaintance of Mr. Ames, the superintendent, and also Mr. Davis, of the Board of Control, who was visiting there at that time. In company with these gentlemen I went over the barns and farm, and found everything in good condition.

The barn where the milk cows are kept is a somewhat ancient structure and I think it would be wise to have a new building in its place. The present structure is kept in as good condition as is possible, but a great many repairs would be necessary to make it thoroughly sanitary and a fit place for producing milk for direct consumption. It is my opinion that an entirely new building would be most satisfactory from all standpoints.

The problem which seems to confront the institution at this time is the help. Many of the old soldiers are becoming quite old and do not wish to be tied down to any kind of work for any great length of time. This would be against the developing of the dairy work to any great extent, unless a competent herdsman was put in charge.

The cows are of no particular breeding, but compare favorably with the average dairy cows of the state. Regarding the sire, a fairly good individual of the Jersey breed is being kept. However, the kind of a sire makes very little difference, but if an attempt were made to develop the herd, which should be done in all our state institutions, I would suggest that a sire of the Ayrshire or Holstein breeds be secured and the calves from the best cows in the herd be saved. I do not wish to give the impression that the Jerseys are not good dairy cattle, but they are preeminently butter producers and their milk is not considered, by many authorities, to be as healthful as that of the breeds which I have mentioned. I should like very much to see the Ayrshire breed given a chance on this coast and think the state would do well to breed them at one of the state institutions where they could be given a fair trial.

With the limited amount of land which is under cultivation it would be impossible to do more than produce the milk needed for direct consumption, and it is for this reason that I suggest the breeds which are noted for their milk production.

Regarding the care and handling of milk, I found that it was given the best of care after leaving the stables; the refrigerators and milk room were clean and sanitary, and I have no criticism to offer.

Respectfully submitted.

IRA P. WHITNEY,
Dairy Instructor, Washington State College.

TACOMA, WASHINGTON, November 28, 1906.

Hon. Albert E. Mead, Governor of Washington, Olympia, Washingtons

DEAR SIR:—In compliance with your instructions that I should visit certain state institutions and report to you on their horticultural condition, and offer recommendations for improvements, I accordingly visited the Soldiers' Home near Orting on the 25th and 26th of October. There in company with Commandant Willis L. Ames, I made a careful inspection of the garden, trees and grounds, and have pleasure in reporting to you herewith the results of my investigation.

No extensive nor systematic efforts have been made in the line of fruit tree cultivation. Although there are about 150 old apple trees which, evidently, were planted at the time the institution was organized. They bear impressions of neglect through all the years of their growth and development. With a possibility of two or three exceptions they are diseased through and through with the black-spot canker fungus. They are beyond recovery, and as long as they stand will prove a source of infection to other trees which may be planted in the vicinity. They also bear the marks of insect infection. Woolly Aphis is especially abundant. The new or young orchard, two years planted, contains fifty young apple trees. Without a single exception they are diseased the same as the older apple trees. Intelligent care in cultivating, pruning and spraying would restore these trees to good vitality and thrift. This young orchard is located on a narrow strip of ground west of the office and the commandant's residence.

A few old pear trees on the grounds present about the same condition as the apple trees.

About twenty-five large cherry trees have been making a hard struggle to survive and produce fruit. They appear like veterans covered with "gore" in their coating of gum, which is a disease known as "Gummosis" and is caused by defective nutrition as a result of improper care. Cherry trees should never be pruned except sparingly. These trees have been "butchered" by persons unacquainted with the purposes and practice of pruning. They need a little intelligent pruning to correct some mistakes in that line; the gum should be scraped off clean; they should then be washed with a spray of soapsuds or kerosene emulsion; and then all wounds and openings should be shelaced to prevent exudation. Such intelligent care should restore these trees to health and render them a source of much profit in the future.

The small fruit garden has been successfully managed as a source of profit to the institution in furnishing an ample supply of blackberries and raspberries both fresh and for preserving.

The vegetable garden has been made to yield in sufficient abundance for the demands of the Home. Conditions are ideal here for both vegetable gardening and the production of small fruits.

An abundance of natural fertilizers from the cattle barn and pig-feeding sheds is a resource most valuable for the improvement of the fertility of the soil. Here one is impressed with the wisdom of maintaining herds of livestock in connection with soil tillage.

I feel it incumbent upon me in this connection to criticise the indiscriminate mutilation of shade and ornamental trees in the manner it has been practiced here, with the evident purpose of pruning to meet a necessity. I beg to advise that future operations in this line receive the approval of one capable of offering advice in the matter of landscape gardening and the care of ornamentals.

The small greenhouse on the grounds doubtless contributes some pleasure to the man who looks after it, but it is a question in my mind if it serves any other purpose. The building is a dark, improvised affair and unsuited for the purpose for which it is constructed. The plants in most respects, therein, deserve to be classed as rubbish, being old and thriftless and infected with diseases. A small modern greenhouse properly managed would contribute both pleasure and profit to this institution. Ornamental bedding plants for the summer landscape could be carried through the winter and multiplied by propagation. It could be made to supply lettuce for the tables, which would contribute health to the users.

Early plants for transplanting to the vegetable garden, such as tomatoes, cabbage, lettuce and spinach could be grown and the season prolonged one or two months. A greenhouse of ample size, say 18 x 50 feet, could be built and equipped with a hot water heater for about \$800.

One of the present needs of the institution is a good orchard. Five acres or more in apples, one in prunes, and a few cherries and pears would be none too large an area to plant for home use, and, with a larger area in apples, other state institutions could be supplied.

Immediately south of the buildings lies one of the most suitable tracts in the valley for such purpose. It is yet in an uncleared state. The lands need grading in places but its elevation affords good natural drainage and the soil is of a slightly gravelly texture, such as trees find best adapted for the promotion of health and thrift. The location of an orchard on this tract would afford the very best conditions for a poultry yard. Poultry in an orchard is admitted to be very advantageous in destroying many kinds of insect pests. Bird insect revels within such environment. The poultry department of the Home is now very creditable and a source of much profit. This location recommended for an orchard covers many acres. Ten to fifteen acres of the field should be cleared and brought into cultivation. Owing to its accessibility along with the other advantages mentioned. An expenditure of about \$2,000 would be necessary for this improvement.

The matter of supplying a thoroughly equipped spraying outfit such as described to you in my report on the State Hospital for Insane at Fort Steillacoom, I wish to advise for the Soldiers' Home. Too much pains cannot be exercised in the selection of nursery stock for the establishment of an orchard both in regard to the health of the trees and the varieties most suitable to plant.

Very respectfully.

F. A. HUNTLEY,
State Commissioner of Horticulture.

On motion of Senator Rands the communication with the attached reports was referred to the Committee on Military.

INTRODUCTION OF BILLS.

Senate bill No. 135, by Senators Knickerbocker, Paulhamus and Nichols, entitled, "An act relating to dyking districts," etc.

The bill was read the first time, and on motion of Senators Knickerbocker, Paulhamus and Nichols the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Dykes and Drainage.

Senate bill No. 136, by Senators Knickerbocker, Paulhamus and Nichols, entitled, "An act authorizing the levy of a tax for the purpose of improving rivers and streams and providing for the expenditure of the same."

The bill was read the first time, and on motion of Senators Knickerbocker, Paulhamus and Nichols the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Dykes and Drainage.

Senate bill No. 137, by Senator Allen, entitled, "An act amending chapter 158 of the laws of 1905, relating to the acceptance of gifts, bonuses or commissions by agents, employees or officers."

The bill was read the first time, and on motion of Senator Allen 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. 138, by Senator Jones, entitled, "An act for the relief of Pierce county, Washington, etc."

The bill was read the first time, and on motion of Senator Jones 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. 139, by Senator Reed, entitled, "An act creating a State Highway Board, and the office of the State Highway Commissioner, etc."

The bill was read the first time, and on motion of Senator Reed 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. 140, by Senator Gunn, entitled, "An act relating to the model training school departments of Normal Schools, etc."

The bill was read the first time, and on motion of Senator Gunn 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. 141, by Senator Veness, entitled, "An act providing for the employment of convicts on state roads, etc."

The bill was read the first time, and on motion of Senator Veness 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. 142, by Senator Anderson, entitled, "An act providing for the dissolution of drainage districts, etc."

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

Senate bill No. 143, by Senator Condon, entitled, "An act to establish and maintain a state fish hatchery in the state of Washington west of the Cascade Range, etc."

The bill was read the first time, and on motion of Senator Condon 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. 144, by Senator Jones, entitled, "An act authorizing the formation of metropolitan park districts, etc."

The bill was read the first time, and on motion of Senator Jones the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 145, by Senator Metcalf, entitled, "An act providing for a system of checking the accounts of various county officers, etc."

The bill was read the first time, and on motion of Senator Metcalf 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. 146, by Senator Metcalf, entitled, "An act to provide for the examination, auditing and supervision of the affairs, records, books and accounts of state and county officers, etc."

The bill was read the first time, and on motion of Senator Metcalf 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. 147, by Senator Cotterill, entitled, "An act to amend sections 320, 321, 322, 323, 324, 325, 327, 328 and 331 of Ballinger's Annotated Codes and Statutes of Washington, relating to county commissioners, etc."

The bill was read the first time, and on motion of Senator Cotterill 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 and Cities of the First class, acting jointly.

House bill No. 90, entitled, "An act regulating the keeping and deposit of public funds in banks by the several counties, etc."

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

House bill No. 116, entitled, "An act authorizing the county commissioners to acquire and operate quarries of suitable building rock, etc."

The bill was read the first time, and on motion of Senator Bratt 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. 105, entitled, "An act to amend section 1 of an act entitled, 'An act to amend an act entitled, 'An act providing liens upon saw logs, etc.''"

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

House bill No. 14, entitled, "An act to amend section 1 of an act entitled, 'An act amending section 1 of an act entitled, "An act amending section 943 of Ballingers' Annotated Codes and Statutes of Washington, relating to assessments for local improvements, etc.'" "

The bill was read the first time, and on motion of Senator Williams the rules were suspended, the bill was read the second time and referred to the Committee on Cities of the First Class.

House bill No. 46, entitled, "An act to amend section 2 of an act of the legislature of the State of Washington, etc., entitled, 'An act creating a fund to be known as the public highway fund, etc.'" "

The bill was read the first time, and on motion of Senator Bratt the rules were suspended, the bill was read the second time and referred to the Committee on Roads and Bridges.

House memorial No. 3, memorializing Congress of the United States relative to the construction of highways in the forest reserves, etc."

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

GENERAL FILE.

Engrossed Senate bill No. 17, entitled, "An act amending Code of Public Instruction to establish a uniform system of public schools, etc."

On motion of Senator Graves the rules were suspended and the third reading had at session of January 28, 1907, considered third reading of the bill.

The bill was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor,

Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—34.

Absent or not voting were: Senators Boone, Eidemiller, Hunter, Jones, Pogue, Polson, Rands, Sumner—8.

The secretary called the roll on the emergency clause and the same passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—36.

Those absent or not voting were: Senators Eidemiller, Hunter, Jones, Pogue, Rands, Sumner—6.

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

Engrossed Senate bill No. 63, entitled, "An act relating to the criminal insane, etc.," was read the third time, placed on final passage and passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Veness, Watson, Williams—37.

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

Senator Gunn requested, and was granted, unanimous consent to take up House bill No. 79 out of order and consider same at this time.

House bill No. 79, entitled, "An act appropriating funds for the relief of Newton Thomas, as sheriff of Okanogan county," was read third time.

On motion of Senator Graves the rule relative to this bill being considered in the Committee of the Whole was by unanimous

consent suspended, the bill placed on final passage and passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—37.

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

On motion of Senator Gunn the rules were suspended and House bill No. 79 ordered transmitted to the House immediately.

Engrossed copy Senate bill No. 34, entitled, "An act relating to the organization, powers and duties of the supreme court, etc.," was read third time, placed on final passage and passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—37.

Those voting nay were, Senator Paulhamus—1.

Absent or not voting were: Senators Booth, Pogue, Sumner—3.

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

Engrossed Senate bill No. 81, entitled, "An act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary conditions, or property of any corporation, etc.," was read third time.

On motion of Senator Paulhamus Senate bill No. 81 was referred to the Committee on Judiciary.

On motion of Senator Reed the rules were suspended and Senate bill No. 17 ordered transmitted to the House immediately.

Senator Bratt moved that Senate bill No. 74 be laid over and House bill No. 46 be substituted for it on the calendar. The motion was lost.

Senate bill No. 74, entitled, "An act to amend section 2, etc., creating a fund to be known as the Public Highway Fund, etc.," was read third time.

Senator Bratt moved that the bill be referred to the Committee on Roads and Bridges. The motion was lost.

On motion of Senator Graves the word "officers" and the brackets about the word "officers" in line 6 of section 1 of the printed bill were stricken.

The roll was called on final passage and Senate bill No. 74 passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Ruth, Smith, Stevenson, Veness, Watson, Williams—31.

Those voting nay were: Senators Bratt, Brown, Eidemiller, Hutson, Rosenhaupt, Scott—6.

Those absent or not voting were: Senators Booth, Pogue, Rands, Reed, Sumner—5.

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

The following Senators were excused until Monday, February 4, 1907, at 2:00 o'clock p. m., viz: Senators Smith, Nichols, Veness, Watson, McGowan, Cotterill and Reed.

Senator Nichols moved that the Senate adjourn until 2:00 o'clock p. m. Monday, February 4, 1907.

Senator Scott moved as a substitute that the Senate adjourn until 10:00 o'clock tomorrow morning. The substitute carried and the Senate adjourned at 12:05 o'clock p. m.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

TWENTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Saturday, February 2, 1907.
10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Allen, Booth, Cotterill, Hutson, Nichols, Pogue, Potts, Rands, Reed, Smith, Sumner and Watson, all of whom were excused.

On motion of Senator Scott the reading of yesterday's journal was dispensed with and it was approved.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 2, 1907.

MR PRESIDENT:

The House has passed Senate bill No. 99, entitled, "An act to provide for an exhibit of the resources of the state of Washington," etc., with the following amendments:

Amend section 7 by inserting after the word "dollars" at the end of line 2 in the engrossed bill, the same being line 2 of the printed bill, the following words: "or so much thereof as may be necessary."

Section 3 of the engrossed bill being misplaced, Mr. Beebe presented section 3 of the printed bill as an amendment in place of engrossed section 3, and the same was adopted.

The House passed Senate bill No. 100, entitled, "An act appropriating funds for the erection of buildings for the University of Washington," etc., with the following amendments:

Amend section 1 by adding after the word "dollars" in line 3 of the engrossed bill, being line 2 of the printed bill, the following words: "or so much thereof as may be necessary."

Amend section 1 by inserting after the word "university" in line 7 of the engrossed bill, being line 5 of the printed bill, the words, "not less than."

Amend the title by striking the words "six hundred thousand dollars," and inserting the word "funds."

The House has passed Senate bill No. 101, entitled, "An act to provide for the establishment of harbor lines," etc., with the following amendments:

Amend section 1 by adding after the word "act," in line 22 of the engrossed bill, being line 11 of the printed bill, the following: "Provided, however, that the State Board of Tax Commissioners, together with the Attorney General, shall act with the Board of State Land Commissioners in appraising said shore lands."

Amend section 2 by inserting after the word "act," in line 17 of the engrossed bill, being line 11 of the printed bill, the following: "Provided, however, that in case of contest, interest shall be charged upon the appraised value at the rate prescribed by law from the date of the expiration of said twenty day period, and such interest shall be paid at the time the first installment of principal is made, and no contract shall issue unless such interest be paid."

The House has passed House bill No. 132, entitled, "An act appropriating \$6,000 to pay for such printing as may be ordered by the Tenth Legislature," etc.

Also House bill 103, entitled, "An act for the relief of A. A. Lytle," etc.

Also House bill No. 6, entitled, "An act prohibiting the owners or those in charge of any canal or ditch from suffering noxious weeds or other growths to go to seed on the banks thereof."

Also House bill No. 118, entitled, "An act for the relief of the town of Kent, etc.

Also Senate concurrent resolution No. 9, inviting S. C. Lancaster to address the legislature in joint session, etc.

Also House bill No. 133, authorizing cities and towns owning street railway lines to sell and convey the same."

Also House bill No. 40, relating to the assessment and collection of taxes in municipal corporations of the 2nd, 3rd and 4th classes."

Also House bill 73 authorizing counties which have acquired mining properties for taxes, to lease the same."

The House has passed Senate bill No. 98, entitled, "An act relating to the special Alaska-Yukon-Pacific Exposition fund," etc., with the following amendments:

Amend section 1 by striking out all after the word "paid," in line 10 of the engrossed bill, being line 6 of the printed bill, and insert in lieu thereof the following: "in the same manner as the state's general fund warrants are paid."

Amend section 2 by striking out all after the word "the" as it first appears in line 9 of the engrossed bill, being line 6 of the printed bill, and insert in lieu thereof the following: "same manner as the state's general fund warrants are paid."

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

At the request of Senator Piper unanimous consent was granted to take up Senate bills Nos. 98, 99, 100 and 101 and amendments thereto made by the House, out of order and consider said amendments at this time.

Senate bill No. 98, entitled, "An act relating to the special Alaska-Yukon-Pacific Exposition Fund, etc."

Senator Piper moved that the Senate concur in the House amendments to Senate bill No. 98, and the Senate concurred in the amendments by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Presby, Rosenhaupt, Ruth, Scott, Stevenson, Veness, Williams—29.

Those absent or not voting were: Senators Allen, Booth, Cotterill, Hutson, Jones, Nichols, Pogue, Potts, Rands, Reed, Smith, Sumner, Watson—13.

Senate bill No. 99, entitled, "An act to provide for an exhibit of the resources, products and advantages of the State of Washington, etc., at the Alaska-Yukon-Pacific Exposition, etc."

Senator Piper moved that the Senate concur in the House amendments to Senate bill No. 99 and the motion was carried by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Rosenhaupt, Ruth, Scott, Stevenson, Veness, Williams—29.

Those absent or not voting were Senators Allen, Booth, Cotterill, Hutson, Nichols, Pogue, Potts, Presby, Rands, Reed, Smith, Sumner, Watson—13.

Senate bill No. 100, entitled, "An act appropriating six hundred thousand dollars for the University of Washington, etc."

Senator Piper moved that the Senate concur in the House amendments to Senate bill No. 100 and the motion was carried by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Rosenhaupt, Ruth, Scott, Stevenson, Veness, Williams—29.

Those absent or not voting were: Senators Allen, Booth, Cotterill, Hutson, Nichols, Pogue, Potts, Presby, Rands, Reed, Smith, Sumner, Watson—13.

Senate bill No. 101, entitled, "An act to provide for the establishment of harbor lines, etc."

Senator Piper moved that the Senate concur in the House amendments to Senate bill No. 101, and the motion was carried by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Presby, Rosenhaupt, Ruth, Scott, Stevenson, Veness, Williams—30.

Those absent or not voting were: Senators Allen, Booth, Cotterill, Hutson, Nichols, Pogue, Potts, Rands, Reed, Smith, Sumner, Watson—12.

Senator Ruth moved that the secretary of the Senate and the bill clerk be paid the same salary as paid at the last session.

Senator Jones moved as an amendment that the secretary be omitted from the motion, stating that he made the motion at the request of the secretary. The amendment was carried.

A roll call on the motion of Senator Ruth to make the salary of the bill clerk the same as last session was demanded by the following: Senators Paulhamus, Davis, Jones, Rosenhaupt, Condon, Veness, Boone, Metcalf.

The secretary called the roll and the motion prevailed by the following vote:

Those voting aye were: Senators Blair, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Pauly, Piper, Polson, Rosenhaupt, Ruth, Stevenson, Williams—21.

Those voting nay were: Senators Anderson, Boone, Bratt, Brown, Metcalf, Paulhamus, Presby, Scott—8.

Those absent or not voting were: Senators Allen, Booth, Cotterill, Hutson, Nichols, Pogue, Potts, Rands, Reed, Smith, Sumner, Veness, Watson—13.

A petition was received from Skamania county praying the enactment of a direct primary law, and, on motion of Senator Cotterill, was referred to the Committee on Elections and Privileges.

A communication was received from the City Council of the City of Tacoma endorsing and praying the enactment of a law authorizing cities of the first class to grant franchises to steam railroads.

On motion of Senator Jones the communication was referred to the Committee on Cities of the First Class.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 1, 1907.

MR PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred House bill No. 90, entitled, "An act regulating the keeping and deposit of public funds in banks by the several county treasurers of 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 with the following amendments:

Add to section 2 the following: Provided further that said depository or depositories may deposit with the county treasurer good and sufficient municipal, county, state, or United States bonds in lieu of the surety bond herein provided for.

H. M. BOONE, *Chairman.*

We concur in this report: R. W. Condon, C. G. Brown, I. B. Knickerbocker, A. S. Ruth, J. A. Veness, T. A. Hunter.

On motion of Senator Boone the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 1, 1907.

MR PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands, to whom was referred Senate bill No. 75, entitled, "An act authorizing and directing the Commissioner of Public Lands to certify certain tide lands to the Governor for deed, etc.," have had the same under consid-

eration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ALEX POLSON, *Chairman*.

We concur in this report: R. L. Kline, Peter McGregor, H. S. McGowan, Will G. Graves, J. A. Veness.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 1, 1907.

MR PRESIDENT:

We, your Committee on State Granted School and Tide Lands, to whom was referred Senate bill No. 31, entitled, "An act authorizing and directing the Commissioner of Public Lands to certify certain lands to the Governor for deed and authorizing and directing the Governor to execute, etc.," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ALEX POLSON, *Chairman*.

We concur in this report: R. L. Kline, Peter McGregor, J. A. Veness, H. S. McGowan, Will G. Graves.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 2, 1907.

MR PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 4, entitled, "An act to provide for the punishment of parents or persons responsible for, or contributing to the delinquency of children of the age of 17 years or under," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILL G. GRAVES, *Chairman*.

We concur in this report: W. D. Scott, T. A. Hunter, I. B. Knickerbocker, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 2, 1907.

MR PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 105, entitled, "An act to amend section 1 of an act entitled, 'An act to amend an act entitled, "An act providing liens upon saw logs, spars, piles or other timber and upon lumber and shingles and concerning the remedy to secure and obtain liens and the benefit thereof, and the manner and procedure of obtaining 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: W. D. Scott, T. A. Hunter, I. B. Knickerbocker, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Graves Senate bill No. 70 was indefinitely postponed and House bill No. 105 was substituted on the calendar.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, February 2, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 51, entitled, "An act relating to violation of criminal laws of the state, and the securing of information with reference thereto by prosecuting attorneys, and prescribing the procedure therefor, and making the violation hereof a misdemeanor and prescribing a penalty 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 with the following amendments:

Strike the title of the printed bill and substitute therefor the following: "An act relating to the examination of witnesses by prosecuting attorneys and providing a penalty for the violation of the provisions thereof."

In lines 4 and 5, section 1 of the printed bill, strike the words, "or any ordinance of any municipality thereof, it shall be his duty forthwith diligently to inquire into the facts of such alleged offense; and for such purpose." In line 7 of said section, after the word "offense," insert the words "requiring such person or persons."

In line 10 of said section strike the words, "shall be directed to the sheriff or any constable of the county and."

In line 22 of said section, after the word "witness," add the following: "Witnesses subpoenaed hereunder shall be allowed the same fees as witnesses in the courts."

Strike section 5 of the printed bill and substitute therefor the following: "Sec. 5. No deputy prosecuting attorney shall have power to issue subpoenas or administer oaths under the provisions of this act."

WILL G. GRAVES, *Chairman*.

We concur in this report: W. D. Scott, T. A. Hunter, I. B. Knickerbocker, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 2, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 50, entitled, "An act defining the competency of witnesses in certain cases and providing for immunity from indictment, information, prosecution and punishment for such witnesses, 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 as follows:

In line 1, title of the printed bill, strike the word "defining," and

substitute the words "relating to" therefor. In line 2, title of the printed bill, strike the words "and declaring an emergency."

Strike section 3 of the printed bill.

WILL G. GRAVES, *Chairman*.

We concur in this report: W. D. Ccott, T. A. Hunter, I. B. Knickerbocker, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 1, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred Senate bill No. 20, entitled, "An act authorizing the formation of metropolitan park districts, providing for park officials, fixing their powers and duties, 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 indefinitely postponed.

JESSE S. JONES, *Chairman*.

We concur in this report: E. M. Williams, Fred Eidemiller, Harry Rosenhaupt, R. L. Kline.

On motion of Senator Jones the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 1, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred Senate bill No. 65, entitled, "An act authorizing and empowering Cities of the First Class to include within improvement districts land in school sections, the title of which remains in the state of Washington, and to assess such land for the cost of local improvements; authorizing the sale of such lands to pay for local improvements; and authorizing purchasers at sales of such lands to receive conveyances of said lands from the state of Washington upon payment of the amount owing the state for the same, or upon payment of the appraised value of such land," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JESSE S. JONES, *Chairman*.

We concur in this report: Fred Eidemiller, R. L. Kline, Harry Rosenhaupt, E. M. Williams.

SALEM, OREGON, January 31, 1907.

To the President of the Senate, State of Washington:

DEAR SIR:—We, the joint committee of the Senate and House of Representatives of the state of Oregon, appointed for the purpose of meeting like committees from the states of Washington and Idaho, hereby accept your communication under date of January 24th, 1907,

for a joint meeting of the three states' committees on Saturday, February 9th, 1907, in the city of Portland, Oregon. Said meeting to be held at the rooms of the Portland Commercial Club at 10 o'clock a. m. of said day. Enclosed find copy of resolution passed by the Oregon Legislature.

Very respectfully yours,

C. J. SMITH,

A. WHEALDON,

I. H. BINGHAM,

Senate Committee.

P. W. KNOWLES,

J. BAYER,

A. BRIX,

House Committee.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, February 1, 1907...

To the Honorable The Senate of the State of Washington:

GENTLEMEN:—I have the honor to transmit to you herewith copies of reports made to me on the State Reform School as follows:

Report of special committee, appointed by me to inspect and report on conditions at the school, together with supplemental reports of

Mr. C. F. Hubbard, State Labor Commissioner, and,

Mr. C. W. Gorham, State Printer, members of the committee.

The report of Dr. Elmer E. Heg, secretary of the State Board of Health.

Report of Ira B. Whitney, Instructor in Dairying, Washington State College.

Report of L. W. Hansen, State Dairy Inspector.

Report of F. A. Huntley, State Commissioner of Horticulture.

ALBERT E. MEAD, *Governor.*

Governor Albert E. Mead, Olympia, Washington.

DEAR SIR:—In compliance with your request the following committee visited the Reform School at Chehalis, November 21 and 22: Messrs. F. M. McCully, M. A. Carrington, R. E. Bennett, C. F. Hubbard, C. W. Gorham, Judge Jeremiah Neterer, Mrs. R. C. Wilson and Representatives George McCoy and George H. Miller. Other members of the committee were out of the state, or otherwise detained.

The committee made a thorough examination of the institution in all of its departments, and the various phases of its management, and beg to report this finding as follows:

Administration. The committee was unanimous in the expression of praise for the administration and executive control of the institution by Superintendent C. T. Reed, assisted by Mrs. Reed, whose work among the girls is of inestimable value. The general discipline of the school is excellent, and the "spirit" among the children good. During the past eighteen months the expenses have been kept to the lowest possible point. This was necessary by the increased number of inmates and the limited appropriation. For this period the cost per

capita for maintenance, schooling, governing and general expense was 32.17 cents per day. While from a cold monetary standpoint, such a result is highly satisfactory to the tax payers, yet after a careful investigation of the actual privations obligatory to reach these results, they are decidedly not to be desired, and should not be necessary in the future. A larger per capita should be allowed for the coming biennial period. The best advantage has been taken by the superintendent of all conditions to give the boys and girls every help possible. The results show in the cleanliness of all departments, and the healthy condition of the inmates. Many of the boys and girls in the institution are receiving better opportunities for an education, and the acquirement of a useful trade than they could possibly receive by their former environments.

Condition of Dormitories. The need of two new dormitories is imperative. The administration building, part of which is used as a dormitory for the girls, is in good condition and ample for all present needs. But the dormitories used for the boys are in bad condition. Overcrowded and unsanitary, they are not fit for sleeping rooms for half the inmates crowded in them at present. The building used for the larger boys was erected about fifteen years ago, when the school was first established and evidently designed by an architect who knew nothing about "sanitation" and cared less about the subject of health. The building is in very bad condition and should be torn down. The dormitory for the small boys is not so bad, but it too can be put to better use. Two new commodious buildings of modern type should be built. These should be large enough to provide reading and play rooms for the different classes besides a commodious assembly hall or chapel.

School Rooms. The present accommodations for school rooms are very bad. The rooms are crowded, poorly ventilated and provided with practically no school apparatus. With the two new dormitories, some of the other buildings can be remodeled into pleasant, well ventilated school rooms. At present, because of the lack of funds with which to buy books, the same text books have been used by different classes. This removes personal responsibility from the individual child and tends to ruthless destruction and slatternly habits. Enough money should be supplied by the state to purchase school books for each child.

Manual Training. Because of the conditions incident to the existence of school, and the status of the inmates, the best opportunity for improving these children is through some line of manual training. This does not necessarily crowd out the regular text book work. But the majority of these inmates can be more easily reached and more greatly improved by manual training methods than by the medium of books. The facilities for this work at present are very limited and should be increased. This can be done at comparatively small cost.

School Should Share State Funds. Your committee was united in its opinion that this school should receive its pro rata share of a cur-

rent school fund each quarter, the same as all other public schools, the inmates being there only on certain conditions, and should be supported as other public schools are, by similar taxation. This would separate the teaching expense from the general expense, and provide for the employment of regularly licensed teachers at wages commensurate with the needs of the work. Under the present system, of one general fund, if the number of inmates increases to such an extent that the living and clothing expenses practically eats up the amount provided for the biennial period, the cut in expenses must necessarily come in the educational department. We also agree heartily with the suggestion made by yourself, that so much of the permanent school fund as belongs to this institution, should be set aside and invested to the end that the school gets its just share of the income, helping in time to make itself sustaining.

Change of Name. We believe, for various reasons, that it is wise to ask the legislature at the coming session to change the name of the institution from "State Reform School" to "State Industrial School."

Respectfully submitted.

C. W. GORHAM,
Secretary for the Committee.

Governor A. E. Mead, Olympia:

DEAR SIR:—In the report of the committee appointed by you to examine into the conditions of the Reform School at Chehalis, the committee did not deem it wise to go into detail, but rather to make general recommendations. You will therefore undoubtedly receive personal reports from some members of the committee upon special topics which to them seemed of importance. Therefore this report from me.

I believe it would be of an advantage to the boys of the institution to have a small printing plant established, by which the school could publish a small paper, and at least do its own printing. This would add one more trade that could be taught, giving one more choice to boys who may not take to any of the trades taught there. The plant need not be expensive, and the work turned out would in no way compete with labor outside of the school, although in time it would be possible for a certain amount of the plainest and easiest for some of the other institutions to be done there. At present the school for the Deaf and Blind at Vancouver has its own plant, and is publishing a very creditable monthly paper. Employment is the secret of progress for these boys at Chehalis, and if this employment can be along lines of usefulness, and at the same time enable the boys to learn a useful trade, it is doubly advantageous.

Along this very line, it seemed to one that it would be of advantage to increase the facilities for making shoes and clothing, to the end that these young men furnish practically all the shoes and clothes necessary for the inmates of the two insane asylums. They are at present manufacturing quite a considerable amount of clothing and shoes for these institutions, and I see no reason why they should not make all that are

needed. Along this line I believe that it is no more than fair to the institution to credit it with this work, and charge the same to the institution benefitted.

I believe also it would be advisable to install a good large dairy herd of well-bred cattle, that the institution may supply itself with enough milk and butter, to give to every inmate at least three times a week butter on his bread, or fifty percent more than at present. The institution has lately acquired more land, and with the cultivation of this, it will each year approach nearer to being self-sustaining.

The need of the two new dormitories cannot be too forcibly presented. The present superintendent has done much to alleviate the bad effects which must necessarily result from the use of the present dilapidated buildings; but further use of them in the present capacity is a crime, and should not be permitted. Only by the best discipline and most vigorous attention to the personal habits of the boys, is it possible, it seems to me, to prevent disease among the inmates, under the present conditions.

Very respectfully.

(Signed) C. W. GORHAM.

OLYMPIA, WASHINGTON, November 26, 1906.

Honorable Albert E. Mead, Governor State of Washington, Olympia, Washington:

DEAR SIR:—In compliance with your request of November 15, 1906, in company with others therein named, I visited the Reform School at Chehalis, November 21, 1906. A general report of this committee will be submitted to you, in addition to which I wish to make the following report:

I fully coincide with Mr. Reed, superintendent of the school, in every particular, believing that were a farm established somewhere east of the mountains and an institution of this kind for the boys alone to be built thereon, it would be in a few years a source of revenue for the state and would continue to be more so as the stock and crops increase. I consider that the agricultural feature in the locality where the school is now situated cannot be made of any great value, other than dairy products, as the land is low and wet. If a farm of this kind was established the present recommendation for enlarging this institution at Chehalis would not be required; otherwise such recommendations as Supt. Reed makes are, in my judgment, absolutely essential.

I do not think, however, that a brickyard, which he recommends, would be practicable in connection with the manual training, as work of making brick is too heavy for boys and there would be no practical benefit in such a trade. It seems to me the boys are receiving as good care as possible under the existing conditions, as Mr. Reed says they are maintained at a cost of 32 cents per capita. I believe this is entirely too low and should be raised to equal other institutions of this

kind in the country, enough so at least to provide a few more eatables in the way of fruits, etc.

I find the heating plant sufficient provided the present buildings are not enlarged.

The bakery plant needs some repairs, and it is absolutely necessary that there are ovens provided at once, as the old ones are entirely unfit for use; portable ovens such as are used in bakeries may be obtained at a comparatively small cost that will fill the bill.

The manual training feature is of real practical value, and if conducted in connection with a good farm, would be the very best kind of training. Such boys should be encouraged to cultivate a taste for agriculture, as this state is a large and profitable field for farmers, and everything that can be done to encourage more farming in this state would be of great value to its citizens.

The suggestions contained in your communication I fully agree with; also recommendations made by Supt. Reed in his report I consider absolutely essential. I have the honor to be,

Yours very respectfully,

C. F. HUBBARD,

State Labor Commissioner.

REPORT ON THE STATE REFORM SCHOOL.

BY DR. ELMER E. HEG.

SEATTLE, WASH., Dec. 1, 1906.

Hon. A. E. Mead, Governor, Olympia, Wash.:

SIR:—On November 28th, 1906, I visited the State Reform School as requested by you on November 14th; and have the honor to submit the following report:

The State Reform School is situated about one and one-half miles from Chehalis, Washington. The buildings are located upon a slightly raised elevation surrounded by level ground, which is fairly well drained. The ground upon which all of the buildings are located is of gravel and sandy loam formation and well drained and in a healthy location.

The grounds were neat and well kept and the buildings were all neat and clean and as well cared for as possible for them to be.

The water supply is from the city system and is good.

The sewage disposal is not at present as good as it should be. All of the buildings are connected with a sewer system that empties into a small slow flowing creek at some distance away from the buildings. The general flow of this creek is not sufficient to properly dilute all the sewage from the school, and so at present only the domestic waste and the toilets of the administration and girls' buildings and the toilets used at night in the boys' dormitories are connected with the sewer. As this creek flows through a populated district and the water may occasionally be used for domestic purposes, even this sewage should not be emptied directly into it.

In addition, there is the excreta from the boys' closets, used during the daytime, that must be otherwise disposed of. This, at present, is an open dry closet, the contents of which are burned every day or two. As it is not so built or arranged that it can be kept perfectly "fly tight," there is a constant danger of the spread of disease through the agency of flies. This has not as yet occurred, but it may at any time.

The sewage from all the buildings, including the boys' dry closets, should pass into a sewerage system that leads to a septic tank and should then go into a system of porous drain tiles laid with open joints around the sloping sides of the elevation upon which the buildings stand. These porous drains should be of sufficient extent so that one-third only would be in use at any one time, and should be laid about one foot below the surface. This system would effectually dispose of all the sewage and would also sub-irrigate the sides of the elevation and so be of benefit to either the grass or any crops that may grow thereon.

The plumbing was of poor quality and poorly installed. There were not sufficient bathing facilities, either in number or in the character of the fixtures. Provisions should be made of individual shower baths in sufficient number to accommodate at least two hundred boys; and a swimming tank, while not a necessity, would add materially to the well being of the inmates. Porcelain lined metal lavatories should be used instead of the present wooden ones.

The present boys' buildings were built to accommodate 100 inmates, and there are at present over 170 boys, the dormitories are badly overcrowded, and except for the ventilating shafts installed by the present management, the ventilation would be entirely inadequate.

The present school rooms are much too small and poorly lighted.

As a matter of fact, the three buildings at present used for boys' dormitories and school rooms are so old and in such bad repair and so overcrowded that new buildings are absolutely demanded; and it would be wise to make provisions for entirely new dormitories and school rooms and utilize the present buildings for workshops in the various departments of manual training. The new buildings should be thoroughly up to date in ventilation, light and plumbing, and also fire-proof.

The kitchen and store room were large, well arranged, clean, and in fine condition.

The garbage disposal should be improved by using covered metal containers, though the present system of keeping the garbage so far away from the buildings is to be much commended.

This school, in addition to new dormitories and school rooms, needs a well equipped gymnasium and play rooms, not alone for the pleasure of the inmates, but for their physical development, which in many cases is below that normal for boys of their age.

An infirmary should be provided for the care and isolation of the sick, as at present there is absolutely no place in which they can receive the attention they should. This should be supplied with all the simpler

necessities for the care of the sick, and so arranged that cases of communicable diseases could be isolated.

Provision should also be made for the segregation of tubercular inmates, both for their own benefit and as a protection to others.

The present management is to be highly commended for the excellent condition the present school is in, notwithstanding the poor repair of the buildings and the poor facilities at hand to do good work.

From a utilitarian standpoint, the manual training should be encouraged by increased facilities; for while the work at present being accomplished could not be better with the means at hand, better results would undoubtedly be returned if the necessary apparatus was provided.

Very respectfully,

(Signed) ELMER E. HEG.

A REPORT OF THE EXISTING CONDITIONS AT THE REFORM SCHOOL.

On Wednesday, September 5th, I visited the Reform School located at Chehalis. Mr. Reed, the superintendent, very kindly furnished me with all the information desired, but owing to the fact that a reception was being given to the old soldiers and pioneers, who were at that time in session at Chehalis, he was very busy, and I was not able to go over much of the farm. This, however, was partly due to the inclemency of the weather.

I had the pleasure here of making the acquaintance of Mr. Jones, of the Board of Control, and of discussing the existing conditions with him.

The need of new quarters for the dairy cows was quite evident here, as the present building used for this purpose is not at all suited to the present needs.

The cows are of mixed breeding but there seemed to be some very good individuals in the herd. The mistake is being made of keeping a dual purpose bull, if the herd is to be graded up from the present stock. If it is not intended to raise any young stock and the calves are killed for veal, then the Red Polled sire which is being kept at present will answer very well. I feel, however, that a mistake is being made in the state institutions by not raising their own stock, instead of depending on keeping up the herd by buying mature cows in the open market when it becomes necessary to increase the herd.

No milk house is provided at this place and I would suggest that a suitable one be constructed.

From my observations I would not consider that conditions here were favorable for dairying on a large scale, and would not advise keeping a larger herd than is necessary to supply the milk needed for direct consumption. The problem of labor must be taken into consideration in suggesting this. While there are a large number of boys at this institution, most of them are too young to expect them to go ahead with any line of work, and I do not suppose they would be greatly benefitted

by attempting to teach them how to properly care for and manage cattle, care for milk, make butter, etc.

Respectfully submitted.

IRA P. WHITNEY,
Instructor in Dairying, Wash. State College.

SEATTLE, WASH., August 7, 1906.

Mr. L. Davies, State Dairy and Food Commissioner, Davenport, Washington:

DEAR SIR:—I have the honor herewith to submit my report on the inspection of the State Reform School located at Chehalis, Washington.

The inspection was made on July 30th. On arriving at the institution I met Superintendent Reed, who accorded me every courtesy within his power.

The dairy herd at this institution consists of 17 head of stock, 16 milch cows and one sire. As a whole the herd appears to be a good average herd, the stock being mixed Holstein, Durham and Jersey. Some three of the cows, however, appear to be better beef than dairy animals. It is claimed that a record of each cow is being kept, and through this medium it can be determined whether or not certain of the cows are profitable as dairy cows. The sire is a registered Red Polled. He is a fine appearing animal. A Holstein sire would be better for our purpose at this institution, in my opinion. The reason is that the Red Polled sires are first class sires, produce fine calves, fit for vealing, but do not produce a cow giving a large quantity of average quality milk, which is our aim here. The superintendent told me that it was his intention to retain this sire for this season and next. After that to dispose of him and secure a Holstein.

The barn is old and dilapidated. It was originally constructed upon uprights which have decayed. Sanitary conditions are poor. The liquid manure runs to the lower end of the barn, where it finds an opening and runs through the floor. It accumulates below the floor in a filthy hole, where the hogs come and lie and wallow. Aside from this the barn is kept whitewashed, and is well cleaned each day. Stalls for the cattle are arranged on each side of the barn, the inner spaces being used for storing hay and for feeding. A new barn should be built at this institution upon modern lines. In connection with the barn a cement tank should be constructed to save the liquid manure. The fertilizing value of liquid manure exceeds that of dry manure, the liquid portion carrying from 55 to 60 per cent. of the entire fertilizing value. At this institution a silo can profitably be used. The pasture here in the latter part of the year becomes dry and short, thus creating a strong need for ensilage, which will maintain the milk flow. Ensilage will cheapen the cost of maintaining the herd throughout the winter, and materially aid in keeping the stock in good healthy condition.

The work of feeding and milking is done by the boys under the supervision of an overseer. The udders are thoroughly washed and cleaned before milking. After the milk is drawn greater care might be

taken with it, however. A vacant stall is used as a straining place, and here the milk is kept until all the cows have been milked. The place is exposed to odors, dust and dirt which is always to be found in such a place. A small, properly constructed straining room should be constructed a short distance from the barn. It should have the necessary appliances for cooling the milk and caring for it in proper shape.

There is no proper place provided for keeping the milk after straining. The practice is to bring it up under the kitchen porch and keep it in tubs of cold water. Vegetables are taken here and prepared for use, dust and dirt blow is unavoidable. There is no drainage to remove any milk or water applied on the floor. A suitable room should be constructed at the kitchen for storing the milk, provided with cold water tanks, good ventilation and good drainage. Nothing but dairy products should be permitted to be kept in the milk room. The milk is used whole at the institution, that is without skimming. Hence there is no need of a separator. The utensils are kept clean and in good condition.

There is a very limited amount of pasturage at this institution. A piece of land, however, is being cleared, and when that is done it will afford further pasture. City water from Chehalis is used.

Respectfully submitted.

L. W. HANSON,
State Dairy Instructor.

HORTICULTURAL REPORT ON REFORM SCHOOL AT CHEHALIS.

Most of the lands belonging to the Reform School are about as unsuited to general horticultural work as any area of equal size that can be found in any rural district. The fields are generally low and level, and during the wet season are covered with water much of the time. The farm as a whole is best adapted to stockraising. The buildings with necessary surroundings occupy about ten acres, where the elevation is slightly and well drained. In a general easterly direction, embracing about fifteen acres, the land is of this same elevated character, and is the only ground on the farm suitable for orchard purposes, excepting a piece a little less than five acres in extent lying to the north of the buildings and adjoining the road to Chehalis on the northern boundary of the farm. This small tract would make a suitable location for a nursery, the recommendations for which will be explained in another part of this report.

A problem now confronts us in regard to the utilization of the tract east of the buildings for orchard purposes. The barns are located here, and a pasture field occupies a large portion of the ground suitable for orchard purposes. Unless some rearrangement can be made in the location of the barns and pastures I fear that the outlook for an orchard site is not encouraging. I wish to offer as a suggestion that an excavation be made immediately south of the school building, using the earth from the hillside to build up the ground on the lower lands, rendering them suitable for stockyards. Such an excavation would furnish a con-

venient site for basement barns. Good drainage could be secured by laying drain tiles on the grounds to be built up, before the grading was done, and, I think, ample grounds for stockyards could be made in this way. This would allow the removal of the buildings from their present location and would leave the ground open for tree planting.

The cultivated field lying northeast of the school buildings is occupied by the vegetable garden; and the way it is managed is most creditable to the place. The crops raised here the past season were an attraction to the visitors, and the products were a valuable resource to the school. The area, however, is too limited in size to meet the demands of the institution. By changing the location of the barnyard adjoining, the same character of soil and location could be added to the garden tract.

I wish to recommend the establishment of a nursery of fruit trees, small fruits and ornamental plants, as a department of this school. I believe no department nor line of work could be organized at this institution which would result more beneficially in the training of boys than this. Trees of all kinds, and other plants, could be propagated here under a system of instruction. The work could be undertaken at the school, sufficiently extensive to furnish fruit trees, forest trees, and ornamentals, for use at other institutions of the state. Several thousand apple trees could be propagated each year. The same could be done with pears, plums, cherries, etc. When we consider the small outlay of expense necessary to the establishment of such a department, the plan should appeal with force and favor to all interested. It would be necessary to purchase a few thousand seedling roots of the trees named. The apples and pears could be grafted during the winter months, and the seedlings of the stone fruits could be transplanted in the spring for the purpose of budding varieties on them in the summer. Root grafting, with the many details belonging to this work, should be pursued as a system of class instruction during the winter term.

No line of instruction is better calculated to keep young minds clear, vigorous and healthy, than that of disclosing the truths of nature in plant life. If we teach these boys how to do the mechanical part of planting, propagating, pruning, training and harvesting, we teach them a trade, and a good one. Their hands become skilled in performing a system of labor, and the field of employment in this line has no limits. Let us go beyond the mechanical and show them that every tree is a living individual, with essential parts relating to the whole, each as distinct and for a purpose as the organs of flesh are to the animal life. Then, by means of observation, they learn why there is method in the directing of skill. The lack of knowing why renders a person, in a measure, dependent. Opportunities are enlarging through understanding. The boys are just as capable of learning the scientific along with the practical in horticulture, as they are in pursuing the other studies offered them in the school.

The small orchard quite remote from the buildings to the north contains a mixture of kinds of fruits of undesirable varieties. This orchard does not pay for its cultivation, and never would by any system of management, owing to its long diseased condition. The trees might as well be taken out at once. This is the location previously recommended for the nursery. This tract would make a better location for a prune orchard and small fruits than it would for apples, because it lacks natural drainage. The drainage is sufficient, however, for nursery planting. Even the lower lands in this direction afford better conditions for the cultivation of berries than the present location of the small fruit garden on the high ground south of the barnyard.

Very little attempt has ever been made here at landscape improvement. The barren terraces in front of the buildings are stiff and formal in outline. No trees nor shrubbery adorn this place. This, in my opinion, should all be changed. The terraces should be graded off and changed to present the appearance of natural slopes, more irregular in contour to enhance the appearances of naturalness. At appropriate places groups of ornamental trees and shrubbery should be planted, and the purpose of the whole design should be to secure the beauties of a natural park. Paths and driveways of easy approach could be located through the grounds for the convenience of use, and to bring into view the most beautiful features of a parking system. Should such improvement be undertaken, I advise that the sod now covering the terraces be removed with such care that it can be relaid after the grading has been finished. The cost of grading need not be very great. The boys could perform most of the labor. The principal outlay would be in the purchase of more teams and the necessary grading tools. This would interfere in no way with the present location of the buildings, and would not reduce the area for the extension of improvements.

The small greenhouse is a very creditable adjunct to the school. It is conducted in a neat, orderly and efficient manner. It should be enlarged several times its present size, however, and I advise that it be made a department of instruction for the girls and young women of the institution.

Very respectfully,

(Signed) F. A. HUNTLEY.

State Commissioner of Horticulture.

On motion of Senator Pauly the communication with the attached reports were referred to the Committee on State Penal and Reformatory Institutions.

INTRODUCTION OF BILLS.

Senate bill No. 148, by Senator Jones, entitled, "An act granting additional authority to cities of the first class, etc."

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

time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 149, by Senator Jones, entitled, "An act amending section 8595 of Pierce's Washington Code, relating to exemptions from taxation, etc."

The bill was read the first time, and on motion of Senator Jones 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 Boone, entitled, "An act to amend the Code of Public Instruction, etc."

The bill was read the first time, and on motion of Senator Boone 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. 151, by Senator Boone, entitled, "An act to prevent and suppress monopolies and trusts, etc."

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

Senate bill No. 152, by Senator Piper, entitled, "An act to prohibit unauthorized performances or representations of certain dramatic and musical compositions, etc."

The bill was read the first time, and on motion of Senator Piper 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. 153, by Senator Williams, entitled, "An act to amend section 166 of an act entitled, 'An act providing for the organization, classification, incorporation and government of municipal corporations, etc.'"

The bill was read the first time, and on motion of Senator Williams the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 154, by Senator Scott, entitled, "An act to amend section 4 of an act relating to the organization, powers and duties of the Supreme Court, etc."

The bill was read the first time, and on motion of Senator Scott 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. 132, entitled, "An act appropriating the sum of six thousand dollars or so much thereof as may be necessary to pay for such printing as may be ordered by the Tenth Legislature, etc."

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

House bill No. 103, entitled, "An act for the relief of A. A. Lytle, etc."

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

House bill No. 6, entitled, "An act prohibiting the owners or those in charge of any canal or ditch from suffering noxious weeds or other growths to go to seed on the land thereof."

The bill was read the first time, and on motion of Senator Kennedy 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. 118, entitled, "An act for the relief of the town of Kent, etc."

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

House bill No. 133, entitled, "An act authorizing cities and towns owning any street railway line or plant to sell and convey the same, etc."

The bill was read the first time, and on motion of Senator Paulhamus the rules were suspended, the bill was read the sec-

ond time by title, and referred to the Committee on Railroads and Transportation.

House bill No. 73, entitled, "An act authorizing counties which have acquired, or which may hereafter acquire, mining claims or properties for taxes to lease the same, etc."

The bill was read the first time, and on motion of Senator Pauly 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. 40, entitled, "An act relating to the assessment and collection of taxes in municipal corporations, etc."

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

GENERAL FILE.

House bill No. 105, entitled, "An act to amend section 1 of an act entitled, 'An act to amend an act entitled, "An act providing liens upon saw logs, etc.,'" was read third time, placed on final passage and passed the Senate by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Presby, Rosenhaupt, Ruth, Scott, Stevenson, Williams—28.

Those absent or not voting were: Senators Allen, Booth, Cotterill, Hutson, McGowan, Nichols, Poguc, Potts, Rands, Reed, Smith, Sumner, Veness, Watson—14.

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 consideration of Senate bill No. 76 was made special order for 3:00 o'clock p. m. Monday, February 4, 1907.

On motion of Senator Graves the consideration of Senate bill No. 77 was laid over.

On motion of Senator Blair, Senate bill No. 54, which was next on the calendar, went over.

Senate bill No. 57, entitled, "An act amending, etc., relating to partition fences, etc.," was read third time.

On motion of Senator Bratt, the bill was amended by inserting the word "present" after the words "of the" in line 12 of section 1 of the printed bill.

On motion of Senator McGregor the rules were suspended, the bill considered engrossed, placed on final passage.

The secretary called the roll and Senate bill No. 57 passed the Senate by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Kennedy, Kline, Knickerbocker, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rosenhaupt, Ruth, Scott, Stevenson, Williams—28.

Those absent or not voting were: Senators Allen, Booth, Cotterill, Hutson, Jones, McGowan, Nichols, Poguc, Rands, Reed, Smith, Sumner, Veness, Watson—14.

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

On motion of Senator Knickerbocker, Senate bill No. 46, which appeared next on the calendar, went over until Monday afternoon, February 4, 1907.

Senate bill No. 73, entitled, "An act to provide for the appointment of a permanent commission to investigate the conditions of the blind, etc."

On motion of Senator Rosenhaupt, the Senate resolved itself into a committee of the whole to consider Senate bill No. 73.

The bill was considered in the committee of the whole, Senator Williams in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Williams, the report of the committee was adopted, the rules were suspended, the reading had in the committee of the whole considered the third reading of the bill.

The secretary called the roll and Senate bill No. 73 passed the Senate by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hunter,

Jones, Kennedy, Kline, Knickerbocker, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Presby, Rosenhaupt, Ruth, Scott, Stevenson, Williams—28.

Those absent or not voting were: Senators Allen, Booth, Cotterill, Hutson, McGowan, Nichols, Pogue, Potts, Rand, Reed, Smith, Sumner, Veness, Watson—14.

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

On motion of Senator Polson, the rules were suspended, Senate bill No. 128 was taken up out of order, and considered at this time.

Senate bill No. 128, entitled, "An act making an appropriation for the maintenance of the office of the Commissioner of Public Lands, etc."

On motion of Senator Graves, the Senate resolved itself into a committee of the whole to consider Senate bill No. 128.

The bill was considered in the committee of the whole, Senator Graves in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Graves, the report of the committee was adopted, the rules suspended and the reading of the bill had in the committee of the whole considered the third reading of the bill.

Senate bill No. 128, was placed on final passage and passed the Senate by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Presby, Rosenhaupt, Ruth, Scott, Stevenson, Williams—28.

Those absent or not voting were: Senators Allen, Booth, Cotterill, Hutson, McGowan, Nichols, Pogue, Potts, Rand, Reed, Smith, Sumner, Veness, Watson—14.

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

On motion of Senator McGregor the consideration of Senate bill No. 86 went over.

On motion of Senator Condon, the consideration of Senate bill No. 71 went over.

House bill No. 71, entitled, "An act to provide for the payment of all state moneys into the general fund, etc.," was read third time.

The bill was placed on final passage and passed the Senate by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Presby, Rosenhaupt, Ruth, Scott, Stevenson, Williams—28.

Those absent or not voting were: Senators Allen, Booth, Cotterill, Hutson, McGowan, Nichols, Pogue, Potts, Rand, Reed, Smith, Sumner, Veness, Watson—14.

The secretary called the roll on the emergency clause of House bill No. 71 and the same passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Presby, Rosenhaupt, Ruth, Scott, Stevenson, Williams—28.

Those absent or not voting were: Senators Allen, Booth, Cotterill, Hutson, McGowan, Nichols, Pogue, Potts, Rand, Reed, Smith, Sumner, Veness, Watson—14.

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

On motion of Senator Williams the consideration of House bill No. 43 was made special order for 3:30 o'clock Monday afternoon, February 4, 1907.

At 11:45, on motion of Senator Graves, the Senate adjourned until 2:00 o'clock Monday afternoon, February 4, 1907.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

TWENTY-SECOND DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, February 4, 1907.

The Senate was called to order at 2:00 o'clock p. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Graves, Pogue and Reed, all of whom were excused.

On motion of Senator Pauly, the reading of yesterday's journal was dispensed with and it was approved.

A petition was received from citizens of King county praying the enactment of a direct primary law.

On motion of Senator Cotterill the petition was referred to the Committee on Elections and Privileges.

Senate concurrent resolution No. 10, was introduced by Senator Pauly as follows:

WHEREAS, The Tenth Legislature of this state is called upon to appropriate large sums of money for the maintenance of higher educational institutions of this state; and

WHEREAS, The appropriations committees of both houses know but little of the way in which these sums are expended; therefore be it

Resolved, By the Senate, the House concurring, to ask the heads of the different higher educational institutions to furnish the Committees on Educational Institutions of both Houses with an itemized account of their expenditures, names, numbers, and average age of pupils in the several grades; also such other information as may help this Legislature to act intelligently upon the several appropriations asked.

On motion of Senator Pauly the resolution was adopted.

A communication was read by the secretary from the Secretary of the State of Oregon, transmitting a certified copy of a Senate

concurrent resolution passed by the Oregon Legislature January 29, 1907, and reading as follows:

SENATE CONCURRENT RESOLUTION NO. 12.*

WHEREAS, The States of Oregon, Washington and Idaho are jointly interested in the operating of the Columbia and Snake rivers with reference to navigation on both upper and lower rivers; and,

WHEREAS, So far, the State of Oregon has taken the initiative in this matter by expending a large sum of money in the construction of the Portage road above The Dalles; and,

WHEREAS, The states of Washington and Idaho have profited largely thereby, and there is now a desire on the part of the commercial bodies from both Washington and Idaho to assist in this enterprise: Therefore, Be it

RESOLVED by the Senate, the House concurring. That a committee of three on the part of the Senate and three on the part of the House be appointed to meet a like committee from the State of Washington and the State of Idaho for conference purposes and attempt to agree upon such legislation as will be uniform and just to each of the three states with reference to keeping this great waterway open to navigation, or any other legislation that may interest all three of the states. That such committee appointed under this resolution shall not draw any mileage or extra expenses for their service: And be it further

RESOLVED, That the secretary of state is instructed to notify the secretary of state of both Washington and Idaho and request him to transmit copies of this resolution to both houses of the legislature in each state at the earliest possible moment.

Concurred in by the House, January 29, 1907.

FRANK DAVEY, *Speaker.*

Adopted by the Senate, January 29, 1907.

E. W. HAINES, *President.*

ENDORSED.

Senate concurrent resolution No. 12. Filed January 30, 1907.

FRANK S. GRANT,
Chief Clerk.

F. W. BENSON,
Secretary of State.

On motion of Senator Stevenson the communication with the attached resolution of the Oregon Legislature was referred to the Committee on Appropriations.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 106 entitled, "An act relating to revenue and taxation, and amending section 1657 of Ballinger's Annotated Codes and Statutes of Wash-

ington," 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 Public Revenue and Taxation.

We concur in this report: W. D. Scott, Robt. F. Booth, T. A. Hunter, J. B. Knickerbocker, Chas. T. Hutson, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Scott, the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 91 entitled, "An act to amend section 5 of an act entitled, 'An act in relation to the powers of courts and judicial officers,' and being section 4699, volume 2 of Ballinger's 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 be indefinitely postponed.

We concur in this report: W. D. Scott, Robt. F. Booth, T. A. Hunter, I. B. Knickerbocker, Chas. T. Hutson, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Scott, the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 31 entitled, "An act regulating the hours of service of employes in train service upon railroads, 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 referred to the Committee on Railroads and Transportation.

We concur in this report: W. D. Scott, Robt. F. Booth, T. A. Hunter, I. B. Knickerbocker, Chas. T. Hutson, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Scott, the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 90 entitled, "An act amending section 715 of Ballinger's Codes and Statutes of Washington, and relating to the organization, classification, incorporation and government of municipal corporations, 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 1 of the title of the printed bill, after the word "Ballinger's" insert the word "Annotated." In line 1 of said title, after the word "Washington" strike the word "and." In line 2 of said title strike the words "and declaring an emergency."

In line 1, section 1 of the printed bill, after the word "Ballinger's" insert the word "Annotated." In lines 1 and 2 of said section strike the words "relating to the organization, classification, incorporation and government of municipal corporations." In line 3 of said section strike the words "and the same is hereby."

We concur in this report: W. D. Scott, Robt. F. Booth, T. A. Hunter, I. B. Knickerbocker, Chas. T. Hutson, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Stevenson, the report of the committee was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 4, 1907.

MR. PRESIDENT:

The House has passed House Bill No. 78, entitled: "An act providing a method for the assessment and collection of a tax on private car companies.

Also House Bill No. 76, regulating the keeping and deposit of municipal funds.

Also House Bill No. 162, regulating the employment of child labor, etc.

The speaker has signed House Bill No. 79, entitled: "An act appropriating funds for the relief of Newton Thomas."

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 108 entitled: "An act to repeal and repealing sections 160 and 161 of the Penal Code of the State of Washington as codified and annotated by William Lair Hill, the same being sections 7319 and 7320 respectively of Ballinger's Codes and Statutes 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:

Strike the title of the printed bill and substitute therefor the following: "An act repealing sections 7319 and 7320 of Ballinger's Anno-

tated Codes and Statutes of Washington, relating to the enticing and harboring of seamen, and providing a penalty therefor."

In lines 1 and 2, section 1 of the printed bill, strike the words and figures "160 and 161 of the Penal Code of the State of Washington as codified and annotated by William Lair Hill, the same being sections." In lines 2 and 3 of said section, after the figures "7320" strike the word "respectively." In line 3 of said section, after the word "Ballinger's" insert the word "Annotated." In line 3 of said section, strike the word "each."

We concur in this report: W. D. Scott, Robt. F. Booth, T. A. Hunter, I. B. Knickerbocker, Chas. T. Hutson, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Scott, the report of the committee was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, January 31, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 98, entitled "An act relating to the Alaska-Yukon-Pacific Exposition funds, making certain warrants preferential, etc.

Also, Senate Bill No. 99, "An act to provide for an exhibit of the resources, products, etc., of Washington at the Alaska-Yukon-Pacific Exposition," etc.

Also, Senate Bill No. 100, "An act appropriating six hundred thousand dollars for the erection of buildings for the University of Washington and providing for the use thereof by the Alaska-Yukon-Pacific Exposition," etc.

Also, Senate Bill No. 101, "An act for establishment of harbor lines, survey, platting and appraisal of shore lands of Lakes Washington and Union, sale and disposition of said lands, the creation of the Alaska-Yukon-Pacific Exposition fund," etc.

Also, Senate Bill No. 63, entitled "An act relating to the criminal insane, their trial, commitment and custody.

Also, Senate Bill No. 34, "An act amending section 4 of an act entitled 'An act relating to the organization, powers and duties of the Supreme Court.'"

Also, Senate Bill No. 81, "An act to prohibit the making or publishing of false or exaggerated statements, which statements are intended to give a greater or less apparent value to the shares, etc., and providing a penalty therefor," have compared same with the original bill and find it correctly engrossed. Respectfully submitted,

ARTHUR GUNN, *Acting Chairman.*

We concur in this report: A. W. Anderson, Fred M. Pauly, A. S. Ruth.

The president signed Senate bills Nos. 98, 99, 100 and 101, and House bill No. 79.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASHINGTON, February 4, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I have the honor to transmit to you herewith report of the State Oil Inspector covering the work of his office from June 9, 1905, the date on which the oil inspection law went into effect, up to and including December 31, 1906.

ALBERT E. MEAD, *Governor.*

To His Excellency, Hon. A. E. Mead, Governor of Washington, Olympia, Wash.:

SIR—I herewith beg leave to submit to you a report covering the work of the Oil Inspector's office from June 9, 1905, the date upon which the oil inspection law went into effect, up to and including the 31st day of December, 1906. As this department has had three separate heads from its organization, I shall have to make this report in three sections, as it were: First, covering the administration of Mr. C. N. Beal; second, the administration of Mr. J. L. Canutt, whose term of office dates from November 1st, 1905, to November 20th, 1906, at which time I took charge of the office.

Commencing with the administration of Mr. C. N. Beal, on June 9th, 1905, up to and including October 31st, 1905, the following figures will show the work of the office for that time. I wish to state at this time that this was a new law and the conditions surrounding the administration of such an office was a matter with which no one was familiar. The methods of handling the oil products in the State of Washington were known only to the oil companies, and while the companies themselves lent the office every aid possible, still to place the office on a working basis required a good deal of work in the nature of investigating conditions. Believing that the distribution of oil would cover all portions of the state, and that a large force would be necessary, Mr. Beal upon assuming charge appointed six deputies at various points throughout the state. After a thorough investigation covering a period of several months, finding that the number of deputies were not necessary, Mr. Beal, in a report filed, recommended a reduction of the working force, which suggestions were subsequently adopted.

Inspections covering period from June 8, 1905, to October 31, 1905:

Total number of gallons inspected.....	1,825,032
Total fees collected.....	\$3,795.00

	BARRELS.	CASES.	GALLONS.
Beal	49	3,193	79,630
Adams		206	106,380
Clark	349	5,568	202,080
Devine	231	4,355	188,899
Koontz		82	200,580
Sergeant	5	1,375	257,200
Thomas	4	2,831	890,263
Total	638	12,610	1,825,032

DISBURSEMENTS.

June 9, 1905, to October 31, 1905.

	SALARIES.	EXPENSE ACCOUNT.
Beal—		
June	\$105.00	
July	150.00	
August	150.00	
September	150.00	
October	150.00	
	<u>\$705.00</u>	\$705.00
Traveling expenses Beal.....		465.45
Thomas—		
June	\$198.75	
July	198.75	
August	150.00	
September	150.00	
October	150.00	
	<u>\$847.50</u>	847.50
Adams—		
June	\$20.57	
July	77.83	
August	32.55	
September	21.10	
October	24.33	
	<u>\$176.38</u>	176.38
Clark—		
June	\$79.01	
July	67.91	
August	69.10	
September	31.10	
October	49.16	
	<u>\$288.87</u>	328.87
Devine	\$188.88	188.88
Koontz—		
June	\$69.94	
July	8.12	
August	12.10	
September	49.78	
October	60.64	
	<u>\$200.58</u>	200.58

Sergeant—	SALARIES.	EXPENSE ACCOUNT.
June	\$105.48	
July	24.65	
August	12.11	
September	42.28	
October	72.68	
	<u>\$257.20</u>	
Paid to state		257.20
		<u>695.14</u>
Total		\$3,795.00

(Signed) CHARLES N. BEAL.

Administration under J. L. Canutt, covering period from November 1, 1905, to November 26, 1906:

	RECEIPTS.
November, 1905	\$1,655.34
December, 1905	242.85
January, 1906	1,924.49
February, 1906	334.11
March, 1906	885.08
April, 1906	620.99
May, 1906	615.49
June, 1906	900.25
July, 1906	197.41
August, 1906	672.31
September, 1906	223.38
October, 1906	1,186.65
November, 1906	1,047.52
	<u>\$10,505.57</u>

	DISBURSEMENTS.
November, 1905	\$1,068.02
December, 1905	356.36
January, 1906	1,865.05
February, 1906	424.50
March, 1906	503.90
April, 1906	657.50
May, 1906	730.24
June, 1906	611.99
July, 1906	613.38
August, 1906	574.29
September, 1906	544.28
October, 1906	475.78
	<u>\$8,425.18</u>

Paid to state treasury, December, 1905	\$200.00
Paid to state treasury, January, 1906	1,000.00
Paid to state treasury, November, 1906	360.27
On final settlement in November the report shows	1,063.41
Making a total of	<u>\$2,623.68</u>

The disbursements for the month of November are included in the following summary:

Balance on hand January 1, 1906	\$263.81
Total receipts for 1906 up to November 27	8,607.68
	<u>\$8,871.68</u>

Expenses for traveling, office, etc.....	\$1,243.68	
Fees paid to deputies for months of January and February	767.00	
Amount paid to State Treasurer up to November 27, 1906	1,360.27	
Salaries paid deputies beginning March 1 and end- ing November 27, 1906.....	2,950.00	
	<hr/>	
Total amount of money paid out.....	\$10,668.74	
Total amount of receipts for the year.....		\$10,506.06
Overpaid state in final settlement.....		162.68

(Signed) J. L. CANUTT.

Segregated statement covering Mr. Canutt's administration by months, as follows:

November receipts		\$1,655.34
Fees to deputies	\$817.67	
Salary J. L. Canutt	150.00	
Expenses	100.35	\$1,068.02
		<hr/>
Cash balance		\$587.32
December cash receipts		242.85
Fees to deputies	\$121.41	
Salary J. L. Canutt	150.00	
Expense account	84.95	
Cash to state	200.00	
	<hr/>	
	\$556.36	
Cash balance		\$273.81

JANUARY, 1906.

January receipts		\$1,924.49
Deputies salaries	\$600.00	
J. L. Canutt	150.00	
J. L. Canutt, traveling expenses.....	115.05	
Money paid to State Treasurer.....	1,000.00	1,865.05
		<hr/>
Balance		\$323.25

February, 1906.

February receipts		\$334.11
Deputies salaries	\$167.00	
J. L. Canutt	150.00	
J. L. Canutt, traveling expenses, etc.....	107.50	424.50
		<hr/>
Balance		\$232.86

March, 1906.

March receipts		885.08
Deputies salaries	\$250.00	
J. L. Canutt	150.00	
J. L. Canutt, traveling expenses, etc.....	103.90	503.90
		<hr/>
Balance		614.04

April, 1906.		
April receipts		\$620.99
Deputies Salaries	\$250.00	
J. L. Canutt	150.00	
J. L. Canutt, traveling expenses, etc.	257.50	657.50
Balance		<u>\$577.53</u>
May, 1906.		
May receipts		\$615.49
Deputies salaries	\$375.00	
J. L. Canutt	150.00	
J. L. Canutt, traveling expenses, etc.	\$205.24	730.24
Balance		<u>\$462.78</u>
June, 1906.		
June receipts		\$900.25
Deputies salaries	\$375.00	
J. L. Canutt	150.00	
J. L. Canutt, traveling expenses	86.88	611.88
Balance		<u>\$751.51</u>
July, 1906.		
July receipts		\$197.41
Deputies salaries	\$375.00	
J. L. Canutt	150.00	
J. L. Canutt, traveling expenses, etc.	88.38	613.38
Balance		<u>\$335.18</u>
August, 1906.		
August receipts		\$672.31
Deputies salaries	\$375.00	
J. L. Canutt	150.00	
J. L. Canutt, traveling expenses, etc.	49.28	574.28
Balance		<u>\$433.20</u>
September, 1906.		
September receipts		\$223.38
Deputies salaries	\$300.00	
J. L. Canutt	150.00	
J. L. Canutt, traveling expenses, etc.	94.28	544.28
Balance		<u>\$112.79</u>
October, 1906.		
October receipts		\$1,186.55
Deputies salaries	\$250.00	
J. L. Canutt	150.00	
J. L. Canutt, traveling expenses, etc.	75.78	475.78
Balance		<u>\$823.56</u>

DEPUTIES UNDER J. L. CANUTT.

Thomas—		
November, 1905	\$ 275.89	
December	40.07	
January, 1906	150.00	
February	41.00	
March	125.00	
April	125.00	
May	125.00	
June	125.00	
July	125.00	
August	125.00	
September	125.00	
October	125.00	
November	125.00	1,632.36
Clark—		
November, 1905	275.89	
December	40.47	
January, 1906	150.00	
February	41.00	
March	125.00	
April	125.00	
May	125.00	
June	125.00	
July	125.00	
August	125.00	
September	125.00	
October	125.00	
November	125.00	1,632.36
W. A. Berry—		
November, 1905	275.89	
December	70.47	
January, 1906	150.00	466.36
W. R. McDonald—		
January, 1906	100.00	
February	100.00	
In Final Settlement—		
March	150.00	350.00
Thomas Payne—		
May, 1906	125.00	
June	125.00	250.00
Virbil Canutt—		
July, 1906	100.00	
August	100.00	
September	100.00	

ADMINISTRATION OF F. A. CLARK.

Covering period from November 28, 1906, to December 31, 1906.		
Total number of gallons inspected		465.840
Total fees collected		931.68
Salary F. A. Clark	\$150.00	
Salary H. E. Thomas	125.00	
Office rent	25.00	
Expenses, coal commission	9.70	
Traveling expenses	51.41	361.11
Cash to state treasury	\$465.84	
Balance on hand		\$104.73

On November 28, 1906, I filed my bond, qualified and took over the office of the said oil inspectors.

On December 20th, I filed a report covering the period of from January 1, 1906, to December 20th, 1906, which I will embody in this report and make it a part of same.

The total number of gallons inspected in the State of Washington for this period was	4,686,231
Out of this total of gallons inspected the number of cases were	41,354
Number of barrels	2,432
Tank cars	77

The entire State of Washington, covered by monthly periods as follows:

MONTH.	GALLONS.	CASES.	BARRELS.	CASH.
January	961,214	4,533	324	\$1,924.49
February	165,937	1,680	200	334.11
March	442,612	9,676	180	885.08
April	309,529	1,656	...	620.99
May	307,756	1,529	157	615.49
June	450,144	1,176	176	900.25
July	98,712	1,579	106	197.41
August	325,127	3,923	197	672.31
September	111,638	3,975	342	223.89
October	556,819	2,053	238	1,186.55
November	523,665	1,950	30	1,047.32
December	433,130	7,624	665	866.76
	<u>4,686,283</u>	<u>41,354</u>	<u>2,423</u>	<u>\$9,474.60</u>

Out of the above amounts given for the entire State of Washington, the amount of business by months out of Portland for the territory tributary to that point, which is a part of the above totals, are as follows:

MONTHS.	GALLONS.	CASES.	CASH.
January	125,751	4,533	\$251.51
February	27,961	4,533	56.77
March	54,242	2,052	109.44
April	35,529	1,656	71.04
May	23,001	1,319	45.98
June	4,121	1,176	80.24
July	29,605	1,579	59.20
August	24,597	1,533	51.27
September	51,158	3,357	102.12
October	38,165	2,053	149.27
December	87,776	5,000	175.55
	<u>537,906</u>	<u>25,803</u>	<u>\$1,151.39</u>

As the above figures comprise the whole business done in the state, the majority of the business was done through the Standard Oil Company and its sub-stations. I also give a total showing the business done by the independent agencies, which include Mount Vernon Station, Johnson & Higgins, brokers, C. H. Clemens, Monteseno, The Breck-Chaffee Company, Seattle, and Dally Bros., Seattle.

MOUNT VERNON.

MONTH.	GALLONS.
March	5,558
April	5,570
June	8,560
September	1,224
October	5,720
November	5,700
December	5,700

JOHNSON & HIGGINS.

MONTH.	CASES.	GALLONS.
March	6,225	66,250

C. H. CLEMONS.

MONTH.	BARRELS.	GALLONS.
January	15	750
April	10	750

BRECK-CHAFFEE COMPANY.

MONTHS.	BARRELS.	CASES.	GALLONS.
May	4	190	2,100
August	10	940	9,900
September	100	1,550	20,526
November	30	950	11,000
December .....	..	1,425	14,250

DALLY BROS.

MONTH	CASES.	GALLONS.
August	500	5,000
October	800	8,000
November	1,000	10,000
December	1,199	11,900

OIL PLATS.

The bulk of the oil business in this state is handled by the Standard Oil Company, with an immense plant at Seattle, valued at approximately \$150,000, and sub-stations under the Seattle jurisdiction as follows:

STATION.	VALUE.
Tacoma	\$62,000
South Bend	500
Olympia	2,000
Ellensburg	1,000
Wenatchee	1,000
Colfax	1,000
Pullman	1,000
Walla Walla	5,000
Everett	5,000
Bellingham	10,000
Aberdeen	2,500

Nearly all of these stations receive carload lots of eastern brands, namely, Eocene, Elaine, direct; but the bulk of their supply is re-

ceived from the Seattle station, these shipments being in carload lots also.

The plant at Tacoma is a new one, having just been constructed and beginning shortly, this point will be a separate station and get their water white product by steamship direct. The Standard Oil Company has two steel tank compartment steamships, the Loomis and Atlas, in this service now, and have three more vessels of like nature and route from the Atlantis coast for a similar purpose.

All case and barrel goods handled by this company are put up at Seattle Station and shipped to their sub-stations and to the trade from this point.

While it is not an essential matter, I have elsewhere prepared a table showing the amount of reshipped oils from time to time by these sub-stations. I have also arranged a table of prices covering a period of three years that have prevailed at the Standard Oil Company's plant, in order to show just what has been the effect of the inspection law in a financial way to the consumer. While it is a fact that during the past three years there have been an enormouse raise in the prices of all necessities, the tendency in the price of oil has been downward, and from our invstigation the number of complaints made to the retailer by the consumer have been reduced to the minimum, less in fact, than during all former years combined. But four lamp explosions have come to our attention, and in each case it was not the fault of the oil but the carelessness in handling of the lamps.

PRICES.

The prices prevailing at the Standard Oil Company's plant are the prices asked by the other companies for a like grade of oil.

The folowing table is the price list:

From January 1st, 1904, to March 2nd, 1904, the price was.....	17c.
From March 2nd, 1904, to June 17th, 1904, the price was.....	15½c.
From June 17th, 1904, to January 1st, 1905, the price was.....	15c.
From January 1st, 1905, to April 12th, 1905, the price was.....	14½c.
From April 12, 1905, to June 8th, 1905, the price was.....	14c.
From June 8th, 1905, to January 4th, 1906, the price was.....	13½c.
From January 4th, 1906, to the present time, the price was.....	12½c.

You will see by this table that on June 8th, 1905, the date upon which this law went into effect, the price of water white oils was 14 cents; and on that date the price was reduced one-half cent, and the following winter reduced another cent to the present price of 12½ cents per gallon.

RE-SHIPPED OILS.

The amount of bulk oils re-shipped by tank car from the Seattle station to the various sub-stations covering the period from January 1st, 1906, to December 20th, inclusive, are as follows:

STATION	GALLONS.	STATION.	GALLONS
Aberdeen	124,137	Pullman	41,742
Bellingham	132,908	Spokane	466,132
Colfax	15,896	Tacoma	542,684
Everett	129,023	Walla Walla	55,875
Ellensburg	54,151	Wenatchee	42,913
Olympia	33,134		

These goods are the water white or bulk oils only and do not deal with the case goods of the higher grades.

I desire at this point to cover the ground of what I believe has actually been accomplished as a result of this law. On a preceding page I have taken up the matter of prices and have given a table covering the same. Whatever is responsible for it, the fact still remains that consumers of illuminating oils are buying their supply cheaper since the law went into effect than ever before. I claim this as a benefit resulting from our inspection law.

The inspection law requiring oil to come up to a certain standard has, as a second benefit, prevented monopoly from placing in our markets their lowest grade products, and thereby enables the smaller independent refineries, which from their very nature, in order to do business against the strongest competition, would have to enter the market with a product of at least a good grade, to enter this field. I desire to point out this fact and on a subsequent page I furnish the complete data on this subject. As to the best evidence on this subject is the satisfaction of the public, the actual consumer of illuminating oil. From all over the state has come words of commendation on this subject and evidence by the score could be produced. This satisfaction is far reaching, extending not only throughout this state but to our neighboring states as well. Portland being a distributing center for portions of this state (as well as Oregon), I herewith furnish some evidence along this line from the large dealers of that city who handle our product.

"LANG & COMPANY,
IMPORTERS AND WHOLESALE GROCERS,
Portland, Oregon.

Mr. F. A. Clark, Washington State Oil Inspector:

We have been shipping Washington branded oil into states of Washington and Oregon and we find our customers well satisfied and that the inspection law is very satisfactory and no kicks from our customers.

LANG & Co., PER J. E. MAHER."

"WADHAMS & Co., INC.,
IMPORTERS AND WHOLESALE GROCERS.
Portland, Oregon.

F. A. Clark, State Oil Inspector of Washington:

DEAR SIR:—We have been shipping oil into the State of Washington ever since the inspection law went into effect and have also been shipping oil into Oregon. Our customers are well satisfied with the inspection and prefer to have it branded as it is by the Washington State Inspector. We find in the past year oil has been far more satisfactory than it has been before.

Yours truly,

WADHAMS & Co."

"MASON, HERMAN & Co.,
WHOLESALE GROCERS.

Portland, Oregon.

Mr. F. A. Clark, Washington State Oil Inspector:

DEAR SIR:—Beg to advise you that the coal oil as branded, which we are shipping into the State of Washington, is giving entire satisfaction, having received no complaints whatsoever.

Yours truly,
MASON, HERMAN & Co. PER M."

"ALLEN & LEWIS,
WHOLESALE GROCERS.

Portland, Oregon.

F. A. Clark, State Oil Inspector of Washington:

DEAR SIR:—Complying with your request of even date, beg to state that as far as we are able to discern the Washington Test Oils shipped our customers in the State of Washington seems to have been giving satisfaction as we have no complaints from them concerning above goods.

Yours truly,
ALLEN & LEWIS. PER E. W. W."

"JONES CASH STORE,

Portland, Oregon.

F. A. Clark, Inspectors

DEAR SIR:—We have found that inspection of coal oil by the Washington Inspector has been very satisfactory, and that our customers prefer having it branded, and thus far have had no complaints.

F. A. JONES. PER F. H. S."

NEW OIL COMPANIES.

For the first time in the history of the state, new and independent oil companies are doing business, enabling the consumer to have a choice of brands and qualities.

The following are the new concerns: Great Western Smelting & Refining Company and the Capital Refining Company, represented by the Breck-Chaffee Company of Seattle, whose plant is valued at \$10,000; The Bulls Head Oil Company, represented by Dally Bros. at Seattle, with a plant valued at \$8,000.00; the Gregg Refining Company of Ohio, whose goods are handled by the Mount Vernon Oil Company at Mount Vernon, Washington. At this place Mr. Griffin, the proprietor, has built receiving tanks and pipe line and has placed delivery wagons on the road. His plant cost approximately \$18,000. The other companies handle no bulk oil, their products being all case and barrel goods, handled from brick warehouses. The Union Oil Company also have large tanks at Seattle, but so far have handled only fuel oils. They are now constructing receiving tanks for illuminating oils, and as soon as they are completed will enter this trade. They have three large tank steamships en route from the Atlantic coast to transport their product from the California concerns to this point. When completed their plant will be worth in the neighborhood of about \$30,000.

LEGISLATION.

While it has taken considerable time to get this new law in good working condition, we now have reached the point where everything is running smoothly. We have met with a hearty response in every way at the hands of the oil companies, dealers, brokers, merchants and jobbers in putting this new law in operation. The methods of inspecting and handling the product as provided for in the present law is satisfactory, and on this point I recommend that no change be made. Matters of importance to the public will not, under the province of this Act, have been taken up with the office at different times, and some good has been accomplished by the office for the benefit of the public along these lines. In this connection, to show the nature of these matters, what the office did and the satisfaction felt by the public as a result, I desire to embody in this report, two letters, one from the city of Seattle through the office of its fire marshal, in which certain recommendations are made, which speaks for itself.

“THE CITY OF SEATTLE, WASHINGTON,
OFFICE OF THE FIRE MARSHAL,
January 29, 1907.

G. KELLOG, *Fire Marshal*.

Hon. Albert Mead, Governor, Olympia, Washington:

DEAR SIR:—Concerning the office of State Oil Inspector and its value as an important agency in safeguarding the public, permit us to offer for your Honor's consideration a few pertinent observations.

This office has had occasion to enlist the services of an expert, unbiased and reliable oil inspector to test distillate and fuel oil for data to be used in formulating regulations and ordinances regulating the storage and use of such oils. Though outside the statutory duties of the State Oil Inspector, your local inspector, Mr. H. E. Thomas, has been able to give us accurate data and material assistance along this line. His tests have been eminently satisfactory and reliable.

The services of such inspectors could be made of even greater value to the general public than at present if their general field of action were enlarged. With the rapidly increasing use of crude oil and various petroleum products for fuel, there rises the urgent need of some general law regulating the quality of oils for such purposes, similar to the coal oil requirements now in force. As these oils are distributed from a few general bases, the enforcement of such a statute would be as simple a matter as the present efficient coal oil law. We would respectfully recommend to Your Honor that some such enlargement of the State Oil Inspector's powers be authorized by law, to more fully secure to the public safety from adulterated or dangerous grades of fuel oil.

Trusting that the above suggestion may meet with your approval to the end that the present very efficient work of the State Oil Inspectors may be of even greater benefit to users of oil, and to their neighbors, we beg to remain,

Yours most respectfully,

T. W. BURGLEHAUS,
Asst. Fire Marshal.”

The other letter is a letter from Lewis, Anderson, Foard & Co. This latter letter dealt with the question of skid oils and the controversy between the firm on one hand and the underwriters on the other.

SEATTLE, WASH., January 31st, 1907.

Mr. F. A. Clark, State Deputy Inspector of Oils, Citys

DEAR SIR:—Yours of the 26th inst. relative to the test of Skid oil, which we put aboard the S. S. "Kiana Kotohira Maru" for fuel purposes, received and we have turned your letter over to the captain of the steamer. There was considerable trouble caused between the captain and the underwriters, as they refused him permission to take the oil stating that it was explosive, but your letter removed all obstacles and they now have given him permission to proceed to sea with the oil.

Thanking you for your trouble in this matter, we beg to remain,

Yours truly,

LEWIS, ANDERSON, FOARD & Co.

By GEO. F. BYZBEE."

LETTER OF THE STATE OIL INSPECTOR.

SEATTLE, WASH., January 26, 1907.

Messrs. Lewis, Anderson & Ford, City:

GENTLEMEN:—In reference to skid oil as to its being dangerous or explosive will say that the same has been refined and contains no benzine, gasoline, kerosene or any of the lighter and explosive substances. The fire point, that is the point at which it could take fire and burn, is very high, between 400 and 500 F., requiring almost the same temperature before it would throw off vapor in any way.

Yours very truly,

WASHINGTON STATE OIL INSPECTOR.

By H. E. THOMAS, *Deputy.*

I have introduced these letters merely to show that this field and this work can be broadened.

As a great many requests have come to our office from the actual consumers of gas products, that the same be placed under state inspection, I would recommend that the enforcement of that portion of the law regulating explosives that relates to gasoline, benzine, distillates, etc., be embodied in the oil inspection statute and so amended in form that all such products be inspected by this office, labeled explosive, with the specific gravity, and such other and further legislation along this line that it would be instrumental in guaranteeing to these consumers under the authority of this office the conditions and qualities of such products and interests of the public.

2. That the law provide for an Oil Inspector at a salary of \$200 per month and all his legitimate office and traveling expenses, payable monthly.

3. That he be given a deputy, whose salary shall be fixed by statute at \$150 per month, payable monthly.

4. That all moneys collected as fees by the inspector or his deputies be placed on deposit in some reliable bank in the name of said oil inspector; that a report be made to the state treasurer each month of all business done during the previous month, along with all vouchers for salaries and expenses, and a statement of fees collected and money on hand in the bank.

5. That the law further provide that the inspector shall forward with his annual report all moneys collected as fees remaining in the bank, along with the statement of expenditures.

Respectfully,

F. A. CLARK.

On motion of Senator Allen, the communication with the attached report was referred to the Committee on Appropriations.

INTRODUCTION OF BILLS.

Senate bill No. 155, by Senator Booth, entitled, "An act to authorize civil actions for the recovery of damages arising from newspaper publications, etc."

The bill was read the first time, and on motion of Senator Booth 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. 156, by Senator Presby, entitled, "An act relating to the superior courts of Skamania, etc."

The bill was read the first time, and on motion of Senator Presby 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. 157, by Senator Scott, entitled, "An act relating to the law department of the State Library, etc."

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

Senate bill No. 158, by Senator Minkler, entitled, "An act extending the time for the removal of timber, etc."

The bill was read the first time, and on motion of Senator Minkler 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. 159, by Senator Scott, entitled, "An act relating to escheats."

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

by title, ordered printed and referred to the Committee on Public Revenue and Taxation.

House bill No. 162, entitled, "An act to regulate the employment of children, 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 Labor and Labor Statistics.

House bill No. 76, entitled, "An act regulating the keeping and deposit of municipal funds, etc."

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

House bill No. 78, entitled, "An act providing a method for the assessment and collection of an excise or privilege tax, etc."

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 and referred to the Committee on Public Revenue and Taxation.

GENERAL FILE.

Engrossed copy Senate bill No. 77, entitled, "An act to establish a State Fish Hatchery on the Lewis river, etc.," was read third time.

The bill was placed on final passage and passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Graves, Hunter, Pogue, Reed, Scott—5.

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

On motion of Senator Ruth Senate bill No. 128 was ordered immediately transmitted to the House.

Engrossed copy, Senate bill No. 54, entitled, "An act to establish a state fish hatchery on the Lyle river, in Clallam county, etc.," was read third time, placed on final passage, and passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rosenhaupt, Ruth, Scott, Smith, Sumner, Veness, Watson, Williams—36.

Those absent or not voting were: Senators Graves, Hunter, Pogue, Rands, Reed, Stevenson—6.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASHINGTON, February 4, 1907.

MR. PRESIDENT:

The speaker has signed Senate bill No 98, entitled, "An act relating to the special Alaska-Yukon-Pacific Exposition fund, making certain warrants to be drawn upon it perferential.

Also Senate bill No. 99. An act to provide for the exhibit of the resources of the state of Washington at the Alaska-Yukon-Pacific Exposition.

Also, Senate bill No. 100. An act appropriating six hundred thousand dollars for the University of Washington.

Also, Senate bill No. 101. An act to provide for the establishment of harbor lines of lakes of Washington and Union in King county, and creating the Alaska-Yukon-Pacific Exposition fund.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

Senate bill No. 46, entitled, "An act to provide for state depositories and to regulate the deposit of public moneys therein," was read third time.

Senator Boone moved to amend by adding after the word "examined" in line 14 of section 2 of the printed bill the words, "provided, that no state depository shall be required to pay for more

than one examination in any one year." The amendment was lost.

Senator Paulhamus moved to amend by striking section 7 of the printed bill and inserting in lieu thereof the following: "Section 7. The word 'banks' as used in this act shall be construed to include any trust company organized under the laws of the State of Washington and doing a banking business." The amendment carried.

On motion of Senator Cotterill the bill was amended by making section 7 of the printed bill section 8.

On motion of Senator Presby the word "the" in line 1 of section 3 of the printed bill was stricken and the words "a uniform" inserted in lieu thereof.

The hour of 3:00 o'clock having arrived the Senate considered Senate bill No. 76, which was special order for that hour.

SPECIAL ORDER.

Senate bill No. 76, entitled, "An act providing for the purchase of site, etc., for the construction of a residence for the Governor, etc."

On motion of Senator Ruth the Senate resolved itself into a Committee of the Whole for the purpose of considering Senate bill No. 76.

The bill was considered in the Committee of the Whole, Senator Davis in the chair, and reported back to the Senate with the recommendation that it do pass, with the following amendment: "Add to section 2 of the printed bill at the end of said section the following words: 'Provided, That if the title of the State of Washington to that tract of land known as "the old capitol site" in Olympia is confirmed by the supreme court in the case now pending therein, then, and in that event, the Governor's residence shall be erected upon some portion of said tract to be selected by the State Building Commission.'"

On motion of Senator Davis the report of the committee was adopted, the rules suspended and the reading had in the Committee of the Whole considered the third reading of the bill.

Senate bill No. 76 was placed on final passage and passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Condon, Cotterill, Davis, Gunn, Hunter, Jones, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Pauly, Piper, Polson, Potts, Rands, Rosenhaupt, Ruth, Veness, Watson, Williams—27.

Those voting nay were: Senators Bratt, Brown, Eidemiller, Hutson, Kennedy, Nichols, Paulhamus, Presby, Scott, Smith, Sumner—11.

Those absent or not voting were: Senators Graves, Pogue, Reed, Stevenson—4.

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

The Senate returned to the consideration of Senate bill No. 46.

Senator Boone moved to strike the words "from time to time," in line 1 of section 3 of the printed bill, and insert in lieu thereof the word "annually." The motion was lost.

Senator Presby moved to insert after the word "the," in line 3 of section 3 of the printed bill, the word "uniform." The motion was lost.

The hour of 3:30 having arrived the Senate proceeded to consider House Bill No. 43 which was special order for that hour.

SPECIAL ORDER.

House bill No. 43, entitled, "An act providing for the investment of the permanent school fund, etc.," was read third time.

Senator Kennedy moved to amend as follows: By striking the period after the word "thereof," in line 6 of section 4, and inserting the following: "Provided, the word 'bonds' in this section shall not be interpreted to mean or include any special or assessment district bonds or bonds other than those found to be within the limit of indebtedness prescribed by law, or regularly created and issued as general indebtedness bonds; Provided further, That school district bonds regularly created and issued shall be given preference in said investments."

The amendment was adopted.

The roll was called on final passage of House bill No. 43 as amended and same passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Booth, Graves, Jones, Pogue, Reed—5.

The secretary called the roll and the emergency clause passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Booth, Graves, Jones, Pogue, Reed—5.

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

The Senate resumed the consideration of Senate bill No. 46.

On motion of Senator Rands section 8 was amended to read as follows: "An emergency existing this act shall take effect immediately."

Senator McGowan moved that the bill be amended by inserting after the word "corporation," in line 1 of section 1 of the printed bill, the following words: "or trust company organized in the State of Washington and doing a general banking business." The amendment was lost.

On motion of Senator Paulhamus the rules were suspended, Senate bill No. 46 considered engrossed, placed on final passage and same passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Kennedy, Kline, Knickerbocker,

McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—38.

Those absent or not voting were: Senators Graves, Jones, Pogue, Reed—4.

The secretary called the roll and the emergency clause was adopted by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gnun, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—38.

Those absent or not voting were: Senators Graves, Jones, Pogue, Reed—4.

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

Senate bill No. 92, entitled, "An act providing for the manner of sale and distribution of all grain sacks manufactured at the State Penitentiary," was read third time.

Senator Rosenhaupt moved to amend the bill by striking the following in section 2 of the printed bill, beginning with the words, "not to exceed," and strike balance of section 2, substituting in lieu thereof the following: "be fixed by the board at a reasonable rate."

Following Senators demanded a roll call on the motion: Hutson, Rosenhaupt, Boone, Pauly, Jones, Davis, Cotterill.

The secretary called the roll and the amendment was lost by the following vote:

Those voting aye were: Senators Brown, Metcalf, Rands, Rosenhaupt, Ruth, Scott, Veness, Williams—8.

Those voting nay were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Smith, Stevenson, Watson—30.

Those absent or not voting were: Senators Graves, Pogue, Reed, Sumner—4.

Senator Stevenson moved to amend the bill by inserting between the words "grain" and "may" in line 1 of section 5 of the printed bill the words, "within this state." The amendment was adopted.

Senator Stevenson moved to amend the bill by adding section 8 as follows: "Section 8. Nothing contained in this act shall be construed to prevent the superintendent of the State Penitentiary from selling sacks to persons engaged in the oyster, ice or wool industry within this state." The amendment was lost.

Senator Cotterill moved to amend by adding to the end of section 2 of the printed bill the following: Provided, That there shall be included among the items of cost entering into the price charged for said grain sacks, a fair charge to be fixed by the Board of Control, for the maintenance of the convict labor employed in their manufacture."

The amendment was lost.

On motion of Senator Rands the bill was amended by adding section 8 as follows: "An emergency exists and this act shall take effect immediately," and the words, "and declaring an emergency" were added to the title of the bill.

The roll was called on final passage and Senate bill No. 92 passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—38.

Those absent or not voting were: Senators Graves, Piper, Pogue, Reed—4.

The roll was called on the passage of the emergency clause and the same passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knicker-

bocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—39.

Those absent or not voting were: Senators Graves, Pogue, Reed—3.

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

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 5, 1907.

To the Senate of the State of Washington.

GENTLEMEN:—I have the honor to transmit herewith copy of the report of the chaplain of the Washington State Penitentiary for the biennial period ending September 30, 1906.

ALBERT E. MEAD, *Governor.*

WASHINGTON STATE PENITENTIARY—THE CHAPLAIN'S REPORT.

Hon. M. F. Kincaid, Superintendent, State Penitentiary, Walla Walla, Washington:

DEAR SIR:—I have the honor to submit herewith through you to the Honorable A. E. Mead, Governor of the State of Washington, the annual report of this department for the biennial period ending September 30, 1906.

We commenced our work as chaplain in June, 1905, and while for want of office room and chapel, we have found ourselves at a great disadvantage, we have many reasons to believe that good has been accomplished. We think the work can but aid in raising the general deportment of the prison. Quite a number have sought, and we trust have found God.

The usual religious services have been held each Sunday unless prevented by stormy weather, when it was not deemed wise or humane to keep the men standing in the bitter cold or driving storm. We have been assisted in our Sunday work at various times by our resident pastors, visiting ministers and other Christian workers. We greatly appreciate their help, and hope that more of them will visit us in the future.

The need of a chapel for this prison cannot be exaggerated. No chaplain can carry on the work in this prison and realize the best results without one. The reform work and its needs should receive the same attention that is given to the other departments of our prison system. The work of reforming men and women—helping them to a

better life and good citizenship—is of the highest importance. It should be increasing in its efficiency constantly. The object of confinement of wrongdoers in penal institutions, I understand, is for the twofold purpose of protecting society and the reformation of the criminal. Let us not lose sight of the latter object. With suitable quarters for religious worship, with the co-operation of the officers and guards, I see great possibilities for good among the more than 800 prisoners in the Washington State Penitentiary.

The sick at the hospital are visited daily, and services held once a week when practicable. For lack of schoolbooks and room, it has not been possible to open the much needed prison school. Many of the inmates are under twenty-one years of age, and many are anxious to improve their minds. We earnestly hope that proper room and books will be provided at an early date.

THE LIBRARY.

On July 1, 1904, the library catalogue showed 1372 volumes, including bibles, testaments, and 235 wornout books: when, in fact, the library consisted of 1137 volumes classified as follows:

Bibles and Testaments, 100; Agricultural Reports, 12; Congressional Reports, 18; Cholera Reports, 3; Encyclopedia—36 volumes; Cloth bound religious books and tracts, 350; Fiction and general reading, 618. 431 volumes of the last class had seen service in the homes of the donors before reaching the library, and that, together with constant use among the prisoners, in the years gone by, will soon entitle them to a place in the waste basket. 187 volumes of fiction were bought from the library appropriation of 1903, and we have received 165 volumes during the present year. About 700 booklets, a gift from the Colportage Association of Chicago reached us in the early part of the year. The Association has our heartfelt thanks. The Rev. W. J. White, (better known as Father White), kindly donated 87 bibles and testaments in the early part of the year. We have 787 volumes of fiction and general reading (over half ready for retirement), and enough religious books and cloth-bound tracts to total 1296 volumes, with which to serve 840 prisoners. You can see at a glance how inadequate to the needs of the prison is the present library.

What books we have are well and profitably read, the average number of books being in constant circulation being 558 volumes. Quite a number of the prisoners will know no other earthly home; many more have been consigned by our courts to this place for a long term of years. They depend on the prison library for their mental food and intellectual comfort and culture.

At least \$1,000 is needed for additional literature, and then a small biennial appropriation would suffice to keep the library in a fair condition. This department also distributes about 117 religious papers weekly.

For many years Father White has been the faithful friend of the prisoners, and has from time to time made small donations to the

library. It was also through his efforts that Sunday services were held and preaching supplied for years prior to the appointment of a prison chaplain.

(For statistics showing number of convicts, ages, crimes for which committed, nativity, education, habits, social state and occupations, the Chaplain refers to pages 64 to 73. of the report of the State Board of Control.)

Pledging myself to renewed and continued diligence in my work, I beg to remain,

Very respectfully,

JOHN LE CORNU, *Chaplain.*

On motion of Senator Pauly the communication with the attached report was referred to the Committee on State Penal and Reformatory Institutions.

On motion of Senator Booth it was ordered that 450 copies of the legislative record be printed and that same be given right of way by the state printer over other state printing.

The president announced the appointment of Senators Sumner and Williams as a committee on the part of the state under House concurrent resolution No. 7, providing for a joint committee to examine the system of bookkeeping in the various state offices.

At 4:38 o'clock p. m., on motion of Senator Booth, the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

TWENTY-THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, February 5, 1907.
10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Graves, Pogue and Rosenhaupt, all of whom were excused.

On motion of Senator Gunn the reading of yesterday's journal was dispensed with and it was approved.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 4, 1907.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Surgery and Hygiene, to whom was referred Senate bill No. 110, entitled, "An act to provide against the adulteration of foods, drinks and drugs, 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 with the following amendment:

In line 1 of section 9 of the printed bill, strike out the words, "agricultural experiment station," and insert in lieu thereof the words, "College at Pullman, or at the University of Washington."

C. G. BROWN, *Chairman.*

We concur in this report: Robert Booth.

On motion of Senator Brown the report of the committee was adopted.

The following communication was read by the secretary:

SALEM, OREGON, January 31, 1907.

To the President of the Senate, State of Washington:

DEAR SIR:—We, the joint committee of the Senate and House of Representatives, of the State of Oregon, appointed for the purpose of

meeting like committees from the states of Washington and Idaho, hereby accept your communication under date of January 24th, 1907, for a joint meeting of the three states' committees on Saturday, February 9th, 1907, in the city of Portland, Oregon. Said meeting to be held at the rooms of the Portland Commercial Club at 10 o'clock a. m. of said day. Enclosed find copy of resolution passed by the Oregon legislature.

Very respectfully yours,

C. J. SMITH,
A. WHEALDON,
I. H. BINGHAM,
Senate Committee.

P. W. KNOWLES,
J. S. BAYER,
A. BRIX,
House Committee.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 4, 1907.

To the Honorable Senate of the State of Washington:

GENTLEMEN:—I have this day approved the following bills:

Senate bill No. 101, entitled, "An act to provide for the establishment of harbor lines, survey, platting and appraisal of shore lands of the first-class of lakes Washington and Union, in King county, Washington, the sale and disposition of said shore lands, the creation of the Alaska-Yukon-Pacific Exposition fund, and declaring an emergency."

Senate bill No. 100, entitled, "An act appropriating funds for the erection of buildings for the University of Washington, and providing for the use thereof by the Alaska-Yukon-Pacific Exposition, and declaring an emergency."

Senate bill No. 99, entitled, "An act to provide for an exhibit of the resources, products and advantages of the State of Washington and the erection of a state building, or buildings, at the World's Fair of Alaska-Yukon-Pacific Exposition, to be held at Seattle, Washington, in 1909, making an appropriation to pay the cost of such exhibit and state building or buildings out of a special fund to be created, and declaring an emergency."

Senate bill No. 98, entitled, "An act relating to the special Alaska-Yukon-Pacific Exposition fund, making certain warrants to be drawn upon it preferential, and transferring any residue thereof into the general fund of the state treasury."

ALBERT E. MEAD, *Governor.*

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 5, 1907.

MR. PRESIDENT:

The House has passed H. B. No. 35, entitled: "An act relating to the judicial department of cities of the third class," and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 4, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate Bill No. 98, entitled "An act relating to the special Alaska-Yukon-Pacific Exposition fund, making certain warrants to be drawn upon it preferential;

Also Senate Bill No. 99, "An act to provide for the exhibit of the resources of the State of Washington at the Alaska-Yukon-Pacific Exposition;

Also Senate Bill No. 100, "An act appropriating six hundred thousand dollars for the University of Washington;

Also Senate Bill No. 101, "An act to provide for the establishment of harbor lines of Lakes Washington and Union in King county, and creating the Alaska-Yukon-Pacific Exposition fund," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: Robt. F. Booth, R. W. Condon, P. L. Allen, Lincoln Davis.

Adopted February 4, 1907.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 5, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate Bill No. 46, entitled "An act to provide for state depositaries and regulating the deposits of public moneys therein;"

Also Senate Bill No. 76, "An act providing for the purchase of a site, construction and furnishing of a residence for the Governor of the State of Washington, appropriating the sum of \$35,000 therefor;"

Also Senate Bill No. 90, "An act amending section 715 of Ballinger's Annotated Codes relating to the organization, classification and government of municipal corporations;"

Also Senate Bill No. 92, "An act providing for the sale and distribution of grain sacks manufactured at the State Penitentiary;"

Also Senate Bill No. 108, "An act relating to the enticing and harboring of seamen and providing a penalty therefor," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

ARTHUR GUNN, *Acting Chairman.*

We concur in this report: A. W. Anderson, Fred M. Pauly, A. S. Ruth.

INTRODUCTION OF BILLS.

Senate bill No. 160, by Senator Knickerbocker, entitled, "An act to provide for the organization of bonding and surety companies."

The bill was read the first time, and on motion of Senator Knickerbocker 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. 35, entitled, "An act relating to the judicial department of cities of the third class, etc."

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

GENERAL FILE.

Senate bill No. 86; entitled, "An act to amend, etc., 'An act in relation to estrays, etc.,"' was read third time.

On motion of Senator McGregor the bill was amended by striking the word "and" in line 11 of section 1 of the printed bill and adding after the word "cattle;" in said line and section, the words, "and hogs."

On motion of Senator McGregor the bill was also amended by inserting after the word "March" in line 5 of the printed bill the following: "east of the Cascade range, and between the first day of December and the first day of March, west of the Cascade range."

On motion of Senator McGregor the rules were suspended and Senate bill No. 86 considered engrossed.

Senate bill No. 86 was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—38.

Those absent or not voting were: Senators Graves, Nichols, Pogue, Rosenhaupt—4.

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

Senate bill No. 71, entitled, "An act relating to contracts and providing that certain contracts shall be void unless in writing," was read third time.

Senator Booth moved to amend the bill by adding thereto section 3 as follows: "Section 3. No action shall be maintained upon any oral agreement heretofore entered into authorizing or employing an agent or broker to sell or purchase real estate for compensation or a commission."

Senator Cotterill moved to amend the amendment by striking from same the word "heretofore." The motion was lost.

The amendment of Senator Booth was carried.

Senator Knickerbocker moved to amend by striking section 1 of the printed bill and substituting section 2 of the printed bill therefor.

The motion was lost.

Senator Presby moved to amend by striking from section 1 of the printed bill in lines 2 and 3 the words, "for a longer term than one year." The motion was lost.

On motion of Senator Booth the rules were suspended and the bill considered engrossed.

The roll was called on final passage and Senate bill No. 71 passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Brown, Condon, Davis, Eidemiller, Gunn, Hutson, Jones, McGowan, Metcalf, Minkler, Piper, Polson, Potts, Reed, Ruth, Scott, Stevenson—22.

Those voting nay were: Senators Bratt, Cotterill, Hunter, Kennedy, Kline, Knickerbocker, McGregor, Nichols, Paulhamus, Pauly, Presby, Rands, Smith, Sumner, Veness, Watson, Williams—17.

Those absent or not voting were: Senators Graves, Pogue, Rosenhaupt—3.

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

Senator Allen gave notice of a motion to reconsider the vote by which Senate bill No. 71 passed the Senate.

Engrossed Senate bill No. 75, entitled, "An act authorizing and directing the commisisoner of public lands to certify certain tide lands to the governor for deed, etc.," was read third time.

The roll was called on final passage and Senate bill No. 75 passed the Senate by the following vote:

Those voting aye were: Senators Anderson, Blair, Booth, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Ruth, Veness, Watson, Williams—27.

Those voting nay were: Senators Boone, Bratt, Brown, Hutson, Knickerbocker, Nichols, Rands, Scott, Smith, Stevenson—10.

Those absent or not voting were: Senators Allen, Graves, Pogue, Rosenhaupt, Sumner—5.

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

Engrossed Senate bill No. 65, entitled, "An act authorizing and empowering cities of the first class to include within local improvement districts land in school sections the title of which remains in the State of Washington, etc.," was read the third time.

The roll was called on final passage and Senate bill No. 65 passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—35.

Those voting nay were: Senators Boone, Nichols—2.

Those absent or not voting were: Senators Graves, Hutson, Pogue, Rands, Rosenhaupt—5.

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

Engrossed Senate bill No. 31, entitled, "An act authorizing and directing the Commissioner of Public Lands to certify certain tide lands to the governor for deed, etc.," was read third time.

Senate bill No. 31 was placed on final passage and passed the Senate by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Ruth, Veness, Watson, Williams—29.

Those voting nay were: Senators Boone, Brown, Hutson, Knickerbocker, Smith, Stevenson—6.

Those absent or not voting were: Senators Graves, Minkler, Pogue, Rosenhaupt, Scott, Sumner—7.

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

Senate bill No. 116, entitled, "An act regulating commission merchants, etc.," was read third time.

Senator Stevenson moved to amend the bill by inserting after the word "state" in line 6 of section 1 of the printed bill, the following: "or any good personal bond." The motion was lost.

On motion of Senator Paulhamus the bill was amended by inserting after the word "person," in line 1 of section 3 of the printed bill, the words "firm or corporation."

On motion of Senator Cotterill the bill was amended by inserting the words "firm or corporation" after the word "person" in line 5 and after the word "merchant" in line 7 of section 3 of the printed bill.

On motion of Senator Paulhamus the bill was amended by striking the word "firm" and the brackets about the word "farm" in line 1 of section 4 of the printed bill.

On motion of Senator Scott the words, "or any of his deputies," were stricken in line 6 of section 4 of the printed bill.

On motion of Senator Paulhamus the words, "or one of his deputies," in line 7 of section 10 of the printed bill, were stricken.

On motion of Senator Rands the bill was amended by striking out the words, "it shall thereupon," in line 10 of section 2 of the printed bill, and inserting in lieu thereof the following: "upon approval of said bond and application by said Commissioner of Horticulture it shall."

On motion of Senator Rands the bill was amended by striking section 13 and inserting in lieu thereof the following: "Section 13. The provisions of this act shall not only apply to a regularly established merchant not carrying on a general commission business who receives any of the commodities herein mentioned for sale on account of a customer."

On motion of Senator Rands the bill was amended by making section 13 of the printed bill section 14.

On motion of Senator Rosenhaupt the bill was amended by adding after the word "person," in line 5, section 9, of the printed bill, the words, "within the State of Washington."

On motion of Senator Paulhamus the rules were suspended and Senate bill No. 116 considered engrossed.

The roll was called on final passage and Senate bill No. 116, as amended, passed the Senate by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—36.

Those absent or not voting were: Senators Allen, Graves, Hunter, Hutson, Pogue, Rosenhaut—6.

On motion of Senator Presby the title of the bill was amended by inserting after the word "commission," in line 2 of the title of the printed bill, the words, "and providing a penalty for the violation thereof."

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

Following communication was read by the secretary:

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF PUBLIC ROADS,
WASHINGTON, D. C.
SEATTLE, February 3, 1907.

Mr. J. W. Lysons, Secretary of the State Senate, Olympia, Washington.

DEAR SIR—Replying to your communication of February second transmitting Senate concurrent resolution No. 9, by Senator Kline, extending to me as a representative of the office of Public Roads of the Department of Agriculture, the privilege of addressing the legislature in joint session on Tuesday evening, February 5th, 1907, at 7:30 o'clock p. m.

I am deeply grateful for this courtesy and shall hope to interest the members of your honorable body on this occasion.

The question of improved roads is awakening widespread interest in every state of the Union. The people of the great state of Washington are keenly alive to the necessity of better roads.

The Washington State Good Roads Association has induced the office of Public Roads to co-operate with your state, and it is hoped that the office which I represent may be of use in helping to bring about practical results at an early date.

I shall arrive at Olympia, 9:25 o'clock a. m. tomorrow, February 5th, 1907.

Respectfully,

SAM C. LANCASTER, *Consulting Engineer.*

On motion of Senator Davis, Senator Kline was appointed a committee on the part of the Senate to escort Mr. Lancaster before the joint session this evening.

At 12:02 o'clock p. m. a recess was taken, on motion of Senator Jones, until 7:30 this evening.

EVENING SESSION.

The Senate was called to order at 7:30 o'clock p. m. by President Coon.

The hour of 7:30 o'clock having arrived the Senate repaired to the House Chamber in accordance with Senate concurrent resolution No. 9 to meet the House in joint session.

JOINT SESSION.

The joint session was called to order at 7:30 o'clock by President Coon.

On motion of Senator Kline the calling of the roll of the joint session was dispensed with.

The joint session was addressed by Samuel C. Lancaster, consulting engineer of the United States Department of Agriculture, on the subject of "Roads."

On motion of Senator Nichols the joint session dissolved at 9:15 o'clock p. m.

The Senate was called to order at 9:20 by President Coon, and, on motion of Senator Nichols, adjourned until 10:00 o'clock tomorrow morning.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

TWENTY-FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, February 6, 1907.
10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senator Graves, excused, and Senator Pogue, excused.

On motion of Senator Pauly the reading of yesterday's journal was dispensed with, and it was approved.

Petitions praying the enactment of a direct primary law were received from King and Thurston counties, and on motion of

Senator Presby were referred to the Committee on Elections and Privileges.

A petition on initiative and referendum was received from King county, and on motion of Senator Metcalf was referred to committee on Election and Privileges.

The following communication relative to purchase of silver service to be presented to the battleship Washington was presented, and on motion of Senator Scott referred to the Committee on Appropriations:

OLYMPIA, WASHINGTON, February 6, 1907.

MR. PRESIDENT:

Pursuant to Senate concurrent resolution No. 14, Ninth Legislature, State of Washington, in relation to selection of some suitable gift to be presented to the battleship Washington by this state, we, a committee appointed by said Ninth Legislature, beg to report to your honorable body the following, to-wit:

After exhaustive correspondence as to what would be a suitable gift, and after examination of a number of plans and specifications we arranged with Jos. Mayer & Bros., of Seattle, Wash., to make and deliver to the committee the following silver service, all made in the State of Washington, and of silver .925 fine, weight 1,700 troy ounces:

- 1 punch bowl 24 inches long, Viking ship pattern.
- 1 small punch bowl 11x16 inches.
- 1 tray for same.
- 2 candleabra wired for electricity 18 inches spread.
- 2 comports 7 inches base, 14 inches diameter, 9 inches high.
- 1 ladle 15 inches long as per design.
- 1 cigar box, as per design.
- 2 smoking sets, alcohol lighters.
- 30 goblets complete as per design.
- 1 large tray for large punch bowl.
- 2 vases, 14 inches high.
- Price complete, \$5,000.

At a meeting of the committee held in Seattle, August 1, 1906, it was unanimously agreed that Jos. Mayer & Bros., should have the contract to build the service, and the committee would recommend that the Tenth Legislature make an appropriation of \$5,000 to pay for the same.

It was further agreed that the designs and workmanship should be satisfactory to the chairman.

The chairman has examined all the designs of pieces, and all etchings of the same; in many instances has suggested alterations and new designs have been submitted, and every design and piece,

and etching was O. K.'d by the chairman before construction was commenced.

The committee is confident that the silver service is exceedingly well wrought, and we recommend the payment of the bill.

N. E. LINSLEY, *Chairman*.

We concur in this report: Geo. H. Baker, Chas I. Roth, E. Hammer.

The following communication from the Aberdeen Chamber of Commerce was read and on motion of Senator Paulhamus the invitation contained therein was accepted:

ABERDEEN CHAMBER OF COMMERCE.

ABERDEEN, WASHINGTON, February 4, 1907.

To the Lieutenant Governor and Members of the Washington Senate, Olympia, Washington:

GENTLEMEN—The Aberdeen Chamber of Commerce takes this opportunity of cordially urging the members of your honorable body, with their ladies, to accept the informal invitation recently extended by a small committee representative of the Chamber, to visit Aberdeen on Friday and Saturday, February eighth and ninth. In this invitation the city of Aberdeen heartily joins, and we assure you there is a royal welcome awaiting you in "The City of Payrolls."

Come and see this port which ships more lumber than any other in the world; this community with a larger per capita wage than any other city on the American continent. Come and enjoy a holiday seasoned with the genuine hospitality which is a part of the Pacific Northwest.

In behalf of the Chamber of Commerce and the people of Aberdeen, we are, sincerely yours,

EDW. C. FINCH,

President Aberdeen Chamber of Commerce.

EUGENE FRANCE, *Mayor*.

P. S.—Leave your pocketbooks at home.

Senate concurrent resolution No. 12, by Senator Piper, was read as follows:

WHEREAS, The flag now floating over the capitol building is tattered and torn, and unfit for the purpose desired:

Therefore be it resolved by the Senate, the House concurring, That the Secretary of State be directed to immediately furnish a suitable flag and float it to the breezes as soon as possible.

On motion of Senator Piper the resolution was adopted.

The following Senate concurrent resolution No. 11 was offered by Senator Knickerbocker, and was read by the secretary:

WHEREAS, Numerous complaints have been made concerning the conduct and administration of the office of the Commissioner of Public Lands of this state, and

WHEREAS, The public press of this state has repeatedly charged that said office is mismanaged, and the business therein conducted in the interest of the commissioner instead of for the public good, and

WHEREAS, Specified charges have been published in the daily press of this state in detail, and remained unanswered and uncontradicted for a period of ten days and more, said charges being as follows, to-wit:

"First, what are the facts concerning application for timber lands No. 3354 which was an amended or continued application of former application, No. 2580, wherein under said former application a section of the finest timber land of Mason county was appraised by Cruisers Charles Billings and James Israel, directed by former Land Commissioner S. A. Callvert, three years ago, before the present land commissioner entered his office, at a value of about \$24,000, but which E. W. Ross, present Land Commissioner, had re-cruised by State Cruiser Deering, under new application 3354 at a value of about \$15,000, and which notwithstanding the continuous rise in value of timber lands, was arbitrarily reduced by said Ross to about \$12,000, and for which sum he sold it to one Mark Reed, and the Simpson Logging Company.

"Second, what were the facts, and why was the "Pot Hole" oyster land, which was fully worth \$15,000, situated in Mason county, on tide land near lot 4, section 22, township 19, range 3 west, surrendered unceremoniously to parties without compensation?

"Third, what are the cruising, prices and facts, in connection with certain sales of timber lands made by said Ross to the Silver Lake (Cowlitz county) Logging & Railway Company, in which it is said great favoritism has occurred and in which it is reported said Ross is leading stockholder.

"Fourth, what lands has said Ross sold in Lewis county, and in other sections of the state, which were purchased directly or indirectly, by members of the present legislature, and what were the cruising, prices, and general facts of said sales.

"Fifth, what leases of lands did said Ross arbitrarily cancel November 9, 1905, and what ones of the same have been reinstated, and by what authority of law have they been reinstated.

"Sixth, why have the applications of some persons on different matters, for lease and purchase of lands, been attended to immediately, while many other persons have been compelled to wait for many months, regardless of their turn or order of application, and often without reply to their repeated letters of inquiry, nor any reasons being given for the unreasonable delays.

"Seventh, what amount of money of the large sums being received continuously in his office, does the Land Commissioner have on hand at present date, and where and when and how has he been depositing it, and how does his methods of handling such money compare with those of his predecessors in office, and with the business methods of other state officers who handle money of state," and

WHEREAS, Said Commissioner, upon the convening of the Tenth Legislative Assembly, invited an inspection of his office, thereby recognizing said complaints and charges, and

WHEREAS, It is the intent of the people of the state, and of the state administration, that all departments of the public business be carefully, impartially and honestly conducted for and in behalf of the people, now therefore,

Be It Resolved, By the Tenth Session of the State Senate of Washington, the House of Representatives concurring, that a joint committee of the Senate and House, consisting of five members of the legislature, two of whom shall be members of the Senate appointed by the Lieutenant Governor as presiding officer of such body, and three of whom shall be members of the House, appointed by the Speaker of the House, be so appointed without delay; that it shall be the duty of said committee with the direct and continued aid and advice of the Attorney General to inquire into and fully investigate without lack of thoroughness, with all due publicity, the official acts and office and the official business methods of the said State Land Commissioner, including the foregoing specific charges, and others that may be called to the attention of the committee; that said joint committee shall begin its work without delay, and in accordance with the act approved March 6, 1907, Chapter 33, Section Laws, 1897, relating to Summoning of Witnesses, shall summon all needful witnesses, and call for books and records from banks and bankers or other business people, or state or county officials, including purchasers or lessees of state lands, to make such investigation full and complete; that said joint committee shall take its full necessary time to clearly and satisfactorily investigate the acts of said office, and when so investigated that it be required to report to this Tenth Legislature before its final adjournment, or to report to the next or Eleventh Legislature accordingly as it shall have completed its work, in its judgment and by the advice of the Attorney General; that the Senate and the House appropriation Committees are hereby directed to make a suitable appropriation, on the advice of said committee and the Attorney General, to cover the estimated necessary expenses for witnesses, etc., of and for the investigation.

On motion of Senator Knickerbocker the resolution was adopted, and the president appointed Senators Knickerbocker and Scott as the Senate members of the joint committee.

Senator Rands offered the following resolution:

Resolved. That the secretary of the Senate be and he is hereby directed to have the journal record of each day's proceedings typewritten and placed on the desks of members before the opening of the succeeding day.

The resolution was adopted.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 6, 1907.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred Senate bill No. 27, entitled, "An act to amend the law providing for the relief of indigent soldiers, sailors, etc.," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEORGE U. PIPER, *Chairman*.

We concur in this report: Walter J. Reed, Robert Booth, E. M. Rands, John L. Blair, Harry Rosenhaupt.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 5, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred House bill No. 31, entitled, "An act regulating the hours of service of employees in train service upon railroads 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 do pass.

W. H. PAULHAMUS, *Chairman*.

We concur in this report: T. A. Hunter, Walter J. Reed, Ralph D. Nichols, T. B. Sumner, A. W. Anderson, J. R. Stevenson, George U. Piper, Peter McGregor.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 5, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred House bill No. 14, entitled, "An act to amend section 1 of an act entitled, 'An act amending 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, 1903, 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 referred to the Committee on Municipal Corporations as it refers to Cities of the Third Class only.

JESSE S. JONES, *Chairman*.

We concur in this report: Fred Eidemiller, George F. Cotterill, Harry Rosenhaupt, T. B. Sumner, R. L. Kline.

On motion of Senator Jones the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 5, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 60, entitled, "An act to amend section 1263 Ballinger's Codes and Statutes 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 with the following amendments:

In line 1 of the title of the printed bill, between the words "Ballinger's" and "Codes," insert the word, "Annotated."

In section 1 line 1 of the printed bill, between the words "Ballinger's" and "Codes," insert the word, "Annotated."

In section 1 line 3 of the printed bill, after the word "taxes," strike the words, "the said party."

T. B. SUMNER, *Chairman.*

We concur in this report: Charles T. Hutson, W. H. Paulhamus, R. W. Condon, E. M. Rands, Fred M. Pauly, W. D. Scott, George F. Cotterill, R. L. Kline, J. A. Veness, Alex Polson.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 5, 1907.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate bill No. 24, entitled, "An act prohibiting the employment of workmen in underground mines or working more than eight hours per day, 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.

R. L. KLINE, *Chairman.*

We concur in this report: A. S. Ruth, A. L. Watson, S. T. Smith, E. M. Williams, C. G. Brown, E. C. Bratt.

INTRODUCTION OF BILLS.

Senate bill No. 161, by Committee on Public Revenue and Taxation, entitled, "An act to amend article VII of the Constitution of the State of Washington relating to the assessment and taxation of property within this state."

The bill was read the first time, and on motion of Senator Cotterill the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 162, by Senator Presby, entitled, "An act granting rights-of-way to irrigation districts, irrigation companies, associations and individuals over the lands of the state of Washington, and providing for the appraisalment and disposition of the lands included within and uses for such rights-of-ways, and declaring an emergency."

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

Scott 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. 163, by Senator Minkler, (by request), entitled, "An act repealing chapter 151 of the Session Laws of the State of Washington, for the year 1905, being an act entitled, 'An act to provide for the payment of expenses incurred in compliance with an act entitled, "An act for the construction and maintenance of dikes and dams in certain cases," approved February 2nd, 1888, or for any other acts amendatory thereof;' which said act was approved March 9th, 1905."

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

Senate bill No. 164, by Senator Minkler, entitled, "An act authorizing and empowering cities and towns to construct and maintain dikes and embankments to protect such cities or towns, or any part thereof, etc. etc."

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

Senate bill No. 165, by Senator Scott, entitled, "An act appropriating the sum of \$6,500.00 to purchase a gift to be presented to the battleship "Washington" and to pay the incidental expenses in connection with the purchase and presentation of the same."

The bill was read the first time, and on motion of Senator Scott 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. 166, by Senator Kline, entitled, "An act to amend section 222 of the Code of Public Instruction of the state of Washington, relating to State Normal Schools, and to repeal all existing acts and parts of acts in conflict herewith, etc."

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

Kline 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. 167, by Senator Polson, entitled, "An act to create the County of Grays Harbor, subject to the requirements of the state constitution and statutes in respect to the establishment of new counties, and declaring an emergency."

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

Senate bill No. 168, by Senator Watson, entitled, "An act creating a state road in Cowlitz and Skamania counties, and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Watson 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. 169, by Senator Metcalf, entitled, "An act providing for the furnishing of cars to shippers and prescribing the time of loading, transporting and unloading the same and providing charges and penalties for delay and for the violation of this act, etc. etc."

The bill was read the first time, and on motion of Senator Metcalf 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. 170, by Senator Jones, entitled, "An act to amend section 1 of an act 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, approved March 16, 1897, being section 7542 of Pierce's Code," approved March 12, 1903,' being chapter 66 of the Session Laws of 1903."

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

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

Senate memorial No. 2, by Senator Blair, memorializing the Department of Commerce and Labor of the United States in relation to the establishment of lights and fog-horns, etc. on the waters of Puget Sound and straits of San Juan Archipelago."

Senator Blair made a motion that the memorial be referred to the Committee on Memorials, and the motion was duly carried.

Senate memorial No. 3, by Senator Veness, memorializing the Congress of the United States in relation to navigation of the Cowlitz river and its tributaries, etc. etc."

Senator Veness moved that the memorial be referred to the Committee on Commerce and Manufacturing, and the motion was carried.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 6, 1907.

MR. PRESIDENT:

The House has passed House bill No. 159, entitled, "An act for certain deficiencies in maintenance of state capitol buildings, etc.;" also

House bill No. 160, making an appropriation for the payment of the publication of notices required by sections 2 of chapters 65 and 67 of the Laws of 1905; also

House bill No. 129 relating to the liability of a bank or trust company in case of forged or raised checks; also

House memorial No. 2, asking that Indians of the Swinomish reservation may be granted permission to sell or lease their lands; also

Senate concurrent resolution No. 10, asking an itemized account of expenditures of the different higher educational institutions.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 6, 1907.

MR. PRESIDENT:

The speaker has signed House bill No. 71, entitled, "An act to provide for the payment of all state moneys into the general fund."

Also House bill No. 105, amending an act providing liens upon saw logs, piles, etc.

Also House memorial No. 1, in respect to the Columbia and Snake rivers.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

GENERAL FILE.

Engrossed copy of House bill No. 4, entitled, "An act to provide for the punishment of parents or persons responsible for or contributing to the delinquency of the children of the age of seventeen years or under," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kline, Knickerbocker, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Veness, Watson, Williams—34.

Those voting nay were: Senators Bratt, McGregor, Stevenson—3.

Those absent or not voting were: Senators Graves, Kennedy, Pogue, Rands, Booth—5.

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

Engrossed copy of House bill No. 90, entitled, "An act regulating the keeping and deposit of public funds in banks by the several county treasurers of this state," was read the third time.

Senator Blair moved to strike the word "state" and insert the word "county" in line 2, section 1, which motion was lost.

Senator Stevenson moved the addition to section 1 of the words, "or trust companies doing a general banking business within this state," which motion he afterwards withdrew.

SPECIAL ORDER.

The Senate considered Senate bill No. 18, which was a special order for 11:00 o'clock this a. m.

Senate bill No. 18, entitled, "An act to confirm the title and character of conveyances of certain oyster and tide lands heretofore sold in the state of Washington," was read the third time.

Senator McGowan offered to substitute an amendment for the amendment of the Committee on State Granted School and Tide Lands, the amendment being as follows: "*Provided*, That noth-

ing in this act shall be construed to confirm the title in the purchaser or his grantees, of any tide land sold from state oyster reserves or oyster lands or otherwise, whose deeds or contracts of sale thereto were issued or executed after said reserves had been surveyed under the law of 1903, page 340 of session laws of 1903."

The amendment was adopted.

The president signed House bills 105 and 71, and House memorial No. 1.

By unanimous consent the following bills were introduced out of order:

INTRODUCTION OF BILLS.

Senate bill No. 171, by Senator Kennedy, entitled, "An act providing for and giving and granting the right, privilege and authority to perpetually back water upon, overflow and inundate with water, lands belonging to the state of Washington, in the erection, construction, maintenance and operation of water power plants, reservoirs, or works for impounding water, for power purposes, irrigation, mining, or other public use, and declaring an emergency."

The bill was read the first time, and on motion of Senator Kennedy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Grant, School and Tide Lands.

House bill No. 129, by Mr. Bassett: An act relating to the liability of a bank to a depositor in the case of a forgery.

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

House bill No. 159, by Mr. Megler: An act for certain deficiencies in maintenance of State Capitol building.

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

House bill No. 160 by Mr. Megler: An act making an appropriation for the payment of the publication of the notices re-

quired to be given by section 2 of chapters 65 and 67 of the laws of 1905.

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

Senator Reed moved that the secretary be directed to have 300 additional copies of Senate bill No. 24 printed. The motion was carried.

Senator Davis moved that the Senate take a recess until 2:00 o'clock p. m. this afternoon. The motion was carried.

AFTERNOON SESSION.

The Senate was called to order at 2:00 p. m. by President Coon.

Senate bill No. 18 was placed on final passage as amended, and was lost by the following vote:

Those voting aye were: Senators Anderson, Booth, Condon, Jones, Kline, Metcalf, Minkler, Paulhamus, Piper, Potts, Presby, Reed, Veness, Watson—14.

Those voting nay were: Senators Allen, Blair, Boone, Bratt, Brown, Cotterill, Davis, Eidemiller, Hunter, Hutson, Kennedy, Knickerbocker, McGregor, Nichols, Pauly, Rands, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Williams—23.

Those absent or not voting were: Senators Graves, Pogue and Polson—3.

Senator Gunn excused from voting on account of being interested in oyster lands.

Senator McGowan excused for similar reason.

Senator Ruth gave notice of a motion to reconsider vote, by which Senate bill No. 18 failed to pass.

Senator Allen moved that the vote by which Senate bill No. 71 passed the Senate yesterday be reconsidered, and a roll call on the motion was demanded by Senators Booth, Hutson, McGowan, Nichols, Allen, Minkler and Potts.

The motion was carried by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Cotterill, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGregor, Nichols, Paulhamus, Pauly, Potts, Presby, Rands, Smith, Stevenson, Sumner, Veness, Watson, Williams—25.

Those voting nay were: Senators Boone, Booth, Condon, Davis, Eidemiller, Gunn, McGowan, Metcalf, Minkler, Piper, Reed, Rosenhaupt, Ruth, Scott—14.

Those absent or not voting were: Senators Graves, Pogue and Polson—3.

Senator Allen moved that the rules be suspended and the bill be taken up out of order and placed on final passage. A roll call was demanded on the motion by Senators Booth, Reed, Nichols, Allen, Stevenson, Minkler and Knickerbocker.

The motion was lost by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Cotterill, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGregor, Nichols, Paulhamus, Pauly, Rands, Smith, Stevenson, Sumner, Veness, Williams—21.

Those voting nay were: Senators Boone, Booth, Condon, Davis, Eidemiller, Gunn, McGowan, Metcalf, Minkler, Piper, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Watson—17.

Those absent or not voting were: Senators Graves, Pogue, Jones and Polson—4.

Senator Booth moved that the bill be re-referred to the Judiciary Committee. The following Senators demanded a roll call on the motion: Senators Condon, Scott, Metcalf, Eidemiller, Booth, Davis and Gunn.

The motion was lost by the following vote:

Those voting aye were: Senators Anderson, Boone, Booth, Brown, Condon, Davis, Eidemiller, Gunn, McGowan, Metcalf, Minkler, Piper, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Watson—19.

Those voting nay were: Senators Allen, Blair, Bratt, Cotterill, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker,

McGregor, Nichols, Paulhamus, Pauly, Rands, Smith, Stevenson, Sumner, Veness, Williams—20.

Those absent or not voting were: Senators Graves, Pogue and Polson—3.

On motion of Senator Metcalf the Senate adjourned at 3:00 p. m.

J. W. LYSONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.

TWENTY-FIFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 7, 1907.
10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Anderson, Piper and Pogue, all of whom were excused.

On motion of Senator Reed the reading of yesterday's journal was dispensed with, and it was approved.

Petitions praying for direct primary law were received from the Seattle Central Labor Council and the State Grange, and on motion of Senator Presby were referred to the Committee on Election and Privileges.

A petition praying for initiative and referendum law was received and on motion of Senator Metcalf referred to the Committee on Election and Privileges.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 7, 1907.

MR. PRESIDENT:

We, your Committee on Election and Privileges, to whom was referred Senate bill No. 113, entitled, "An act relating to Coroners, and prescribing their qualifications," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to Judiciary Committee.

W. B. PRESBY, *Chairman.*

We concur in this report: R. L. Kline, Ralph Metcalf.

On motion of Senator Presby the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 7, 1907.

MR. PRESIDENT:

We, your Committee on Corporations Other Than Municipal, to whom was referred Senate bill No. 115, entitled, "An act relating to sales and conveyances by corporations in cases where the property or assets sold or conveyed constitute substantially all of the property or assets of the vendor corporation, etc.," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

LINCOLN DAVIS, *Chairman.*

We concur in this report: Fred M. Pauly, H. M. Boone, R. W. Condon, George W. Piper.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 6, 1907.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 48, entitled, "An act empowering Boards of County Commissioners to make exhibits of products at the A.-Y.-P. Exposition, and to appropriate money 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:

In lines 3 and 4 of section 2 of the printed bill, strike the words, "and fix the compensation to be paid to them for services and expenses, out of the sums to be thus appropriated," and insert in lieu thereof the words, "who shall receive no compensation beyond their actual necessary expenses."

A. W. ANDERSON, *Chairman.*

We concur in this report: H. M. Boone, Arthur Gunn, Fred Eidemiller, Walter J. Reed, John L. Blair, Peter McGregor.

On motion of Senator Gunn the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 7, 1907.

MR. PRESIDENT:

We, Your Committee on Roads and Bridges, to whom was referred House bill No. 116, entitled, "An act authorizing the County Commissioners of any county to acquire and operate quarries of suitable road building rock and ground containing deposits of suitable road building gravel, and to purchase, 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 out of the title the words, "And declaring an emergency." Also strike out all of section 4 which is the emergency clause.

E. C. BRATT, *Chairman.*

We concur in this report: Ralph Metcalf, Arthur Gunn,, R. L. Kline, A. S. Ruth, Alex. Polson, Peter McGregor, S. T. Smith.

On motion of Senator Bratt the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 7, 1907.

MR. PRESIDENT:

We, Your Committee on Roads and Bridges, to whom was referred House bill No. 46, entitled, "An act to amend section 2 of an act of the legislature of the State of Washington approved March 9th, 1905, entitled, 'An act creating a fund to be known as the public highway fund and making provisions for an annual levy to produce and so forth,'" 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 10 of the engrossed bill strike out all of the words after the word "tax," also strike out all of lines eleven and twelve and insert in lieu thereof the words, "of one-half."

We concur in this report: Ralph Metcalf, Arthur Gunn,, R. L. Kline, A. S. Ruth, Alex. Polson, Peter McGregor, S. T. Smith.

Senator Bratt moved that the bill be indefinitely postponed, and a roll call was demanded by the following: Senators Ruth, Booth, Minkler, Smith, Davis, Sumner and Condon.

The motion was carried as follows:

Those voting aye were: Senators Allen, Blair, Boone, Bratt, Condon, Davis, Eidemiller, Graves, Hunter, Hutson, Kennedy, Kline, McGowan, Pauly, Presby, Rands, Reed, Rosenhaupt, Sumner, Veness, Watson, Williams—22.

Those voting nay were: Senators Booth, Cotterill, Gunn, Knickerbocker, Metcalf, Minkler, Nichols, Paulhamus, Polson, Potts, Ruth, Smith, Stevenson—13.

Those absent or not voting were: Senators Anderson, Brown, Jones, McGregor, Piper, Pogue and Scott—7.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 78, entitled, "An act providing a method for the assessment and collection of an excise or privilege tax on private car companies doing business in 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 with the following amendment:

In section 9 of the engrossed bill strike the last word of said section, "immediately," and insert in lieu thereof these words, "April 1, 1907."

T. B. SUMNER, *Chairman*.

We concur in this report: Fred M. Pauly, R. L. Kline, R. W. Condon, J. A. Veness, Alex. Polson, George F. Cotterill.

On motion of Senator Polson the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 76, entitled, "An act regulating the keeping and deposit of municipal funds," 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 1, of the printed bill, after the words, "designation shall," strike the words, "becomes effectual and."

In section 2, line 5, of the printed bill, after the word "bank," insert the following, "or in lieu thereof shall deposit with the treasurer good and sufficient municipal, school district, county, state, or United States bonds, in said amounts."

T. B. SUMNER, *Chairman*

We concur in this report: Fred M. Pauly, R. L. Kline, Chas. T. Hutson, R. W. Condon, J. A. Veness, Alex. Polson, George F. Cotterill.

On motion of Senator Veness the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House bill No. 74, entitled, "An act providing for the assessment and collection of an excise tax from express companies doing business in the state," have had the same under consideration, and we re-

spectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In section 1, line 3, strike the word "other," and insert the word "any" in lieu thereof.

In section 1, line 3, of the printed bill, after the word "express," strike the words "not including," and insert in lieu thereof the following, "service as distinguished from;" and in the same section in line 4, after the word "ordinary," insert the word "freight."

In section 9 of the engrossed bill strike the last word of said section and insert in lieu thereof these words, "April 1, 1907."

T. B. SUMNER, *Chairman*.

We concur in this report: Fred M. Pauly, R. L. Kline, R. W. Condon, J. A. Veness, Alex. Polson, George F. Cotterill.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON; February 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 61, entitled, "An act authorizing the assessment of lands held or owned by any county in 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.

T. B. SUMNER, *Chairman*.

We concur in this report: Fred M. Pauly, R. L. Kline, Chas. T. Hutson, E. M. Rands, J. A. Veness, Alex. Polson, George F. Cotterill.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASHINGTON, February 7, 1907.

MR. PRESIDENT:

The House has passed House bill No. 136, entitled, "An act limiting the hours of employment of females in mechanical or mercantile establishments, etc.

Also House bill 119, amending the Code of Public Instruction.

Also House bill 131, creating a commission for the revision of the Code of Public Instruction.

Also House bill 62, making it unlawful to entice away any female person under the age of eighteen years.

Also Senate bill 128 making an appropriation for the maintenance of the office of Commissioner of Public Lands.

Also House substitute bill 65, providing for the control of delinquent children.

Also House substitute bill 81, relating to the duties of guardians.

Also Senate concurrent resolution No. 12, for the purchase of a new flag for the capitol building.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House*.

INTRODUCTION OF BILLS.

Senate bill No. 172, by Senator Knickerbocker, entitled, "An act providing for the appointment of special deputy sheriffs and defining their powers and duties."

The bill was read the first time, and on motion of Senator Knickerbocker 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. 173, by Senator Knickerbocker, entitled, "An act to regulate the business of detectives and detective agencies in the state of Washington."

The bill was read the first time, and on motion of Senator Knickerbocker 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. 174, by Senators Knickerbocker and Nichols, entitled, "An act to amend section one (1) of an act entitled, 'An act for the protection of persons working in coal mines,' approved March 6, 1897, and declaring an emergency."

The bill was read the first time, and on motion of Senator Knickerbocker 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. 175, by Senator Gunn, entitled, "An act for the purchase of the highway bridge across the Columbia river at Wenatchee, Washington, by the state of Washington, from the Washington Bridge Company, providing for the time and method of payment therefor and the manner of future maintenance and supervision thereof, and making an appropriation for said purchase."

The bill was read the first time, and on motion of Senator Gunn 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. 119, by Mr. Hamilton: An act to amend sections 117, 119 and 121 of the Code of Public Instruction of the State of Washington, etc.

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

House bill No. 136, by Mr. Kirkpatrick: An act to amend section 1 of an act entitled, "An act to regulate and limit the hours of employment of females in any mechanical or mercantile establishment, laundry, hotel and restaurant; to provide for its enforcement and a penalty for its violation," approved March 11, 1901.

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

House bill No. 131, by Mr. Bassett: An act creating a commission to revise and recodify the Code of Public Instruction 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 Judiciary.

House bill No. 65, by Mr. Hanson: An act to amend chapter 18 of session laws of 1905, entitled, "An act to provide for the apprehension, trial, treatment and control of delinquent children under the age of 17 years.

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

House bill No. 62, by Mr. Hanson: An act making it unlawful for any person to entice any female person under the age of eighteen years from her home.

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 Judiciary.

House bill No. 81, by Mr. Dickson: An act amending sections 6429, 6434, 6435 and 6437 of Ballinger's Annotated Codes Codes and Statutes 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 Judiciary.

Senate joint resolution No. 1, by Senator McGowan, asking for congressional action in the interest of the seacoast defences for the state of Washington, was read and on motion of Senator McGowan referred to the Committee on Memorials.

House memorial No. 2, by Mr. Gaches, memorializing the Congress of the United States in relation to the lease and sale of lands in the Swinomish Indian Reservation in the state of Washington, was read and on motion of Senator Kennedy was referred to the Committee on Memorials.

GENERAL FILE.

Engrossed copy of House bill No. 90, entitled, An act regulating the keeping and deposit of public funds in banks by the several county treasurers of this state, was read the third time, and on motion of Senator Smith was made a special order for 11:00 o'clock tomorrow.

Engrossed copy of Senate bill No. 108 entitled: An act to repeal and repealing sections 160 and 161 of the penal code of the state of Washington, was read the third time and placed on final passage and lost by the following vote:

Those voting aye were: Senators Booth, Davis, Eidemiller, Jones, Metcalf and Minkler—6.

Those voting nay were: Senators Allen, Anderson, Blair, Boone, Bratt, Condon, Cotterill, Graves, Gunn, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—32.

Those absent or not voting were: Senators Brown, Piper, Pogue and Scott—4.

Senate bill No. 90, entitled: An act amending section 715 of Ballinger's Codes and Statutes of Washington, and relating to the organization, classification, incorporation and government of municipal corporations, and declaring an emergency, was read the third time and placed on final passage, and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—40.

Those not voting were: Senators Piper and Pogue—2.

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

Senate bill No. 110, entitled, "An act to provide against the adulteration of foods, drinks and drugs, and fraud in the sale thereof, etc.," was taken up for third reading, and on motion of Senator Graves was made a special order for Tuesday at 11:00 o'clock.

Senate bill No. 24, entitled, "An act prohibiting the employment of workmen in underground mines or working more than eight hours per day," was up for third reading, and on motion of Senator Stevenson re-referred to the Committee on Mines and Mining.

Senate bill No. 60, entitled: An act to amend section 1263 Ballinger's Codes and Statutes of Washington, etc., was read the third time and placed on passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Watson, Williams—35.

Those absent or not voting were: Senators Minkler, Piper, Pogue, Veness, Condon, Jones and Metcalf—7.

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

House bill No. 31, entitled: An act regulating the hours of service of employees in train service upon railroads, etc., was read the third time and placed on final passage, and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Watson, Williams—36.

Those absent or not voting were: Senators Metcalf, Piper, Pogue, Rands, Sumner and Veness,—6.

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

At 11:35 a. m., on motion of Senator Gunn, the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

TWENTY-SIXTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, February 8, 1907.
10:00 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Metcalf, Piper and Pogue, all excused.

On motion of Senator Pauly the reading of yesterday's journal was dispensed with, and it was approved.

Petitions praying for the enactment of initiative and referendum law were received from King county, and on motion of Senator Presby were referred to Committee on Election and Privileges.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 7, 1907.

MR. PRESIDENT:

We, your Committee on Rules and Joint Rules, to whom was referred Senate concurrent resolution No. 3, relating to the final adjournment of the Tenth Legislature, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the Senate do not concur in the House amendment and that the House be requested to recede therefrom.

CHARLES E. COON, *Chairman*.

We concur in this report: Robert F. Booth, T. B. Sumner, Will G. Graves, Jesse S. Jones.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 8, 1907.

MR. PRESIDENT:

We, your Committee on Dykes, Drains and Drainage, to whom was referred Senate bill No. 132, entitled, "An act amending section 38 of an act entitled, 'An act to provide for the establishment of drainage districts, and etc.,' approved March 20, 1895," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

B. D. MINKLER, *Chairman*.

We concur in this report: A. W. Anderson, George F. Cotterill.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 8, 1907.

MR. PRESIDENT:

We, your Committee on Dykes, Drains and Drainage, to whom was referred Senate bill No. 135, entitled, "An act relating to dyking districts, their formation and organization, the construction and maintenance of a system of dikes including the straightening, deepening and widening of rivers, water courses, and streams, and etc., 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.

B. D. MINKLER, *Chairman*.

We concur in this report: A. W. Anderson, George F. Cotterill.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 8, 1907.

MR. PRESIDENT:

We, your Committee on Dykes, Drains and Drainage, to whom was referred Senate bill No. 136, entitled, "An act authorizing the levy of a tax for the purpose of improving the streams, and providing for the expenditure 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.

B. D. MINKLER, *Chairman.*

We concur in this report: A. W. Anderson, George F. Cotterill.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 8, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 35, entitled, "An act to amend sections 7 and 12 of an act entitled, 'An act to provide for the incorporation of associations for social, charitable and educational purposes, approved March 21, 1895, relating to powers of such associations and amendments of their articles of agreement,'" 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 line 3 of the title of the printed bill.

In line 3, section 1 of the printed bill, strike the words, "relating to powers of such associations and amendments of their articles of agreement."

In line 12 of said section, strike the word "stockholders" and substitute therefor the words "stock represented or two thirds of the members." In line 13 of said section, after the word "stockholders," insert the words, "or members." In line 15 of said section, strike the words, "stockholders in," and substitute therefor the words, "stock or of the members of."

In line 8, section 2 of the printed bill, strike the word "stockholders" and substitute therefor the words, "stock represented."

Strike section 3 of the printed bill.

WILL G. GRAVES, *Chairman.*

We concur in this report: W. D. Scott, T. A. Hunter, E. M. Rands, Robert F. Booth, Harry Rosenhaupt, I. B. Knickerbocker, Charles T. Hutson, W. B. Presby.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 8, 1907.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands, to whom was referred House bill No. 6, entitled, "An act prohibiting the owners or those in charge of any canal or ditch from suffering noxious weeds or other growths to go to seed on banks 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 amendment:

Amend the title of the printed bill by adding the following: "And providing a penalty for the violation thereof."

W. D. SCOTT, *Chairman.*

We concur in this report: Walter J. Reed, A. Gunn, Chas. T. Hutson, A. S. Ruth.

On motion of Senator Scott the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 8, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 107, entitled, "An act relating to the exercise of the power of eminent domain by corporations generating and transmitting electricity and using and selling the same for light and power," 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, section 4 of the printed bill, beginning with the word "No," strike the remainder of said section and substitute therefor the following: "A violation of this act shall cause a forfeiture of the corporate franchise if the corporation refuse or neglect to comply with the orders with respect thereto made in the suit herein provided for."

WILL G. GRAVES, *Chairman*.

We concur in this report: Robert F. Booth, T. A. Hunter, I. B. Knickerbocker, W. D. Scott, Harry Rosenhaupt, W. B. Presby.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 8, 1907.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands, to whom was referred Senate bill No. 120, entitled, "An act providing for the control regulation, distribution and measurement of stored waters and flowing waters, 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 from the title of the printed bill the following words: "And declaring an emergency."

W. D. SCOTT, *Chairman*.

We concur in this report: Walter J. Reed, A. Gunn, Chas. T. Hutson, A. S. Ruth.

On motion of Senator Scott the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 8, 1907.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 4, entitled, "An act amending section 144 of the Code of Public Instruction, being section 7378 of Pierce's Code of the State of Washington, and 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 line 1 of the title of the printed bill, after the word "section," strike all of that part of line 1 beginning with "144," up to and including the word "instruction," inserting in lieu thereof, "2407 of Ballinger's Annotated Codes and Statutes of Washington."

In section 1, line 1, of the printed bill, strike all of that part of line 1 beginning with "144," up to and including the word "instruction," inserting in lieu thereof, "2407 of Ballinger's Annotated Codes and Statutes of Washington," and in the same section, in line 4, after the word "section," of the printed bill, strike the figures "7378," and insert in lieu thereof the figures, "2407."

WALTER J. REED, *Chairman.*

We concur in this report: I. B. Knickerbocker, A. W. Anderson, George A. Kennedy, H. S. McGowan, J. R. Stevenson, W. B. Presby.

On motion of Senator Reed the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 8, 1907.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 131, entitled, "An act creating a commission to revise and recodify the Code of Public Instruction of the State of Washington, defining its powers and duties, and making an appropriation for the payment of its actual and necessary expenses," 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 by inserting in place of "Section 5," of the printed bill the following: "Section 5. The completed code proposed by said commission shall be printed in the form of a legislative bill and distributed to the members elect of the legislature of 1909, on or before December 1st, 1908. All amendments shall be underscored in such draft of the proposed code."

Change section 5 of the printed bill to section 6.

WALTER J. REED, *Chairman.*

We concur in this report: I. B. Knickerbocker, A. W. Anderson, George A. Kennedy, H. S. McGowan, J. R. Stevenson, W. B. Presby.

On motion of Senator Reed the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 8, 1907.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 42, entitled, "An act to provide for the improvement of highways," 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 section 4, line 3, after the word "profile," by inserting:

Provided, however, that whenever in the judgment of the State

Highway Board the public will thereby be subserved, they shall employ the county engineer or surveyor of any county in which a highway is to be improved under the provisions of this act to make the necessary surveys, maps, profiles, plans and specifications and superintend the construction of such highway or section thereof.

Amend section 5, line 1, by inserting after the word "maps," the word "profiles."

Amend section 6, line 2 of the printed bill, by inserting after the word "maps," the word "profiles."

Amend section 8 of the printed bill by striking out in line 17, the words, "people of the."

In line 20, section 8 of the printed bill, strike out the word "ninety," and insert in lieu thereof the word "eighty." Also in line 20 of section 8, strike out the word "ten," and insert in lieu thereof the word "twenty."

In line 3 of section 8, insert a comma after the word, "advantage."

In section 9, line 3 of the printed bill, insert between the words "made" and "to" the words "from the state highway fund."

Strike out all of sections 17, 18, and 19 from this bill.

Change section numbers of sections 20 and 21 to numbers 17 and 18, respectively.

E. C. BRATT, *Chairman.*

We concur in this report: A. W. Anderson, S. T. Smith, A. S. Ruth, A. Gunn, R. L. Kline, Alex. Polson, George F. Cotterill, Peter McGregor.

On motion of Senator Bratt the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 8, 1907.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Engrossed House bill No. 129, entitled, "An act relating to the liability of a bank or a trust company to a depositor in case of forged or raised checks," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. M. BOONE, *Chairman.*

We concur in this report: C. G. Browd, T. A. Hunter, R. W. Condon, S. T. Smith, A. S. Ruth, W. H. Paulhamus, H. M. Boone, I. B. Knickerbocker, J. A. Veness.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 7, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred Senate bill No. 148, entitled, "An act granting additional authority to cities of the first class to authorize the location, construction of railroads in, along, over or across any highway, street, alley or public

place, etc.," have had the same under consideration, and we respectfully report it back to the Senate with the recommendation that it do pass.

JESSE S. JONES, *Chairman*.

We concur in this report: E. M. Williams, Fred Eidemiller, R. L. Kline.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 7, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred Senate bill No. 144, entitled, "An act authorizing the formation of metropolitan park districts, providing for park officials, fixing their powers and duties, 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.

JESSE S. JONES, *Chairman*.

We concur in this report: E. M. Williams, Fred Eidemiller, Harry Rosenhaupt, R. L. Kline, George F. Cotterill.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 7, 1907.

MR. PRESIDENT:

We, Your Committee on Medicine, Dentistry, Surgery and Hygiene, to whom was referred Senate bill No. 131, entitled, "An act to regulate the practice of osteopathy in 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.

C. G. BROWN, *Chairman*.

We concur in this report: Robert F. Booth.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred the report of the special committee appointed by the Governor of this state relative to the establishment of a reformatory prison, would beg leave to report that while we are in sympathy with the recommendations, owing to the finances of the state we do not deem it expedient at this time to recommend any additional state institutions.

Very respectfully,

FRED M. PAULY, *Chairman*.

We concur in this report: W. B. Presby, Alex. Polson, J. R. Stevenson, B. D. Minkler.

On motion of Senator Pauly the report of the committee was adopted.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 7, 1907.

To the Honorable Senate of the State of Washington:

GENTLEMEN:—I have the honor to forward to you herewith copy of a report made to me by a committee which I appointed to investigate the condition of shipping and the appliances and methods employed by

the owners and masters of vessels propelled by machinery to insure the safety of passengers on the inland waters of the state.

ALBERT E. MEAD, *Governor*.

OLYMPIA, WASHINGTON, February 7, 1907.

To His Excellency, Albert E. Mead, Governor of Washington:

Your committee invited to investigate the condition of shipping and the appliances and methods employed by the owners and masters of vessels propelled by machinery to insure the safety of passengers on the inland waters of the state, held a meeting in the city of Tacoma on Wednesday, January 9, 1907.

The Commission organized by selecting Lieutenant Governor Charles E. Coon chairman, and J. R. Welty secretary.

We have not been able to go into this investigation as fully as we desired, for the reason that we have no power to subpoena witnesses and there is no money available to pay their per diem and mileage. However, we extended a general invitation to all interested in these matters to appear before us, and the information we have been able to secure along the line of our investigation was voluntarily given by a number of gentlemen in the Revenue Service, by licensed captains of steam vessels, and by others interested in and conversant with shipping and navigation on the inland waters of the state. Among these were Captain Whitney, federal inspector of hulls for the district; Captain Henderson of the Revenue Cutter Arcata; Mr. Henry Blackwood, Special Deputy Collector of Customs; Captain J. W. Tarte of Bellingham, a member of the commission; Mr. Frank Burns, a Seattle steamship man; Captain C. E. Hunt, a licensed steamboat captain; and Captain H. B. Joyce of the Masters and Pilots Association.

The United States Inspectors are, in our opinion, performing faithful work, and the requirements of the government so far as safety of boilers, stability of hulls, and the equipment prescribed by the regulations seem to be met. There is a sufficient supply of life preservers on the steamers subject to government inspection, and the life boats and rafts required by the government; but it is admitted that the boatage required, although it is greater than that of other countries, is not sufficient to care for all passengers and crew in case of disaster. It was pointed out to us by the U. S. Inspector that it would be practically impossible for steam craft carrying large numbers of passengers to find room on her decks for boatage for all; and that persons going upon journeys by water must take some risks.

The navigation of the inland lakes of the state is not regulated by the marine or navigation laws of the United States, and the state of Washington has enacted no laws for the regulation of navigation on these waters. As a result, a deplorable condition in regard to navigation exists on these lakes. All kind of craft are used in carrying passengers, and little or no provision is made for their safety in case of accident. Men and boys without adequate experience are running these boats, and the boats are said to be equipped with old boilers picked up

in shingle mills and factories with no equipment of any kind to save life—neither pumps, fire hose, life preservers or life boats, and they carry passengers and freight without proper restrictions as to amount and number.

The persons operating these boats are frequently without the experience in this line of work which would qualify them to pass a master's or pilot's examination, and there is no law requiring any examination as to their capability or fitness for the work. In fact they are not required to take out or hold a license.

A similar condition of affairs exists on Puget Sound and the inland waters of the state as concerns gasoline launches or other craft of under fifteen tons burden. Section 4426 Revised Statutes of the United States requires that such boats, if carrying passengers for hire, shall be supplied with one life preserver for every passenger so carried, but our information is that this law is not complied with. The same section provides that such boats shall be in charge of a person licensed by the inspector, but also declares that no examination shall be required as a condition of the obtaining of such license. It is a fact that a large number of person, many of them under age, have applied for and received such a license, and are now operating such craft.

The use of these launches and motor boats has increased enormously during the past few years, and a great many of them are being built just enough under the limit of fifteen tons to escape supervision and inspection by the federal marine service. These little boats, built just under the limit of fifteen tons, manned by boys and men with no experience in the operation of machinery and with no knowledge or experience in navigation, are carrying passengers.

On the inland waters of the state, such as Lake Washington, Union, Chelan and others, these conditions exist, and there is the further danger to life arising from the carrying of nitro-glycerine, dynamite and other explosives, the United States having no jurisdiction over these interior waters. This we shall allude to further on in this report. In regard to navigation on the inland waters of the state, we find that it is a common custom for the master to place an unlicensed man at the wheel to navigate the vessel, while he attends to other matters of minor importance. These unlicensed men to whom is entrusted the navigation of the vessel are often without experience acquired by service and have very little knowledge of the laws of navigation and small acquaintance with the waters through which they are attempting to navigate a vessel. This practice was, it is well known, solely responsible for the appalling disaster to the steamer Dix.

In many instances the steamers or vessels of these waters engaged in carrying passengers, do not carry a watchman on the fore part of the vessel at night.

There is no standard of efficiency as to the inferior officers and crew of these vessels. While the master will have a master's license, the navigation of the vessel is frequently left to a mate, who may have only a mate's license, and whose qualifications and acquaintance with

the waters he is navigating are not such as to procure for him a pilot's license should he appear before the U. S. Inspectors for examination.

We find that many vessels do not have a sufficient number of officers and employees, and that consequently men are kept on watch so long that their nervous forces are deranged and they lose their capacity for watchfulness and prompt decision and action in emergency.

We believe that vessels as a rule do not take the necessary precaution to protect the lives of passengers in case of accident, by providing a sufficient number of life boats and life rafts properly supplied with oars and life lines capable of being launched into the water for immediate use in case of need without the slow and laborious method of ropes and pulleys; and that the crews of such vessels are not disciplined in the launching, use and management of such boats. These are matters of government regulation.

The alleged racing of passenger steamers which was brought to our attention was inquired into. It appears that the master of one of the steamers was punished by a suspension of his license for violating the "Rules of the Road," and the U. S. inspector informs us that any further recurrence will be severely punished.

As to foreign coastwise vessels, this commission has not been able to obtain testimony free from prejudice and broad enough in scope to justify any extended findings based thereon.

Foreign vessels are privileged to enter the navigable waters of this state without procuring the services of a licensed pilot. Ending a long, weary and often tempestuous sea voyage, with its resultant nerve deranging effects and with anxiety to reach port, the officers of such vessels are not in condition to safely pilot a ship through waters of which they have little or no knowledge. They traverse waters frequently swarming with passenger steamers, launches, etc., and we believe that great danger to life exists.

The State Pilotage Laws covering the Columbia river district appear to be sufficient, but it is our opinion that the present law covering the Puget Sound district is entirely obsolete, insufficient and inoperative. We are advised that persons having very little knowledge of the local waters, and who never had or could procure a pilot's license, have boarded steamers, in violation of law, and representing themselves to be licensed pilots, have actually assumed to pilot such steamers to a port of destination.

We believe such practices are fraught with the greatest danger, not only to the vessels and their crews thus inflicted, but to all others encountering such vessels while navigating the waters of Puget Sound.

We, therefore, recommend the passage of better pilotage laws for the Puget Sound district. In connection with the navigation of the great waters, more extensive and difficult in many respects than those of any other locality, we desire to call attention to the fact that the United States government, although having sole jurisdiction of such matters, has not yet supplied all the lights, fog signals, etc., necessary to the safe navigation of Puget Sound. The absence of these necessary safe-

guards to navigation are responsible for many of the disasters and losses of life which have occurred in recent years. From the testimony taken by the commission, we compile the following list of additional light ships, lights, and fog signals, which should be established at different points in Puget Sound: Admiralty Inlet, Rosario Straits, and other places, all situated inside of a line drawn from Dungeness to Cattle Point Light. In stormy weather and in thick, foggy weather the navigation of these waters is extremely dangerous, and we suggest that a memorial be addressed to the United States government through our Representatives in Congress, requesting that these deficiencies be supplied as soon as possible.

LIST OF LIGHT HOUSES AND FOG SIGNALS WANTED.

Jefferson Head.—Light house. Fixed white light. Fog Horn.

Lip Lip Point.—Light house. Fog horn.

Point Hudson.—(Entrance Port Townsend.)—Fog bell. Light.

Point Partridge.—(Whidbey Island.)—Light Ship. Fog horn. Located on shoal about where present bell buoy now is. This bell buoy cannot be seen in thick weather, and the bell is silent except in rough seas.

San Juan Island.—Light. Fog horn. To be placed on point about one mile south of Lime Kiln.

Vita Vita Rocks.—Light. Fog horn.

Alden Bank.—(Gulf of Georgia.)—Light ship.

Hein Bank.—(Straights of San Juan.)—Light ship.

Clark Point.—(North entrance Bellingham channel.)—Light.

Patos Island.—The present dull red light should be supplanted by a flashing light, as the present light cannot be seen and is entirely inadequate.

The commission has procured ample testimony from pilots, ship masters and others relative to these requirements, and they unhesitatingly advise their immediate authorization.

In this connection we desire to say that it is the opinion of all pilots and masters who have appeared before us that the light on Admiralty Head is almost, if not quite, useless. The proposed light on the shoal at Partridge Point would supplant the Admiralty Head light completely, and would be of great benefit to commerce. As noted above, the present bell buoy on the shoal is absolutely useless.

While we believe that the United States inspection of steam boilers and hulls is rigid and sufficient, we are of the opinion from testimony received that there should be more frequent inspections of equipment necessary for the saving of life in the case of accident. It has been suggested to us from numerous sources that one inspector should be detailed for the sole purpose of traveling at frequent and unexpected times on the various passenger steamers frequenting these waters. It is believed that a great deal of good could be accomplished by these means, and the annual inspections are thought not to be entirely sufficient to insure the absolute sufficiency at all times of the life saving

equipment. We are aware that the state of Washington has no power to institute such a service, but we believe if proper representations were made to the United States government, one of the inspectors would be detailed to perform this duty.

We have alluded in this report to the entire absence of any state law regulating the vessels carrying passengers on state waters. In 1789 the Congress passed a law providing that all pilots in bays, inlets, rivers, harbors and ports of the United States shall continue to be regulated in conformity of the existing laws of the states respectively wherein such pilots may be, or with such laws as the states may respectively enact for the purpose. This provision continued in force until 1871, when the Congress enacted a law (Sec. 4444, Revised Statutes), that no state or municipal government shall impose upon pilots of steam vessels any obligation to procure a state or other license in addition to that issued by the United States, etc.

It is obvious that the State of Washington cannot constitutionally enact any law in contravention of the law of the Congress, but as the United States does not and will not assume jurisdiction over waters which are entirely internal, the state itself should enact laws ample for the protection of the lives and property of its citizens.

We, therefore, recommend that suitable laws governing the navigation of such waters be enacted by the legislature, and we submit herewith a copy of a law, which in our opinion will serve the purpose.

We are happy in the belief that measures inaugurated by the United States since the appalling disasters of the last year, which occurred at points outside of the waters with which we have been dealing and in which several vessels and hundreds of passengers were lost, are being perfected, and it is believed that these wrecks will be less numerous in the future in consequence of these additional safeguards.

We have the honor to be very respectfully your obedient servants.

CHARLES E. COON, *Chairman*,
J. R. WELTY, *Secretary*,
C. T. HUTSON,
ARTHUR GUNN,
JOHN L. BLAIR,
GEORGE F. COTTERILL,
DR. H. C. FULTON,
JOS. G. MEGLER,
GEORGE T. REID,
H. L. STROBRIDGE,
JOHN H. YAKEY,
JOHN T. RONALD,
C. F. HUBBARD,
J. M. SNOW,
J. F. TARTE,
S. S. KING,
A. M. SEWALL,
GEO. W. TIBBETTS.

On motion of Senator Cotterill the report was ordered printed and copies sent to the House.

INTRODUCTION OF BILLS.

Senate bill No. 176, by Senator Reed: An act to establish and maintain a home for the indigent, blind, aged and infirm, and making an appropriation therefor, and declaring an emergency.

The bill was read the first time, and on motion of Senator Reed 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. 177, by Senator Minkler: An act amending section 1 of chapter 127 of the laws of 1905, being an act entitled, "Amending act of 1901 relating to assessments of state, school and granted lands for drainage purposes," etc., approved March 8, 1901, same being section 4594 of Pierce's Washington Code, approved March 9, 1905, and repealing section 2 thereof and declaring an emergency.

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

Senate bill No. 178, by Senator Minkler: An act relating to the payment by the state of assessments made on state, school or granted lands for the construction and maintenance of dikes and drains benefitting such land, and repealing section 2 of chapter 127 of laws of 1905, being an act entitled, "Amending act of 1901 relating to assessment of state, school and granted lands for drainage purposes," approved March 8, 1901, same being section 4594 of Pierce's Washington Code, approved March 9, 1905, and making an appropriation therefor and declaring an emergency.

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

Senate bill No. 179, by Senator Minkler: An act amending section 6 of an act to provide for the alteration, replat or vacation of any town site, city plat or plats, addition or additions,

or parts thereof, and the assessment, collection and payment of any damages connected therewith; approved March 14, 1903.

The bill was read the first time, and on motion of Senator Minkler 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 Cotterill: An act regulating steam vessels, and vessels or boats operated by machinery, navigating the waters within the jurisdiction of this state, except vessels which are subject to inspection under the laws of the United States, and providing penalties for the violation thereof.

The bill was read the first time, and on motion of Senator Cotterill 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. 181, by Senator Boone: An act fixing the salaries of the Governor, Lieutenant Governor, Secretary of State, State Treasurer, Auditor, Attorney General, Superintendent of Public Instruction and Commissioner of Public Lands, and providing for the manner of payment.

The bill was read the first time, and on motion of Senator Boone 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. 182, by Senator Veness: An act to amend section 1 of an act entitled, "An act providing for the establishment and location of a State Reform School and to declare an emergency," approved March 28, 1890.

The bill was read the first time, and on motion of Senator Veness 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 Gunn: An act to amend section 55 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 to carry water for such purposes and declaring an emergency," approved March 4, 1890.

The bill was read the first time, and on motion of Senator Gunn 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 joint resolution No. 2, by Senator Kline, petitioning the President of the United States and protesting against the extension of forest reserves, and also protesting against the further extension of any and all forest reserves within this state was read.

Senator Graves moved that it be referred to the Committee on Memorials.

The motion was lost.

On motion of Senator Kline the rules were suspended and Senate joint resolution No. 2 was taken up out of order and placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGregor, Nichols, Paulhamus, Pauly, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—33.

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

Those absent or not voting were: Senators Gunn, McGowan, Metcalf, Nichols, Piper, Pogue and Polson.

REPORT OF JOINT COMMITTEE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 6, 1907.

To the Senate and House of Representatives of the State of Washington:

We, the undersigned committee appointed by the Senate and House of Representatives of the State of Washington to confer with a like committee appointed by the Senate and House of Representatives of the State of Oregon for the purpose of reaching an agreement, if possible, upon the laws relative to salmon fishing and the fishing industry on the Columbia river, do hereby respectfully report as follows:

That we met at Portland, Oregon, on February 3rd and 4th, 1907, with the committee appointed by the legislature of the State of Oregon, and duly organized with Senator A. L. Watson as chairman of the meeting, and with said committee the following agreement was reached, to-wit:

That the closed season on the Columbia river be amended so that the same shall be closed from noon on the 15th day of March to noon on the 20th day of April, of each year, and from noon on August 20th to noon on September 15th of each year, and that there be a Sunday close season from six p. m. Saturday to six p. m. on the Sunday following, of each week, between April 20th and August 20th of each year.

The committee also recommends that the legislatures of Oregon and Washington each appoint a committee of five, each delegation to consist of three Senators, two of whom shall be holdovers, and two Representatives, to thoroughly investigate, and report at the next session of the legislatures the conditions and needs of fishing industry on the Columbia river.

All of which is respectfully submitted.

J. G. MEGLER,
E. A. BLACKMORE,
J. M. STEVENSON, .
A. L. WATSON,
H. S. MCGOWAN.

On motion of Senator McGowan the report of the committee was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 7, 1907.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 11, entitled, "An act concerning the administration of its office of Commissioner of Public Lands, with the following amendment:

Strike out all after the word "report," in line 24 of the original resolution, and before the word "that" in line 27, and insert in lieu thereof the following: "its findings to this Tenth Legislature on or before the 1st day of March, 1907; or report at said time such portions of such charges as they have investigated, and submit to this legislature the question of the further investigation of said office."

And the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

Senator Hutson withdrew from the committee appointed in accordance with House concurrent resolution No. 3, to confer with committees from the legislatures of Idaho and Oregon on the subject of improving the Columbia and Snake rivers, and Senator Presby was appointed in his stead.

GENERAL FILE.

Senator Ruth moved that the vote whereby Senate bill No. 18 was defeated be reconsidered.

On motion of Senator Condon the reconsideration of the vote

by which Senate bill No. 18 was lost was made a special order for 3:00 p. m. Tuesday next.

On motion of Senator Sumner House bill No. 90 was re-referred to the Committee on Public Revenue and Taxation.

On motion of Senator Paulhamus Senate bill No. 116 was ordered not to be transmitted to the House for the present.

On motion of Senator Graves Senate bill No. 27 was re-referred to the Committee on Judiciary.

House bill No. 76, entitled, An act relating to the keeping and deposit of municipal funds, was read the third time and placed on final passage.

On motion of Senator Graves the following amendment was made: In section 2, line 9, after the word "balances" insert "when said balances exceed one thousand dollars."

Roll call was had and the bill passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGregor, Minkler, Paulhamus, Pauly, Polson, Potts, Presby, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Watson, Williams—34.

Those absent or not voting were: Senators McGowan, Metcalf, Nichols, Piper, Pogue, Rands, Reed and Veness—8.

On motion of Senator Graves the title of the bill was amended to read as follows: "An act relating to the keeping and deposit of municipal funds."

House bill No. 74, entitled, "An act providing a method for the assessment and collection of an excise or privilege tax from express companies doing business in this state," was read the third time and placed on final passage.

On motion of Senator Scott the following amendment was made: In section 6, line 11, after the word "books," insert the word "records."

A roll call was had and the bill passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knicker-

bocker, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Booth, McGowan, Metcalf, Piper and Pogue—5.

The roll was called and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Booth, McGowan, Metcalf, Piper and Pogue—5.

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

Senator Graves moved to adjourn until 2:00 o'clock this afternoon.

The motion was lost.

On motion of Senator Sumner the Senate adjourned at 11:50 a. m. until 2:00 o'clock p. m. Monday.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

TWENTY-NINTH DAY.

AFTERNOON SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, February 11, 1907.
2 o'clock p. m.

The Senate was called to order at 2:00 o'clock p. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senator Hunter, excused, Senator Pogue, excused, and Senator Scott, excused.

On motion of Senator Booth the reading of Friday's journal was dispensed with, and it was approved.

Petitions for initiative and referendum were received from King county, and on motion of Senator Presby were referred to Committee on Election and Privileges.

Petition from Chelan county relative to repealing present lien law was read, and on motion of Senator Graves referred to the Committee on Judiciary.

The following resolution by Senator Presby was read:

WHEREAS, The members of the third house, commonly known as the "House of Lords," have requested the use of the Senate chamber to hold a meeting on Thursday evening, the fourteenth, from 7:30 o'clock p. m. to 10:00 p. m.; therefore, be it

Resolved, by this body, the Senate of the State of Washington, That they be extended the privilege of holding such meeting in this chamber of above stated."

On motion of Senator Presby the resolution was adopted.

On motion of Senator Kline the rules were suspended and Senate joint resolution No. 2 was ordered transmitted to the House forthwith.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 11, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 48, entitled, "An act empowering boards of county commissioners to make exhibits of their respective counties at the Alaska-Yukon-Pacific Exposition, and to appropriate money therefor, etc."

Also: Senate bill No. 116, entitled, "An act regulating commission merchants or persons selling farm, dairy, orchard or garden produce on commission and providing a penalty for the violation thereof," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. S. RUTH, *Chairman.*

We concur in this report: A. W. Anderson, Fred M. Pauly.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 11, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 128, entitled, "An act making appropriation for the maintenance of the office of Public Lands and for the payment of salaries of certain officers employed in said office," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: P. L. Allen, R. W. Condon, Robert F. Booth, Lincoln Davis.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 11, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 27, entitled, "An act to amend sections 1, 2, 3, 4, 5, 6 and 7 of an act entitled, 'An act to provide for the relief of indigent Union and Mexican war soldiers, sailors and marines and the families of those deceased or indigent, and to defray funeral expenses,' etc., 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.

Strike out title of the printed bill, and substitute therefor the following: "An act relating to the relief of soldiers, sailors and marines and their families, and amending sections 1, 2, 3, 4, 5, 6 and 7 of chapter 117 of Laws of 1888."

In lines 1 and 2, section 1 of the printed bill, strike the words, "That section 2640 of Ballinger's Annotated Codes and Statutes of

Washington, same being section 8061 of Pierce's Washington Code," and substitute therefor the words, "Section 1. That section 1 of chapter 117 of the Laws of 1888."

In lines 1 and 2, section 2 of the printed bill, strike the words and figures, "2641 of Ballinger's Annotated Codes and Statutes of Washington, same being section 8062 of Pierce's Washington Code," and substitute therefor the words and figures, "2 of chapter 117 of the Laws of 1888."

In lines 1 and 2, section 3 of the printed bill, strike the words and figures, "2642 of Ballinger's Annotated Codes of Washington, the same being section 8063 of Pierce's Washington Code," and substitute therefor the words and figures, "3 of chapter 117 of the Laws of 1888."

In lines 1 and 2, section 4 of the printed bill, strike the words and figures, "2643 of Ballinger's Annotated Codes and Statutes of Washington, same being section 8064 of Pierce's Washington Code," and substitute therefor the words and figures, "4 of chapter 117 of the Laws of 1888."

In lines 1 and 2, section 5 of the printed bill, strike the words and figures, "2644 of Ballinger's Annotated Codes and Statutes of Washington, same being section 8065 of Pierce's Washington Code," and substitute therefor the words and figures, "5 of chapter 117 of the Laws of 1888."

In lines 1 and 2, section 6 of the printed bill, strike the words and figures, "2645 of Ballinger's Annotated Codes and Statutes of Washington, same being section 8066 of Pierce's Washington Code," and substitute therefor the words and figures, "6 of chapter 117 of the Laws of 1888."

In lines 1 and 2, section 7 of the printed bill, strike the words and figures, "2646 of Ballinger's Annotated Codes and Statutes of Washington, same being section 8067 of Pierce's Washington Code," and substitute therefor the words and figures, "7 of chapter 117 of the Laws of 1888."

WILL G. GRAVES, *Chairman.*

We concur in this report: W. B. Presby, Robert F. Booth, Ralph Metcalf, I. B. Knickerbocker, Ralph D. Nichols, Harry Rosenhaupt, Chas. T. Hutson, T. A. Hunter, E. M. Rands.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 11, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Sub. House bill No. 81, entitled, "An act amending sections 6434, 6435, and 6437 of Ballinger's Annotated Codes and Statutes of the State of Washington, relating to the duties of guardian and the sale of the property of resident insane persons," 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 1 of the title of the printed bill, strike the words, "of the state."

In line 1, section 1 of the printed bill, strike the words, "of the state."

In line 1, section 2 of the printed bill, strike the words, "of the state."

In line 1, section 3 of the printed bill, strike the words, "of the state." In line 2 of said section, strike the figures, "7437," the interrogation point and the brackets surrounding the figures "6437." In line 3 of said section, strike the word "performed," and substitute the word "executed" therefor. In line 4 of said section, strike the word, "prejudicial," and substitute the word "prejudicially" therefor.

WILL G. GRAVES, *Chairman.*

We concur in this report: W. B. Presby, Robert F. Booth, Ralph Metcalf, I. B. Knickerbocker, Harry Rosenhaupt, Chas. T. Hutson, T. A. Hunter.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 11, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 122, entitled, "An act relating to the taxation of inheritances and amending sections 1, 2, 4, 7, 9, 10, 12, 14, 17 and 18, and repealing section 5 of an act entitled, 'An act relating to the taxation of inheritances and providing for the disposition 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.

WILL G. GRAVES, *Chairman.*

We concur in this report: W. B. Presby, Robert F. Booth, Ralph Metcalf, I. B. Knickerbocker, Ralph D. Nichols, Harry Rosenhaupt, Charles T. Hutson, T. A. Hunter, E. M. Rands.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 11, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 62, entitled, "An act making it unlawful for any person to entice any female person under the age of eighteen years from her home, declaring the same to be a felony and prescribing the penalty 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:

Strike the title of the printed bill and substitute therefor the following: "An act relating to the offense of unlawful enticement and providing a penalty."

Strike section 1 of the printed bill and substitute therefor the following: "Section 1. Any person who shall entice a female under the age of eighteen years from the custody of her parents, guardian, or other person having lawful control of her, for any unlawful purpose, shall upon conviction thereof be fined in any sum not exceeding one thousand dollars or imprisoned in the county jail not exceeding one year, or be fined and imprisoned."

Strike section 2 of the printed bill.

Strike section 3 of the printed bill.

WILL G. GRAVES, *Chairman.*

We concur in this report: W. B. Presby, Robert F. Booth, Ralph Metcalf, I. B. Knickerbocker, Harry Rosenhaupt, Chas. T. Hutson, T. A. Hunter, E. M. Rands, Ralph D. Nichols.

On motion of Senator Graves the report of the committee was adopted.

The president signed Senate bill No. 128.

INTRODUCTION OF BILLS.

Senate bill No. 184, by Senator Davis, entitled, "An act to amend section 8 of an act entitled, 'An act creating a Bureau of Labor, defining its duties, abolishing the office of Assistant Labor and Factory, Mill and Railway Inspector, repealing chapter XXIX of the Laws of 1897; making an appropriation and declaring an emergency,' approved March 16, 1901."

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 Appropriations.

Senate bill No. 185, by Senator Reed, entitled, "An act relating to the legal residence of children attending the public schools.

The bill was read the first time, and on motion of Senator Reed 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. 186, by Senator Brown, entitled "An act to amend an act entitled 'An act to provide for the appointment, qualification and duties of notaries public, certifying their official acts and declaring an emergency to exist,' approved Decem-

ber 21, 1890, by adding to section 1 of said act a proviso allowing the appointment of women as such notaries public."

The bill was read the first time, and on motion of Senator Brown 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 Blair, entitled, "An act amending an act to provide for the assessment and collection of taxes in the State of Washington, approved March 15th, 1897, by amending section 94 of chapter LXXI, Session Laws of 1897, and declaring an emergency."

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

Senate bill No. 188, by Senator Kline (by request), entitled "An act creating the offices of State Mining Commissioner and Deputy State Mining Commissioner, defining their duties, fixing their compensation, etc."

The bill was read the first time, and on motion of Senator Kline 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. 189, by Committee on State Penal and Reformatory Institutions, entitled "An act empowering the State Board of Control to employ an agent to represent said board in the purchase of jute."

The bill was read the first time, and on motion of Senator Pauly the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 190, by Senator Metcalf, entitled, "An act to provide for the improvement of tide lands and adjacent lands in aid of commerce and navigation, providing public facilities for shippers and others, creating a commission therefor, declaring certain laws relating thereto, granting the power of eminent domain."

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

Metcalf 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. 191, by Senator Graves, entitled, "An act relating to the salaries of bailiffs of the superior courts and amending section 1558 of Ballinger's Annotated Codes and Statutes 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 Judiciary.

Senate bill No. 192, by Senator Graves, entitled, "An act prohibiting the publication in newspapers or other papers of offensive, improper and obscene matter and providing for prosecutions and penalties therefor."

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. 193, by Senator Piper, entitled, "An act authorizing the common council of cities of the first class to nominate and elect municipal officers whenever the mayor of such city shall neglect to make nominations or the nominations made by him shall not be confirmed, etc."

The bill was read the first time, and on motion of Senator Piper the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 194, by Senator Condon, entitled, "An act relating to the organization and powers of corporations other than those formed for the purpose of profit."

The bill was read the first time, and on motion of Senator Condon 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. 195, by Senator Reed, entitled, "An act to prevent unauthorized persons from using or wearing any emblem,

badge, button, token or insignia of any fraternal, secret or beneficiary or order of the Grand Army of the Republic, and amending section 7440 of Ballinger's Annotated Codes and Statutes of Washington."

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

Senate bill No. 196, by Senator Stevenson, entitled, "An act to provide for dividing all incorporated towns of the fourth class in the State of Washington into wards, and requiring councilmen to be elected to be residents of such wards."

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

House memorial No. 5, relative to script locations was read, and on motion of Senator Polson referred to Committee on State Granted, School and Tide Lands.

House bill No. 187, by Mr. Cameron, entitled, "An act to amend section 3482 and 3483 of Ballinger's Code (1655 and 1656, Pierce's Code), relating to the trespass of sheep on certain lands, and providing a punishment therefor."

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

House bill No. 192, by Mr. Godman, entitled, "An act to provide for the indeterminate sentence of persons convicted of certain felonies, for the termination of such sentence and the release of such persons, defining the duties of the Board of Control and warden of the penitentiary in relation thereto, and repealing all acts and parts of acts in conflict herewith."

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

House bill No. 166, by the Committee on Revenue and Taxa-

tion, entitled, "An act relative to the finances of the State of Washington and providing the time when and manner in which moneys shall be paid into the state treasury, 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, and referred to the Committee on Public Revenue and Taxation.

House concurrent resolution No. 10, by Mr. Hanson, relating to different committees from the Senate and House acting as a joint committee to consider salaries paid state and county elective and appointive officials.

Senator Allen moved the adoption of the resolution.

The motion was lost.

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 11, 1907.

MR. PRESIDENT:

The House has passed Senate joint resolution No. 2, entitled, "An act protesting against the extension of forest reserves in this state," and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 11, 1907.

MR. PRESIDENT:

The House has passed House bill No. 112, entitled: An act to enable counties, cities and towns to validate certain warrants.

Also House bill No. 68 for the relief of Charles E. Shepard.

Also, House bill No. 157, providing for the repair of certain parts of the Capitol building.

Also House bill No. 227, for the relief of Mrs. George E. Blankenship, et al.

Also House concurrent resolution No. 10, relating to the fines paid to state and county officers.

Also House bill No. 225, appropriating funds for the relief of the Smith Premier Co.

Also Senate bill No. 57, relating to the partition fences.

Also House bill No. 187, relating to the trespass of sheep on certain lands.

Also House memorial No. 5, for the confirmation of certain scrip locations.

Also House bill No. 92, amending present laws for the prevention and spread of contagious diseases.

Also House bill No. 166, entitled: An act relative to the finances of the State of Washington.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

INTRODUCTION OF BILLS.

By unanimous consent, the following bills were introduced out of order:

House bill No. 112, by Mr. Davis, entitled, "An act to enable counties, cities and towns to validate certain warrants and other obligations and evidences of indebtedness on the part of such counties, cities and towns, issued by the corporate authorities thereof in excess of their legal authority, 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, and referred to the Committee on Judiciary.

House bill No. 68, by Mr. Beebe, entitled, "An act for the relief of Charles E. Shepard."

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

House bill No. 157, by Mr. Carlyon, entitled, "An act providing for the repair, construction and beautifying of certain parts of the capitol building and grounds, and providing an appropriation therefor."

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

House bill No. 227, by Appropriation Committee, entitled, "An act appropriating funds for the relief of Mrs. George E. Blankenship, Mrs. George H. Funk and Miss Clara E. McKenzie for services as markers of teachers' manuscripts in the office of the Superintendent of Public Instruction."

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

House bill No. 225, by Committee on Appropriations, entitled, "An act appropriating funds for the relief of the Smith Premier Typewriter Company, of Seattle, Washington."

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

GENERAL FILE.

Senate bill No. 78, entitled, "An act to regulate the employment of legislative lobby counsel and agents and to provide for the return of legislative expenses," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—38.

Those absent or not voting were: Senators Eidemiller, Hunter, Pogue and Scott—4.

A roll call was had on the emergency clause and was passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Cotterill, Davis, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—35.

Those voting nay were: Senator Metcalf.

Those absent or not voting were: Senators Condon, Eidemiller, Hunter, Piper, Pogue and Scott—6.

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

On motion of Senator Rands Senate bill No. 116, entitled, "An act regulating commission merchants or persons selling farm, dairy, orchard or garden produce on commission, repealing an act entitled 'An act to regulate the sale of farm, dairy, orchard

or garden produce on commission,' approved March 21, 1895, was taken up for reconsideration by unanimous consent and the vote by which the bill passed was reconsidered, and the bill again placed on third reading.

On motion of Senator Rands the following amendment was made: Strike all of section 10, and substitute therefor: "Sec. 10. For the purpose of this act a commission merchant is defined and declared to be any person, firm or corporation whose principal business is the sale of farm, dairy, orchard or garden produce on account of the shipper or consignor." Strike section 13 and make section 14 section 13.

The bill was read the third time, placed on final passage and passed as amended by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—38. Those absent or not voting were: Senators Condon, Hunter, Pogue and Scott—4.

There being no objections 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 transmitted to the House immediately.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 11, 1907.

MR. PRESIDENT:

The speaker has signed Senate bill No. 128, entitled: An act making an appropriation for the maintenance of the office of the Commissioner of Public Lands.

Also House bill No. 4, providing for the punishment of those responsible for the delinquency of children of certain ages.

Also House bill No. 43, providing for the investment of the permanent school fund.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

The president signed House bills Nos. 4 and 43.

House bill No. 116, entitled, "An act authorizing the county commissioners of any county to acquire and operate quarries of suitable road building rock and ground containing deposits of suitable road building gravel and to purchase rock crushing machinery and appliances, and declaring an emergency," was read the third time.

Senator Graves moved to amend section one as follows: In lines four and five strike the words "at actual cost of production."

The motion was lost.

Senator Jones offered the following amendment to section one: In line four insert between the words "at" and "actual" "not less than."

The motion was lost.

Senator Rands offered the following amendment to section 2: In line five after the word "commissioner" strike the words "to any person, firm or corporation." This motion he withdrew.

Senator Rosenhaupt moved to amend section 2 as follows: In line six after the word "roads" insert the words "within said county."

The motion was lost.

Senator Knickerbocker moved to add another section to be numbered 4, as follows: "Sec. 4. An emergency exists and this and this act shall take effect immediately."

The motion was carried.

On motion of Senator Knickerbocker the title of the bill was changed by adding the emergency clause.

A roll call was had on the final passage of the bill as amended, and the bill passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Ruth, Smith, Stevenson, Sumner, Watson—35.

Those voting nay were: Senators Graves, Rosenhaupt, Veness and Williams—4.

Those absent or not voting were: Senators Hunter, Pogue and Scott—3.

The emergency clause was passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Reed, Ruth, Smith, Stevenson, Sumner—28.

Those voting nay were: Senators Graves, Gunn, Metcalf, Presby, Rands, Rosenhaupt, Veness, Watson and Williams—9.

Those absent or not voting were: Senators Booth, Hunter, Piper, Pogue and Scott—5.

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

Senate bill No. 61, entitled, "An act amending section 2 of an act, entitled, 'An act authorizing the assessment of lands held or owned by any county in the state, within the limits of incorporated cities or towns in such county for local improvement and providing for the payment of such assessments,' approved February 23, 1905," was read the third time.

On motion of Senator Graves the emergency clause was stricken.

A roll call was had and the bill passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Piper, Polson, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—36.

Those absent or not voting were: Senators Condon, Hunter, Jones, Pogue, Potts and Scott—6.

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

On motion of Senator Piper Senate bill No. 115 was made special order for 10:30 a. m. next Wednesday.

Senate bill No. 48, entitled, "An act empowering boards of county commissioners to make exhibits of the products of their

respective counties at the Alaska-Yukon-Pacific Exposition in the year 1909," was read the third time.

On motion of Senator Reed, the preamble to the bill was stricken.

On motion of Senator Rands section 2 was stricken from the bill, and section 3 was numbered 2 in its stead.

On motion of Senator Rands the following amendment was made in section 1: In line 3 strike the words "said exposition" and insert in lieu thereof the words "the Alaska-Yukon-Pacific Exposition."

A roll call was had and the bill passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knicker-bocker, McGowan, McGregor, Metcalf, Nichols, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Steven-son, Sumner, Veness, Watson, Williams—36.

Those voting nay were: Senator Paulhamus—1.

Those absent or not voting were: Senators Hunter, Minkler, Pogue, Scott and Smith—5.

On motion of Senator Rands the title of the bill was changed by striking all after the word "expenses" and inserting in lieu thereof the word "thereof."

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

Major A. N. Brown, secretary to the Governor, delivered the following:

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
February 11, 1907.

To the Honorable The Senate of the State of Washington:

GENTLEMEN:—I have this day approved the following bill:

Senate bill No. 128, entitled, "An act making appropriation for the maintenance of the office of the Commissioner of Public Lands and for the payment of salaries of certain officers employed in said office and for the payment of sundry expenses of said office."

ALBERT. E. MEAD, *Governor.*

On motion of Senator Graves Senate bill No. 161 was referred to Committee on Judiciary.

On motion of Senator Metcalf Senate bills Nos. 51 and 50 were ordered placed at the foot of the calendar.

On motion of Senator Knickerbocker Senate bill No. 135 was referred to the Committee on Judiciary.

Senator Booth moved that the Senate adjourn until 10:00 o'clock Wednesday morning.

The motion was lost.

Senator Piper moved that the Senate adjourn until 10:30 Wednesday morning.

The motion was carried.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

THIRTY-FIRST DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, February 13, 1907.
10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senator Pogue, excused.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 13, 1907.

To the Honorable The Senate of the State of Washington:

GENTLEMEN:—I have the honor to transmit herewith copy of a telegram which I received from the President of the United States in

response to my telegram transmitting to him copy of Senate joint resolution No. 2, relating to the withdrawal from public entry of certain lands in Whatcom county.

ALBERT E. MEAD, *Governor.*

WHITE HOUSE, WASHINGTON, D. C.,
February 12, 1907.

Hon. Albert E. Mead, Governor of Washington, Olympia, Washington:

Telegram of eleventh received. Withdrawal of lands in townships thirty-eight and thirty-nine was a clerical error made in absence of Pinchot from Washington. When attention was called to it by yourself and Senator Piles it was corrected by wire. I regret the mistake occurred and am glad it was promptly remedied. It is not to be charged to our forest policy.

THEODORE ROOSEVELT.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 13, 1907.

To the Honorable The Senate of the State of Washington:

GENTLEMEN:—I have the honor to transmit herewith copy of a special report made to me by Mr. C. F. Hubbard, Commissioner of Labor, recommending that an appropriation be made for the appointment of a woman inspector in the Department of Labor.

I most earnestly endorse this recommendation.

ALBERT E. MEAD, *Governor.*

STATE OF WASHINGTON, BUREAU OF LABOR,
OLYMPIA, WASHINGTON, February 12, 1907.

Hon. Albert E. Mead, Governor State of Washington:

MY DEAR SIR:—I respectfully submit for your approval that a recommendation be made to the legislature now in session to appropriate a sufficient sum to provide for a salary to pay a woman inspector to inspect all mechanical and mercantile establishments, restaurants and hotels where women are employed, to investigate the sanitary conditions, the hours of duty, seats required by law, and to report to the Commissioner of Labor any violations of the labor laws she may discover. This inspector to be under the direction of the Labor Commissioner to perform such other duties as may be assigned to her by the Labor Commissioner to assist in the performance of his duties, and believing much good would result by having a woman inspector to look after the interests of the woman wage-earner.

Such a law is in force in the state of Michigan with good results. Hoping this will meet with your approval to the extent that you will recommend the same to the legislature, I am,

Yours obediently,

C. F. HUBBARD,
State Labor Commissioner.

The message was referred to the Committee on Appropriations.

On motion of Senator Rands the reading of Monday's journal was dispensed with, and it was approved.

Senator Knickerbocker moved that the Senate do not concur in the House amendment to Senate concurrent resolution No. 11, and that the House be requested to recede.

Senator Graves moved as a substitute for Senator Knickerbocker's motion that the Senate do concur in the House amendment to Senate concurrent resolution No. 11.

A roll call was demanded by the following members: Senators Graves, Boone, Hutson, Kennedy, Jones, Sumner and Ruth, and the substitute motion carried by the following vote:

Those voting aye were Senators Anderson, Boone, Booth, Bratt, Condon, Cotterill, Graves, Gunn, Jones, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Stevenson, Veness, Watson—24.

Those voting nay were: Senators Allen, Blair, Brown, Davis, Eidemiller, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGregor, Pauly, Rands, Smith, Sumner, Williams—16.

Those absent or not voting were: Senators Pogue and Scott—2.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 12, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 4, entitled, "An act relating to the classification and issuance of teachers' certificates."

Also: Senate bill No. 35, entitled, "An act to provide for the incorporation of associations for social, charitable and educational purposes."

Also: Senate bill No. 42, entitled, "An act to provide for the improvement of the public highways," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. W. ANDERSON, *Chairman.*

We concur in this report: Arthur Gunn, Fred M. Pauly, A. S. Ruth.

SPECIAL ORDER.

Senate bill No. 115, entitled, "An act relating to sale and conveyance by corporations in cases where property assets sold or conveyed constitute substantially all of the property or assets of the vendor corporation," etc., which was a special order for 10:30 today was read the third time and placed on final passage, and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Jones, Kline, Knickerbocker, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Watson, Williams—35.

Those voting nay were: Senators McGregór, Smith and Sumner—3.

Those absent or not voting were: Senators Eidemiller, Kennedy, Pogue and Veness.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

The House has passed House bill No. 145, entitled, "An act repealing chapter 143 of Session Laws of 1895;"

Also House bill 233 relating to the law department of the State Library;

Also House bill No. 190, relating to the assessment and collection of taxes;

Also House bill 138 for the prevention of the accumulation of saw-logs in the intakes of ditches;

Also House bill 152 providing for assessment of the operating property of railroads;

Also House bill 27 amending act of 1905, relative to payment of wages for labor;

Also House memorial No. 4, praying for the opening of the Makah Bay Indian Reservation;

Also House bill 195 in relation to the fees of state and county officers;

Also House bill 161 in relation to the administration of the estates of persons interstate.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

SPECIAL ORDER.

Senate bill No. 110, an act to provide against the adulteration of foods, drinks and drugs, and fraud in the sale thereof, etc., which was a special order for 11:00 o'clock was taken up and read the third time.

Senator Rands offered the following amendment:

In section 4 of the printed bill, strike out all of lines 22 and 23 and insert in lieu thereof the following: "*Third.* If the package, bottle or container shall not bear the true net weight or measure, the same to be expressed in clear, distinct English words in a conspicuous place: *Provided, however,* That this section shall not apply to articles carried in bulk by the retailer and sold in quantities to suit and accommodate the purchaser."

A roll call was demanded by the following: Senators Rands, Hutson, Nichols, Gunn, McGregor, Allen and Paulhamus, and the amendment carried by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—38.

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

Those absent or not voting were: Senators Knickerbocker and Pogue—2.

On motion of Senator Williams the following amendment was made in section 9:

In section 9, line 1 of the engrossed bill, after the words, "State College at Pullman," strike out the words, "or at the University of Washington," and insert in lieu thereof, "Dean of the University of Washington School of Pharmacy."

On motion of Senator Booth the following amendment was made in section 10:

At the end of section 10 of the printed bill, strike out the period and add the following words: "who shall act under the direction of the Prosecuting Attorney or Attorney General."

On motion of Senator Booth section 13 was amended as follows: Strike out the words "and food" in line 1.

On motion of Senator Graves the following amendment was made in section 14: In the last line of said section strike the word "treasury," also the brackets around the word "treasurer."

On motion of Senator Presby the words "analysis" and "fines" were transposed, in line 3 section 15, making it read, "fines and analysis."

On motion of Senator McGowan the following section to be numbered 16 was adopted, and the section now numbered "16" was changed to "17."

Substitute the following for section 16: Provided that manufacturers and packers of food and food products doing business in this state shall be permitted to use such labels or brands as they now have on hand or have contracted for; until January, 1968.

A roll call was had and the bill passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Those absent or not voting were: Senator Pogue—1.

On motion of Senator Graves the words, "making an appropriation and," were stricken from the title of the bill.

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

On motion of Senator Condon at 11:55 o'clock a. m. the Senate took a recess until 1:45 o'clock p. m.

AFTERNOON SESSION.

The Senate was called to order at 1:45 o'clock p. m. by President Coon, pursuant to adjournment.

The secretary called the roll, all members being present except Senator Pogue, excused.

Petitions for initiative and referendum were received from King, San Juan, Skagit and Whatcom counties, and were referred to the Committee on Election and Privileges.

Petition praying for local option law was received from King county, and referred to Committee on Election and Privileges.

RESOLUTION BY THE COMMITTEE ON RULES.

Resolved, That the secretary of the Senate be directed to have the calendar printed daily, together with the docket, including the title and history of all bills before the Senate.

On motion of Senator Graves the resolution was adopted.

SENATE CONCURRENT RESOLUTION NO. 13.

By the Committee on Rules.

WHEREAS, Senate bills are frequently amended in the House and House bills likewise amended in the Senate, and

WHEREAS, Such amended bills cannot be intelligently considered unless the members of the respective Houses have before them copies of said amendments: Therefore, be it

Resolved by the Senate, the House concurring, That in case amendments exceeding one line in length are made to bills above referred to, 100 copies of such amendments shall be transmitted by the secretary of the Senate to the House with such House bills, and 50 copies of such amendments shall be transmitted by the chief clerk of the House with such Senate bills.

On motion of Senator Graves the resolution was adopted.

SENATE RESOLUTION BY SENATOR RANDS.

WHEREAS, It has been stated in the public press that an official statement has been made by a member of this body who presided at a caucus of certain Senators to the following effect:

"For several days it has been evident from the actions and votes of the members of the minority that they have adopted the policy of voting

together on measures of interest to members of the majority regardless of the merits of the measures. This has made inevitable one of two results. It was necessary either for the majority members to get together or for OUR ORGANIZATION and our influence in the Senate to be sacrificed to that united opposition.

"While many of us dislike very much to do so, while the matter was thoroughly considered before deciding, we finally agreed, as a majority of the Senate, to take the bull by the horns, to assume the full responsibility to the people of the state for our actions and to act unanimously as nearly as may be found practicable on all measures in which the MEMBERS COMPRISING THE MAJORITY MAY BE INDIVIDUALLY INTERESTED.

"We realize that this is a radical step, and that the responsibility to the people of the state, for taking it, will be ours."

Now therefore, be it

Resolved, That the self-constituted guardians of the Senate as above announced through the public press of the state be and they are hereby directed by this body to report each morning in writing at the opening of the session the matters of "individual interest" approved by said majority in caucus assembled.

On motion of Senator Stevenson further action on the resolution was indefinitely postponed.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 12, 1907.

MR. PRESIDENT:

We, a majority of your Committee on Roads and Bridges, to whom was referred Senate bill No. 38, entitled, "An act amending an act providing for levy, collection and manner of payment of road, bridge, poll and property taxes, road and bridge improvement, 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:

At the end of section 1, add: "Provided that in any incorporated city or town fifteen per cent. of all money collected for the general road and bridge fund in such city or town may be expended inside said city or town on roads and bridges connecting with roads and bridges leading out into the country known or designated as county roads under the supervision of the county commissioner."

We concur in this report: R. L. Kline, Arthur Gunn, Peter McGregor, S. T. Smith, W. H. Paulhamus, Alex Polson, George F. Cotterill.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 12, 1907.

MR. PRESIDENT:

We, a minority of your Committee on Roads and Bridges to whom was referred Senate bill No. 38, entitled, "An act amending an act providing for levy, collection and manner of payment of road, bridge

poll and property taxes, road and bridge improvement," 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.

E. C. BRATT, *Chairman*.

We concur in this report: A. S. Ruth, A. W. Anderson.

On motion of Senator Bratt the bill together with the majority and minority reports was ordered placed on general file.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 12, 1907.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 141, entitled, "An act providing for the employment of convicts on state roads," 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, strike out the period and insert a comma, adding the words, "and declaring an emergency."

E. C. BRATT, *Chairman*.

We concur in this report: R. L. Kline, Arthur Gunn, Peter McGregor, S. T. Smith, W. H. Paulhamus, A. S. Ruth, A. W. Anderson, Alex Polson.

On motion of Senator Bratt the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 11, 1907.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries to whom was referred Senate bill No. 145, entitled, "An act providing for a system of checking the accounts of various county officers, etc.," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. W. ANDERSON, *Chairman*.

We concur in this report: H. M. Boone, John L. Blair, Peter McGregor, Fred Eldemiller, Arthur Gunn, Walter J. Reed.

On motion of Senator Anderson the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 118, entitled, "An act making an appropriation for the relief of the town of Kalama," 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 the printed bill strike the preamble from line 1 to 19 inclusive.

J. A. VENESS, *Chairman*.

We concur in this report: R. W. Condon, W. H. Paulhamus, George U. Piper, H. M. Boone, Fred M. Pauly, Alex Polson, B. D. Minkler, J. R. Stevenson.

On motion of Senator Veness the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 225, entitled, "An act appropriating funds for the relief of the Smith-Premier Typewriter Company of Seattle, 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. A. VENESS, *Chairman*.

We concur in this report: R. W. Condon, George U. Piper, H. M. Boone, Fred M. Pauly, Alex Polson, B. D. Minkler, J. R. Stevenson.

On motion of Senator Veness the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 159, entitled, "An act for certain deficiencies in maintenance of State Capitol Building and preparing same for convening of the Tenth Legislature," have had the same under consideration, and we respectfully report same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman*.

We concur in this report: R. W. Condon, George U. Piper, H. M. Boone, Fred M. Pauly, Alex Polson, B. D. Minkler, J. R. Stevenson.

On motion of Senator Veness the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 157, entitled, "An act providing for the repair, construction and beautifying of certain parts of the Capitol Building and grounds, and providing 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.

J. A. VENESS, *Chairman*.

We concur in this report: R. W. Condon, George U. Piper, H. M. Boone, Fred M. Pauly, Alex Polson, B. D. Minkler, J. R. Stevenson.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 132, entitled, "An act appropriating the sum of six thousand dollars, or so much thereof as may be necessary to pay for such printing as may be ordered by the Tenth Legislature or either branch thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman*.

We concur in this report: R. W. Condon, George U. Piper, H. M. Boone, Fred M. Pauly, Alex Polson, B. D. Minkler, J. R. Stevenson.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 160, entitled, "An act making an appropriation for the payment of the publication of the notices required to be given by section 2 of chapters 65 and 67 of the laws of 1905," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman*.

We concur in this report: R. W. Condon, George U. Piper, H. M. Boone, Fred M. Pauly, Alex Polson, B. D. Minkler, J. R. Stevenson.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 103, entitled, "An act for the relief of A. A. Lytle, Sheriff of Douglas county," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman*.

We concur in this report: R. W. Condon, George U. Piper, H. M. Boone, Fred M. Pauly, Alex Polson, B. D. Minkler, J. R. Stevenson.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 68, entitled, "An act for the relief of Charles E Shepard,"

have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman*.

We concur in this report: R. W. Condon, George U. Piper, H. M. Boone, Fred M. Pauly, Alex Polson, B. D. Minkler, J. R. Stevenson.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 227, entitled, "An act for the relief of Mrs. George E. Blankenship, Mrs. George H. Funk, and Miss Clara E. McKenzie," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman*.

We concur in this report: R. W. Condon, George U. Piper, H. M. Boone, Fred M. Pauly, Alex Polson, B. D. Minkler, J. R. Stevenson.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 118, entitled, "An act for the relief of the town of Kent," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman*.

We concur in this report: R. W. Condon, George U. Piper, H. M. Boone, Fred M. Pauly, Alex Polson, B. D. Minkler, J. R. Stevenson.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 11, 1907.

MR. PRESIDENT:

We, your Committee on Dairy and Live Stock, to whom was referred House bill No. 187, entitled, "An act to amend Sections 3482 and 3483 of Ballinger's Code (1655 and 1656, Pierce's Code), relating to the trespass of sheep on certain lands, and providing a 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 with the following amendments:

In line 1 of the title, between the words "Ballinger's" and "Code," insert the word "Annotated."

In line 1 of section 2, between the words "Ballinger's" and "Code," insert the word "Annotated."

PETER MCGREGOR, *Chairman*.

We concur in this report: H. M. Boone, J. R. Stevenson.

On motion of Senator McGregor the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 11, 1907.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House Memorial No. 2, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. S. MCGOWAN, *Chairman*.

We concur in this report: George U. Piper, George A. Kennedy.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 11, 1907.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House Memorial No. 3, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. S. MCGOWAN, *Chairman*.

We concur in this report: George U. Piper, George A. Kennedy.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 112, entitled, "An act to enable counties, cities and towns to validate certain warrants and other obligations and evidences of indebtedness on the part of such counties, cities or towns, issued by the corporate authorities thereof in excess of their legal authority, 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 indefinitely postponed.

WILL G. GRAVES, *Chairman*.

We concur in this report: I. B. Knickerbocker, W. B. Presby, Robert F. Booth, E. M. Rands, T. A. Hunter, Chas. T. Hutson.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 161, entitled, "An act to amend article 7 of the constitution of the State of Washington relating to the assessment and taxation of property within 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 with the following amendments:

In line 4, section 1 of the printed bill, after the figure "4," strike the word and figure "and 5." In line 4 of said section, after the figure "3," strike the comma and substitute therefor the word "and." In line 5 of said section, after the word "following," strike the colon, substitute

a comma therefor and insert the words, "to be known as section 1: Section 1." In line 7 of said section, after the word "purposes," add the following: "The property of the United States, and of the state, counties, school districts, and other municipal corporations and personal property to the amount of three hundred dollars for each head of a family liable to assessment and taxation under the provisions of the laws of this state of which the individual is the actual and bona fide owner shall be exempt from taxation."

Strike section 4 of the printed bill.

WILL G. GRAVES, *Chairman.*

We concur in this report: I. B. Knickerbocker, W. B. Presby, Ralph D. Nichols, Robert F. Booth, E. M. Rands, T. A. Hunter, Charles T. Hutson.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 119, entitled, "An act fixing the salaries of the county commissioners in counties of the fifth class, and amending section 5 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., 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 substitute therefor the following: "An act amending sections 4, 5, 6 and 7 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, 1890."

Strike section 1 of the printed bill and substitute therefor the following: "Section 1. That section 4 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, 1890, be amended to read as follows: "County auditor, twenty-four hundred dollars; county clerk, twenty-two hundred dollars; county treasurer, twenty-five hundred dollars; county sheriff, twenty-four hundred dollars; county attorney, twenty-two hundred dollars; county superintendent of common schools, two thousand dollars; county commissioner, eighteen hundred dollars per annum and expenses; county assessor, fifteen hundred dollars; county surveyor, five dollars per day; county coroner, one thousand dollars per annum."

Add section 2 to the printed bill as follows: Section 2. That section 5 of said act be amended to read as follows: 'Section 5. County auditor, nineteen hundred dollars; county clerk, nineteen hundred dol-

lars; county treasurer, two thousand dollars; county sheriff, nineteen hundred dollars; county attorney, nineteen hundred dollars; county superintendent of common schools, eighteen hundred dollars; county commissioner, eighteen hundred dollars per annum and necessary expenses; county assessor, fifteen hundred dollars; county surveyor, five dollars per day; county coroner, one thousand dollars per annum."

Add section 3 to the printed bill, as follows: "Section 3. That section 6 of said act be amended to read as follows: 'Section 6. County auditor, nineteen hundred dollars; county clerk, nineteen hundred dollars; county treasurer, two thousand dollars; county sheriff, nineteen hundred dollars; county attorney, nineteen hundred dollars; county superintendent of common schools, eighteen hundred dollars; county commissioners, eighteen hundred dollars per annum and necessary expenses; county assessor, fifteen hundred dollars; county surveyor, five dollars per day; county coroner, one thousand dollars per annum.'"

Add section 4 to the printed bill, as follows: "Section 4. That section 7 of said act be amended to read as follows: 'Section 7. County auditor, nineteen hundred dollars; county clerk, nineteen hundred dollars; county treasurer, two thousand dollars; county sheriff, nineteen hundred dollars; county attorney, nineteen hundred dollars; county superintendent of common schools, eighteen hundred dollars; county commissioners, eighteen hundred dollars per annum and necessary expenses; county assessor, fifteen hundred dollars; county surveyor, five dollars per day; county coroner, one thousand dollars per annum.'"

WILL G. GRAVES, *Chairman*.

We concur in this report: I. B. Knickerbocker, W. B. Presby, Ralph D. Nichols, Robert F. Booth, E. M. Rands, T. A. Hunter, Charles T. Hutson.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 152, entitled, "An act to prohibit unauthorized performances or representations of certain dramatic and musical compositions," 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:

In lines 1 and 2, section 1 of the printed bill, strike the words, "There is hereby added to the Penal Code a new section to be numbered —, to read as follows:"

WILL G. GRAVES, *Chairman*.

We concur in this report: I. B. Knickerbocker, W. B. Presby, Robert F. Booth, T. A. Hunter, Ralph D. Nichols, Charles T. Hutson.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 137, entitled, "An act amending chapter 158 of the Laws of 1905, relating to the acceptance of gifts, bonuses or commissions by agents, employees, or officers, making the same a misdemeanor and fixing a penalty 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:

Strike the title of the printed bill and substitute the following therefor: "An act relating to the giving, offering, receiving or agreeing to receive gratuities to affect the conduct of agents and employees with relation to the principal's or employer's business, fixing a penalty, and amending chapter 158 of the Laws of 1905."

In line 3, section 1 of the printed bill, after the figure "1," strike the remainder of said section and substitute the following: "Any person who shall give or offer to give to any agent or employee, public or private, any gratuity for the purpose of influencing his action with respect to the conduct of his principal's or employer's business, and any agent or employee, public or private, who shall receive or agree to receive any gratuity for the purpose of influencing his action with respect to the conduct of his principal's or employer's business, shall be guilty of a misdemeanor and be punished by a fine of not more than five hundred dollars or by imprisonment in the county jail for not more than one year."

WILL G. GRAVES, *Chairman.*

We concur in this report: I. B. Knickerbocker, W. B. Presby, Ralph D. Nichols, Robert F. Booth, E. M. Rands, T. A. Hunter, Charles T. Hutson.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 11, 1907.

MR. PRESIDENT:

We, your Committee on Educational Institutions to whom was referred Senate bill No. 140, entitled, "An act relating to the model training school department of Normal Schools, 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 section 2, line 5 of the printed bill, after the word "school," change the period to a colon, and add the following: "Provided, that the principal of said Normal School may refuse to accept such pupil as in his judgment by reason of incorrigibility, or mental defects would tend to reduce the efficiency of said training department."

RALPH D. NICHOLS, *Chairman.*

We concur in this report: R. L. Kline, Arthur Gunn, E. C. Bratt, E. M. Williams, Peter McGregor.

On motion of Senator Nichols the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 11, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation to whom was referred Senate bill No. 52, entitled, "An act amending an act entitled, 'An act to amend section 3 of chapter LXXXIII of the Laws of 1897 relating to revenue and taxation,' passed the Senate and the House June 12, 1901, notwithstanding the veto of the Governor," 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 18, of the printed bill, after the word, "chapter," change the period to a comma and add the following: "and no deductions shall hereafter be allowed on account of an indebtedness owed."

T. B. SUMNER, *Chairman*.

We concur in this report: E. M. Rands, R. L. Kline, Alex Polson, R. W. Condon, George F. Cotterill, Fred M. Pauly, J. A. Veness.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Congressional Districts to whom was referred Senate bill No. 129, entitled, "An act to apportion the State of Washington into three Congressional Districts," 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 1 of the printed bill, strike the words, "Island," "San Juan."

In section 2, line 1 of the printed bill, after the word, "Cowlitz," insert the word "Island," in the same line and section. After the word "Jefferson," insert the word "Klickitat," and in the same section, line two, after the word "Pierce" insert the word "San Juan."

In section 3, line 2 of the printed bill, strike the word, "Klickitat."

HARRY ROSENHAUPT, *Chairman*.

We concur in this report: A. W. Anderson, Walter J. Reed, E. M. Rands, R. L. Kline, Jesse S. Jones, W. G. Potts.

On motion of Senator Rosenhaupt the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 126, entitled, "An act relating to county engineers,"

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 by changing title to read as follows: "An act changing the title of county surveyor to county engineer, relating to the election, powers and duties of such officer and repealing sections 490 and 491 of Ballinger's Codes and Statutes of the State of Washington."

Amend section 4 by adding: "Provided that in any county where there is no qualified engineer, the records of said office shall be kept in the office of the county auditor."

In section 5, line 2, insert between the words "by" and "the," the words "the county."

In section 8 strike out the word "Code," and insert the words, "Annotated Codes and Statutes of the State of Washington."

E. C. BRATT, *Chairman.*

We concur in this report: A. W. Anderson, R. L. Kline, A. S. Ruth, W. H. Paulhamus, George F. Cotterill, Alex. Polson, P. McGregor.

On motion of Senator Bratt the report of the committee was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 197, by Senator Jones, entitled, "An act limiting the hours of labor in coal mines, smelters, metal foundries and boiler shops."

The bill was read the first time, and on motion of Senator Jones 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. 198, by Senator Jones, entitled, "An act to amend section 1 of an act entitled, 'An act requiring persons, railroad companies or corporations to so adjust, fill, block and securely guard the frogs, switches and guardrails on their roads as to protect and prevent injury to employees and other persons.'"

The bill was read the first time, and on motion of Senator Jones 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. 199, by Senator Williams, entitled, "An act authorizing cities owning and operating municipal water works or electric lighting plants to fix, regulate and control the use

and price of water supplied and light furnished by said works or plants.”

The bill was read the first time, and on motion of Senator Williams the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 200, by Senator Brown, entitled, “An act providing for the compensation of witnesses called to testify concerning matters involving scientific or technical knowledge in actions or proceedings before courts, magistrates and coroners.”

The bill was read the first time, and on motion of Senator Brown 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. 201, by Senator Cotterill, entitled, “An act relating to the sale of public lands of the state, giving cities and towns power to buy public lands for water sheds, etc.”

The bill was read the first time, and on motion of Senator Cotterill the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 202, by Senator Rands, entitled, “An act relating to the location and construction of railroads over and across streets, alleys and public places in cities and relating to the construction of wharfs, docks, factories, manufacturing plants and terminals upon public property in cities of the State of Washington.”

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 Railroads and Transportation.

House bill No. 161, by Mr. Hansen, entitled, “An act making it the duty of county clerks and assessors to report to the prosecuting attorney and to the attorney general all material information relative to the administration of the estates of persons dying interstate and without known heirs and providing means for the enforcement 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 and referred to the Committee on Judiciary.

House bill No. 195, by Mr. Hanson, entitled, "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 Graves the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House bill No. 152, by Mr. Dickson, entitled, "An act to provide for the assessment of the operating property of railroads."

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 Public Revenue and Taxation.

House bill No. 145, by Committee on Dairy and Live Stock, entitled, "An act to repeal an act entitled, 'An act to prevent the spread of contagious or infectious diseases among cattle, horses and other domestic animals.'"

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 Judiciary.

House bill No. 233, by Mr. Reid, entitled, "An act relating to the law department of the state library, changing the official title of the librarian in charge thereof, providing for his appointment and fixing his compensation."

The bill was read the first time, and on motion of Senator Knickerbocker the rules were suspended, the bill was read the second time by title and referred to the Committee on State Library.

House bill No. 190, by Mr. Wade, entitled, "An act to amend section 58 of an act entitled, 'An act to provide for the assessment and collection of taxes in the State of Washington.'"

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 Public Revenue and Taxation.

House bill No. 138, by Mr. Olsen, entitled, "An act to prevent the accumulation of saw logs, wood and timber in the intakes of ditches, canals, flumes and other aqueducts used for irrigation, mining, manufacture, etc."

The bill was read the first time, and on motion of Senator Cotterill 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. 27, by Mr. King, entitled, "An act amending act of 1905 relative to payment of wages for labor, same being chapter 112 House bill No. 140, and entitled, 'An act emending section 1 of an act entitled, "An act to provide for the payment of wages of labors in lawful moneys of the United States,"' etc.

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 Judiciary.

House joint memorial No. 4, by Mr. Govan, entitled, "Memorializing the Congress of the United States in relation to the opening of Makah Bay Indian Reservation."

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

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

Your Committee on Enrolled bills to whom was referred Senate bill No. 57, entitled, "An act amending sections 3526 of Ballinger's Annotated Codes and Statutes of Washington, relating to partition fences," have compared the same with engrossed bill and find it correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: Robert F. Booth, P. L. Allen, R. W. Condon, Lincoln Davis.

The president signed Senate bill No. 57.

GENERAL FILE.

Senate bill No. 6, entitled, "An act to punish for bribery or attempted bribery, and declaring an emergency, and providing a penalty for the violation thereof, was read the third time and placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—38.

Those absent or not voting were: Senators Pogue, Rands, Rosenhaupt and Ruth—4.

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

On motion of Senator Veness House bill No. 131, entitled, "An act creating a commission to revise and recodify the Code of Public Instruction of the State of Washington," was referred to Committee on Appropriations.

House bill No. 129, entitled, "An act relating to the liability of a bank to a depositor in case of forgery," was read third and placed on final passage.

Senator Gunn moved to amend the bill by striking the word "sixty" line 2, section 1, and insert in lieu thereof the word "ninety."

The motion was lost.

A roll call was had and the bill passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—39.

Those absent or not voting were: Senators Pogue, Rands and Rosenhaupt—3.

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

Substitute House bill No. 81, entitled, "An act amending sections 6434, 6435 and 6437 of Ballinger's Annotated Codes and Statutes of the State of Washington, relating to the duties of guardian and the sale of the property of resident insane persons," was read the third time and placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—41.

Those absent or not voting were: Senator Pogue—1.

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

House bill No. 62, entitled, "An act relating to the offense of unlawful enticement and providing a penalty," was read the third time and placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those voting nay were: Senators Rands and Ruth—2.

Those absent or not voting were: Senators Jones, Eidemiller and Pogue—3.

On motion of Senator Knickerbocker Senate bill No. 136 was ordered placed at the foot of the calendar.

Senate bill No. 148, entitled, "An act granting additional authority to cities of the first class to authorize the location, construction and operation of railroads in, along, over or across any

highway, street, alley or public place, etc.," was read third time and placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—37.

Those voting nay were: Senators Nichols and Rosenhaupt—2.

Those absent or not voting were: Senators Allen, Pogue and Sumner—3.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Anderson, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—33.

Those voting nay were: Senators Allen, Blair, Hutson, McGregor, Nichols and Rands—6.

Those absent or not voting were: Senators Graves, Pogue and Sumner—3.

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

On motion of Senator Davis the bill was ordered engrossed and transmitted to the House forthwith.

Senate bill No. 144, entitled, "An act authorizing the formation of metropolitan park districts, providing for park officials, fixing their powers and duties, and declaring an emergency," was placed on third reading.

On motion of Senator Jones the following amendment was made: In section 3, line 10, after the word "after," strike the word "on," and insert in lieu thereof the following: "and at least thirty days prior to."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—40.

Those absent or not voting were: Senators Pogue and Scott—2.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—39.

Those voting nay were: Senator Rands—1.

Those absent or not voting were: Senators Pogue and Scott—2.

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

SPECIAL ORDER.

The hour of 3:00 o'clock having arrived the matter of the reconsideration of the vote by which Senate bill No. 18 failed to pass the Senate was taken up as a special order.

On motion of Senator Ruth the vote was reconsidered and Senate bill No. 18, was ordered placed on general file.

Senator Jones, president pro tem., was called to the chair.

Senate bill No. 42, entitled, "An act to provide for the improvement of the public highways was placed on third reading.

On motion of Senator Cotterill the following amendment was made: At the end of section 7, change the period to a comma

and add the following words: "the cost of such right-of-way to be included as part of the cost of the new road."

Senator Gunn moved to strike the words, "a paper of general circulation," and insert in lieu thereof "the county official paper," in line 46, section 10. He withdrew the motion.

Senator Cotterill moved to amend section 11 by adding the following: "Provided, however, That each county shall be entitled to the full benefit of the state highway fund under the provisions of this act to the extent of taxes payable each year into the state highway fund, if the resolution and approval provided in sections 1, 3 and 6 are passed and made prior to the first day of September of each year; otherwise the amount available in the state highway fund shall be applied in the construction of highways wheresoever situated in the order first above specified in this section."

A roll call was demanded by the following: Senators Hutson, Minkler, Reed, Metcalf, Booth, Kline and Nichols, and the amendment lost by the following vote:

Those voting aye were: Senators Allen, Blair, Booth, Cotterill, Nichols, Potts, Presby, Rosenhaupt and Watson—9.

Those voting nay were: Senators Anderson, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Reed, Ruth, Smith, Stevenson, Sumner, Veness, Williams—30.

Those absent or not voting were: Senators Pogue, Rands and Scott—3.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Williams—38.

Those absent or not voting were: Senators Pogue, Reed, Scott and Watson—4.

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

On motion of Senator Booth Senate bill No. 131 was made a special order for 10:30 o'clock a. m. Friday.

Senator Allen moved that the Senate adjourn.

The motion was lost.

Senate bill No. 35, entitled, "An act to amend sections 7 and 12 of an act entitled, 'An act to provide for the incorporation of associations for social, charitable and educational purposes, etc,'" was placed on third reading.

On motion of Senator Graves the following amendment was made: In lines 10 and 15 of the printed bill strike the word "club," and insert in lieu thereof the word, "corporation."

Senator Stevenson moved to strike the word "present," in line 8, section 2 of the printed bill, which motion he withdrew.

The bill was read the third time and placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—38.

Those absent or not voting were: Senators Booth, Hunter, Pogue and Scott—4.

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

Senator Smith moved that the Senate adjourn.

The motion was lost.

Senate bill No. 4, entitled, "An act amending section 144 of the Code of Public Instruction, etc.," was placed on third reading.

On motion of Senator Graves the following amendments were made: In the title of the printed bill and in section 1 of the

printed bill strike the following words and figures: "being section 7378 of Pierce's Code of the State of Washington."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rosenhaupt, Ruth, Smith, Stevenson, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Eidemiller, Hunter, Pogue, Rands, Reed, Scott, Sumner—7.

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

The president resumed the chair.

Senate bill No. 132, entitled, "An act amending section 38 of an act entitled, 'An act to provide for the establishment and creation of drainage districts, etc.," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Pogue, Rands, Scott and Sumner—5.

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

On motion of Senator Condon at 4:40 o'clock p. m. the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

THIRTY-SECOND DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 14, 1907.
10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senator Pogue, excused.

On motion of Senator Reed the reading of yesterday's journal was dispensed with, and it was approved.

Petitions for the initiative and referendum were received from King, Clarke, Snohomish, Walla Walla, Whitman, Cowlitz, Skagit, Pierce, Pacific, San Juan, Whatcom, Jefferson, Thurston, Spokane and Kitsap counties, and were referred to the Committee on Constitution and Constitutional Revision.

Petition for local option to Senator Pauly was received and read, and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Dikes, Drains and Drainage to whom was referred Senate bill No. 178, entitled, "An act relating to the payment by the state of assessments made on state, school or granted lands for the construction and maintenance of dikes and drains, 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 the Judiciary Committee.

B. D. MINKLER, *Chairman.*

We concur in this report: A. W. Anderson, George F. Cotterill.

On motion of Senator Minkler the bill was referred to the Committee on Judiciary.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

-MR. PRESIDENT:

We, your Committee on Dikes, Drains and Drainage to whom was referred Senate bill No. 177, entitled, "An act amending section 1 of chapter 127 of the Laws of 1905 being an act entitled, 'Amending act of 1901 relating to assessments of state, school and granted lands for drainage purposes, and 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 the Judiciary Committee.

B. D. MINKLER, *Chairman.*

We concur in this report: A. W. Anderson, George F. Cotterill.

On motion of Senator Minkler the report of the committee was adopted and the bill referred to the Committee on Judiciary.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 14, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 103, entitled, "An act validating certain municipal indebtedness and bonds 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.

WILL G. GRAVES, *Chairman.*

We concur in this report: Chas. T. Hutson, W. D. Scott, E. M. Rands, T. A. Hunter, Harry Rosenhaupt.

On motion of Senator Graves the report of the committee was adopted.

GENERAL FILE.

Senate bill No. 107, entitled, "An act relating to the exercise of the power of eminent domain by corporations generating and transmitting electricity, etc.," was placed on third reading.

On motion of Senator Stevenson the following amendment was made: In section 2, line 15, after the word "quantity," insert the words, "and condition."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kline, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Reed,

Rosenhaupt, Ruth, Scott, Stevenson, Sumner, Veness, Watson, Williams—34.

Those absent or not voting were: Senators Hunter, Kennedy, Knickerbocker, Nichols, Pogue, Presby, Rands and Smith—8.

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

On motion of Senator Graves Senate bill No. 120 was referred to the Committee on Judiciary.

Senate bill No. 51, entitled, "An act relating to the violation of criminal laws of the state, etc.," was read the third time, placed on final passage and not passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Cotterill, Graves, Gunn, Metcalf, Minkler, Paulhamus, Polson, Potts, Reed, Ruth, Scott, Stevenson,—18.

Those voting nay were: Senators Allen, Condon, Davis, Eidemiller, Hutson, Kline, McGowan, McGregor, Pauly, Piper, Rosenhaupt, Sumner, Veness, Watson, Williams—15.

Those absent or not voting were: Senators Hunter, Jones, Kennedy, Knickerbocker, Nichols, Pogue, Presby, Rands and Smith.—9.

Senate bill No. 50, entitled, "An act defining the competency of witnesses in certain cases and providing for immunity from indictment, information, prosecution and punishment of such witnesses, and declaring an emergency," was placed on third reading.

On motion of Senator Metcalf the following amendments were made: In section 1, line 1 of the printed bill, after the word "grafting," strike out the comma and insert the word "or," and in section 1, line 3 of the printed bill, after the words "corrupt solicitation," strike out all after the remainder of that line.

The bill as amended was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Condon, Cotterill, Graves, Gunn, Jones, McGowan, Metcalf, Minkler, Paulhamus, Piper, Polson, Potts,

Presby, Reed, Rosenhaupt, Ruth, Stevenson, Veness, Watson.—25.

Those voting nay were: Senators Brown, Davis, Hutson, Kennedy, Kline, McGregor, Pauly, Scott, Sumner, Williams—10.

Those absent or not voting were: Senators Eidemiller, Hunter, Knickerbocker, Nichols, Pogue, Rands and Smith—7.

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

Senate bill No. 71, entitled, "An act relating to contracts and providing that certain contracts shall be void unless in writing," was placed on third reading.

On motion of Senator Booth, the following amendments were made: At the end of section 1 of the printed bill add the following: "(5) An agreement authorizing or employing an agent or broker to sell or purchase real estate for compensation or commission shall not be good for a longer period than thirty (30) days from the date thereof unless the same be in writing."

In section 2, lines 2 and 3 of the printed bill, strike the words: "for a longer term than one year."

After section 2 of the printed bill add the following section: "Section 3. No action shall be maintained upon any oral agreement heretofore entered into authorizing or employing an agent or broker to sell or purchase real estate for compensation or commission."

After the inserted section 3, add the following: Section 4. Any action brought to recover compensation or a commission arising out of an oral agreement employing an agent or broker to sell or purchase real estate shall be commenced within thirty (30) days after the cause of action shall have occurred."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Veness, Watson—32.

Those voting nay were: Senator McGregor—1.

Those absent or not voting were: Senators Eidemiller, Hunter, Knickerbocker, Nichols, Pogue, Rands, Smith, Sumner and Williams—9.

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

On motion of Senator Ruth, Senate bill No. 18 was ordered placed at the foot of the calendar.

Senate bill No. 141, entitled, "An act providing for the employment of convicts on state roads," was placed on third reading.

On motion of Senator Rosenhaupt the following amendments were made: In section 1, line 1 of the printed bill, after the word "confined," strike out the words, "in the State Penitentiary at Walla Walla," and insert in lieu thereof the following: "and not otherwise employed."

In section 1, line 1 of the printed bill, the word "may," following Walla Walla is stricken out and the word "shall" inserted in lieu thereof.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Veness, Watson—30.

Those voting nay were: Senators Cotterill and Stevenson—2.

Those absent or not voting were: Senators Davis, Eidemiller, Hunter, Knickerbocker, McGowan, Nichols, Pogue, Rands, Sumner and Williams—10.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosen-

haupt, Ruth, Scott, Smith, Sumner, Veness, Watson, Williams—33.

Those voting nay were: Senators Cotterill and Stevenson—2.

Those absent or not voting were: Senators Davis, Hunter, Knickerbocker, Nichols, Pogue, Rands and McGowan—7.

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

Senate bill No. 152, entitled, "An act to prohibit unauthorized performances or representations of certain dramatical and musical compositions," was placed on third reading.

On motion of Senator Rosenhaupt the following amendment was made: In line 7 of the printed bill strike the words, "aids or takes part in."

The bill was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Boone, Booth, Condon, Klinc, Minkler, Nichols, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth—13.

Those voting nay were: Senators Allen, Anderson, Blair, Bratt, Brown, Cotterill, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, McGowan, McGregor, Metcalf, Paulhamus, Pauly, Scott, Smith, Stevenson, Veness, Watson, Williams—23.

Those absent or not voting were: Senators Davis, Hunter, Knickerbocker, Pogue, Rands and Sumner—6.

Senate bill No. 140, entitled, "An act relating to the model training school departments of Normal Schools, etc.," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Cotterill, Gunn, Jones, Kline, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Veness, Watson, Williams—26.

Those voting nay were: Senators Boone, Bratt, Brown, Eidemiller, Graves, Kennedy, McGowan—7.

Those absent or not voting were: Senators Condon, Davis,

Hunter, Hutson, Knickerbocker, Pogue, Rands, Stevenson and Sumner—9.

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

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 14, 1907.

MR. PRESIDENT:

The House has passed Senate bill No. 74, entitled, "An act pertaining to the public highway fund;"

Also Senate bill No. 75, conveying certain tide lands to the City of Olympia;

Also Senate bill 31, for the conveyance of certain tide lands to the City of Tacoma;

Also House concurrent resolution No. 11, relative to national reciprocal demurrage.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 14, 1907.

MR. PRESIDENT:

The House has passed Senate bill No. 63, entitled, "An act relating to the criminal insane, with the following amendment:

Amend section 6 by striking out the words, "he may," in line 9 of the engrossed bill, and inserting in lieu thereof the following: "The warden shall permit him to."

Also Senate bill No. 17 with the following amendments:

Strike from the last line of the bill the words, "and declaring an emergency," change the coma after the figures "1897" to a period.

Amend by striking out section 6.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

Senate bill No. 52, entitled, "An act amending an act entitled, 'An act to amend section 3 of chapter 83 of the Laws of 1897 relating to revenue and taxation,'" was placed on third reading.

Senator Graves moved to amend the bill as follows: Strike out of the printed bill lines 16, 17 and all that portion of line 18 ending with the word "and."

Senator Paulhamus offered a substitute motion to amend the bill as follows: Strike everything after the word, "abroad" in line 11 up to and including all of line 15, section 1.

A roll call was demanded by the following: Senators Ruth, Paulhamus, Williams, Rosenhaupt, Reed, Condon and Booth, and the amendment lost by the following vote:

Those voting aye were: Senators Anderson, Booth, Bratt, Brown, Graves, Paulhamus, Presby, Rosenhaupt, Ruth, Scott, Williams—11.

Those voting nay were: Senators Blair, Boone, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Piper, Polson, Potts, Reed, Smith, Stevenson, Sumner, Veness, Watson—27.

Those absent or not voting were: Senators Allen, Knickerbocker, Pogue and Rands—4.

Senator Graves' motion to amend was now taken up, and a roll call demanded by the following: Senators Paulhamus, Graves, Gunn, Bratt, Anderson, Rosenhaupt and Scott, and the amendment lost by the following vote:

Those voting aye were: Senators Anderson, Booth, Bratt, Brown, Graves, Jones, Paulhamus, Presby, Rosenhaupt, Ruth, Scott, Stevenson—12.

Those voting nay were: Senators Blair, Boone, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Piper, Polson, Potts, Reed, Smith, Sumner, Veness, Watson, Williams—26.

Those absent or not voting were: Senators Allen, Knickerbocker, Pogue and Rands—4.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Blair, Boone, Booth, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Piper, Polson, Potts, Reed, Smith, Sumner, Veness, Watson—27.

Those voting nay were: Senators Anderson, Bratt, Graves, Jones, Paulhamus, Presby, Rosenhaupt, Ruth, Scott, Stevenson, Williams—11.

Those absent or not voting were: Senators Allen, Knickerbocker, Pogue and Rands—4.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 14, 1907.

MR. PRESIDENT:

The speaker has signed Senate bill No. 57, entitled, "An act relating to partition fences," and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

The president signed Senate joint resolution No. 2.

Senate bill No. 189, entitled, "An act empowering the State Board of Control to employ an agent to represent said board in the purchase of jute," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Polson, Potts, Presby, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—32.

Those voting nay were: Senator Anderson.

Those absent or not voting were: Senators Allen, Graves, Knickerbocker, Paulhamus, Piper, Pogue, Rands, Reed and Sumner—9.

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

Senator Jones, president pro tem., was called to the chair.

Senate bill No. 145, entitled, "An act providing for a system of checking the accounts of various county officers," was placed on third reading.

On motion of Senator Veness the following amendments were made: Strike from the title of the printed bill the following: "being section 4040 of Pierce's Washington Code."

In section 1, line 5 of the printed bill strike the words "Pierce's Code 4040," and the brackets around them.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Watson, Williams—32.

Those absent or not voting were: Senators Graves, Knickerbocker, Paulhamus, Piper, Pogue, Rands, Scott, Stevenson, Sumner and Veness—10.

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

On motion of Senator Reed, at 11:50 a. m., the Senate took a recess until 2:00 p. m.

AFTERNOON SESSION.

The Senate was called to order at 2:00 o'clock p. m. by President Coon, pursuant to adjournment.

The secretary called the roll, all members being present except Senator Rands, excused, and Senator Pogue, excused.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 14, 1907.

To the Honorable The Senate of the State of Washington:

GENTLEMEN:—I have today approved Senate bill No. 57, entitled:
"An act amending sections 3523 and 3526 of Ballinger's Annotated Codes and Statutes of Washington, relating to partition fences."

ALBERT E. MEAD,
Governor of Washington.

Senate bill No. 38, entitled, "An act amending sections of an act entitled, 'An act providing for the levy, collection and manner of payment of road, bridge and poll taxes, etc.," was placed on third reading.

Senator Bratt moved the adoption of the minority report of the committee.

Senator Blair moved as a substitute for Senator Bratt's motion that the majority report of the committee be adopted.

The substitute amendment was adopted.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Smith, Stevenson, Sumner, Watson, Williams—31.

Those voting nay were: Senators Anderson, Bratt, Scott and Veness—5.

Those absent or not voting were: Senators Booth, Condon, Hunter, Metcalf, Pogue and Rands—6.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 14, 1907.

MR. PRESIDENT:

The House has passed House bill No. 292, entitled, "An act relating to the examination of armories in the State of Washington."

Also House bill 293 amending the Military Code of the State of Washington.

The House has concurred in Senate amendments to House bill 76, regulating the keeping and deposit of municipal funds.

Also Senate amendments to House bill 74, providing for the assessment and collection of an excise tax from express companies.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Graves the Senate resolved itself into a Committee of the Whole to consider the following bills: Senate bill No. 118, House bills No. 225, 157, 159, 132, 160, 103, 68, 227 and 118.

Senate bill No. 118 and House bills No. 225, 159, 132, 160, 103, 68, 227 and 118 were considered in the Committee of the Whole, Senator Graves in the chair, and reported back to the Senate with the recommendation that they do pass.

House bill No. 157 was considered in the Committee of the

Whole, Senator Graves in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendments:

Add to section 1 the following: "and to provide for an adequate system to protect the capitol from fire."

After the word "heating," in line 13, section 1, strike the words, "to the Wester Vacuum system."

On motion of Senator Graves the report of the Committee of the Whole was adopted.

Senate bill No. 118, entitled, "An act making an appropriation for the relief of the town of Kalama, etc."

On motion of Senator Condon the rules were suspended, the reading had of Senate bill No. 118 in the Committee of the Whole was considered the third reading of the bill and the bill was placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Allen, Metcalf, Pogue, Rands, Sumner—5.

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

House bill No. 225, entitled, "An act appropriating funds for the relief of the Smith-Premier Typewriter Company of Seattle, Washington."

On motion of Senator Condon the rules were suspended, the reading had of House bill 225 in the Committee of the Whole was considered the third reading of the bill, and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper,

Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Allen, Graves, Pogue, Rands and Sumner—5.

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

House bill No. 157, entitled, "An act providing for the repair, construction and beautifying of certain parts of the capitol building and grounds, etc."

On motion of Senator Nichols the following amendment was made: After the word "purposes," in line 14, section 1, add the following: "if considered advisable."

On motion of Senator Condon the rules were suspended, the reading had of House bill No. 157 in the Committee of the Whole was considered the third reading of the bill and the bill was placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Veness, Watson, Williams—34.

Those voting nay were: Senators Hutson, Scott, Smith and Stevenson—4.

Those absent or not voting were: Senators Pogue, Rands, Allen and Sumner—4.

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

House bill No. 159, entitled, "An act for certain deficiencies in maintenance of the state capitol building, etc."

Senator Veness moved that this bill be made a special order for next Thursday.

Senator Booth moved as a substitute for Senator Veness' motion that the bill be re-referred to the Appropriation committee, with instructions to report on same tomorrow morning.

Senator Stevenson moved as a substitute for Senator Booth's

substitute motion that the bill be made a special order for 3:30 today.

The motion was lost.

On motion of Senator Williams the bill was placed on final passage.

On motion of Senator Condon the rules were suspended, the reading had of House bill No. 159 in the Committee of the Whole was considered the third reading of the bill, and the bill was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Veness, Watson, Williams—36.

Those voting nay were: Senators Paulhamus and Scott—2.

Those absent or not voting were: Senators Metcalf, Pogue, Rands and Sumner—4.

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

House bill No. 132, entitled, "An act appropriating the sum of six thousand dollars or so much thereof as may be necessary to pay for such printing as may be ordered by the Tenth Legislature or either branch thereof."

On motion of Senator Condon the rules were suspended, the reading had of House bill No. 132 in the Committee of the Whole was considered the third reading of the bill and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—38.

Those absent or not voting were: Senators Graves, Pogue, Rands and Sumner—4.

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

House bill No. 160, entitled, "An act making an appropriation for the payment of the publication of the notice required to be given by section 2, chapters 65 and 67 of the Laws of 1905."

On motion of Senator Condon the rules were suspended, the reading had of House bill No. 160 in the Committee of the Whole was considered the third reading of the bill and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Ruth, Scott, Smith, Stevenson, Watson, Williams—36.

Those absent or not voting were: Senators Graves, Pogue, Rands, Rosenhaupt, Sumner and Veness—6.

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

House bill No. 103, entitled, "An act for the relief of A. A. Lytle, sheriff of Douglas county."

On motion of Senator Condon the rules were suspended, the reading had of House bill No. 103 in the Committee of the Whole was considered the third reading of the bill and the bill was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Ruth, Scott, Smith, Stevenson, Watson, Williams—36.

Those absent or not voting were: Senators Hutson, Pogue, Rands, Rosenhaupt, Sumner and Veness—6.

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

House bill No. 68, entitled, "An act for the relief of Charles E. Shepard."

On motion of Senator Condon the rules were suspended, the reading had of House bill No. 68 in the Committee of the Whole considered the third reading of the bill and the bill was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Ruth, Scott, Smith, Stevenson, Watson, Williams—37.

Those absent or not voting were: Senators Pogue, Rands, Rosenhaupt, Sumner and Veness—5.

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

House bill No. 227, entitled, "An act appropriating funds for the relief of Mrs. George E. Blankenship, Mrs. George H. Funk and Miss Clara E. McKenzie, etc."

On motion of Senator Condon the rules were suspended, the reading had of House bill No. 227 in the Committee of the Whole was considered the third reading of the bill and the bill was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Ruth, Smith, Stevenson, Watson, Williams—36.

Those absent or not voting were: Senators Pogue, Rands, Rosenhaupt, Scott, Sumner and Veness—6.

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

House bill No. 118, entitled, "An act for the relief of the town of Kent, and making an appropriation therefor."

On motion of Senator Condon the rules were suspended, the reading had of House bill No. 118 in the Committee of the

Whole was considered the third reading of the bill and the bill was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Scott, Smith, Stevenson, Watson, Williams—34.

Those absent or not voting were: Senators Booth, Hunter, Pogue, Rands, Rosenhaupt, Ruth, Sumner and Veness—8.

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

House bill No. 187, entitled, "An act to amend section 3482 and 3483 of Ballinger's Code, etc.," was placed on third reading.

On motion of Senator Graves the following amendments were made: In the title of the printed bill strike the following: "code (1655 Pierce's Code)" and insert in lieu thereof the following: "Annotated Codes and Statutes of Washington."

In line 1, section 1, strike "code (1655 Pierce's Code)" and insert in lieu thereof, "Annotated Codes and Statutes of Washington." And the same amendment in section 2.

Senator Veness moved to strike out of lines 8 and 9 of the printed bill, section 1, the following: "and there shall be on the north, south, east and west sides of such lands a notice against such trespassing."

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGregor, Metcaif, Mlnkler, Nichols, Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Williams—34.

Those voting nay were: Senator McGowan—1.

Those absent or not voting were: Senators Eidemiller, Paulhamus, Piper, Pogue, Rands, Sumner and Watson—7.

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

Senator Presby gave notice that at the proper time he would move to reconsider the vote by which the bill was passed.

Senator Davis gave notice that he would move to reconsider the vote by which Senate bill No. 110 passed the Senate, tomorrow.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 14, 1907.

MR. PRESIDENT:

The speaker has signed Senate joint resolution No. 2, entitled, "An act protesting against the extension of forest reserves in this state," and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

House joint memorial No. 2, memorializing Congress of the United States in relation to the lease and sale of lands in the Swinomish Indian Reservation in the State of Washington, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Gunn, Jones, Kennedy, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Williams—30.

Those voting nay were: Senators Graves, Kline and Nichols—3.

Those absent or not voting were: Senators Davis, Eidemiller, Hunter, Hutson, Pogue, Rands, Sumner, Veness, and Watson—9.

House joint memorial No. 3, memorializing the Congress of the United States relative to the construction of highways in the forest reserves of this state, was read the third time, placed on final passage, and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn,

Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Watson, Williams—32.

Those voting nay were: Senator Graves—1.

Those absent or not voting were: Senators Boone, Bratt, Hunter, Hutson, Piper, Pogue, Rands, Sumner and Veness—9.

On motion of Senator Graves Senate bill No. 63 was taken up for consideration.

On motion of Senator Graves the Senate concurred in the House amendments to Senate bill No. 63 by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Watson, Williams—37.

Those absent or not voting were: Senators Metcalf, Pogue, Rands, Sumner and Veness—5.

On motion of Senator Reed Senate bill No. 17 was taken up for consideration.

On motion of Senator Reed the Senate concurred in House amendment to Senate bill No. 17 by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Watson, Williams—36.

Those absent or not voting were: Senators Condon, Hunter, Pogue, Rands, Sumner and Veness—6.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 68, entitled, "An act to amend the Code of Public Instruction 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:

In section 1, line 4 of the printed bill, after the words, "or on," insert the words, "labor day," and in the same section and the same line, after the words "Thanksgiving day," insert the following: "and the day immediately following Thanksgiving day."

WALTER J. REED, *Chairman*.

We concur in this report: A. W. Anderson, I. B. Knickerbocker, J. R. Stevenson, H. S. McGowan, W. B. Presby.

On motion of Senator Reed the motion of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 87, entitled, "An act to amend the Code of Public Instruction 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 with the following amendment:

In section 5, line 10 of the printed bill, after the word, "exceed," strike the word "three," insert in lieu thereof the word "five."

WALTER J. REED, *Chairman*.

We concur in this report: A. W. Anderson, I. B. Knickerbocker, J. R. Stevenson, H. S. McGowan, W. B. Presby.

On motion of Senator Reed the motion of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Mines and Mining to whom was referred Senate bill No. 174, entitled, "An act to amend section 1 of an act entitled, 'An act for the protection of persons working in coal mines, 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.

R. L. KLINE, *Chairman*.

We concur in this report: A. L. Watson, C. G. Brown, E. M. Williams, A. S. Ruth, E. C. Bratt, S. T. Smith.

On motion of Senator Kline the report of the committee was adopted, and bill placed on general file.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Mines and Mining to whom was referred Senate bill No. 24, entitled, "An act prohibiting the employment of

workmen in underground mines or workings for more than eight hours per day, 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 the Committee on Labor and Labor Statistics.

R. L. KLINE, *Chairman*.

We concur in this report: A. L. Watson, C. G. Brown, E. M. Williams, A. S. Ruth, E. C. Bratt, S. T. Smith.

On motion of Senator Kline the report of the committee was adopted and bill referred to Committee on Labor and Labor Statistics.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

We, your Committee on Mines and Mining to whom was referred House bill No. 73, entitled, "An act authorizing counties which have acquired or may hereafter acquire mining claims or prospects for taxes, to lease 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.

R. L. KLINE, *Chairman*.

We concur in this report: A. L. Watson, C. G. Brown, E. M. Williams, A. S. Ruth, E. C. Bratt, S. T. Smith.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13th, 1907.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 35, entitled, "An act relating to the judicial department of cities of third class, defining the qualifications of the police justice appointed therein, and 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 the Judiciary Committee.

S. T. SMITH, *Chairman*.

We concur in this report: H. M. Boone, Chas. T. Hutson, Geo. A. Kennedy, J. R. Stevenson, Harry Rosenhaupt.

On report of Senator Smith the report of the committee was adopted and the bill referred to the Committee on Judiciary.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13th, 1907.

MR. PRESIDENT:

We, your committee on Municipal Corporations, to whom was referred House bill No. 40, entitled, "An act relating to the assessment and collection of taxes in municipal corporations of the second, third and fourth classes, and amending sections 1810 and 1814 of Ballinger's Annotated Codes and Statutes of Washington, and declaring an emergency," have had the same under consideration, and we respectfully re-

port the same back to the Senate with the recommendation that it do pass, with the following amendments:

That section 3 be stricken from the printed bill, and the following substituted therefor:

SEC. 3. An emergency exists and this act shall take effect immediately.

S. T. SMITH, *Chairman.*

We concur in this report: H. M. Boone, Chas. T. Hutson, Geo. A. Kennedy, J. R. Stevenson.

On report of Senator Smith the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 14th, 1907.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred House bill No. 65, entitled, "An act to provide for the apprehension, trial, treatment and control of delinquent children," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

T. A. HUNTER, *Chairman.*

We concur in this report: J. A. Veness, T. B. Sumner, Jesse S. Jones, P. L. Allen, W. G. Potts.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13th, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 184, entitled, "An act to regulate the salary of the State Labor Commissioner," 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. A. VENESS, *Chairman.*

We concur in this report: R. W. Condon, Robert F. Booth, George U. Piper, F. M. Pauly, Harry Rosenhaupt, J. R. Stevenson, B. D. Minkler.

On motion of Senator Condon the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13th, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 182, entitled, "An act to amend section one of an act entitled, 'An act providing for the establishment and location of a State Reform School and to declare an emergency,' approved March 28, 1890," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman.*

We concur in this report: R. W. Condon, Robert F. Booth, George U. Piper, Harry Rosenhaupt, J. R. Stevenson, B. D. Minkler.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 13th, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 181, entitled, "An act fixing the salaries of the Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, Attorney General, Superintendent of Public Instruction and Commissioner of Public Lands, and providing for the manner of payment," 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 1 of the printed bill strike the words "three thousand" after the word "Instruction" and insert in lieu thereof the words "twenty-five hundred."

J. A. VENESS, *Chairman.*

We concur in this report: R. W. Condon, Robert F. Booth, George U. Piper, Harry Rosenhaupt, J. R. Stevenson, B. D. Minkler.

On motion of Senator Veness the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 13th, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 170, entitled, "An act to regulate the salary of the secretary of the State Board of Health," 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 Medicine, Dentistry and Hygiene.

J. A. VENESS, *Chairman.*

We concur in this report: R. W. Condon, Robert F. Booth, George U. Piper, Harry Rosenhaupt, J. R. Stevenson, B. D. Minkler.

On motion of Senator Veness the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 13th, 1907.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 44, entitled, "An act to amend section 1 of an act entitled, 'An act to enable cities of the first, second and third class, and other cities and towns working under special charter, and etc.,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

S. T. SMITH, *Chairman.*

We concur in this report: H. M. Boone, Chas. T. Hutson, Geo. A. Kennedy, Ralph D. Nichols.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 14, 1907.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate joint resolution No. 1, relating to the efficiency of the United States army, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. S. MCGOWAN, *Chairman*.

We concur in this report: Geo. A. Kennedy, George U. Piper.

REPORT OF SELECT COMMITTEE.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred the report of the special committee appointed by the Governor of this state, to investigate the needs and conditions of the State Penitentiary, have carefully gone over the report and would respectfully report as follows: That the several recommendations of the committee have either been carried out by the Board of Control, or are in contemplation, and provided for by the bills introduced relative to the distribution of grain sacks, the enlargement of the jute mill, the building of a dormitory, etc.

FRED M. PAULY, *Chairman*.

We concur in this report: W. B. Presby, B. D. Minkler, Alex. Polson, J. R. Stevenson, W. G. Potts, I. B. Knickerbocker.

On motion of Senator Pauly the report of the committee was placed on file.

SENATE CONCURRENT RESOLUTION NO 14.

Committee on Election and Privileges.

WHEREAS, Many states have enacted a law authorizing and regulating the use, at state, county and city elections, of voting machines, which have done away with the possibility of election contests and tedious and expensive court proceedings, and have eliminated the possible disfranchisement of many voters through spoiled, rejected and defective ballots and reduced the expenses of holding elections, therefore be it

Resolved by the Senate of the State of Washington, the House concurring, That the Governor, Secretary of State and State Auditor be appointed a committee to examine into the merits of voting machines and the advisability of enacting a law authorizing and regulating their use at elections in the State of Washington and report to the Legislature at the next session.

On motion of Senator Metcalf the resolution was adopted.

House concurrent resolution No: 11 relating to national reciprocal demurrage was read.

On motion of Senator Paulhamus the resolution was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 14, 1907.

MR. PRESIDENT:

Your committee appointed to proceed to Portland and confer with a like committee from the Legislatures of Oregon and Idaho, upon the subject of the upper Columbia and Snake river improvements, report as follows:

Your committee proceeded to Portland Friday, February 8th, and as per previous arrangement, met the committee from the Oregon Legislature at the Commercial Club in that city Saturday, February 9th. After greetings, Senator J. R. Stevenson was by courtesy of the Oregon delegation elected chairman and Benton Bowman of the Oregon Legislature was appointed secretary.

The meeting convened at 10:30 a. m. and continued in session until 4:30 p. m., during which time plans for carrying forward that great improvement which means so much to Washington, Oregon and Idaho were discussed. Col. Rossler, federal engineer in charge of all river work, was present and gave some very valuable information.

We found that the State of Oregon has heretofore appropriated for the improvement of the upper Columbia river for the Portage railway at the Cascades \$65,000. For the Portage railway at Celilo \$165,000. Portage railway maintenance \$25,000. Right of way for Celilo canal \$75,000, and the committee was assured that the present Legislature would appropriate for maintenance of the Portage railway the sum of \$10,000, and for the extension of the Portage railway at Celilo \$60,000, making a total of appropriations for upper Columbia river improvements of \$400,000.

Col. Rossler, government engineer in charge of the Columbia river improvement, stated to the committee that the Appropriations Committee of Congress had recommended \$120,000 to be used in the improvement of the upper Columbia and the bill carrying such an appropriation has passed the House. He estimated that it would take about \$400,000 to make the Columbia and Snake rivers navigable between Celilo and Lewiston, Idaho.

Col. Roessler has assured your committee that he would be in Olympia this evening and will appear before the Appropriations Committee, in view of which fact the committee deem it unnecessary to go further into details.

Respectfully submitted,

J. R. STEVENSON.

FRED M. PAULY.

W. B. PRESBY.

On motion of Senator Stevenson the report was referred to the Committee on Appropriation.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 14, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate joint resolution No. 2, relating to certain forest reserves in Whatcom county, have compared same with engrossed bill and find it correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman*,

We concur in this report. Robert F. Booth, P. L. Allen, R. W. Condon, Lincoln Davis.

INTRODUCTION OF BILLS.

Senate bill No. 203, by Senator Jones: An act to establish a nautical training school.

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

Senate bill No. 204, by Senator Williams: An act to amend section 45 of an act entitled, "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897.

The bill was read the first time, and on motion of Senator Williams the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 205, by Senators Watson, Hunter, Blair and McGowan: An act to amend section 1 of an act entitled, "An act to amend sections 6 and 7 of an act entitled, 'An act for the appointment of a Fish Commissioner, and defining his duties and declaring an emergency to exist,' approved February 20, 1890, relating to Fish Commissioner and declaring an emergency," approved March 18, 1901.

The bill was read the first time, and on motion of Senator Watson 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. 206, by Senator Waston: An act for the

relief of George W. Rowan and making an appropriation therefor.

The bill was read the first time, and on motion of Senator Watson 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. 292, by Committee on Military Affairs and Soldiers' Home: An act relating to the construction of armories for the use of the national guard of Washington, appropriating money therefor, creating a board to superintend construction thereof and declaring an emergency.

The bill was read the first time, and on motion of Senator Piper the rules were suspended, the bill was read the second time by title, and placed on general file.

House bill No. 293, by the Committee on Military Affairs and Soldiers' Home: An act to amend the military code of the State of Washington, approved March 16, 1903, and declaring an emergency.

The bill was read the first time, and on motion of Senator Scott the rules were suspended, the bill was read the second time by title and placed on general file.

Senate bill No. 207, by Senator Sumner: An act amending the law to make the State Board of Tax Commissioners the State Board of Equalization.

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 Public Revenue and Taxation.

Senate bill No. 208, by Senator Ruth: An act exempting Greek letter society buildings from taxation.

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 Revenue and Taxation.

On motion of Senator Condon 500 additional copies of Senate bill No. 110 were ordered printed.

On motion of Senator Condon at 4:12 o'clock p. m. the Senate adjourned.

J. W. LYSONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.

THIRTY-THIRD DAY.

MORNING SESSION.

OLYMPIA, WASHINGTON, Friday, February 15, 1907.

10:00 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Pauly, Pogue, Presby and Rands, all excused.

On motion of Senator Smith the reading of yesterday's journal was dispensed with, and it was approved.

Petitions for initiative and referendum were received from Walla Walla, Chehalis, Snohomish, King, Benton, Skagit, Whatcom and Pierce counties and referred to Committee on Constitution and Constitutional Amendments.

Petition for direct primary from King county was referred to Committee on Constitution and Constitutional Revision.

Petition regarding anti-cigarette law was received from San Juan county and referred to Judiciary committee.

A petition from North Yakima addressed to Walter Reed against House bill No. 64, relative to the eight hour law, was read.

On motion of Senator Davis the petition was referred to Committee on Labor and Labor Statistics.

Senator Allen offered the following resolution:

Resolved, That the sergeant at arms be directed to purchase \$50 worth of postage stamps for the use of the Senate postmaster in mailing official letters and packages for the members of this body.

On motion of Senator Allen the resolution was adopted.

Senator Polson offered the following resolution which was adopted:

Resolved, That the members of this body tender the use of the Senate chamber to the Third House for this evening, February 15th, from 7:30 until 10 p. m.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 15th, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 83, entitled, "An act to establish a bureau of publicity, statistics and immigration, making an appropriation therefor, repealing chapter 85 of Laws of 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 the bill herewith transmitted be substituted therefor, be printed and referred to the Committee on Appropriations.

WILL G. GRAVES, *Chairman*.

We concur in this report: Robert F. Booth, E. M. Rands, T. A. Hunter, I. B. Knickerbocker, Chas. T. Hutson, W. D. Scott, Ralph Metcalf.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 15th, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 145, entitled, "An act to repeal an act entitled 'An act to prevent the spread of contagious or infectious diseases among cattle, horses and other domestic animals, and prescribing penalties for the violation of the provisions thereof,' being chapter 143 of Session Laws of 1895," 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 Dairy and Live Stock.

WILL G. GRAVES, *Chairman*.

We concur in this report: Robert F. Booth, E. M. Rands, T. A. Hunter, I. B. Knickerbocker, Chas. T. Hutson, W. D. Scott, Ralph Metcalf.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 14, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred Senate bill No. 193, entitled, "An act authorizing the common council of cities of the first class to nominate and elect municipal officers whenever the mayor of such city shall neglect to make nominations, 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.

JESSE S. JONES, *Chairman.*

We concur in this report: Geo. F. Cotterill, T. B. Sumner, R. L. Kline.

On motion of Senator Jones the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 14, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred Senate bill No. 66, entitled, "An act authorizing cities of the first class to provide for the filling and closing of cess-pools and for the removing of garbage, 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.

JESSE S. JONES, *Chairman.*

We concur in this report: Geo. F. Cotterill, T. B. Sumner, R. L. Kline.

On motion of Senator Jones the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 14, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred Senate bill No. 56, entitled, "An act relating to license fees for the sale of intoxicating liquors within five miles outside of the boundary line or limits of any city of the first class," 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.

JESSE S. JONES, *Chairman.*

We concur in this report: Geo. F. Cotterill, T. B. Sumner, R. L. Kline.

On motion of Senator Jones the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 14th, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred Senate bill No. 125, entitled, "An act to amend an act 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,' approved March 27, 1890,' approved March 16, 1903," 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 with the following amendments:

Add to section 1 the following: *And provided further*, That where municipalities are separated by water or by tide or shore lands upon which no *bona fide* residence is maintained by any person such municipalities shall be deemed to be contiguous for all the purposes of this act, and may be consolidated under the terms thereof, and upon such consolidation any such intervening water, tide or shore lands shall become part of the consolidated city.

In line 27 of the printed bill between the words "state" and "census" insert the words "or national."

In line 75 of the printed bill strike the word "corporate" and insert the word "corporation."

JESSE S. JONES, *Chairman*.

We concur in this report: Geo. F. Cotterill, T. B. Sumner, R. L. Kline.

On motion of Senator Jones the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 15th, 1907.

MR. PRESIDENT:

We, a majority of your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 167, entitled, "An act to create the County of Grays Harbor," 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 emergency clause in the title.

Strike section 22.

A. W. ANDERSON, *Chairman*.

We concur in this report: Fred Eidemiller, H. M. Boone, Arthur Gunn, Walter J. Reed, John L. Blair.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 15th, 1907.

MR. PRESIDENT:

We, a minority of your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 167, entitled, "An act to create the County of Grays Harbor," have had the same under consider-

ation, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

We concur in this report: Peter McGregor.

Senator Boone moved the adoption of the majority report.

Senator McGregor offered as a substitute for Senator Boone's motion that the Senate adopt the minority report.

Senator Sumner offered as a substitute for Senator McGregor's substitute motion, that both the report of the majority and the minority be placed on general file, together with the bill.

The motion was carried.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 15th, 1907.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 194, entitled, "An act relating to the organization and powers of corporations other than those formed for the purpose of profit," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

LINCOLN DAVIS, *Chairman*.

We concur in this report: R. W. Condon, H. M. Boone, P. L. Allen, George U. Piper.

INTRODUCTION OF BILLS.

Senate bill No. 209, by Senator Booth, entitled, "An act relating to revenue and taxation."

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

Senate bill No. 210, by the Joint Committee on Game and Game Fish, entitled, "An act providing for issuing hunter's and fishermen's licenses and licensing taxidermists, providing for the disposition of moneys collected under the provisions thereof and fixing penalties for its violation."

The bill was read the first time, and on motion of Senator Knickerbocker the rules were suspended, the bill was read the second time by title and placed on general file.

Senate bill No. 211, by the Joint Senate Committee on Game and Fish, entitled, "An act for the preservation, propagation, protecting, taking, use and transportation of game animals,

game birds and game fish and certain harmless birds and animals, and fixing penalties for the violation thereof."

The bill was read the first time, and on motion of Senator Knickerbocker the rules were suspended, the bill was read the second time by title and placed on general file.

Senat bill No. 212, by the Committee on Cities of the First Class, entitled, "An act prescribing the time within which actions shall be brought for the collection of special assessments for local improvements."

The bill was read the first time, and on motion of Senator Cotterill the rules were suspended, the bill was read the second time by title and ordered placed on general file.

Senate bill No. 213, by the Judiciary Committee, entitled, "An act amending section 3 of an act entitled, 'An act providing for and regulating the selection of jurors in the Superior Court of the state; and providing for the appointment of jury commissioners,'" etc.

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 placed on general file.

Senate bill No. 214, by the Judiciary Committee, entitled, "An act providing for the purchase and maintenance of law libraries for the Superior Court and for the creation of a fund therefor by the taxation of costs."

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 ordered placed on general file.

Senate bill No. 215, by the Judiciary Committee, entitled, "An act relating to the vacation, modification and revision of orders or judgments."

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 ordered placed on general file.

Senate bill No. 216, by the Judiciary Committee, entitled, "An act relating to the rejoinder of causes of action and amending section 4942 of Ballinger's Annotated Codes and Statutes 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 ordered placed on general file.

Senate bill No. 217, by the Joint Committee on Game and Fish, entitled, "An act creating a state game, fish and forest commission, defining their duties and making an appropriation."

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 ordered placed on general file.

Senate bill No. 218, by the Judiciary Committee, entitled, "An act to amend section two (2), seven (7) and eight (8) of chapter LXXXV Laws of 1895 entitled, 'An act to establish a bureau of statistics, labor, agriculture and emigration, and making an appropriation therefor,' declaring an emergency and making an appropriation for the maintenance of said bureau."

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 ordered placed on general file.

The president signed Senate bills No. 31, 74 and 75.

GENERAL FILE.

Senate bill No. 174, entitled, "An act to amend section 1 of an act entitled, 'An act for the protection of persons working in coal mines; etc.,'" was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Sumner, Williams—35.

Those voting nay were: Senators Smith and Veness—2.

Those absent or not voting were: Senators Pauly, Pogue, Presby, Rands and Watson—5.

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

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Stevenson, Williams—28.

Those voting nay were: Senators Cotterill, Graves, Hutson, McGowan, Scott, Smith, Sumner and Veness—8.

Those absent or not voting were: Senators Booth, Pauly, Pogue, Presby, Rands and Watson—6.

SPECIAL ORDER.

Senate bill No. 131, which was a special order for 10:30 o'clock, was taken up.

On motion of Senator Brown Senate bill No. 131 was ordered placed at the foot of the calendar.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 15th, 1907.

MR. PRESIDENT:

The House has passed House bill No. 8, entitled, "An act to apportion the state into three congressional districts."

Also House bill 252, "An act regulating the powers of corporations organized to build booms and to place logs and timber products therein."

Also House bill No. 91, "For the prevention or pollution of public water supplies."

Also House bill No. 93, "Providing a system of registration of births and deaths."

Also House bill No. 128, "Relating to the duty of county commissioners in regard to prisoners in county jails."

Also House bill No. 204, "Relating to use of bridges by traction engines."

Also House bill No. 130, "Relating to the withdrawal of joint accounts."

Also House bill No. 97, "Providing for the amendment of section 16 of article 1 of the State Constitution."

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

Senator Davis stated that he would withdraw his notice given yesterday to reconsider the vote by which Senate bill No. 110 passed the Senate.

On motion of Senator Sumner Senate bill No. 119 was put over until Monday next.

On motion of Senator Rosenhaupt the rules were suspended and Senate bill No. 129, entitled, "An act to apportion the State of Washington into three Congressional districts was considered engrossed and placed on third reading.

Senator Smith moved to amend section 1 by inserting the words, "Island" and "San Juan."

The motion was lost.

Senator Sumner moved that the bill be placed on the calendar for next Monday.

The motion was withdrawn.

Senate bill No. 129 was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Scott, Sumner, Veness, Williams—31.

Those voting nay were: Senators Blair, Kline, Nichols and Smith—4.

Those absent or not voting were: Senators Kennedy, Pauly, Pogue, Presby, Rands, Stevenson and Watson—7.

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

On motion of Senator Booth the bills passed by the Senate yesterday and the day before were ordered transmitted to the House immediately.

On motion of Senator Boone Senate bill No. 44 was ordered placed at the foot of the calendar.

Senate bill No. 181, entitled, "An act fixing the salaries of the Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, Attorney General, Superintendent of Public Instruction and Commissioner of Public Lands, etc.," was placed on third reading.

On motion of Senator Cotterill the following amendment was

made: In line 5 of the printed bill strike the word "twenty-five hundred," and insert in lieu thereof "three thousand."

Senator Paulhamus moved to strike in line 2, section 1, the word "six," and insert in lieu thereof "five."

The motion was lost.

Senate bill No. 181 was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, McGowan, McGregor, Metcalf, Minkler, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Scott, Williams—27.

Those voting nay were: Senators Bratt, Kline, Nichols, Paulhamus, Smith, Sumner and Veness—7.

Those absent or not voting were: Senators Booth, Knickerbocker, Pogue, Presby, Rands, Stevenson, Watson and Pauly—8.

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

Senate bill No. 182, entitled, "An act to amend section 1 of an act entitled, 'An act providing for the establishment and location of a state reform school, and declaring an emergency,' was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Scott, Sumner, Veness, Williams—33.

Those voting nay were: Senator Smith—1.

Those absent or not voting were: Senators Booth, Knickerbocker, Pauly, Pogue, Presby, Rands, Stevenson and Watson—9.

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

Senate bill No. 87, entitled, "An act to amend the code of

public instruction in the state of Washington, etc.," was placed on third reading:

Senator Ruth moved to strike section 2 of the printed bill. The motion was withdrawn.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Scott, Veness, Williams—31.

Those absent or not voting were: Senators Booth, Hunter, Jones, Pauly, Pogue, Presby, Rands, Smith, Stevenson, Sumner and Watson—11.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 15th, 1907.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 76, entitled, "An act regulating the keeping and deposit of municipal funds."

The House has also concurred in Senate amendments to House bill No. 74, "An act providing for the assessment and collection of an excise tax from express companies."

The House has passed House bill No. 38, entitled, "An act providing for the collection of taxes upon personal property, etc."

The House has passed Senate bill No. 46, entitled, "An act to provide for state depositaries, etc.," with the following amendments:

Amend by striking all of section 3 after the words "shall be" in the 4th line of the printed bill, the same being the 5th line of the original bill and insert in lieu of the words stricken out "not less than two per cent per annum."

Strike out all of section 8 of the original and printed bill.

Amend title by striking therefrom the words "and declaring an emergency;" change the comma after the word "therein" to a period.

The speaker has signed Senate bill No. 75, entitled, "An act conveying certain tide lands to the city of Olympia."

Also Senate bill No. 74, in relation to the public highway fund.

Also Senate bill No. 31, conveying certain tide lands to the city of Tacoma.

Also House bill No. 31, regulating the hours of service of employees on trains.

Also House bill No. 116, authorizing county commissioners to acquire and operate quarries.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

Senator Ruth gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 87 passed the Senate.

Senator Scott gave notice that on Monday next he would move to reconsider the vote by which Senate bill No. 152 failed to pass the Senate.

On motion of Senator Davis at 12:00 o'clock m. the Senate took a recess until 1:45 p. m.

AFTERNOON SESSION.

The Senate was called to order at 1:45 o'clock p. m. by President Coon, pursuant to adjournment.

GENERAL FILE.

On motion of Senator Graves Senate bill No. 68 was referred to the Judiciary Committee.

Senate joint resolution No. 1, asking for congressional action in the interest of additional coast defences for the State of Washington, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Reed, Rosenhaupt, Ruth, Scott, Veness, Williams—29.

Those absent or not voting were: Senators Anderson, Booth,

Eidemiller, Hunter, Piper, Pogue, Potts, Presby, Rands, Smith, Stevenson, Sumner and Watson—13.

Senator Hutson gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 129 passed the Senate.

House bill No. 40, entitled, "An act relating to the assessment and collection of taxes in municipal corporations of the second, third and fourth classes, etc.," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Polson, Reed, Rosenhaupt, Ruth, Scott, Veness, Williams—28.

Those absent or not voting were: Senators Anderson, Booth, Eidemiller, Jones, Paulhamus, Piper, Pogue, Potts, Presby, Rands, Smith, Stevenson, Sumner and Watson—14.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Reed, Rosenhaupt, Ruth, Scott, Veness, Williams—29.

Those absent or not voting were: Senators Anderson, Booth, Eidemiller, Jones, Piper, Pogue, Potts, Presby, Rands, Smith, Stevenson, Sumner and Watson—13.

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

On motion of Senator Davis the vote by which committee report on Senate bill No. 184 was adopted was reconsidered and the bill placed on general file.

House bill No. 65, entitled, "An act to amend chapter 18 of Session Laws of 1905, etc.," was placed on third reading.

On motion of Senator Graves the bill was amended by striking all of section 2.

On motion of Senator Nichols House bill No. 65 was referred to the Judiciary Committee.

Senator Blair rose to a question of personal privilege. He sent to the secretary's desk and had read the following article which was published in the Seattle Post-Intelligencer of February 15, 1907:

OPPOSES REMOVAL OF SOLDIERS' HOME.

J. C. TAYLOR OF ORTING DECLARES PLAN PROMPTED BY POLITICAL TRICKERY.

Olympia, February 14.—J. C. Taylor, of Orting, member of the 1893 and 1895 Houses of Representatives, is in Olympia, and will appear before the Appropriations Committee tomorrow night to make a determined protest against moving the Soldiers' Home to the tide waters of Puget Sound. When interviewed tonight Mr. Taylor declared that it was a move prompted solely by political trickery.

"Certain politicians," he declared, "were disappointed not long ago in attempting to rule the region of Orting, and are trying to avenge themselves by securing the removal of the Home. Our people raised \$11,000 early in the nineties for the Home, and we are entitled to some consideration.

"Those of the soldiers who signed the petition to have the home removed did so from capricious sentiments, which are easily aroused in old men in their dotage, a condition which characterizes most of our old soldiers. Not more than half of the inmates of the Home have their names to the petition. The rest are satisfied that they are in an ideal place. Orting is quiet, but men like those in the Home do not need, nor do they want, the excitement of a bigger place.

"I shall appose the appropriation of \$100,000, which the bill carries. That sum, as a matter of fact, would not begin to cover the expense. The discontent attributed to the soldiers is born of the imagination of the instigators of the movement."

Senator Blair made the following personal statement in regard to the foregoing:

"Mr. President, such statements make my blood boil with indignation. I am one of the old soldiers, and I resent the imputation that the old soldiers are in their dotage. I am in favor of removing the Soldiers' Home from its present location for many reasons. The buildings are entirely insufficient; hundreds of old soldiers, many of them enfeebled by age and disability, being compelled to climb into third story attics where the beds are so close to the roof that there is scarcely room to lie down in their cots. There are no means of escape in case of fire, which are worthy of the name, and should a fire occur God only knows what would be the awful result. While they live they have only the most lonesome and dreary place to live in; lacking in sunlight; with an excessive rainfall and only the most gloomy prospects, and when they die these brave old men are buried in a swamp

where there is two feet of water in every grave. Of course there are men who do not want the Home moved because they would lose a little by its removal. Such is, I understand, the motive of the man whose interview has just been read.

"Gentlemen, if it had not been for the old soldier we would not be here today. His bravery and devotion to the country made it possible to keep this country of ours as a great Nation. If it had not been for that the spot where we now are would have been a fur trading post under the government of British Columbia. As I look in the faces of my colleagues in this chamber I feel that no brighter nor abler men are to be found today in the National Congress itself, and I am sure you will do justice to the old soldier. While some are feeble and ill, and no longer fit to brave the battle of life, they should not be characterized as dotards, and I sincerely trust that you will resent, as becomes patriotic men, such vile and insulting language."

GENERAL FILE.

House bill No. 73, entitled, "An act authorizing counties which have acquired, or which may hereafter acquire mining claims or properties for taxes, etc.," was placed on third reading.

Senator Nichols moved to make the following amendment: In section 1, line 4, strike the words "with or without an option to purchase."

The motion was withdrawn.

On motion of Senator Graves all of section 4 was stricken, and the section now numbered "5" was renumbered "4."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Reed, Rosenhaupt, Ruth, Scott, Veness, Williams—30.

Those absent or not voting were: Senators Anderson, Booth, Eidemiller, Hutson, Pogue, Potts, Presby, Rands, Smith, Stevenson, Sumner and Watson—12.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Jones,

Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Reed, Rosenhaupt, Ruth, Scott, Veness, Williams—30.

Those absent or not voting were: Senators Anderson, Booth, Eidemiller, Hutson, Pogue, Potts, Presby, Rands, Smith, Stevenson, Sumner and Watson—12.

On motion of Senator Graves the title of the bill was amended by striking the following: "and repealing all acts or parts of acts inconsistent or in conflict with this act," making it read as follows: "An act authorizing counties which have acquired or which may hereafter acquire mining claims or properties for taxes to lease the same with or without an option to purchase, and declaring an emergency."

On motion of Senator Piper House bills Nos. 292 and 293 were referred to the Committee on Appropriations.

Senator Hutson was called to the chair.

Senate bill No. 122, entitled, "An act relating to the taxation in inheritance, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Graves, Gunn, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Rosenhaupt, Ruth, Scott, Williams—28.

Those absent or not voting were: Senators Booth, Davis, Eidemiller, Jones, Pogue, Potts, Presby, Rands, Reed, Smith, Stevenson, Sumner, Veness and Watson—14.

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

The president resumed the chair.

Senate bill No. 27, entitled, "An act to amend an act providing for the relief of indigent soldiers and sailors, etc.," was placed on third reading.

On motion of Senator Cotterill section I was amended by striking the words: "war of the rebellion," and inserting in lieu thereof the words "civil war."

Senate bill No. 27 was read the third time, placed on final passage and passed as amended by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Reed, Rosenhaupt, Ruth, Scott, Williams—29.

Those absent or not voting were: Senators Boone, Booth, Davis, Eidemiller, Pogue, Potts, Presby, Rands, Smith, Stevenson, Sumner, Veness and Watson—13.

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

Senate bill No. 126, entitled, "An act relating to county engineers," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Jones, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Reed, Rosenhaupt, Ruth, Scott, Williams—28.

Those voting nay were: Senators Condon and Kennedy—2.

Those absent or not voting were: Senators Boone, Booth, Eidemiller, Pogue, Potts, Presby, Rands, Smith, Stevenson, Sumner, Veness and Watson—12.

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

Senate bill No. 137, entitled, "An act relating to the acceptance of gifts, bonuses or commissions by agents, employees or officers, etc.," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Reed, Rosenhaupt, Ruth, Veness, Williams—29.

Those absent or not voting were: Senators Booth, Davis, Eide-

millèr, Piper, Pogue, Potts, Presby, Rands, Scott, Smith, Stevenson, Sumner and Watson—13.

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

The president signed House bills Nos. 31, 116, 159 and 160.

On motion of Senator Cotterill Senate bill No. 161 was ordered to go over.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 15th, 1907.

MR. PRESIDENT:

The speaker has signed House bill No. 159, entitled, "An act providing for certain deficiencies in maintenance of State Capitol building;

Also Senate bill 160 making an appropriation for the publication of certain notices;

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

INTRODUCTION OF BILLS.

House bill No. 8, by Mr. Gregg, entitled, "An act to apportion the State of Washington into three Congressional Districts."

The bill was read the first time, and on motion of Senator Williams the rules were suspended, the bill was read the second time by title and referred to the Committee on Constitution and Constitutional Amendments.

House bill No. 38, by Mr. Kayser, entitled, "An act providing for the collection of taxes upon personal property about to be or in danger of being removed from the limits of the state."

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 Judiciary.

House bill No. 52 by Mr. Davis, (E. C.), entitled, "An act to amend an act entitled and cited as the code of public instruction of the State of Washington, 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 Corporations Other Than Municipal.

House bill No. 91, by Mr. Sheets, entitled, "An act relating to the prevention of pollution of public water supplies used for domestic purposes, etc."

The bill was read the first time, and on motion of Senator Brown 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. 93, by Mr. Sheets, entitled, "An act to provide a system of registration of births and deaths and the method of reporting births and deaths, etc."

The bill was read the first time, and on motion of Senator Brown 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. 128, by Mr. Fancher, entitled, "An act relating to the duty of county commissioners in regard to prisoners in the county jails."

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 Judiciary.

House bill No. 204, by Mr. Blackmore, entitled, "An act regulating the use of county bridges by traction engines. etc."

The bill was read the first time, and on motion of Senator Bratt 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. 130, by Mr. Bassett, entitled, "An act relating to joint accounts."

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

House bill No. 97, by Mr. Stephens, entitled, "An act providing for the amendment of section 1 of article 21 of the Constitution of the State of Washington, entitled Water and Water Rights, etc."

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

time by title and referred to the Committee on Constitution and Constitutional Revision.

Senate bill No. 219, by Senator Veness, entitled, "An act to establish a Western Washington Interstate Fair, and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Veness 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 Senator Metcalf, entitled, "An act providing for the payment of premium on official bonds of state, county or city clerks."

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

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 14th, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 74, entitled, "An act to amend an act creating a fund to be known as the Public Highway Fund," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: P. L. Allen, R. W. Condon, Robert F. Booth, Lincoln Davis.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 14th, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 31, entitled, "An act directing the commissioner of public lands to certify certain tide lands for deed to the City of Tacoma for use as a public park," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: P. L. Allen, R. W. Condon, Robert F. Booth, Lincoln Davis.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 14th, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 75, entitled, "An act authorizing and directing the commissioner of public lands to certify certain tide lands to the governor for deed to the City of Olympia for use as a public park," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: P. L. Allen, R. W. Condon, Robert F. Booth, Lincoln Davis.

The following resolution by Senator Paulhamus was read:

Resolved, That O Amidon be employed as watchman at \$3.50 per day in place of E. Amidon, resigned.

A roll call was had and O. Amiddon was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Reed, Rosenhaupt, Ruth, Veness, Williams—29.

Those absent or not voting were: Senators Booth, Davis, Eidemiller, Piper, Pogue, Potts, Presby, Rands, Scott, Smith, Stevenson, Sumner and Watson—13.

The following resolution by Senator Brown was read:

Resolved, That the ventilating fans be operated in this chamber from 8:00 to 10:00 a. m., 12:00 to 1:00 and 5:00 to 7:00 p. m."

On motion of Senator Brown the resolution was adopted.

MEMORIAL.

The following memorial was received from the Medical Society of Whatcom County, Washington:

To the Honorable the President and Senate of the State of Washington, in Legislature Assembled:

Your memorialists, the members of the medical society of Whatcom county, Washington, respectfully call attention to the fact that Senate bill No. 113 has been introduced in your Honorable Body providing that only physicians or surgeons licensed to practice within the State of Washington, shall hereafter be eligible to election to the election of coroner in any of the counties of this state, and to the principal reasons as hereinafter set forth why said bill or a similar measure should become a law:

First: It is necessary in the holding of inquests to determine the cause of sudden and violent deaths, that skilled physicians or surgeons be called as experts; that the calling of such experts entails an expense of from twenty-five dollars (\$25.00) to fifty dollars (\$50.00) in each case where inquest is held; that if the incumbent of the office of coroner is a skilled physician or surgeon, the calling of such experts is unnecessary, said coroner so qualified being able to fix and determine the cause of death without expert medical assistance or testimony.

Second: In counties of higher classes, in which coroners receive salaries instead of fees for their services, if the incumbent of the office is a medical expert, he is in most cases able to determine the cause of death by a personal examination and investigation and thus obviate the necessity of holding inquests, and incurring their attending expenses.

Third: That a coroner possessed of medical skill and knowledge is thereby enabled to make a more rigid, careful and thorough investigation of sudden, mysterious and violent deaths, than an officer who does not possess these qualifications, and thus more efficiently aid in the enforcement of the laws and the bringing of guilty parties to justice.

Wherefore, your memorialists pray that in the interest of public economy, and of proper enforcement of law, the Senate of the State of Washington, take such action as will insure the passage and enactment of said Senate bill No. 113 as a law.

Dated at Bellingham, Washington, January 29th, 1907.

G. F. COOK, M. D.
 S. H. JOHNSON, M. D.
 L. R. BOYNTON, M. D.
 E. F. LARKIN, M. D.
 H. THOMPSON, M. D.
 S. N. KELLY, M. D.
 C. E. MARTIN, M. D.
 CHAS. C. HOLT, M. D.
 W. D. KIRKPATRICK, M. D.
 CARL M. ERB, M. D.
 F. J. VAN KIRK, M. D.
 W. N. HUNT, M. D.
 J. S. SMITH, M. D.
 S. J. TOABE, M. D.
 DR. IRVING.
 J. CROSS, M. D.
 JACOB S. SMITH.
 L. R. MARKLEY, M. D.
 N. WHITNEY WEAR.

On motion of Senator Kline the memorial was referred to the Committee on Judiciary.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, February 15th, 1907.

MR. PRESIDENT:

We, your Committee on Roads and Bridges to whom was referred Senate bill No. 5, entitled, "An act relating to the maintenance of

public roads," 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.

E. C. BRATT, *Chairman.*

We concur in this report: W. H. Paulhamus, A. W. Anderson, R. L. Kline, A. Gunn, Peter McGregor, Alex Polson, George F. Cotterill, A. S. Ruth, Ralph Metcalf.

On motion of Senator Bratt the report of the Committee was adopted.

On motion of Senator Condon at 3:23 p. m. the Senate adjourned until 2:30 p. m. Monday.

J. W. LYSONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.

THIRTY-SIXTH DAY.

MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, Monday, February 18, 1907.

The Senate was called to order at 2:30 o'clock p. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The Secretary called the roll, all members being present except Senators Huston, excused, Pogue, excused, Presby, excused, Stevenson, excused, Veness, excused, and Watson, excused.

On motion of Senator Allen the reading of yesterday's journal was dispensed with, and it was approved.

The following resolution by Senator Davis was read:

Resolved, That the use of the Senate Chamber be extended to the Third House on Thursday night, February 20, from 7:30 o'clock until 10:00 o'clock.

On motion of Senator Scott the resolution was referred to the Committee on Rules and Joint Rules, with the power to act.

The following resolution by Committee on Senate Employees other than Regular was adopted:

Resolved, That Forest E. Smith be employed as stenographer in the Senate at \$5.00 per day, in place of C. W. McKercher, transferred to the desk of the minute clerk, and that H. J. Trubshaw be employed for enrolling work, at \$5.00 per day.

Forest E. Smith was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Williams—33.

Those absent or not voting were: Senators Hunter, Hutson, Paulhamus, Presby, Pogue, Rands, Stevenson, Veness and Watson—9.

H. J. Trubshaw was elected by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Williams—33.

Those absent or not voting were: Senators Hunter, Hutson, Paulhamus, Presby, Pogue, Rands, Stevenson, Veness and Watson—9.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 50, entitled, An act relating to the competency of witnesses in certain cases, and providing for immunity from indictment, information, prosecution and punishment for such witnesses.

Also Senate bill No. 52, entitled: An act to amend section 3 of chapter LXXXIII of the Laws of 1897, relating to revenue and taxation.

Also Senate bill No. 181, entitled: An act fixing the salaries of the Governor and other state officials, and providing for the manner of payment.

Also Senate bill 140, entitled: An act regulating the model training school departments of Normal Schools, and providing for the appropriation of funds therefor.

Also Senate bill No. 118, entitled: An act making an appropriation for the relief of the town of Kalama.

Also Senate bill No. 141, entitled: An act providing for the employment of convicts on state roads.

Also Senate bill No. 71, entitled: An act relating to contracts and providing that certain contracts shall be void unless in writing.

Also Senate bill No. 38, entitled: An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes.

Also Senate bill No. 107, entitled: An act relating to the exercise of the power of eminent domain by corporations generating and transmitting electricity and using and selling the same for light and power.

Also Senate bill No. 126, entitled: An act relating to county engineers.

Also Senate bill No. 122, entitled: An act relating to the taxation of inheritances.

Also Senate bill No. 48, entitled: An act empowering county commissioners to make exhibits at the Alaska-Yukon-Pacific Exposition and to appropriate funds therefor.

Also Senate bill No. 61, entitled: An act authorizing the assessment of lands held or owned by any county in the state, within the limits of incorporated cities or towns in such county, for local improvements, and providing for the payment of such assessments.

Also Senate bill No. 119, entitled: An act classifying the counties according to population, enumerating the officers, fixing salaries, etc.

Also Senate bill No. 137, entitled: An act relating to the giving or receiving of gratuities to affect the conduct of employes with relation to their employer's business.

Also Senate bill No. 161, entitled: An act to amend article VII of the Constitution of the State of Washington, relating to the assessment and taxation of property within this state.

Have compared same with the original bills and found them correctly engrossed.

Respectfully submitted,

A. W. ANDERSON, *Chairman.*

We concur in this report: A. S. Ruth, F. M. Pauly, A. Gunn.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 15, 1907.

To the Honorable The Senate of the State of Washington:

GENTLEMEN:—I have this day approved the following bills:

Senate bill No. 74, entitled, "An act to amend section 2 of an act of the Legislature of the State of Washington, approved March 9th, 1905, entitled, 'An act creating a fund to be known as the Public High-

way Fund and making provisions for an annual levy to produce revenue therein for the construction and repairs of highways and bridges.'"

Senate bill No. 31, entitled, "An act authorizing and directing the Commissioner of Public Lands to certify certain tide lands to the Governor for deed and authorizing and directing the Governor to execute and the Secretary of State to attest a deed conveying to the City of Tacoma certain tide lands for use as, and in connection with its public park, and for no other purpose."

Senate bill No. 75, entitled, "An act authorizing the Commissioner of Public Lands to certify certain tide lands to the Governor for deed and authorizing and directing the Governor to execute and the secretary of state to attest a deed conveying to the City of Olympia certain tide lands for use as, and in connection with its public park, and for no other purpose."

ALBERT E. MEAD, *Governor*.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 18, 1907.

To the Honorable The Senate of the State of Washington:

GENTLEMEN:—I submit herewith a supplemental report of the State Board of Tax Commissioners, and recommend that a joint resolution be passed directing that this question be settled as speedily as possible along the lines suggested herein.

ALBERT E. MEAD, *Governor*.

To His Excellency, Albert E. Mead, Governor of the State of Washington, Olympia:

SIR:—In the biennial report of this commission attention was directed to the methods and rate of insurance taxation, the inequality in such taxes as compared with other taxes in the state, and the low rates and advantages conferred as compared with taxation of insurance in other states.

The provision of law permitting the deduction of losses paid from premiums received before taxes attached was particularly challenged as being unwise. It now appears that a custom has obtained in the insurance department since 1895 permitting not only losses paid but premiums refunded and amounts paid other companies for reinsurance as well, to be deducted from premiums received. There seems to exist in the minds of many competent legal authorities consulted by this commission grave doubts as to whether the deduction of returned premiums and reinsurance is warranted by law. In view of this, and of the fact that the legislature is now in session, it is desired again and more particularly to call your attention to the condition of insurance taxation in this state. The provision of law relating to insurance is as follows:

"All insurance companies, corporations or associations now doing business in this state or that may hereafter do business in this state, must file with the insurance commissioner annually, on or before the

15th day of February in each year, a statement under oath stating the amounts of all premiums received by said companies, corporations or associations during the year ending December 31st preceding, in this state, and the amounts actually paid policy holders during the same time, and shall pay into the state treasury, through the insurance commissioner, a tax of 2 per cent. on all such premiums collected less the amount of losses actually paid policy holders." (Laws '99, p. 333.)

The provision relating to the deductions from premiums received has been in force since 1895 (Laws '95, p. 162.) In 1897 an amendment was passed imposing a tax of 3 per cent. on all such premiums collected less amount of losses actually paid policy holders upon insurance companies organized in any state or nation outside the territory of the United States. (Laws '97, p. 109.) Which provision was subsequently repealed by the amendatory act of 1899 quoted.

The exact amount deducted for premiums returned and for reinsurance from the year 1895 to the present time has not been ascertained, but it is sufficient to say that it amounts to a large sum. If this deduction has been erroneously allowed it means a considerable loss to the state unless recovered from the several insurance companies doing business in the state since 1895.

It should be stated that legal authorities disagree as to whether the items of reinsurance and returned premiums should be deducted from the premiums received before computing the tax thereon, and it is felt by this commission that the question is of sufficient importance to the state to warrant the suggestion that it should be made the subject of judicial determination. It should be made the duty of this commission, by joint resolution of the Legislature, to ascertain the amount of reinsurance and returned premiums allowed the several insurance companies upon which taxes have not been computed, and to institute a test case, under the advice and with the assistance of the Attorney General, having the same advanced as rapidly as possible for final judicial decision.

Respectfully submitted,

State Board of Tax Commissioners

T. D. ROCKWELL, *President.*

J. E. FROST, *Commissioner.*

J. H. EASTERDAY, *Commissioner.*

OLYMPIA, WASHINGTON, February 16, 1907.

I most heartily endorse the above recommendation relating to a test case to discover the correct interpretation of the insurance laws.

J. H. SCHIVELY,

Deputy Insurance Commissioner.

Senate concurrent resolution No. 15, by Senator Paulhamus, was adopted as follows:

WHEREAS, There is a grave doubt whether reinsurance premiums paid in a proper deduction from premiums received allowed by the Secretary of State as *ex officio* Insurance Commissioner before computing

the tax payable by the several insurance companies doing business in this state, and

WHEREAS, This has been the custom of the several insurance commissioners since the enactment of the present law in 1895: Therefore, Be it

Resolved by the Senate, the House concurring herein, That the State Board of Tax Commissioners be instructed to ascertain the amount of reinsurance that has been deducted from the premiums received by the several insurance companies doing business in the state since 1895, and that the State Board of Tax Commissioners, acting with the honorable Attorney General, institute a test suit for the purpose of ascertaining the liability of said companies for reinsurance deducted.

Senator Ruth withdrew his motion to reconsider the vote by which Senate bill No. 87 passed the Senate.

INTRODUCTION OF BILLS.

Senate bill No. 221, by the Judiciary Committee, entitled, "An act relating to the filing, publication and citation of the laws of the state."

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 placed on general file.

Senate bill No. 222, by Senator Anderson, entitled, "An act amending section 3 and repealing sections 4, 5 and 6 of an act entitled, 'An act relative to the qualifications and compensation of county commissioners,' approved March 9, 1893." "

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

Senate bill No. 223, by Senator McGregor, entitled, "An act providing for the amendment of section 3 of article XI of the Constitution of the State of Washington relating to county, city and township organization."

The bill was read the first time, and on motion of Senator McGregor 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. 224, by Senator Davis, entitled, an act to repeal sections 25 and 26 of chapter 69 of the Session Laws of

1891, entitled, 'An act defining certain crimes, and declaring their punishment and amending the code of 1881 and certain statutes in relation to the same subject,' the same being sections 7250 and 7251 of Ballinger's Annotated Codes and Statutes of the State of Washington, relating to the closing on Sunday of places of amusement and business houses, and repealing sections 1266, 2067 and 2068 of the Code of Washington of 1881."

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.

Senate bill No. 225, by Senator Bratt, entitled, "An act relating to the power of cities and towns, and amending chapter 159, Session Laws of 1895, relating to cities and towns."

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 Municipal Corporations.

Senate bill No. 226, by Senator Bratt, entitled, "An act to amend section 2, 4 and 7 of an act entitled, '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., etc.'"

The bill was read the first time, and on motion of Senator Bratt 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. 227, by Senator Cotterill, entitled, "An act authorizing any county in the state, under certain conditions, to establish and create an assessment district and to levy an assessment for the purpose of paying the expenses of river, lake, canal, or harbor improvements, etc."

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

Senate bill No. 228, by Senator Cotterill, entitled, "An act granting to the United States of America a right of way for Lake Washington Canal in King county through lands and shore lands belonging to the State of Washington or the University of Washington and declaring an emergency."

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

On motion of Senator Cotterill Senate bill No. 228 was given the right of way over other Senate printing by the printer.

Senate bill No. 229, by Senator Polson, entitled, "An act to provide for the arbitration and settlement of differences between employers and employees, making an appropriation therefor and declaring an emergency."

The bill was read the first time, and on motion of Senator Polson 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. 230, by Joint Committee on Game and Game Fish, entitled, "An act to provide for the extermination of cougar, wild-cat, lynx, bear, coyote, coon, skunk and other wild animals that prey upon game animals and game birds, for the payment of bounties for such extermination, providing penalties and making an appropriation therefor."

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

Senators Scott and Knickerbocker were granted leave to sit during session of the Senate while they are serving on the Commission to investigate the office of Land Commissioner Ross.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House memorial No. 5, entitled, "An act requesting that an act be immedi-

ately passed by Congress confirming script locations and authorizing and directing the secretary of the Interior to cause patents to be issued to said script locators," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. S. MCGOWAN, *Chairman*.

We concur in this report: George A. Kennedy.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on memorials, to whom was referred Senate memorial No. 2, entitled, "An act relating to the installing of additional lights, fog-horns, etc., at points along the Washington coast," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. S. MCGOWAN, *Chairman*.

We concur in this report: George A. Kennedy.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on State Library to whom was referred House bill No. 233, entitled, "An act relating to the law department of the State Library, changing the official title of the librarian in charge thereof, providing for his appointment and fixing his compensation," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

I. B. KNICKERBOCKER, *Chairman*.

We concur in this report: George A. Kennedy, Will G. Graves.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Engrossed House memorial No. 4, entitled, "An act relating to the opening of the surplus lands of the Makah Bay Indian Reservation for settlement," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. S. MCGOWAN, *Chairman*.

We concur in this report: George A. Kennedy.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Education to whom was referred Senate bill No. 166, entitled, "An act to amend section 222 of the Code of Public Instruction 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.

WALTER J. REED, *Chairman*.

We concur in this report: A. W. Anderson, George A. Kennedy, I. B. Knickerbocker, H. S. McGowan.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Education to whom was referred Senate bill No. 15, entitled, "An act to amend section 222 of the Code of Public Instruction of the State of Washington, relating to State Normal Schools, 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.

WALTER J. REED, *Chairman*.

We concur in this report: A. W. Anderson, George A. Kennedy, I. B. Knickerbocker, H. S. McGowan.

On motion of Senator Reed the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 200, entitled, "An act providing for the compensation of witnesses called to testify concerning matters involving scientific or technical knowledge in actions or proceedings before courts, magistrates and coroners," 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 strike the words "or technical." In lines 2 and 3 of said title strike the words, "in actions or proceedings before courts, magistrates and coroners."

In line 1, section 1 of the printed bill, before the word, "courts," insert the word "superior." In lines 1 and 2 of said section strike the words, "or before any magistrate or coroner," and the quotation marks before the word "any." In line 3 of said section strike the words, "or technical." In lines 3 and 4 of said section strike the words, "not within the experience of ordinary witnesses," and the quotation marks.

In line 3, section 2 of the printed bill, strike the word "five," and substitute the word "three" therefor.

Strike section 3 of the printed bill.

Strike section 4 of the printed bil.

WILL G. GRAVES, *Chairman*.

We concur in this report: Robert F. Booth, T. A. Hunter Chas. T. Hutson, Harry Rosenhaupt, I. B. Knickerbocker, Ralph Metcalf.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 186, entitled, "An act to amend an act entitled, 'An act to provide for the appointment, qualification, and duties of notaries public, certifying their official acts and declaring an emergency to exist,' approved December 21, 1890," 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 lines 3 and 4 of the title of the printed bill strike the words, "by adding to section 1 of said act a proviso allowing the appointment of women as such notaries public."

In line 1, section 1 of the printed bill, after the figure "1," insert the following: "That section 1 of said act be amended to read as follows: Section 1."

WILL G. GRAVES, *Chairman*.

We concur in this report: Robert F. Booth, T. A. Hunter, Ralph Metcalf, Harry Rosenhaupt, I. B. Knickerbocker.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 195, entitled, "An act in relation to the fees of state and county officers, witnesses and jurors," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILL G. GRAVES, *Chairman*.

We concur in this report: Robert F. Booth, W. D. Scott, Ralph D. Nichols, Ralph Metcalf, Harry Rosenhaupt, E. M. Rands, T. A. Hunter, I. B. Knickerbocker.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 15th, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 135, entitled, "An act relating to diking districts, their formation and organization, etc.," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Senate bill 233 herewith transmitted be substituted therefor, be printed, and that the same do pass.

WILL G. GRAVES, *Chairman*.

We concur in this report: Robert F. Booth, Chas. T. Hutson, T. A. Hunter, Ralph Metcalf, Harry Rosenhaupt, Ralph D. Nichols, I. B. Knickerbocker.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 16, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 113, entitled, "An act relating to coroners, and prescribing their qualifications," 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. Rands, T. A. Hunter, W. D. Scott, Ralph Metcalf, Harry Rosenhaupt, Ralph D. Nichols, I. B. Knickerbocker.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 178, entitled, "An act relating to the payment by the state of assessments made on state, school or granted lands for the construction and maintenance of dikes and drains benefitting such lands," etc., 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:

In line 2 of the title of the printed bill after the word "lands," strike the word "and." Beginning with the word "being," in line 3 of said title, strike everything down to the end of line 9. In line 10 of the title of the printed bill strike the following: "and declaring an emergency."

In line 1, section 6 of the printed bill, beginning with the word "being," strike down to and including the word "same," in line 7 of said section.

Strike section 7 of the printed bill.

Make section 8 of the printed bill section 7.

Strike section 9 of the printed bill.

WILL G. GRAVES, *Chairman*.

We concur in this report: Robt. F. Booth, W. D. Scott, Ralph D. Nichols, Ralph Metcalf, Harry Rosenhaupt, E. M. Rands, T. A. Hunter, I. B. Knickerbocker.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 172, entitled, "An act providing for the appointment of special deputy sheriffs and defining their powers and duties," have had the

same under consideration, and we report the same back to the Senate with the recommendation that it be amended as follows and placed on general file:

In line 1 of the title of the printed bill strike the words, "providing for," and substitute therefor the words, "relating to." In line 1 of said title, after the word "appointment," insert a comma and the words, "powers and duties." In line 1 of said title, strike the words, "and defining their powers and duties."

In line 2, section 2 of the printed bill, after the word "peace," strike the word "and," and substitute a comma therefor. In line 3 of said section, after the word "insurrections," strike the word "and," and substitute a comma therefor.

WILL G. GRAVES, *Chairman.*

We concur in this report: Robt. F. Booth, W. D. Scott, Ralph D. Nichols, Ralph Metcalf, Harry Rosenhaupt, E. M. Rands, T. A. Hunter, I. B. Knickerbocker.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 177, entitled, "An act amending section 1 of chapter 127 of the Laws of 1905, being an act entitled, 'Amending act of 1901 relating to assessments of state, school and granted lands for drainage purposes,'" etc., 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:

Strike the title of the printed bill and substitute therefor the following: "An act relating to the assessment of state school, granted and other lands for drainage purposes, amending section 1 and repealing section 2 of chapter 127 of the Laws of 1905."

In section 1 of the printed bill, strike lines 1 and 8 inclusive and substitute therefor the following: "Section 1. That section 1 of chapter 127 of the Laws of 1905 be amended to read as follows: 'Section 1. That section 25 of chapter 66 of the Laws of 1901 be amended to read as follows:'"

WILL G. GRAVES, *Chairman.*

We concur in this report: Robt. F. Booth, W. D. Scott, Ralph D. Nichols, Ralph Metcalf, Harry Rosenhaupt, E. M. Rands, T. A. Hunter, I. B. Knickerbocker.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 191, entitled, "An act relating to the salaries of bailiffs of the

superior courts and amending section 1558 of Ballinger's Annotated Codes and Statutes 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 general¹ file.

WILL G. GRAVES, *Chairman*.

We concur in this report: Root, F. Booth, W. D. Scott, Ralph D. Nichols, Ralph Metcalf, Harry Rosenhaupt, E. M. Rands, T. A. Hunter, I. B. Knickerbocker.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 68, entitled, "An act to amend section 21 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 the same back to the Senate with the recommendation that it be amended as follows and placed on general file:

Strike the title of the printed bill and substitute therefor the following: "An act relating to holidays in the public schools, and amending section 56 of chapter CXVIII of the Session Laws of 1897."

In lines 1, 2 and 3 of section 1 of the printed bill, strike the words and figures, "21 of the Code of Public Instruction of said state be amended to read as follows: Section 21. That section 56 of said Code of Public Instruction be amended to read as follows: Section 56 (as amended by House bill 472, Laws of 1899.)," and insert in lieu thereof the following: "56 of chapter CXVIII of the Session Laws of 1897 be amended to read as follows: Section 56."

WILL G. GRAVES, *Chairman*.

We concur in this report: Robt. F. Booth, W. D. Scott, Ralph D. Nichols, Ralph Metcalf, Harry Rosenhaupt, E. M. Rands, T. A. Hunter, I. B. Knickerbocker.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 128, entitled, "An act relating to the duty of county commissioners in regard to prisoners in county jails," 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:

In line 1, section 2 of the engrossed bill, strike the word "convicts," and substitute the word "prisoners" therefor. In line 3 of said section,

after the word "work," insert the word "is." In line 4 of said section, strike the words "or upon," and substitute therefor the words "and within the corporate limits of." In line 5 of said section, strike the words "within the limits of such city or town." In line 6 of said section, after the word "of," insert the words "the proper authorities of."

WILL G. GRAVES, *Chairman.*

We concur in this report: Robt. F. Booth, W. D. Scott, Ralph D. Nichols, Ralph Metcalf, Harry Rosenhaupt, E. M. Rands, T. A. Hunter, I. B. Knickerbocker.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

Your Committee on Election and Privileges, to whom was referred the contest proceedings of Joseph Lyons against George F. Cotterill involving the seat in the Thirty-sixth Senatorial District recommend that the contest be entertained, and that the Senate order the transmission of the ballot boxes in all the precincts in said Thirty-sixth Senatorial District under appropriate guard to this body, and authorize and empower your committee to open said ballot boxes and recount the ballots.

We further recommend that your committee be authorized and empowered to appoint a referee to hear evidence that may be considered material by your committee, under such rules and safeguards as may be prescribed by your committee, and that the report of such referee, when approved by your committee, be accepted as though it were evidence taken before your committee.

We further recommend that the expenses of witnesses, referee, guards, stenographer and all other expenses incurred in the contest, except attorneys' fees, be paid from the general appropriation for the expenses of this session of the legislature.

W. B. PRESBY, *Chairman.*

We concur in this report: Ralph Metcalf, R. L. Kline, Jesse S. Jones.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, February 13, 1907.

MR. PRESIDENT:

The minority of your Committee on Elections and Privileges, to whom was referred the contest proceedings of Joseph Lyons against George F. Cotterill, involving a seat in the Thirty-sixth Senatorial District, recommend that the contest be not entertained, that the petition of contest be dismissed and that George F. Cotterill retain his seat.

WILL G. GRAVES.

Senator Metcalf moved that the Senate adopt the majority report. Motion withdrawn.

Senator Jones moved that both report go over until tomorrow.

Senator Graves offered as a substitute for Senator Metcalf's motion that both reports be made a special order for 2:30 o'clock p. m. tomorrow.

The substitute motion was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 114, entitled, "An act relating to the tax paid by law under Pierce's Code 5651, Ballinger's Code 2837, by fire insurance companies upon net premiums received in excess of losses," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the bill herewith transmitted be substituted therefor, printed and referred to the Committee on Appropriations.

WILL G. GRAVES, *Chairman*.

We concur in this report: Robert F. Booth, Ralph D. Nichols, Ralph Metcalf, Harry Rosenhaupt.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 15, 1907.

MR. PRESIDENT:

We, the majority of your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 14, entitled, "An act providing for the amendment of section 1 of article 2 of the Constitution of the State of Washington, relating to the legislative department of the State of Washington, and providing for the submission of laws and other measures to a 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 be placed on general file with the following amendments:

Amend the title by inserting after the word "Washington," second time in the second line the words, "and of the political subdivisions thereof."

Amend section 1, line 24, by striking the words, "to accomplish the same purpose," and insert in lieu thereof the words, "dealing with the same subject."

Amend section 1, line 32, by striking out the words, "the required percentage," and insert in lieu thereof the words, "not less than eight per cent."

Amend section 1, line 63, by striking out the words, "Justice of the Supreme Court," and insert in lieu thereof the word, "Governor."

Amend section 1, lines 68 and 69, by striking out the words, "such other officer as may be provided by law," and insert in lieu thereof the words; "with the city clerk or officer with corresponding duties."

We concur in this report: A. L. Watson, W. B. Presby, Ralph Metcalf, Jesse S. Jones.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 15, 1907.

MR. PRESIDENT:

We, a minority of your Committee on Constitution and Constitutional Revision, to whom was referred Senate bill No. 14, entitled, "An act providing for the amendment of section 1 of article 2 of the Constitution of the State of Washington, relating to the legislative department of the State of Washington, and providing for the submission of laws and other measures to a 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 not pass.

E. M. WILLIAMS, *Chairman.*

We concur in this report: A. S. Ruth, Fred M. Pauly.

Senator Cotterill moved that the majority report be adopted and the bill placed on general file.

Senator Williams moved as a substitute for Senator Cotterill's motion, that the majority and minority reports and the bill be placed on general file.

The substitute motion was carried.

GENERAL FILE.

On motion of Senator Cotterill the motion of Senator Presby to reconsider the vote by which House bill No. 187 passed the Senate was made a special order for 2:15 o'clock p. m. tomorrow.

On motion of Senator Scott the vote by which Senate bill No. 152 failed to pass the Senate February 14 was reconsidered, and the bill placed on general file.

On motion of Senator Polson action on Senate bill No. 167 was put over.

Senate bill No. 194, entitled, "An act relating to the organization and powers of corporations other than those formed for the purpose of profit," was placed on third reading.

On motion of Senator Graves the following amendments were made:

In section 11, line 2, strike the word "of" and insert in lieu thereof the word "or."

In section 11, line 7, strike the word "into."

The bill was read the third time, placed on final passage as amended and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Williams—33.

Those absent or not voting were: Senators Hunter, Hutson, Paulhamus, Pogue, Presby, Rands, Stevenson, Veness and Watson—9.

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

Senate bill No. 125, entitled, "An act to amend an act 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,'" was read the third time, placed on final passage and passed by the following vote.

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Smith—29.

Those absent or not voting were: Senators Booth, Davis, Gunn, Hutson, Pogue, Presby, Rands, Scott, Stevenson, Sumner, Veness, Watson and Williams—13.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

The House has passed House bill No. 247, entitled, "An act relating to the duties of notaries public;

Also House bill 248 relating to the taking and entry of judgments;
 Also House bill 243, amending the Code of Public Instruction;
 Also House bill 278, providing for the construction and maintenance
 of dikes and embankments;

Also House bill 253, relating to the place of holding meetings of
 stockholders and trustees of corporations;

Also House bill 297, for the prevention of spread of diseases among
 sheep;

Also House bill 320, making an appropriation for the completion
 of certain state roads;

Also House bill 51, relating to the establishment of public libraries
 in cities;

Also House bill 44, for protection against the spread of Canada
 thistle;

Also House bill 185, providing for the holding of certain examina-
 tions;

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

GENERAL FILE.

Senate bill No. 66, entitled, "An act authorizing cities of the
 first class to provide for the filling and closing of cess-pools and
 for the removing of garbage, debris, grass, weeds and brush on
 property in such cities, and the levying and collecting of such
 taxes or assessments on such property for the payment of the cost
 thereof," was read the third time placed on final passage and
 passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair,
 Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller,
 Graves, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGow-
 an, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly,
 Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Smith—30.

Those absent or not voting were: Senators Booth, Gunn,
 Hutson, Pogue, Presby, Rands, Scott, Stevenson, Sumner,
 Veness, Watson, Williams—12.

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

On motion of Senator Piper Senate bill No. 190 was ordered
 placed at the bottom of the calendar.

Senate bill No. 56, entitled, "An act relating to license fees
 for the sale of intoxicating liquors within five miles outside of

the boundary line or limits of any city of the first class," was placed on third reading.

On motion of Senator Graves all of section 2 of the bill was stricken.

The bill was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Blair, Booth, Condon, Cotterill, Gunn, Kennedy, Metcalf and Potts—8.

Those voting nay were: Senators Allen, Anderson, Boone, Bratt, Davis, Graves, Hunter, Jones, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Rands, Reed, Rosenhaupt, Ruth, Smith, Williams—24.

Those absent or not voting were: Senators Brown, Eidemiller, Hutson, Pogue, Presby, Scott, Stevenson, Sumner, Veness and Watson—10.

Senate bill No. 184, entitled, "An act to amend section 8 of an act entitled, 'An act creating a Bureau of Labor, defining its duties, abolishing the office of Assistant Labor and Factory, Mill and Railway Inspector, etc.," was placed on third reading.

On motion of Senator Rands the emergency clause was stricken.

Senator Paulhamus moved to amend the bill by striking the words "twenty-eight hundred," and inserting in lieu thereof the words "two thousand" in line 7, section 1.

Senator Booth moved as a substitute for Senator Paulhamus' motion to insert the words "twenty-two hundred" instead of "two thousand." The motion was withdrawn.

Senator Davis moved as a substitute for Senator Paulhamus' motion that the words "twenty-four hundred" be inserted instead of "two thousand."

The motion was carried.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paul-

hamus, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Smith, Williams—33

Those absent or not voting were: Senators Hutson, Pogue, Presby, Rands, Scott, Stevenson, Sumner, Veness and Watson—9.

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

On motion of Senator Bratt Senate bill No. 5 was re-referred to Committee on Roads and Bridges.

Senate bill No. 119, entitled, "An act fixing the salaries of county commissioners in counties of the fifth class, etc.," was placed on third reading.

On motion of Senator Graves the words "county surveyor at five dollars per day" were stricken from section 1, 2, 3 and 4 of the printed bill.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Sumner, Williams—31.

Those absent or not voting were: Senators Booth, Hutson, Jones, Metcalf, Piper, Pogue, Presby, Scott, Stevenson, Veness and Watson—11.

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

Forrest E. Smith and H. J. Trubshaw were sworn in as Senate employees.

Senate bill No. 161, entitled, "An act to amend article 7 of the Constitution of the State of Washington relating to the assessment and taxation of property within this state, etc.," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller,

Graves, Gunn, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Sumner, Williams—31.

Those absent or not voting were: Senators Booth, Hunter, Hutson, Metcalf, Piper, Pogue, Presby, Scott, Stevenson, Veness and Watson—11.

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

On motion of Senator Condon at 4:15 o'clock p. m., the Senate adjourned.

J. W. LYSONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.

THIRTY-SEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, Tuesday, February 19, 1907.

10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Metcalf, excused, and Pogue, absent.

On motion of Senator Reed the reading of yesterday's journal was dispensed with, and it was approved.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 17, entitled, "An act relating to the public school system of the State

of Washington, amending section 75, 78, 89, 97 and 98 of chapter 118 of the Session Laws of 1897, approved March 19, 1897;"

Also Senate bill No. 63, entitled, "An act relating to the criminal insane, their trial, committment and custody," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: P. L. ALLEN, R. W. CONDON, ROBT. F. BOOTH, LINCOLN DAVIS.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., February 19, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 68, entitled, "An act relating to holidays in the public schools;"

Also Senate bill No. 172, relating to the appointment, powers and duties of special deputy sheriffs;

Also Senate bill No. 184, to regulate the salary of the State Labor Commissioner;

Also Senate bill No. 119, relating to classification of counties according to population, enumerating the officers, fixing salaries, etc.;

Also Senate bill No. 186, providing for the appointment, qualification and duties of notaries public;

Also Senate bill No. 200, providing for the compensation of witnesses called to testify concerning matters involving scientific knowledge, have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

FRED M. PAULY, *Chairman.*

We concur in this report: A. W. ANDERSON, A. S. RUTH.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 19, 1907.

MR. PRESIDENT:

We, your Committee on Dykes, Drains and Drainage, to whom was referred Senate bill No. 142 entitled, "An act providing for the dissolution of drainage districts organized under the laws of 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 be referred to the Judiciary Committee.

B. D. MINKLER, *Chairman.*

We concur in this report: A. W. ANDERSON, GEO F. COTTERILL.

On motion of Senator Minkler the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 19, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred engrossed House bill No. 152, entitled, "An act to provide for the assessment of the operating property of railroads," 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: R. L. KLINE, J. A. VENESS, R. W. CONDON, W. H. PAULHAMUS, ALEX. POLSON, FRED M. PAULY.

SENATE CHAMBER,
OLYMPIA, WASH., February 19, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred engrossed House bill No. 38, entitled, "An act providing for the collection of taxes upon personal property about to be or in danger of being removed from the limits of the state or is being dissipated or about to be dissipated 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: R. L. KLINE, J. A. VENESS, R. W. CONDON, W. H. PAULHAMUS, ALEX. POLSON, FRED M. PAULY.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 202, entitled, "An act relating to the location and construction of railroads over and across streets, alleys and public places in cities, and relating to the construction of wharves, docks, factories, manufacturing plants and terminals upon public property in cities 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 placed on general file.

W. H. PAULHAMUS, *Chairman*.

We concur in this report: A. W. ANDERSON, WALTER J. REED, T. A. HUNTER, P. MCGREGOR, WILL G. GRAVES, RALPH D. NICHOLS.

On motion of Senator Paulhamus the report of the committee was adopted and bill ordered placed on general file.

SENATE CHAMBER,
OLYMPIA, WASH., February 18, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 30, entitled, "An act relating to corporations

and repealing an act authorizing and empowering any corporation to subscribe for, and to acquire and hold shares of the capital stock of any corporation," 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.

W. H. PAULHAMUS, *Chairman.*

We concur in this report: A. W. ANDERSON, WALTER J. REED, T. A. HUNTER, WILL G. GRAVES, RALPH D. NICHOLS, PETER MCGREGOR.

On motion of Senator Paulhamus the report of the committee was adopted and bill ordered placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred House bill No. 133, entitled, "An act authorizing cities and towns owning street railway lines or plants to sell and convey the same, and satisfying and validating all such sales and conveyances heretofore made, 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 placed on general file.

W. H. PAULHAMUS, *Chairman.*

We concur in this report: A. W. ANDERSON, WALTER J. REED, T. A. HUNTER, WILL G. GRAVES, J. R. STEVENSON, RALPH D. NICHOLS, PETER MCGREGOR.

On motion of Senator Paulhamus the report of the committee was adopted and bill ordered placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 93, entitled, "An act relating to railroad passenger rates within the State of Washington and amending section one of chapter 113 of the Session Laws of 1905," 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.

W. H. PAULHAMUS, *Chairman.*

We concur in this report: A. W. ANDERSON, WALTER J. REED, T. A. HUNTER, WILL G. GRAVES, J. R. STEVENSON, RALPH D. NICHOLS, PETER MCGREGOR.

On motion of Senator Paulhamus the report of the committee was adopted and bill ordered placed on general file.

SENATE CHAMBER,
OLYMPIA, WASH., February 18, 1907.

MR. PRESIDENT:

We, a majority of your Committee on Educational Institutions, to whom was referred Senate bill No. 3, entitled, "An act prohibiting the sale of intoxicating liquors within five miles of the Washington State College," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

RALPH D. NICHOLS, *Chairman.*

We concur in this report: E. M. RANDS, R. L. KLINE, E. M. WILLIAMS, PETER MCGREGOR.

SENATE CHAMBER,
OLYMPIA, WASH., February 18, 1907.

MR. PRESIDENT:

We, a minority of your Committee on Educational Institutions, to whom was referred Senate bill No. 3, entitled, "An act prohibiting the sale of intoxicating liquors within five miles of the Washington State College," 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 one of the title of the printed bill after the word "liquors," insert the words "as a beverage," and in the same line of the title strike the word "five," inserting in lieu thereof the word "two," change title so as to read State College of Washington.

In section 1, line two of the printed bill after the word "liquors," insert the words "as a beverage," and in the same line strike the word "five," inserting in lieu thereof the word "two," and in line 3 of section 1 strike the word "effect" and remove the parenthesis from around the word "affect."

We concur in this report: ARTHUR GUNN, E. C. BRATT.

Senator McGregor moved the adoption of the majority report.

Senator Boone moved as a substitute for the motion of Senator McGregor, the adoption of the minority report.

A roll call was demanded by the following: Senators Boone, Booth, Allen, Minkler, Reed, McGregor, and Bratt, and the minority report was adopted by the following vote, and the bill placed on general file:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Jones, Minkler, Paulhamus, Polson, Potts, Presby, Reed, Stevenson, Watson—22.

Those voting nay were: Senators Davis, Kennedy, Kline, Knickerbocker, McGregor, Pauly, Rands, Ruth, Smith, Sumner, Williams—11.

Those absent or not voting were: Senators Hunter, Hutson, McGowan, Metcalf, Nichols, Piper, Pogue, Rosenhaupt and Scott—9.

SENATE CHAMBER,
OLYMPIA, WASH., February 19, 1907.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 252, entitled, "An act to amend section 2 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," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

LINCOLN DAVIS, *Chairman.*

We concur in this report: FRED M. PAULY, R. W. CONDON, P. L. ALLEN.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT.
OLYMPIA, WASH., February 13, 1907.

To the Honorable, the Senate of the State of Washington:

GENTLEMEN: I have the honor to transmit herewith a copy of a communication I have received from the State Labor Commissioner. I endorse the Commissioner's recommendation that the work of inspection of bakeries be placed with the office of the Dairy and Food Commissioner.

ALBERT E. MEAD, *Governor.*

BUREAU OF LABOR.
OLYMPIA, WASHINGTON, February 13, 1907.

Hon. Albert E. Mead, Governor State of Washington:

MY DEAR SIR: In accordance with our recent conversation relative to the bakery inspection law, I would respectfully recommend that an appropriation be made to this office for a sufficient fund to pay a deputy inspector of bakeries in this state, or, that the inspection of bakeries be placed with the State Dairy and Food Commissioner's office to enforce the same as is now the duty of the Labor Commissioner.

The inspection of bakeries is an important law, much more so than people in general realize. Bakeries should be inspected at least once in three months: the law should be amended to compel the owner or lessee of bake shops to keep posted in a conspicuous place in each bakery a printed copy of the state law governing bakeries.

This change is recommended for the reason that the regular duties of the Food Commissioner bring him into bake shops to examine the food products used therein; this inspection it seems could be performed in connection with this duty with less expense than any other way and more effectually. It is quite out of the line of the duties of the Labor Commissioner, whose duties are mechanical in the main, he having charge of all machinery in the state, together with the numerous other duties of his office, it is almost impossible under present arrangements to do full justice to the bakery inspection law.

I therefore respectfully place before you this proposition for your consideration.

Yours obediently,

CHAS. F. HUBBARD,
State Labor Commissioner.

On motion of Senator Hunter the communication was referred to the Committee on Labor and Labor Statistics.

INTRODUCTION OF BILLS.

Senate bill No. 231 by Senator Piper, entitled, "An act providing for the amendment of section 21 of article 1 of the Constitution of the State of Washington, relating to trials by jury."

The bill was read the first time, and on motion of Senator Allen 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. 232 by Senator Sumner, entitled, "An act to amend sections 2 and 6 of an act entitled 'An act creating a State Board of Tax Commissioners, defining its powers and duties,' approved March 9th, 1905, adding a section 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 Public Revenue and Taxation.

Senate bill No. 233 by the Judiciary Committee, entitled "An act to amend section 7 of an act entitled 'An act to provide for the establishment and creation of diking districts and the construction and maintenance of a system of dikes and to provide the means of payment thereof, etc.'"

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 placed on general file.

Senate bill No. 234 by the Judiciary Committee, entitled, "An act relating to the organization of fire department relief associations, making provisions for the maintenance thereof and prescribing a penalty."

The bill was read the first time, and on motion of Senator Veness 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. 235 by Senator Cotterill, entitled "An act authorizing counties to construct or aid the United States in constructing canals connecting bodies of water within such counties, declaring such construction or aid to be a county purpose and authorizing counties to incur indebtedness for such purpose to amount not exceeding five hundred thousand dollars, and to issue negotiable bonds therefor in the manner and form provided in section 7621 and 7626 inclusive, of Pierce's Code, and declaring an emergency."

The bill was read the first time, and on motion of Senator Cotterill 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. 236 by Senator Knickerbocker, entitled, "An act permitting the deposit with the State Treasurer of a special guarantee fund by corporations engaged in the business of issuing certificates of title of policies of title insurance or other guarantees to real estate within the State of Wahsington and regulating the method whereby said guarantee fund may be made available and providing for the certification of such corporation.

The bill was read the first time, and on motion of Senator Knickerbocker 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. 237 by Senator Booth, entitled, "An act relating to the arid lands, pertaining to the endowment of the Uni-

versity of the State of Washington and authorizing an exchange of part of said arid lands for water to irrigate the part retained and to provide revenue for said university.”

The bill was read the first time and on motion of Senator Booth 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.

The president signed Senate bills Nos. 17 and 63.

INTRODUCTION OF BILLS.

House bill No. 247 by Mr. Griffin, entitle, “An act amending section 10 of an act to provide for the appointment, qualification and duties of notaries public.”

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 Judiciary.

House bill No. 248 by Mr. Griffin, entitled, “An act amending section 1 of an act entitled ‘An act to amend section 1 and to repeal section 2 of ‘An act relating to the taking and entry of judgments.’ ”

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 Judiciary.

House bill No. 243 by Mr. Rhodes, entitled, “An act to amend section 111 of the Code of Public Instruction, approved March 19, 1897.”

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 Judiciary.

House bill No. 278, by Mr. Gaches, entitled, “An act authorizing and empowering cities and towns to construct and maintain dikes and embankments to protect such cities or towns or any part thereof, from overflow.”

The bill was read the first time, and on motion of Senator Minkler the rules were suspended, the bill was read the second time by title, and referred to the Committee on Dikes, Drains and Drainage.

House bill No. 253, by Mr. Lambert, entitled, "An act relating to the place of holding meetings of stockholders and trustees of corporations of this state."

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 Corporations other than Municipal.

House bill No. 297, by Mr. Cameron, entitled, "An act amending section 1 of an act entitled 'An act to create the office of sheep inspector and prescribe the duties thereof.'"

The bill was read the first time, and on motion of Senator McGregor the rules were suspended, the bill was read the second time by title, and referred to the Committee on Dairy and Livestock.

House bill No. 320, by the Committee on Appropriations, entitled, "An act appropriating the sum of forty-two thousand, one hundred and forty-two dollars and seventy-five hundredths of a dollar (\$42,142.75) to complete contracts now in force on state roads."

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

House bill No. 185, by Mr. Bassett, entitled, "An act providing for the holding of examinations for state certificates and life diplomas in the State of Washington."

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

House bill No. 44, by Mr. Fancher, entitled, "An act for protection against the spread of Canada thistles, Russian thistles and tumbling mustard."

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

House bill No. 51, by Mr. Bassett, entitled, "An act to amend an act authorizing the establishment of public libraries in cities."

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

GENERAL FILE.

Senate bill No. 233, substitute for Senate bill No. 135, "An act to amend section 7 of an act entitled 'An act to provide for the establishment and creation of diking districts and the construction and maintenance of a system of dikes and to provide the means of payment thereof, etc.," was read the third time, place on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Boone, Hunter, Hutson, Metcalf, Piper, Pogue and Sumner—7.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Boone, Hunter, Hutson, Metcalf, Piper, Pogue and Sumner—7.

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

Senate bill No. 136, "An act authorizing the levy of a tax for the purpose of improving rivers and streams and providing for the expenditure of the same," was placed on third reading.

On motion of Senator Rosenhaupt section 4, line 1, was amended by striking the word "bill" and inserting in lieu thereof the word "act."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—36.

Those absent or not voting were: Senators Davis, Hutson, Metcalf, Piper, Pogue and Sumner—6.

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

On motion of Senator Booth Senate bill No. 131 was ordered placed at the foot of the calendar.

On motion of Senator Boone Senate bill No. 44 was ordered placed at the foot of the calendar.

House bill No. 233, An act relating to the law department of the State Library, changing the official title of the librarian in charge thereof, providing for his appointment, and fixing his salary, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Davis, Hutson, Kline, Metcalf, Piper, Pogue and Rands—7.

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

On motion of Senator Cotterill Senate bill No. 14 was ordered placed at the foot of the calendar.

Senate joint memorial No. 2, memorializing the Secretary of Commerce and Labor of the United States in relation to the establishment of lights and fog horns, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senator Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Eidemiller, Hutson, Metcalf, Piper and Pogue—5.

Senate bill No. 166, "An act to amend section 222 of the Code of Public Instruction of the State of Washington, relating to state normal schools, and to repeal all existing acts and parts of acts in conflict herewith, etc.," was placed on third reading.

On motion of Senator Graves section 2 of the printed bill was stricken.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Davis, Eidemiller, Hunter, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Williams—27.

Those voting nay were: Senators Brown, Cotterill, Graves, Gunn, Jones, Nichols, Presby, Scott, Veness and Watson—10.

Those absent and not voting were: Senators Condon, Hutson, Metcalf, Piper and Pogue—5.

On motion of Senator Graves the following amendments were made in the title:

Strike from the title in line 2 "and to repeal all existing acts and parts of acts in conflict therewith, said section 222 being known as section 7466 of Pierce's Washington Code."

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

Senator Rosenhaupt gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 166 passed the Senate.

House joint memorial No. 4, memorializing the Congress of the United States in relation to the opening of Makah Bay In-

dian Reservation, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness—35.

Those absent or not voting were: Senators Hutson, Metcalf, Piper, Pogue, Rosenhaupt, Watson and Williams—7.

House joint memorial No. 5, memorializing the President and Congress of the United States in relation to location of lands by script location, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Brown, Eidemiller, Hutson, Knickerbocker, Piper and Pogue—7.

Senate bill No. 177, "An act relating to assessment of state school and granted lands for drainage purposes, etc.," was placed on third reading.

Senator Allen moved to strike section 3 from the printed bill.

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Hunter, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—33.

Those absent or not voting were: Senators Eidemiller, Gunn, Hutson, Kennedy, Knickerbocker, Metcalf, Piper, Pogue and Rosenhaupt—9.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Veness, Watson, Williams—32.

Those absent or not voting were: Senators Allen, Gunn, Hutson, Knickerbocker, Metcalf, Piper, Pogue, Rands, Smith and Sumner—10.

On motion of Senator Graves the title of the bill was amended by adding "declaring an emergency."

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

On motion of Senator Ruth the Senate resolved itself into a committee of the whole to consider Senate bill No. 178, "An act relating to the payment by the state of assessments made on state school or granted lands for the construction and maintenance of dikes and drains benefitting such lands, etc."

The bill was considered in the committee of the whole, Senator Booth in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendments: In section 5, line 2, strike the words "public business" and insert in lieu thereof "purposes of this act."

On motion of Senator Booth the rules were suspended, the reading of Senate bill No. 178 had in the committee of the whole was considered the third reading in the Senate, and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhaums, Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Veness, Watson, Williams—33.

Those absent or not voting were: Senators Davis, Hunter, Hutson, Metcalf, Piper, Pogue, Rands, Smith and Sumner—9.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES.
OLYMPIA, WASH., February 19, 1907.

MR. PRESIDENT:

The House has passed House bill No. 186, entitled, "An act relating to the government, management and control of the state's public institutions;"

Also House bill No. 192, providing for indeterminate sentences in certain cases;

Also House bill No. 102, fixing the fees to be paid to the Secretary of State by corporations;

Also House bill No. 282, creating the county of Grays Harbor;

Also House bill No. 245, defining the practice of veterinary medicine.

The speaker has signed House bill No. 74, providing for the collection of an excise tax from express companies;

Also House bill No. 76, relating to the keeping and deposit of municipal funds;

Also House bill No. 227, appropriating funds for the relief of Mrs. George E. Blankenship et al;

Also House bill No. 103, for the relief of A. A. Lytle.

Also House bill No. 68, for the relief of Charles E. Shepherd;

Also House bill No. 118, for the relief of the town of Kent;

Also House bill No. 132, making an appropriation for legislative printing;

Also House bill No. 129, relating to liability of banks in case of forged checks;

Also House bill No. 225, appropriating funds for the relief of the Smith-Premier Typewriter Company;

Also House memorial No. 2, praying for the opening of the Swinomish Indian reservation;

Also House memorial No. 3, praying for right-of-way privileges over forest reserves in this state.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

GENERAL FILE.

Senate bill No. 68, An Act amending section 21 of the code of public instruction, the same being chapter 104 of the session laws of 1903, approved March 14, 1905, was placed on third reading.

On motion of Senator Graves the bill was amended by inserting after the last word in line 7 of the printed bill the word "not."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—35.

Those voting nay were: Senator Bratt—1.

Those absent or not voting were: Senators Hunter, Hutson, Metcalf, Piper, Pogue and Sumner—6.

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

Senate bill No. 191, An Act relating to the salaries of bailiffs of the superior courts, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Pauly, Polson, Potts, Presby, Scott, Smith, Stevenson, Williams—26.

Those voting nay were: Senators Bratt, Paulhamus, Rands, Reed, Rosenhaupt, Ruth and Watson—7.

Those absent or not voting were: Senators Gunn, Hunter, Hutson, Jones, Metcalf, Piper, Pogue, Sumner and Veness.—9.

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

Senate bill No. 172, "An act providing for the appointment of special deputy sheriffs and defining their powers and duties," was placed on third reading.

Senator Boone moved to amend the bill by the following amendment: In section 1, line 1, after the word "appoint" insert the following: "by and with the consent of the county commissioners."

The motion was lost.

The bill was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Brown, Condon, Hunter, Kennedy, Kline, Knickerbocker, Minkler, Nichols, Pauly, Potts, Rands, Stevenson—16.

Those voting nay were: Senators Boone, Bratt, Cotterill, Graves, Jones, McGowan, McGregor, Paulhamus, Polson, Reed, Rosenhaupt, Ruth, Scott, Smith, Watson, Williams—17.

Those absent or not voting were: Senators Davis, Eidemiller, Gunn, Hutson, Metcalf, Piper, Pogue, Sumner and Veness—9.

Senator Rosenhaupt moved that the vote by which Senate bill No. 172 failed to pass the Senate be reconsidered.

Senator Ruth moved, as a substitute, that the motion of Senator Rosenhaupt be laid on the table.

The substitute motion was carried.

House bill No. 128, "An act relating to the duty of county commissioners in regard to prisoners in county jails," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Davis, Eidemiller, Gunn, Hunter, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—34.

Those voting nay were: Senators Cotterill, Graves and Rosenhaupt—3.

Those absent or not voting were: Senators Hutson, Jones, Metcalf, Piper and Pogue—5.

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

The President signed the following bills: House bills 74, 76, 227, 103, 68, 118, 132, 129, 225, and House Memorials No. 2 and 3.

On motion of Senator Condon at 11:50 o'clock a. m. the Senate took a recess until 2:00 o'clock p. m.

AFTERNOON SESSION.

The Senate was called to order at 2:00 o'clock p. m. by President Coon pursuant to recess.

GENERAL FILE.

Senate bill No. 200, "An act providing for the compensation of witnesses called to testify concerning matters involving scientific or technical knowledge in actions or proceedings before courts, magistrates and coroners," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Graves, Gunn, Hunter, Jones, Kline, McGowan, McGregor, Minkler, Pauly, Piper, Polson, Potts, Rosenhaupt, Ruth, Smith—23.

Senator Cotterill was excused from voting.

Those voting nay were: Senators Eidemiller, Paulhamus, Presby, Rands, Reed, Stevenson, Watson and Veness—8.

Those absent or not voting were: Senators Cotterill, Davis, Hutson, Kennedy, Knickerbocker, Metcalf, Nichols, Pogue, Scott, Sumner and Williams—11.

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

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, WASH., February 19, 1907.

To the Honorable, the Senate of the State of Washington:

GENTLEMEN—I have the honor to submit herewith a list of appointments, subject to your confirmation, made by me since the adjournment of the legislative session of 1905:

TRUSTEE OF THE STATE NORMAL SCHOOL AT ELLENSBURG.

J. D. CORNETT, of Ellensburg, appointed July 24, 1906, for the term ending June 26, 1912, succeeding himself, term expired.

TRUSTEE OF THE STATE NORMAL SCHOOL AT CHENEY.

HENRY W. COLLINS, of Rockford, appointed July 30, 1906, for the term ending July 29, 1912, succeeding himself, term expired.

TRUSTEE OF THE STATE NORMAL SCHOOL AT BELLINGHAM (WHATCOM).

F. F. HANDSCHY, of Bellingham, appointed July 27, 1906, for the term ending March 2, 1911, succeeding E. E. White, deceased.

STATE FISH COMMISSIONER AND GAME WARDEN.

JOHN L. RISELAND, of Bellingham, appointed April 1, 1906, for the term ending March 4, 1911, succeeding T. R. Kershaw, term expired.

STATE DAIRY AND FOOD COMMISSIONER.

L. DAVIES, of Davenport, appointed April 29, 1905, for the term ending the first Monday in April, 1910, succeeding E. A. McDonald, term expired.

ADJUTANT GENERAL.

ORTIS HAMILTON, of Spokane, appointed August 1, 1906, for the term ending January 10, 1909, succeeding James A. Drain, resigned.

REGENTS OF THE UNIVERSITY OF WASHINGTON.

SAMUEL G. COSGROVE, of Pomeroy, appointed April 25, 1905, for the term ending the second Monday in March, 1911, succeeding Richard Windsor, appointment withdrawn.

J. T. RONALD, of Seattle, appointed August 15, 1905, for the term ending the second Monday in March, 1908, succeeding Geo. H. King, appointment withdrawn.

JOHN H. POWELL, of Seattle, appointed August 1, 1905, for the term ending the second Monday in March, 1911, succeeding himself, term expired.

D. L. HUNTINGTON, of Spokane, appointed December 17, 1900, for the term ending the second Monday in March, 1910, succeeding J. F. Saylor, resigned.

STATE BOARD OF CONTROL.

MATT L. PILES, of Olympia, appointed October 22, 1906, for the term ending March 31, 1907, succeeding M. F. Kincaid, resigned. Reappointed February 19, 1907, for the term ending March 31, 1913, appointment effective April 1, 1907.

REGENTS OF THE STATE COLLEGE OF WASHINGTON.

U. L. ETINGER, of Colfax, appointed April 3, 1905, for the term ending March 9, 1907, succeeding himself, previous appointment withdrawn.

DR. J. S. ANDERSON, of Asotin, appointed June 7, 1905, for the term ending March 9, 1909, succeeding R. C. McCroskey, appointment withdrawn.

PETER MCGREGOR, of Hooper, appointed June 7, 1905, for the term ending March 9, 1907, succeeding S. G. Cosgrove, resigned.

STATE BOARD OF TAX COMMISSIONERS.

T. D. ROCKWELL, of Spokane, appointed June 9, 1905, for the term ending June 8, 1909.

JOSEPH H. EASTERDAY, of Tacoma, appointed June 9, 1905, for the term ending June 8, 1909.

J. E. FROST, of Ellensburg, appointed June 9, 1905, for the term ending June 8, 1909.

STATE FAIR COMMISSION.

W. H. TALBOT, of Ellensburg, appointed March 16, 1906, for the term ending March 27, 1907, succeeding W. H. Cline, resigned.

STATE INSPECTOR OF OILS.

F. A. CLARK, of Everett, appointed November 26, 1906, for the term ending June 8, 1909, succeeding J. L. Canutt, removed.

STATE BOARD OF HEALTH AND BUREAU OF VITAL STATISTICS.

WILSON JOHNSTON, of Colfax, appointed June 12, 1905, for the term ending December 30, 1909, succeeding Clarence P. Gammon, term expired.

P. FRANK, of North Yakima, appointed June 12, 1905, for the term ending December 30, 1908, succeeding W. S. Durand, appointment withdrawn.

JAMES R. YOCUM, of Tacoma, appointed July 24, 1906, for the term ending December 30, 1910, succeeding himself, term expired.

ELMER E. HEG, of Seattle, appointed December 30, 1906, for the term ending December 29, 1911, succeeding himself, term expired.

The foregoing include all the appointments which, by law, require the confirmation of the Senate. However, to make the list complete, I submit to you herewith the following statement of other appointments made by me:

STATE RAILROAD COMMISSION.

H. A. FAIRCHILD (chairman), of Bellingham, appointed June 9, 1905, for the term ending June 8, 1911.

JOHN C. LAWRENCE, of Garfield, appointed June 17, 1905, for the term ending June 16, 1907.

STATE BOARD OF PHARMACY.

FRED P. OFFERMAN, of Bellingham, appointed July 25, 1905, for the term ending June 5, 1910, to succeed himself, term expired.

L. L. TALLMAN, of Walla Walla, appointed July 18th, 1906, for the term ending June 5, 1911, to succeed himself, term expired.

STATE GRAIN INSPECTOR.

JOHN W. ARRASMITH, of Colfax, appointed November 3, 1905, for the term ending July 8, 1907, succeeding himself, term expired.

STATE COAL MINE INSPECTOR.

DAVID C. BOTTING, of Black Diamond, appointed August 22, 1905, for the term ending June 18, 1909, succeeding Charles F. Owen, term expired.

STATE COMMISSIONER OF LABOR.

CHARLES F. HUBBARD, of Tacoma, appointed March 13, 1905, effective the first Monday in April, 1905, for the term ending the first Monday in April, 1909, succeeding William Blackman, term expired.

STATE HORTICULTURAL COMMISSIONER.

F. A. HUNTLEY, of North Yakima, appointed July 28, 1905, for the term ending March 31, 1909, succeeding A. Von Holderbeke, term expired.

STATE MEDICAL EXAMINING BOARD.

GEORGE W. OVERMEYER, of South Bend, appointed May 23, 1905, for the term ending May 22, 1908, succeeding himself, term expired.

A. E. STUHT, of Colfax, appointed May 25, 1905, for the term ending May 22, 1908, succeeding himself, term expired.

CHARLES S. KALB, of Spokane, appointed June 12, 1905, for the term ending May 22, 1908, succeeding himself, term expired.

H. A. WRIGHT, of Wilbur, appointed May 24, 1906, for the term ending May 22, 1909, succeeding himself, term expired.

CASPAR W. SHARPLES, of Seattle, appointed May 24, 1906, for the term ending May 22, 1909, succeeding himself, term expired.

KENNETH TURNER, of Seattle, appointed May 24, 1906, for the term ending May 22, 1909, succeeding E. E. Shaw, term expired.

STATE BOARD OF DENTAL EXAMINERS.

H. D. BRAND, of Tacoma, appointed November 15, 1905, for the term ending March 4, 1907, succeeding J. M. Meyer, resigned.

E. B. EDGERS, of Seattle, appointed January 20, 1906, for the term ending March 4, 1908, succeeding himself, term expired.

C. S. IRWIN, of Vancouver, appointed January 20, 1906, for the term ending March 4, 1908, succeeding himself, term expired.

FRANK R. FISK, of Spokane, appointed January 20, 1906, for the term ending March 4, 1908, succeeding himself, term expired.

PUBLIC PRINTER.

C. W. GORHAM, of Snohomish, appointed April 8, 1905, to serve at the pleasure of the Governor.

STATE BOARD OF ACCOUNTANCY.

E. G. SHOBROCK, of Seattle, appointed June 23, 1905, for the term ending June 19, 1910, succeeding himself, term expired.

GEORGE SHEDDEN, of Tacoma, appointed December 11, 1905, for the term ending June 19, 1907, succeeding L. G. Jackson, deceased.

H. W. CARROLL, of Seattle, appointed June 20, 1906, for term ending June 19, 1911, succeeding himself, term expired.

ALFRED LISTER, of Tacoma, appointed July 10, 1906, for the term ending June 19, 1909, succeeding W. D. Chidester, resigned.

BOARD OF BARBER EXAMINERS.

CARL KOCH, of Spokane, appointed December 2, 1905, for the term ending June 14, 1908, succeeding himself, term expired.

STATE HIGHWAY COMMISSIONER.

J. M. SNOW, of Spokane, appointed April 1, 1905, for the term ending March 31, 1907.

STATE BOARD OF FOREST COMMISSIONERS.

FRANK H. LAMB, of Hoquiam, appointed June 9, 1905, for the term ending June 7, 1907.

R. W. CONDON, of Port Gamble, appointed June 9, 1905, for the term ending June 7, 1907.

J. A. VENESS, of Winlock, appointed June 9, 1905, for the term ending June 7, 1909.

JOSEPH IRVING, of Snoqualmie, appointed June 9, 1905, for the term ending June 7, 1909.

CHAPLAIN AT THE STATE PENITENTIARY.

JOHN LE CORNU, of Walla Walla, appointed June 9, 1905, for the term ending June 7, 1907.

COMMISSION FOR THE PROMOTION OF UNIFORMITY OF LEGISLATION IN THE UNITED STATES.

CHARLES E. SHEPARD, of Seattle, appointed June 9, 1905, to serve at the pleasure of the Governor.

IRA P. ENGLEHART, of North Yakima, appointed June 9, 1905, to serve at the pleasure of the Governor.

ALFRED BATTLE, of Seattle, appointed June 9, 1905, to serve at the pleasure of the Governor.

Respectfully submitted,

ALBERT E. MEAD, *Governor*.

On motion of Senator Jones the matter of the confirmation of appointments submitted by the Governor was made a special order for 2:30 o'clock p. m. Wednesday, and the list of appointments ordered printed.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 19, 1907.

To the Honorable, the Senate of the State of Washington:

GENTLEMEN—I have the honor to transmit herewith a copy of a letter I have received from Mr. B. F. Shaw for the information of your body in considering House bill No. 126, entitled, "An act to provide for compensating volunteers for the service of the Territory of Washington during the Indian wars of 1855 and 1856 for such service and appropriating money therefor.

ALBERT E. MEAD, *Governor*.

PORTLAND, OREGON, January 2, 1907.

Governor Albert E. Mead:

DEAR SIR—Yours of December is at hand and in compliance with your request I will give you what information I can from memory, as I have no data at hand. In order to give you a picture of the situation, I will have to risk being tedious by going back to the beginning. In the first place the government had permitted its citizens to take up and ap-

appropriate to their own exclusive use large tracts of land within the Indian territory without asking the consent of the Indians, and in the meantime had extended its jurisdiction over the whole country, and tried and hung several Indians by our laws. This assumption of power did not please the Indians as they could plainly see that it was an entirely one-sided bargain; and the appropriation of the land pleased him less for he could plainly see that if this policy was continued much longer it would leave him without liberty and without any land on which to pitch his tent. This was the situation when the government concluded to recognize the Indians' rights by making treaties with them, and this was also an entirely one-sided affair, as the government already had full possession of the whole country and there was not much left for the Indians. If he signed the treaty he had set aside for his use a reservation and received a small annual payment for twenty years. After this time he was supposed to be far enough advanced in civilization to support himself. If he did not sign the treaty he gained nothing for the government had full possession of the entire country. Hence the Indians' willingness to sign the treaties is apparent. But some time after their treaties were made and the real situation was forced on their minds, they commenced to brood over the many wrongs they had received from the white man and brooding and communicating their discontent to others, it finally culminated in the Indian wars of 1855 and 1856. That was a great uprising and protest by savegry against the spread of civilization. From Puget Sound to Spokane and from Spokane to the Rogue River valley the Indians rose up with a determination to exterminate the hated white man and the outbreak was so sudden that it found the government totally unprepared to cope with the situation. And it was at this juncture that the Governor, seeing the inadequacy of regular troops to cope with the situation, called for volunteers to hold the Indians in check and to prevent them from destroying all our settlements and murdering our citizens until such time as the regulars might be reinforced sufficiently to cope with the situation. About six weeks after this and after two or three battles had been fought and the Indians had been driven back and checked, Gen. Wool, the commander of all the troops on the Pacific coast, arrived. He immediately took high grounds and declared that there was no war; that he was the only man who had authority to call out troops; that the white people were to blame for the whole trouble, and then commenced a campaign of detraction against the volunteers and the people of the two territories and this he continued to do during his entire stay on the Pacific coast. He gave the Indians to understand that he disapproved of what the Governor had done, so that while the volunteers were fighting the Indians in the field the regulars were petting them at the posts. But in the meantime the two Governors agreed to withdraw their troops just as soon as Gen. Wool should place sufficient troops in the field to give protection to our settlements, but he refused to do so. He kept a stream of misrepresentations going between his headquarters and the War Department the whole time he was in command.

This was one of the main reasons why the government did not promptly pay the volunteers what was justly do them at that time. After the war was over the government did recognize the volunteers by appointing a commission to audit their accounts. That commission was composed of two regular army officers and one citizen. They took plenty of time and hearing all sides they did audit the accounts in a spirit of fairness to both the government and the volunteers, and it was supposed that would be a final settlement of all the accounts, but unfortunately for the volunteers the War Department was then in the hands of Floyd, who was too deeply engaged in plotting treason to take time to investigate the claims of a lot of volunteer soldiers out on the Pacific coast, so the whole matter was turned over to the third auditor, who proved to be a very narrow-minded man. He ignored the findings of the commission and proceeded to audit the accounts in his own way. His method was to cut down every account to the lowest figure. He acted as if he were auditing accounts against a lot of criminals who were trying to rob the government out of something they had not earned. In this manner he succeeded in robbing the volunteers of one-half or two-thirds of what they were justly entitled to receive for their services. Now this award made by the third auditor is the whole amount the government has paid for the expenses of that war. What the volunteers are asking for is that they be paid the difference between the award made by the third auditor and that made by the commission who came out here and investigated and made their report from actual knowledge of the situation. I cannot give you all the amounts received from the government, but they were very small. The reason why the state has not been asked to pay these accounts before now is that it was thought that the state had never before been in condition to do so without crippling her revenue too much. Now, the first reason why the state should pay is that over fifty years ago these men were called out by the Territory of Washington to defend her infant settlements against hordes of savages who were threatening to retard or destroy for many years to come. These men did after a hard struggle, overcome the hostile combination and brought about a peace that has lasted up to this time and thereby enabled the settlements to expand—slowly at first, but recently by leaps and bounds. Second, now that the territory and the state has been enjoying the benefits derived from the arduous and dangerous service of the men now for over fifty years, it does not seem to be asking too much to ask them to "make good" what the general government failed to do fifty years ago.

The bill should be carefully drawn so as to exclude all speculative claims and only those who actually served should receive the benefits.

Yours truly,

(Signed) B. F. SHAW.

The communication was ordered placed on file until House bill No. 126 reaches the Senate.

GENERAL FILE.

Senate bill No. 113, "An act relating to coroners, and prescribing their qualifications," was placed on third reading.

Senator Kline offered the following amendment: In section 1, line 2, after the word "county" insert "from first to seventh class inclusive."

Senator Graves offered as a substitute for motion of Senator Kline the following: In section 1 of the printed bill, strike the words "and county" in lines 1 and 2, and insert in lieu thereof the words "any counties from the first to the seventh class inclusive."

The motion of Senator Graves was adopted.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Sumner, Veness, Watson—35.

Those voting nay were: Senators Boone, Booth, Smith and Williams—4.

Those absent or not voting were: Senators Hutson, Metcalf and Pogue—3.

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

Senate bill No. 186, "An act relating to the appointment, qualification and duties of a notary public, etc.," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Kennedy, Kline, McGowan, McGregor, Minkler, Paulhamus, Polson, Presby, Rosenhaupt, Ruth, Stevenson, Williams—23.

Those voting nay were: Senators Anderson, Boone, Bratt, Jones, Knickerbocker, Nichols, Pauly, Potts, Rands, Reed, Scott, Smith, Sumner, Veness, Watson—15.

Those absent or not voting were: Senators Booth, Metcalf, Piper, Pogue—4.

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

On motion of Senator Rosenhaupt Senate bill No. 152 was referred to the committee on Judiciary.

SPECIAL ORDER.

The hour of 2:15 having arrived, the vote by which House bill No. 187 passed the Senate February 14, was taken up for reconsideration.

Senator Presby moved that the vote be reconsidered, and a roll call was demanded by the following: Senators Allen, Anderson, Blair, Brown, Presby, Bratt and Boone, and the bill reconsidered by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—36.

Those absent or not voting were: Senators Booth, Gunn, Hutson, Metcalf, Pogue and Polson—6.

On motion of Senator Presby the following amendment was made: In lines 8 and 9, section 1, of the printed bill, strike the words "and there shall be on the north, south, east and west sides of such land a notice against such trespassing."

On motion of Senator Presby the rules were suspended and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—38.

Those absent or not voting were: Senators Booth, Eidemiller, Metcalf and Pogue—4.

GENERAL FILE.

House bill No. 195, "An act in relation to the fees of state and county officers, witnesses and jurors, etc.," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Watson, Williams—31.

Those absent or not voting were: Senators Boone, Booth, Davis, Hunter, Hutson, Metcalf, Nichols, Pogue, Stevenson, Sumner and Veness—11.

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

SPECIAL ORDER.

The hour of 2:30 p. m. having arrived, the Lyons-Cotterill election contest which was a special order for that hour, was taken up.

Senator Presby moved the adoption of the majority report.

Senator Graves moved as a substitute for the motion of Senator Presby, the adoption of the minority report.

A roll call was demanded by the following: Senators Hutson, Blair, Smith, Sumner, Nichols, Allen and Graves, and the substitute motion lost by the following vote:

Those voting aye were: Senators Anderson, Boone, Bratt, Condon, Graves, Gunn, McGowan, Minkler, Paulhamus, Polson, Reed, Rosenhaupt, Scott, Stevenson—14.

Those voting nay were: Senators Allen, Blair, Brown, Davis, Eidemiller, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGregor, Nichols, Pauly, Piper, Potts, Presby, Rands, Ruth, Smith, Sumner, Veness, Watson, Williams—24.

Those absent or not voting were: Senators Booth, Cotterill (excused), Metcalf and Pogue—4.

The majority report of the committee was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., February 19, 1907.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 13, requesting the Governor to return to the House House bill No. 74.

Also House resolution requesting permission of the Senate for correction of House bills Nos. 74 and 78;

Also House bill No. 340, substitute for House bill No. 107, relating to assessment and taxation of bank stock.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Williams, the rules were suspended and Senate bill No. 46, "An act to provide for state depositories and regulating the deposits of moneys therein, etc.," was taken from the table and considered.

Senator Knickerbocker moved that the Senate concur in the House amendments.

A roll call was had and the motion carried by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Brown, Condon, Davis, Eidemiller, Kennedy, Kline, Knickerbocker, McGregor, Minkler, Nichols, Pauly, Piper, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Sumner, Watson, Williams—24.

Those voting nay were: Senators Boone, Bratt, Cotterill, Graves, Jones, McGowan, Paulhamus, Polson, Rands, Scott, Stevenson, Veness—12.

Those absent or not voting were: Senators Gunn, Hunter, Hutson, Metcalf, Pogue and Booth—6.

Senator Rands asked unanimous consent to take up House Concurrent Resolution No. 13, asking the Governor to return House bill No. 74.

On motion of Senator Rands the resolution was adopted.

On motion of Senator Jones Senate Concurrent Resolution No. 16, by the Committee on Rules, was adopted, as follows:

WHEREAS, An error has been found in House bill No. 74 and House bill No. 78 as passed by the House and Senate;

Resolved by the Senate, the House concurring, That said bills be withdrawn from the hands of the House Committee on Enrolled Bills and that they be returned to the Senate for amendments.

INTRODUCTION OF BILLS.

Senate bill No. 238 by Senator Jones, entitled, "An act declaring certain acts of officers or agents of a corporation and certain acts of persons pretending to be such officers or agents of a corporation to be a crime and prescribing the punishment therefor," and repealing an act entitled, "An act to protect stockholders and persons dealing with corporations in this state, approved March 14, 1903."

The bill was read the first time, and on motion of Senator Jones, 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 Cotterill, entitled, "An act authorizing the Board of Regents of the State University to cause to be filled under contract, certain shore lands in Lake Washington and providing for payment for the work."

The bill was read the first time, and on motion of Senator Catterill, 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. 240, by Senator Sumner, entitled, "An act to enable counties, cities and towns to validate certain warrants and other obligations and evidences of indebtedness on the part of such counties, cities and towns, issued by the corporate authorities thereof in excess of their legal authority 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 Public Revenue and Taxation.

Senate bill No. 241 by Senator Reed, entitled, "An act to amend section 5 of the Code of Public Instruction of the State of Washington, said Code being Chapter CXVIII. of the Session Laws of 1897, approved March 19, 1897."

The bill was read the first time, and on motion of Senator Reed, 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. 242 by Senator Rosenhaupt, entitled, "An act relating to lotteries, prohibiting the maintenance thereof, prescribing a penalty and amending Section 7259 of Ballinger's Annotated Codes and Statutes of Washington."

The bill was read the first time, and on motion of Senator Rosenhaupt, 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. 186 by Mr. Rice, entitled, "An act relating to the government, management and control of the state's public institutions and educational institutions and its capitol building and grounds."

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 Public Revenue and Taxation.

House bill No. 340, substitute for House bill No. 107, entitled, "An act relating to assessment and taxation of bank stock 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, and referred to the Committee on Public Revenue and Taxation.

House bill No. 192 by Mr. Godman, entitled, "An act to provide for the indeterminate sentence of persons convicted of certain felonies."

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 Judiciary.

House bill No. 102 by Mr. Lambert, entitled, "An act fixing the fees to be paid to the Secretary of State by corporations doing business in this state, providing penalties for failure to pay the same and repealing all acts and parts of acts in conflict herewith."

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 Public Revenue and Taxation.

House bill No. 282 by Messrs. Hogan, Wade and Hewitt, entitled, "An act to create the County of Grays Harbor subject to the requirements of the State Constitution in respect to the establishment of new counties and declaring an emergency."

The bill was read the first time, and on motion of Senator Polson, the rules were suspended, the bill was read the second time by title, and placed on Calendar.

House bill No. 245 by Mr. McDonald, entitled, "An act to define the practice of veterinary medicine, surgery and dentistry in the State of Washington; to regulate the same and to provide penalties for a violation thereof."

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

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 19, 1907.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate bill No. 78, entitled, "An act to regulate the employment of legislative lobby, counsel and agents and to provide for the return of legislative expenses," 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.

W. B. PRESBY, *Chairman.*

We concur in this report: WILL G. GRAVES, R. L. KLINE, JESSE S. JONES.

On motion of Senator Presby the report of the committee was adopted.

On motion of Senator Pauly at 4:30 o'clock p. m., the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

THIRTY-EIGHTH DAY.

MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, Wednesday, February 20, 1907.

10 o'clock a. m.

The senate was called to order to 10:00 o'clock a. m., by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The secretary called the roll, all members being present except Senators Hunter, excused, Metcalf, excused, Piper, excused, and Pogue, excused.

On motion of Senator Graves, the reading of yesterday's journal was dispensed with, and it was approved.

Petition against Senate bill No. 193 received from Seattle, and referred to Committee on Cities of the First Class.

Petition for local option from Whatcom county was received and referred to Committee on Constitution and Constitutional Revision.

Petitions for initiative and referendum were received from King, Walla Walla, Yakima and Pierce counties and referred to Committee on Constitution and Constitutional Revision.

Petitions from King county relative to local option were received and referred to Committee on Constitution and Constitutional Revision.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 113, entitled, "An act relating to coroners and prescribing their qualifications:"

Also Senate bill No. 3, entitled, "An act prohibiting the sale of intoxicating liquors as a beverage within two miles of the State College of Washington.

Also Senate bill No. 177, entitled, "An act relating to the assessment of state, school, granted and other lands for drainage purposes;"

Also Senate bill No. 178, entitled, "An act relating to the payment by the state of assessments made on state, school or granted lands for the construction and maintenance of dikes and drains benefiting such lands," have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,

FRED M. PAULY, *Chairman.*

We concur in this report: A. GUNN, A. S. RUTH.

INTRODUCTION OF BILLS.

Senate bill No. 243 by Senator Anderson, entitled, "An act to provide a limitation for the bringing of actions to set aside or cancel tax deeds, or for the recovery of lands sold for delinquent taxes."

The bill was read the first time and on motion of Senator Anderson, 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 Rosenhaupt, entitled, "An act prohibiting the killing of certain birds."

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

Senate bill No. 245 by Senator Scott, entitled, "An act relating to premium stamps commonly called trading stamps, cash discount stamps, ticket or rebate check, ticket, coupon or other similar device, and to provide a penalty for any violation of this act.

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

Senate bill No. 246 by Committee on Educational Institutions, entitled, "An act preventing the sale of lands set apart for the use, support, establishment, maintenance and endowment of the State Agricultural College and School of Science, now known as the State College of Washington, or of any of the

several state normal schools, without the consent of the Board of Regents, or Board of Trustees of said college or schools."

The bill was read the first time and on motion of Senator McGregor, the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 247 by Senator Rands, entitled, "An act empowering boards of county commissioners to levy a special tax and appropriate money for the purpose of advertising the counties' resources and to aid in publicity work."

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 Revenue and Taxation.

Senate bill No. 248 by Senator Pauly, entitled, "An act authorizing the State Board of Control to use brick manufactured at the state penitentiary for the construction of buildings at the state penitentiary."

The bill was read the first time and on motion of Senator Pauly, 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. 249 by Senators Knickerbocker, Paulhamus and Nichols, entitled, "An act appropriating One Hundred Thousand Dollars for the improvement of the Puyallup and Stuck rivers in Pierce county, Washington, providing for the appointment of a commission to expend the same, conferring upon such commission the power of eminent domain and declaring an emergency."

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

GENERAL FILE.

House bill No. 152, "An act to provide for the assessment of the operating property of railroads, was placed on third reading.

On motion of Senator Graves the bill was amended by striking from lines 22 and 23 of the printed bill the following: "or by such persons as it may designate."

On motion of Senator Sumner the word "may" in section 8, line 14 was stricken, and the word "shall" inserted in lieu thereof.

On motion of Senator Graves the word "of" was stricken from line 6, section 7, and the word "in" inserted in lieu thereof.

On motion of Senator Graves all of section 13 was stricken.

Senator Davis moved that the bill be put over until next Monday at 2:00 o'clock p. m.

The motion was lost.

On motion of Senator McGowan the word "commission" was inserted in line 53, section 5 of the printed bill, after the word "commerce."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—33.

Those voting nay were: Senator Davis—1.

Those absent or not voting were: Senators Allen, Hunter, Knickerbocker, Metcalf, Piper, Pogue, Presby and Scott—8.

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

House bill No. 38, "An act providing for the collection of taxes upon personal property about to be or in danger of being removed from the limits of the state," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hutson, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosen-

haupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—32.

Those absent or not voting were: Senators Booth, Cotterill, Hunter, Jones, Knickerbocker, Metcalf, Piper, Pogue, Presby and Scott—10.

A roll call was had and the emergency clause adopted by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Hutson, Kennedy, Kline, McGowan, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—31.

Those voting nay were: Senator Gunn—1.

Those absent or not voting were: Senators Eidemiller, Hunter, Jones, Knickerbocker, McGregor, Metcalf, Piper, Pogue, Presby and Scott—10.

On motion of Senator Graves, the title of the bill was amended to read as follows:

“An act providing for the collection of taxes upon personal property being moved or about to be moved from the limits of the state, or being dissipated or about to be dissipated, and declaring an emergency.”

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

House bill No. 133, “An act authorizing cities and towns owning any street railway line or plant to sell and convey the same, etc,” was placed on third reading.

Senator Graves moved to amend the bill by striking all of section 4.

The motion was lost.

On motion of Senator Graves section 4 of the printed bill was stricken and the following inserted in lieu thereof:

“Sec. 4. An emergency exists and this act shall take effect immediately.”

On motion of Senator Cotterill section 2, line 3, of the printed bill, was amended by striking the word “may” after the word “council” and inserting in lieu thereof the word “shall.”

Senator Cotterill moved to strike all of section 3 of the printed bill.

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Davis, Eidemiller, Gunn, Hunter, Hutson, Kennedy, Kline, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Ruth, Smith, Sumner, Watson, Williams—29.

Those voting nay were: Senators Cotterill, Graves, McGowan, Rosenhaupt and Veness—5.

Those absent or not voting were: Senators Jones, Knickerbocker, Metcalf, Piper, Pogue, Presby, Scott and Stevenson—8.

A roll call was had and the emergency clause failed to pass by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Hunter, Hutson, Kennedy, Kline, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Smith, Sumner, Watson, Williams—26.

Those voting nay were: Senators Cotterill, Graves, Gunn, Jones, McGowan, Rosenhaupt, Ruth and Veness—8.

Those absent or not voting were: Senators Booth, Knickerbocker, Metcalf, Piper, Pogue, Presby, Scott and Stevenson—8.

There being no objection, the title of the bill was ordered to stand as the title of the act, with the emergency clause reference stricken.

On motion of Senator Boone, Senate bill No. 3 was made a special order for 3:00 o'clock p. m. Monday.

House bill No. 252, "An act to amend section 2 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.,'" was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemil-

ler, Graves, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Sumner, Veness, Watson, Williams—34.

Those absent or not voting were: Senators Gunn, Knickerbocker, Metcalf, Piper, Pogue, Presby, Scott and Stevenson—8.

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

Senate bill No. 30, "An act relating to corporations and repealing an act entitled, 'An act authorizing and empowering any corporation to subscribe for and to acquire by purchase or otherwise and hold, own, sell, assign and transfer shares of the capital stock of another corporation, etc.,'" was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were. Senators Anderson, Boone, Bratt, Cotterill, Jones, Kennedy, Nichols and Paulhamus—8.

Those voting nay were: Senators Allen, Blair, Booth, Brown, Condon, Davis, Graves, Hunter, Hutson, Kline, McGowan, McGregor, Minkler, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—27.

Those absent or not voting were: Senators Eidemiller, Gunn, Knickerbocker, Metcalf, Piper, Pogue and Scott—7.

On motion of Senator Stevenson, the rules were suspended and House bill No. 38 ordered transmitted to the House immediately.

Senator Williams gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 172 failed to pass the Senate.

Senate bill No. 202, "An act relating to the location and construction of railroads over and across streets, alleys and public places in cities, and relating to the construction of wharves, docks, factories, manufacturing plants and terminals upon public property in cities of the state of Washington, was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Brown, Davis, Eidemiller, Hunter, Hutson, Kennedy, Kline, McGregor, Pauly, Potts, Rands, Ruth, Smith, Sumner, Williams—18.

Those voting nay were: Senators Boone, Booth, Bratt, Condon, Cotterill, Graves, Gunn, Jones, McGowan, Minkler, Nichols, Paulhamus, Polson, Presby, Reed, Rosenhaupt, Stevenson, Veness, Watson—19.

Those absent or not voting were: Senators Knickerbocker, Metcalf, Piper, Pogue and Scott—5.

On motion of Senator Graves, Senate bill No. 93 was indefinitely postponed.

Senator Stevenson gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 202 failed to pass the Senate.

On motion of Senator Condon at 11:55 a. m., the Senate took a recess until 2:00 o'clock p. m.

AFTERNOON SESSION.

The Senate was called to order at 2:00 o'clock p. m., by President Coon, pursuant to adjournment.

The secretary called the roll, all members being present except Senators Metcalf, excused, and Pogue, excused.

GENERAL FILE.

Senate bill No. 213, "An act amending section 3 of an act entitled, 'An act providing for and regulating the selection of jurors in the superior court of the state; and providing for the appointment of jury commissioners, etc.," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Hunter, Hutson, Jones, Kennedy, Kline, McGowan,

McGregor, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—33.

Those absent or not voting were: Senators Bratt, Gunn, Knickerbocker, Metcalf, Nichols, Pogue, Presby, Rands and Scott—9.

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

Senate bill No. 214, "An act providing for the purchase and maintenance of law libraries for the superior courts and for the creation of a fund therefor by the taxation of costs," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Brown, Condon, Cotterill, Davis, Graves, Hutson, Jones, Kennedy, McGowan, McGregor, Minkler, Pauly, Polson, Potts, Presby, Rosenhaupt, Smith, Stevenson—22.

Those voting nay were: Senators Boone, Bratt, Eidemiller, Kline, Paulhamus, Piper, Rands, Reed, Ruth and Veness—10.

Those absent or not voting were: Senators Gunn, Hunter, Knickerbocker, Metcalf, Nichols, Pogue, Scott, Sumner, Watson and Williams—10.

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

Senate bill No. 215, "An act relating to the vacation, modification and revision of orders or judgments," was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness—32.

Those voting nay were: Senator Rands—1.

Those absent or not voting were: Senators Gunn, Hunter, Knickerbocker, Metcalf, Nichols, Pogue, Scott, Watson and Williams—9.

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

Senate bill No. 216, "An act relating to the joinder of causes of action and amending section 4942 of Ballinger's Annotated Codes and Statutes of Washington, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Kennedy, Kline, McGowan, McGregor, Minkler, Pauly, Potts, Presby, Rosenhaupt, Ruth, Stevenson—25.

Those voting nay were: Senators Paulhamus, Piper, Polson, Rands, Reed, Smith, Sumner and Veness—8.

Those absent or not voting were: Senators Hunter, Jones, Knickerbocker, Metcalf, Nichols, Pogue, Scott, Watson and Williams—9.

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

Senate bill No. 193, "An act authorizing the common council of cities of the first class to nominate and elect municipal officers whenever the mayor of such city shall neglect to make nominations or the nominations made by him shall not be confirmed, etc.," was placed on third reading.

Senator Graves moved to strike all of section 3 of the printed bill.

The motion was lost.

Senator Graves moved to amend section 3 of the printed bill by striking the word "an" and inserting in lieu thereof "a political."

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Condon, Davis, Eidemiller, Hutson, Jones, Kennedy, Kline, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Ruth, Smith, Stevenson, Sumner, Veness, Watson—28.

Those voting nay were: Senators Bratt, Brown, Cotterill, Graves, Gunn, McGowan, Rands, Rosenhaupt—8.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue, Scott and Williams—6.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Condon, Davis, Eidemiller, Hutson, Jones, Kennedy, Kline, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson—31.

Those voting nay were: Senators Brown, Cotterill, Graves, Gunn and McGowan—5.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue, Scott and Williams—6.

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

SPECIAL ORDER.

The hour of 2:30 o'clock p. m. having arrived, the appointments made by the Governor since adjournment of the last Legislature which was a special order for that hour were taken up for consideration.

On motion of Senator Condon the nomination of J. D. Cornett, of Ellensburg, Trustee of the State Normal School at Ellensburg, appointed July 24, 1906, for the term ending July 29, 1912, succeeding himself, term having expired, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of Henry W. Collins, of Rockford, trustee of the state normal school at

Cheney, appointed July 30, 1906, for the term ending July 29, 1912, succeeding himself, term expired, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of F. F. Hand-schy, of Bellingham, trustee of the State Normal School at Bellingham (Whatcom), appointed July 22, 1906, for the term ending March 2, 1911, succeeding E. E. White, deceased, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of John L. Rise-land, of Bellingham, State Fish Commissioner and Game Warden, appointed April 1, 1906, for the term ending March 4, 1911, succeeding T. R. Kershaw, term expired, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of L. Davies, of Davenport, State Dairy and Food Commissioner, appointed April 29, 1905, succeeding E. A. McDonald, term expired, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of Ortis Hamilton, of Spokane, Adjutant General, appointed August 1, 1906, for the term ending January 10, 1909, succeeding James A. Drain, resigned, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of Samuel G. Cosgrove, of Pomeroy, regent of the University of Washington, appointed April 25, 1905, for the term ending the second Monday in March, 1911, succeeding Richard Windsor, appointment withdrawn, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of J. T. Ronald, of Seattle, regent of the University of Washington, appointed August 15, 1906, for the term ending the second Monday in March, 1908, succeeding Geo. H. King, appointment withdrawn, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of John H. Powell, of Seattle, regent of the University of Washington, appointed August 1, 1905, for the term ending the second Monday in March, 1911, succeeding himself, term expired, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of D. L. Huntington, of Spokane, regent of the University of Washington, appointed December 17, 1906, for the term ending the second Monday in March, 1910, succeeding J. F. Saylor, resigned, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of Matt L. Piles, of Olympia, as member State Board of Control, appointed October 22, 1906, for the term ending March 31, 1907, succeeding M. F. Kincaid, resigned, appointed February 19, 1907, for the term ending March 31, 1913, appointment effective April 1, 1907, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of U. L. Ettinger, of Colfax, regent of the State College of Washington, appointed April 3, 1905, for the term ending March 9, 1907, succeeding himself, previous appointment withdrawn, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of Dr. J. S. Anderson, of Asotin, regent of the State College of Washington, appointed June 7, 1905, for the term ending March 9, 1909, succeeding R. C. McCroskey, appointment withdrawn, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan,

McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of Peter McGregor, of Hooper, regent of the State College of Washington, appointed June 7, 1905, for the term ending March, 1907, succeeding S. G. Cosgrove, resigned, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—36.

Those absent or not voting were: Senators Hunter, Knickerbocker, McGregor, Metcalf, Pogue and Scott—6.

On motion of Senator Condon the nomination of T. D. Rockwell, of Spokane, as member State Board of Tax Commissioners, appointed June 9, 1905, for the term ending June 8, 1909, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of Joseph H. Easterday, of Tacoma, as member State Board of Tax Commissioners, appointed June 9, 1905, for the term ending June 8, 1909, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan,

McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of J. E. Frost, of Ellensburg, as member of State Board of Tax Commissioners, appointed June 9, 1905, for the term ending June 8, 1909, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of W. H. Talbot, of Ellensburg, member State Fair Commission, appointed March 16, 1906, for the term ending March 27, 1907, succeeding W. H. Cline, resigned, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of F. A. Clark, of Everett, State Inspector of Oils, appointed November 26, 1906, for the term ending June 8, 1909, succeeding J. L. Canutt, removed, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson,

Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of Wilson Johnston, of Colfax, member State Board of Health and Bureau of Vital Statistics, appointed June 9, 1905, for the term ending December 30, 1909, succeeding Clarence P. Gammon, term expired, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of P. Frank, of North Yakima, member of the State Board of Health and Bureau of Vital Statistics, appointed June 12, 1905, for the term ending December 30, 1908, succeeding W. S. Durand, appointment withdrawn, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of James R. Yocum, of Tacoma, member State Board of Health and Bureau of Vital Statistics, appointed July 24, 1906, for the term ending December 30, 1910, succeeding himself, term expired, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemil-

ler, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

On motion of Senator Condon the nomination of Elmer E. Heg, of Scattle, member State Board of Health and Bureau of Vital Statistics, appointed December 30, 1906, for the term ending December 29, 1911, succeeding himself, term expired, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Scott—5.

GENERAL FILE.

Senator Hutson gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 193 passed the Senate.

Senate bill No. 78, "An act to regulate the employment of legislative lobby counsel and agents and to provide for the return of legislative expense," was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Cotterill, Gunn, Hutson, Jones, McGregor, Nichols, Paulhamus, Pauly, Polson, Reed, Smith—16.

Those voting nay were: Senators Bratt, Brown, Condon, Eidemiller, Graves, Hunter, Kennedy, Kline, McGowan, Minkler, Piper, Potts, Presby, Rosenhaupt, Ruth, Stevenson, Watson—17.

Those absent or not voting were: Senators Davis, Knicker-

bocker, Metcalf, Pogue, Rands, Scott, Sumner, Veness and Williams—9.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 14, for the appointment of a joint committee to report on House bill No. 39.

The speaker has signed Senate bill No. 17, entitled, "An act relating to the public school system of the State of Washington;"

Also Senate bill No. 63, relating to the criminal insane.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

Unanimous consent was given at this time to consider House concurrent resolution No. 14, relating to House bill No. 39, out of order, and on motion of Senator Ruth the resolution was adopted.

GENERAL FILE.

Senate bill No. 3, "An act prohibiting the sale of intoxicating liquors within five miles of the Washington State College, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Condon, Cotterill, Graves, Gunn, Hunter, Jones, McGowan, Minkler, Paulhamus, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Stevenson, Veness, Watson—23.

Those voting nay were: Senators Allen, Brown, Davis, Hutson, Kennedy, Kline, McGregor, Nichols, Pauly, Ruth and Smith—11.

Those absent or not voting were: Senators Eidemiller, Knickerbocker, Metcalf, Pogue, Rands, Scott, Sumner and Williams—8.

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

On motion of Senator Boone, Senate bills Nos. 210, 211 and 217 were placed at the foot of the calendar.

On motion of Senator Polson, House bill No. 282 was substituted on the general file for Senate bill No. 167 and was made a special order for 11:00 o'clock Thursday.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 19, 1907.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 14, entitled, "An act amending section 1 of an act entitled, 'An act to amend section 943' of Ballinger's 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.

S. T. SMITH, *Chairman*.

We concur in this report: J. R. STEVENSON, RALPH D. NICHOLS, T. A. HUNTER, H. M. BOONE.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 19, 1907.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 196, entitled, "An act to provide for dividing all incorporated towns of the fourth class in the State of Washington into wards, and requiring councilmen to be elected to be residents of such ward," 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.

S. T. SMITH, *Chairman*.

We concur in this report: HARRY ROSENHAUPT, T. A. HUNTER, H. M. BOONE, J. R. STEVENSON, RALPH D. NICHOLS.

On motion of Senator Smith the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 19, 1907.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision, to whom was referred House bill No. 97, entitled, "An act providing for the amendment of section 16 of article 1 of the Constitution of the State of Washington, relating to the exercise of the power of eminent domain" 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. WILLIAMS, *Chairman*.

We concur in this report: A. L. WATSON, FRED M. PAULY, A. S. RUTH.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 119, entitled, "An act to amend sections 117, 119 and 121 of

the Code of Public Instruction of the State of Washington and repealing all laws and parts of laws in conflict therewith, etc.," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WALTER J. REED, *Chairman*.

We concur in this report: A. W. ANDERSON, J. R. STEVENSON, H. S. MCGOWAN.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 135, entitled, "An act relating to the legal residence of children attending the public schools," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

WALTER J. REED, *Chairman*.

We concur in this report: A. W. ANDERSON, J. R. STEVENSON, H. S. MCGOWAN.

On motion of Senator Reed the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 25, entitled, "An act relating to express companies, providing for delivery within the incorporated limits of cities or towns, and fixing 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.

W. H. PAULHAMUE, *Chairman*.

We concur in this report: A. W. ANDERSON, WALTER J. REED, T. B. SUMNER, GEO. A. KENNEDY, J. R. STEVENSON, PETER MCGREGOR.

On motion of Senator Paulhamus the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 198, entitled, "An act to amend section 1 of an act entitled, 'An act requiring persons, railroad companies or corporations to so adjust, fill, block and securely guard the frogs, switches and guard rails on their roads as to protect and prevent injury to employes and other persons, and providing a penalty for the violation thereof,' approved March 6, 1899," 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.

W. H. PAULHAMUS, *Chairman*.

We concur in this report: A. W. ANDERSON, WALTER J. REED, T. B. SUMNER, GEO. A. KENNEDY, J. R. STEVENSON, PETER MCGREGOR.

On motion of Senator Paulhamus the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 41, entitled, "An act compelling railroads to fence their rights-of-way and to protect the owners of stock injured by moving railway trains, declaring a law of negligence with regard to 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 be placed on general file.

W. H. PAULHAMUS, *Chairman*.

We concur in this report: A. W. ANDERSON, WALTER J. REED, T. B. SUMNER, GEO. A. KENNEDY, J. R. STEVENSON, PETER MCGREGOR.

On motion of Senator Paulhamus the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate bill No. 82, entitled, "An act relating to and requiring the publication by railway companies, of schedules showing the time of arrival and departure of trains, and providing 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.

W. H. PAULHAMUS, *Chairman*.

We concur in this report: A. W. ANDERSON, WALTER J. REED, T. B. SUMNER, GEO. A. KENNEDY, J. R. STEVENSON, PETER MCGREGOR.

On motion of Senator Paulhamus the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 124, entitled, "An act to amend section 17 of chapter LXXI of the Laws of 1897, etc.," 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.

T. B. SUMNER, *Chairman*.

We concur in this report: ALEX. POLSON, GEO. F. COTTERILL, R. L. KLINE, FRED M. PAULY, E. M. RANDS, J. A. VENESS.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 159, entitled, "An act relating to escheats," 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 4, line 2 of the printed bill, after the words "escheats" strike the semicolon and insert a period, and in the same line strike the word "and" and begin the word "whenever" with a capital letter.

In section 4, line 5 of the printed bill, after the word "proper" strike the word "and" beginning the word "No" with a capital letter.

In the same section, line 8, after the word "Commissioners" strike the word "and" beginning the word "said" with a capital letter.

In the same section, line 12, after the word "thereto" change the period to a comma and begin the word "and" with a small letter.

T. B. SUMNER, *Chairman*.

We concur in this report: ALEX. POLSON, GEO. F. COTTERILL, R. L. KLINE, FRED M. PAULY, E. M. RANDS, J. A. VENESS.

On motion of Senator Sumner the report of the committee was adopted.

OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred engrossed House bill No. 166, entitled, "An act relating to the finances of the State of Washington and providing the time when, and manner in which moneys shall be paid into the state treasury, 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: ALEX. POLSON, GEO. F. COTTERILL, R. L. KLINE, FRED M. PAULY, E. M. RANDS, J. A. VENESS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred engrossed House bill No. 90, entitled, "An act regulating the

keeping and deposit of public funds in banks by the several county treasurers of 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 with the following amendments:

In section 2 strike all of that part of line 11 of the printed bill after the word "clerk," and all of line 12. The same being all of that part of line 18 after the word "clerk" and all of line 19 and all of line 20 of the engrossed bill.

T. B. SUMNER, *Chairman.*

We concur in this report: ALEX. POLSON, GEO. F. COTTERILL, R. L. KLINE, FRED M. PAULY, E. M. RANDS, J. A. VENESS.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Congressional Districts, to whom was referred House bill No. 8, entitled, "An act to apportion the State of Washington into three congressional districts, 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 1 of the printed bill, strike the words "Island and San Juan." After the word "King" insert the word "Kitsap" so as to make the counties to read "King, Kitsap, Skagit, Snohomish and Whatcom."

In section 2, line 1 of the printed bill strike the word "Kitsap," and in the same line after the word "Jefferson" insert the word "Klickitat;" in line 2, after the word "Pierce" insert the word "San Juan," so as to make the counties read "Chehalis, Clallam, Clarke, Cowlitz, Island, Jefferson, Klitckitat, Lewis, Mason, Pacific, Pierce, San Juan, Skamania, Thurston and Wahkiakum."

In section 3, line 2 of the printed bill, strike the word "Klickitat."

HARRY ROSENHAUPT, *Chairman.*

We concur in this report: WALTER J. REED, JESSE S. JONES, A. W. ANDERSON, W. G. POTTS.

On motion of Senator Rosenhaupt the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 207, entitled, "An act to amend section 1716 of Ballinger's Annotated Codes and Statutes 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:

Amend section one of the printed bill by striking all of the first thirteen (13) lines thereof and inserting in lieu thereof the following: "That section 1716 of Ballinger's Annotated Codes and Statutes of Washington be and the same is hereby amended to read as follows: Section 1716. The State Auditor, Commissioner of Public Lands, and the State Board of Tax Commissioners shall constitute the State Board of Equalization. The State Auditor shall be president of the Board, and they shall remain in session not to exceed twenty (20) days; may adjourn from day to day, and employ such clerical assistance as may be deemed necessary to facilitate its labors: *Provided*, That the expense of such board shall not exceed the sum of five hundred (\$500) dollars in any one year. The said Board shall meet annually on the first Monday in September at the office of the State Board of Tax Commissioners, and shall examine and compare the returns of the assessment of the property in the several counties of the state, and proceed to equalize the same so that each county in the state shall pay its due and just proportion of the taxes for state purposes for such assessment year according to the ratio the valuation of the property in each county bears to the total valuation of all property in the state.

Amend lines 18 and 19 of section one of the printed bill by striking all of said lines and inserting in lieu thereof the following: The secretary shall keep a full record of the proceedings of the board and the same shall be published annually by said State Board of Tax Commissioners and also be published in the biennial report of the said State Board of Tax Commissioners."

Amend title of act by striking the words: "8652 of Pierce's Washington Code" and insert in lieu thereof: "1716 of Ballinger's Annotated Codes and Statutes of Washington."

T. B. SUMNER, *Chairman*.

We concur in this report: ALEX. POLSON, GEO. F. COTTERILL, R. L. KLINE, FRED M. PAULY, E. M. RANDS, J. A. VENESS.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 44, entitled "An act for the protection against the spread of Canada and Russian thistles, tumbling mustard and other noxious weeds, and for the appointment of a state botanist," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN L. BLAIR, *Chairman*.

We concur in this report: WALTER REED, E. C. BRATT, PETER, MCGREGOR.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 292, entitled, "An act relating to the construction of armories in the State of Washington, appropriating money 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 be amended as follows and placed on general file:

After section 3 of the printed bill add section 3 1-2, which shall read as follows:

SEC. 3½. Any county of the State of Washington is hereby authorized and empowered to appropriate money for the purchase of an armory site whenever the Legislature of this state shall appropriate money for or authorize the construction of an armory therein.

J. A. VENESS, *Chairman.*

We concur in this report: GEORGE U. PIPER, ROBT. F. BOOTH, FRED M. PAULY, H. M. BOONE, HARRY ROSENHAUPT, B. D. MINKLER.

On motion of Senator Veness the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Dikes, Drains and Drainage, to whom was referred House bill No. 278, entitled, "An act authorizing and empowering cities and towns to construct and maintain dikes and embankments to protect such cities or towns, or any part thereof, from overflow, and to pay cost and expenses thereof, and declaring an emergency, 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 8 and 9 of the engrossed bill, which is lines 6 and 7 of the printed bill, strike the words "in accordance with the last general assessment for city purposes."

In section 2, line 10 of the engrossed bill, which is line 7 of the printed bill, strike the words and figures "twenty (20)" and insert in lieu thereof the words and figures "thirty (30)," and in line 11 of the engrossed bill, which is line 8 of the printed bill, strike the letter "s" in the word "improvements," and in line 14 of the engrossed bill, which is line 10 of the printed bill of said section 2, strike the words "two" and insert in lieu thereof the word "four," also in line 20 of the engrossed bill, which is line 14 of the printed bill in said section 2, strike the balance of section commencing with the word "unless."

In section 3, lines 1 and 2 of the printed bill, strike the words "or if council of such city or town shall vote unanimously to proceed with such work."

In section 6, lines 9, 10, 11 and 12, in the engrossed bill, which is lines 6, 7 and 8 of the printed bill, strike the following words: "together with the assessed valuation of each separate lot or parcel of land as shown by the last general assessment for city purposes; and said city or town clerk shall apportion," and insert in lieu thereof the following words: "and the said city or town clerk shall enter upon said roll, opposite each property description, the respective amounts computed by the engineer in charge of, or who has designed said improvement or defined the boundaries of the assessment district, in behalf of said city or town, such amounts to be an apportionment made by said engineer of," also in lines 14 and 15, which is lines 10 and 11 of the printed bill, of said section 6, strike the following words: "in accordance with the last general assessment for city purposes and," and insert in lieu thereof the following words: "and the said city or town clerk, from the computations and information furnished by said engineer," also in line 17 of the engrossed bill, which is line 12 of the printed bill of said section 6, strike the word "thereof" and insert in lieu of said word the words "of said cost and expenses."

Make section 7½ section 8, section 8 section 9, section 9 section 10, section 10 section 11.

B. D. MINKLER. *Chairman.*

We concur in this report: A. M. ANDERSON, GEO. F. COTTERILL.

On motion of Senator Minkler the report of the committee was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 250, by Senator Reed, entitled, "An act to provide for the erection of screens or grills at the head of irrigation flumes, ditches or canals on streams where state fish hatcheries are located for the purpose of preventing mountain trout or other food fishes from entering said flumes, ditches or canals, and providing a penalty for the violation thereof."

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

Senate bill No. 251, by Senator Sumner, entitled, "An act relating to assessment and taxation, 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 Public Revenue and Taxation.

Senate bill No. 252, by Senator Booth, entitled, "An act providing for the amendment of article IV of the Constitution of the State of Washington relating to the election and term of office of judges of the Supreme Court and superior courts of the state."

The bill was read the first time, and on motion of Senator Booth 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. 253, by Senator Piper, entitled, "An act authorizing the State Harbor Line Commission or the Board of State Land Commissioners in surveying and platting harbor lines and in surveying, platting and appraising tide and shore lands of the first class, to file in manner now provided by law plats and maps of such surveys and appraisements in sections or parts of the whole and to extend the harbor lines and the surveying and platting of tide and shore lands of the first class from time to time, according to the convenience of and as deemed advisable by the State Harbor Line Commission or the Board of State Land Commissioners, and declaring an emergency."

The bill was read the first time, and on motion of Senator Piper 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. 254, by Senator Knickerbocker, entitled, "An act to place the control and management of the traveling library in the hands of a superintendent to be appointed by the State Library Commission."

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 Library.

Senate bill No. 255, by Senator Paulhamus, entitled, "An act to require railroad companies doing business in the State of Washington to have a general officer of such road with the rank and title of vice president in some city in the state, and requiring certain duties to be performed by him."

The bill was read the first time, and on motion of Senator Paulhamus 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. 256, by Senators Veness and Watson, entitled, "An act appropriating one hundred and twenty thousand dollars for the improvement of the Cowlitz and Lewis rivers, providing for the appointment of a commission to expend the same, and conferring upon such commission the power of eminent domain."

The bill was read the first time, and on motion of Senator Veness 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. 257, by Senator Cotterill, entitled, "An act providing for an advisory popular vote of the qualified electors of the State of Washington prior to the election of United States Senators."

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

On motion of Senator Ruth, Senate bill No. 18 was ordered left off the calendar pending the adoption of the report of the committee appointed under House concurrent resolution No. 14.

Senator Hutson withdrew his motion to reconsider the vote by which Senate bill No. 193 passed the Senate.

On motion of Senator Piper the rules were suspended and Senate bill No. 193 was ordered transmitted to the House immediately.

Senate bill No. 218, substitute for Senate bill No. 83, An act relating to the Bureau of Statistics; Labor, Agriculture and Immigration was placed on third reading.

On motion of Senator Nichols the Senate resolved itself into a committee of the whole to consider Senate bill No. 218.

The bill was considered in the committee of the whole, Senator Sumner in the chair, and reported back to the Senate with the

recommendation that it do pass with the following amendments:

“Strike all of section 4.”

Amend the title by striking the words, “declaring an emergency and.”

On motion of Senator Nichols the report of the committee was adopted.

On motion of Senator Nichols the rules were suspended, the reading of Senate bill No. 218 had in the committee of the whole considered the third reading of the bill, and the bill placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Allen, Blair, Booth, Condon, Cotterill, Gunn, Hutson, Jones, Kennedy, McGowan, McGregor, Minkler, Nichols, Pauly, Potts, Presby, Rands, Smith, Williams—19.

Those voting nay were: Senators Anderson, Boone, Bratt, Brown, Davis, Eidemiller, Graves, Kline, Paulhamus, Polson, Reed, Rosenhault, Ruth, Stevenson, Sumner, Veness, Watson—17.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Piper, Pogue and Scott—6.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

The speaker has signed House bill No. 38, entitled, “An act providing for the collection of taxes upon personal property,” and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

The president signed Senate bill No. 46 and House bill No. 38.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 20, 1907..

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 46, entitled, “An act to provide for state depositaries and regulate the deposit of state moneys therein,” have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

LINCOLN DAVIS, *Chairman.*

We concur in this report: ROBT. F. BOOTH, P. L. ALLEN, R. W. CONDON.

Senator Sumner gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 218 failed to pass the Senate this day.

On motion of Senator Condon at 4:05 p. m. the Senate adjourned.

J. W. LYSONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.

THIRTY-NINTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASH., Thursday, February 21, 1907.

10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Rev. Swick offered prayer.

The secretary called the roll, all members being present except Senators Metcalf, excused, Pogue, excused, and Sumner, excused.

On motion of Senator Veness the reading of yesterday's journal was dispensed with and it was approved.

SENATE CONCURRENT RESOLUTION NO. 17.

By Senator Condon.

Resolved by the Senate, the House concurring, that when the Senate and House adjourn today, it be to meet again on Monday at 2:30 p. m., February 25, 1907.

On motion of Senator Condon the resolution was adopted.

Various petitions for direct primary were received and referred to Committee on Election and Privileges.

INTRODUCTION OF BILLS.

Senate bill No. 258, by Senator Rosenhaupt, entitled, "An act relating to costs in civil actions and amending chapter 16 of the Laws of 1905."

The bill was read the first time, and on motion of Senator Rosenhaupt 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. 259, by Senator Rosenhaupt, entitled, "An act fixing the salaries of county officers in counties of the first class."

The bill was read the first time, and on motion of Senator Rosenhaupt 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. 260, by Senator Rands, entitled, "An act for the relief of Clarke county, Washington, 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. 261, by Senator Gunn, entitled, "An act relating to a legislative reference library."

The bill was read the first time, and on motion of Senator Gunn 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. 262, by Senator Gunn, entitled, "An act to provide for the licensing of peddlers and prescribing penalties for failure to comply with the provisions of this act and to repeal all acts or parts of acts in conflict herewith, and declaring an emergency."

The bill was read the first time, and on motion of Senator Gunn 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. 263, by Joint Committee on Education, entitled, "An act to provide for the granting of temporary certificates by county superintendents, and repealing all laws and parts of laws in conflict with the provisions of this act."

The bill was read the first time, and on motion of Senator Reed 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. 264, by Senator Booth, entitled, "An act for the protection of Chinese or Mongolian pheasants, defining the closed season and fixing penalties for the violation thereof."

The bill was read the first time, and on motion of Senator Booth 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. 131, An act to regulate the practice of osteopathy in the State of Washington, etc., was placed on third reading.

On motion of Senator Polson the following amendment was made:

In section 11, line 41, after the word "state" insert the following: "nor to prohibit the practice of the religious tenets or general beliefs of any church whatsoever, not prescribing medicine nor administering drugs."

On motion of Senator Paulhamus the following amendment was offered:

In section 11, line 41, and after the amendment made by Senator Polson, insert the following: "nor shall this act apply to neuropaths, hydropaths or churoptic."

The motion was lost.

The bill was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Allen, Brown, Davis, Eide-miller, Graves, Hunter, Hutson, Kennedy, Kline, McGregor, Pauly, Presby, Rands, Rosenhaupt, Smith—16.

Those voting nay were: Senators Anderson, Blair, Boone, Bratt, Condon, Cotterill, Gunn, McGowan, Minkler, Nichols, Paulhamus, Polson, Potts, Reed, Ruth, Stevenson, Veness, Watson—19.

Those absent or not voting were: Senators Knickerbocker, Metcalf, Piper, Pogue, Scott, Sumner and Williams—7.

On motion of Senator Rosenhaupt the vote by which Senate bill No. 166 passed the Senate was reconsidered and the bill placed on general file.

On motion of Senator Boone Senate bill No. 44 was ordered placed at the foot of the calendar.

On motion of Senator Cotterill Senate bill No. 14 was ordered placed at the foot of the calendar.

On motion of Senator Condon Senate bill No. 152 was ordered placed at the foot of the calendar.

Senate bill No. 134, An act to amend section 17 of chapter 71 of the Laws of 1897, said section being an act to provide for the assessment and collection of taxes in the State of Washington, was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Allen, Anderson, Booth, Cotterill, Hutson, McGregor, Nichols, Paulhamus, Pauly and Reed—10.

Those voting nay were: Senators Blair, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, Minkler, Polson, Potts, Presby, Rosenhaupt, Ruth, Smith, Stevenson, Veness, Watson, Williams—25.

Those absent or not voting were: Senators Knickerbocker, Metcalf, Piper, Pogue, Rands, Scott and Sumner—7.

Senate bill No 82, an act relating to and requiring the publication by railway companies of schedules showing the time of arrival and departure of trains, and providing a penalty for the violation thereof, was placed on third reading.

On motion of Senator Booth the word "five" in section 1, line 3, of the printed bill, was stricken and the word "three" inserted in lieu thereof.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Condon, Cotterill, Graves, Gunn, Hunter, Jones, Kennedy, McGowan, McGregor, Minkler, Nichols, Paulhamus, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Sumner, Veness, Watson, Williams—30.

Those voting nay were: Senators Brown, Davis, Eidemiller, Kline, Pauly, Rands and Smith—7.

Those absent or not voting were: Senators Hutson, Knickerbocker, Metcalf, Piper and Pogue—5.

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

Senate bill No. 41, An act compelling railroads to fence their rights-of-way and to protect the owners of stock injured by moving railway trains, etc., was placed on third reading.

Senator Cotterill moved to amend the bill by inserting after the word "steam" in section 3, line 1 of the printed bill, the words "or electric."

The amendment was adopted.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Watson, Williams—36.

Those voting nay were: Senator Veness—1.

Those absent or not voting were: Senators Knickerbocker, Metcalf, Piper, Pogue and Sumner—5.

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

SPECIAL ORDER.

The hour of 11 o'clock a. m. having arrived, House bill No. 282, substitute for Senate bill No. 167, An act to create the county of Grays Harbor, etc., was placed on third reading.

Senator Hutson was called to the chair.

Senator Davis moved to amend the bill by striking all of section 13 and substitute therefor the following:

SEC. 13. From and after the creation of the county of "Grays Harbor" from the county of Chehalis, the Honorable Mason Irwin, judge of the superior court of the State of Washington, for Chehalis county, shall be the judge of the superior court of the State of Washington for the counties of Grays Harbor and Chehalis, and at the general election, to be held in the year 1908, and every four years thereafter, there shall be elected in the counties of Grays Harbor and Chehalis, jointly, one superior judge.

The motion was lost.

President Coon resumed the chair.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Jones, Kline, McGowan, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Veness, Watson, Williams—32.

Those voting nay were: Senators Davis, Hutson, Kennedy, McGregor and Smith—5.

Those absent or not voting were: Senators Knickerbocker, Metcalf, Piper, Pogue and Sumner—5.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Veness, Watson, Williams—33.

Those voting nay were: Senators Hutson and McGregor—2.

Those absent or not voting were: Senators Knickerbocker, Metcalf, Piper, Pogue, Presby, Scott and Sumner—7.

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

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 73, authorizing counties which have acquired mining claims or properties for taxes, to lease the same;

Also House bill No. 40, relating to the assessment and collection of taxes in municipal corporations;

Also House bill No. 187, to amend the laws relating to trespass of sheep.

The House has passed Senate concurrent resolution No. 16 with the following amendment: Change the hour for meeting on Monday, February 25 to 10 o'clock a. m.;

Also Senate concurrent resolution No. 15, requesting the return to the Senate for amendment of House bills Nos. 74 and 78.

And the same are herewith transmitted.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

The House has passed Senate bill No. 86, in relation to estrays;

Also Senate bill No. 54, establishing a state fish hatchery on the Lyle river;

Also Senate bill No. 60, relating to the filing of plats;

Also Senate bill No. 77, for the establishment of a fish hatchery on the Lewis river;

Also Senate memorial No. 2, requesting the installation of additional light ships, light houses and fog signals;

Also Senate joint resolution No. 1, pertaining to the necessity for additional sea coast defense;

Also Senate concurrent resolution No. 15, for the ascertaining of the amount of reinsurance deducted from premiums received by the several insurance companies doing business in the state since 1895;

Also Senate bill No. 309, substituted for House bill No. 150, for the regulation of the sale of cigarettes;

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

GENERAL FILE.

Senate bill No. 198, An act to amend section 1 of an act entitled "An act requiring persons, railroad companies or corporations to so adjust, fill, block and securely guard the frogs, switches and guard rails on their roads as to protect and prevent injury to employes and other persons, etc.," was placed on third reading.

On motion of Senator Paulhamus the bill was amended by striking all after the word "language" in section 1, line 11 of the printed bill, being "or employ any person or persons as locomotive engineer who has not had at least three years experience as locomotive fireman."

Senator Ruth moved to strike the word "write" in line 11, section 1, of the printed bill.

The motion was lost.

Senator Scott moved to strike the word "running" in lines 9 and 10 of the printed bill and insert in lieu thereof the word "built."

The motion was lost.

On motion of Senator Graves the words "running through or" in lines 9 and 10 of the printed bill were stricken, and the word "operating" substituted therefor.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Scott, Smith, Stevenson, Watson, Williams—31.

Those voting nay were: Senator Ruth—1.

Those absent or not voting were: Senators Booth, Gunn, Hunter, Hutson, Knickerbocker, Metcalf, Pogue, Piper, Sumner and Veness—10.

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

Unanimous consent was given at this time to reconsider the vote by which House bill No. 74 passed the Senate, and the vote was reconsidered and bill again placed on third reading.

On motion of Senator Rands the bill was amended by striking the word "six" in section 8, line 2 of the printed bill and inserting in lieu thereof the word "seven."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Ruth, Smith, Stevenson, Watson, Williams—32.

Those absent or not voting were: Senators Allen, Hunter, Knickerbocker, Metcalf, Piper, Pogue, Rosenhaupt, Scott, Sumner and Veness—10.

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 all bills passed by the Senate were ordered transmitted to the House immediately.

Unanimous consent was given to reconsider the vote by which Senate bill No. 172 failed to pass the Senate, at this time, and the vote was reconsidered.

On motion of Senator Williams Senate bill No. 172 was made a special order for 3:00 o'clock p. m. Monday next.

Senate bill No. 25, An act relating to express companies, providing for delivery within the limits of incorporated cities or towns, etc., was placed on third reading.

On motion of Senator Cotterill the following amendments were made in the printed bill:

Amend section 1, line 1, by inserting after the word "doing" the word "a."

Also after the word "business" the words "of not less than \$6,000 a year."

Section 1, by changing the period after the final word "maintained" to a comma and adding "or where the address of the consignee is not known or by the exercise of reasonable diligence could not be ascertained by the express company: *And provided further*, That express companies may make special rates for any classes of shipments which shall specifically exclude the delivery of same."

Senator Jones, president *pro tem.*, was called to the chair.

The bill was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Graves, Hutson, Jones, Kline, McGowan, McGregor, Minkler, Paulhamus, Pauly, Polson, Potts, Presby, Watson—20.

Those voting nay were: Senators Cotterill, Davis, Gunn, Rands, Reed, Ruth, Stevenson, Veness and Williams—9.

Those absent or not voting were: Senators Allen, Eidemiller, Hunter, Kennedy, Knickerbocker, Metcalf, Nichols, Piper, Pogue, Rosenhaupt, Scott, Smith and Sumner—13.

MESSAGES TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

The speaker has signed Senate bill No. 46, an act to provide for state depositaries;

Also House bill No. 62, relating to the offense of unlawful enticement;

Also House bill No. 157, providing for the repair of certain parts of the capitol building;

Also House bill No. 6, prohibiting owners of ditches or canals from allowing noxious weeds to go to seed on the banks thereof;

Also House bill No. 81, amending the law relating to the duties of guardians;

Also House bill No. 78, providing a method for the assessment and collection of an excise tax from private car companies;

And the same are herewith transmitted.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

The House has passed Senate bill No. 97, entitled, "An act relating to the salaries of the judges of the supreme and superior courts," with the following amendments:

Amend the title to read as follows: "An act relating to the salaries of the judges of the supreme court."

Strike out all of section 1 after the word "dollars" in line 2 of the original and printed bills.

Also Senate bill No. 148, granting additional authority to cities of the first class in certain cases, with the following amendment:

In section 1, line 3 of printed bill, same being line 4 of original, strike out the phrase "in perpetuity, or."

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Condon the Senate concurred in House amendment to Senate concurrent resolution No. 17.

On motion of Senator Condon the Senate took a recess until 2:00 o'clock p. m.

AFTERNOON SESSION.

The Senate was called to order at 2:00 o'clock p. m. by President Coon, pursuant to adjournment.

GENERAL FILE.

Senate bill No. 196, An act for dividing all incorporated towns of the fourth class in the State of Washington into wards, and requiring councilmen to be elected to be residents of such wards, was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Condon, Cotterill, Graves, McGowan, Minkler, Paulhamus, Pauly, Piper, Stevenson—12.

Those voting nay were: Senators Anderson, Blair, Bratt, Brown, Davis, Eidemiller, Kennedy, McGregor, Polson, Rosenhaupt, Ruth, Veness, Watson, Williams—16.

Those absent or not voting were: Senators Allen, Boone, Gunn, Hunter, Knickerbocker, Metcalf, Nichols, Pogue, Potts, Rands, Reed, Scott, Smith and Sumner—14.

Senator Ruth gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 196 failed to pass the Senate.

On motion of Senator Polson, the rules were suspended and House bill No. 282, which passed the Senate today, was ordered transmitted to the House immediately.

On motion of Senator Jones Senate bill No. 148 was taken up out of order, and the Senate concurred in the House amendments by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller,

Graves, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Paulhamus, Pauly, Piper, Polson, Presby, Rands, Rosenhaupt, Ruth, Stevenson, Veness, Williams—29.

Those absent or not voting were: Senators Allen, Gunn, Hunter, Knickerbocker, Metcalf, Nichols, Pogue, Potts, Reed, Scott, Smith, Sumner and Watson—13.

The following resolution by Senator Veness was read:

WHEREAS, There is a great demand for the removal of the Soldiers' Home from Orting to some other point in the state for the reason that the present location is unfit for a home for old soldiers; and,

WHEREAS, It is claimed that to make the present home habitable will require a large appropriation; therefore be it

Resolved by the Senate, That the Appropriations and Military Committees be authorized to visit the Soldiers' Home at Orting, and that said committee be allowed expenses, not to exceed fifty (\$50.00) dollars for the entire committee, to be paid as other expenses of the Senate are paid.

The resolution was adopted.

On motion of Senator Graves, Senate bill No. 97 was taken up out of order to consider the amendments made by the House.

Senator Graves moved that the Senate do not concur in the House amendments, and that the House be requested to recede.

Senator Condon moved as a substitute for motion of Senator Graves, that the Senate do concur in the House amendments.

Senator Graves moved as a substitute for the substitute motion of Senator Condon, that the bill be made a special order for 2:30 o'clock p. m. Monday next.

The motion was adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 77, entitled, "An act to establish a state fish hatchery on Lewis river, or some of its tributaries;"

Also Senate bill No. 54, an act to establish a state fish hatchery on Lyle river;

Have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

LINCOLN DAVIS, *Chairman.*

We concur in this report: R. W. CONDON, ROBT. F. BOOTH.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

The speaker has signed House bill No. 233, an act relating to the law department of the state library, and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 150, an act to amend the Code of Public Instruction, 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.

WALTER J. REED, *Chairman.*

We concur in this report: A. W. ANDERSON, GEO. A. KENNEDY, H. S. MCGOWAN.

On motion of Senator Reed the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 185, entitled, "An act providing for the holding of examinations for state certificates and life diplomas in the State of Washington, and repealing all laws 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.

WALTER J. REED, *Chairman.*

We concur in this report: A. W. ANDERSON, GEO. A. KENNEDY, H. S. MCGOWAN.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 51, entitled, "An act to amend an act authorizing the establishment of public libraries in 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 section 1, line 1 of the printed bill strike the figures "7739," insert in lieu thereof the figures "981;" in the same line, after the word "Ballinger's," insert the word "Annotated;" add an "s" to the word "Code;" after the word "Codes" insert the following: "and Statutes of Washington."

In section 2, line 1 of the printed bill strike the figures "7742," insert in lieu thereof the figures "984;" in the same line after the word "Ballinger's " insert the word "Annotated;" add an "s" to the word "Code;" after the word "Codes" insert the following: "and Statutes of Washington;" in the same section, line 3, strike the word "act," insert in lieu thereof the word "chapter."

WALTER J. REED. *Chairman.*

We concur in this report: A. W. ANDERSON, GEO. A. KENNEDY, H. S. MCGOWAN.

On motion of Senator Reed the report of the committee was adopted.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 102, entitled, "An act to enable cities of the first, second and third 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," 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 line 1, title of the printed bill, after the word "class" insert the words "and having a population of over fifteen hundred inhabitants."

In lines 1, section 1 of the printed bill, after the word "classes" insert the word "and other cities having a population of over fifteen hundred inhabitants." In line 3 of said section, after the word "lands" strike the comma. In line 4 of said section strike the words "garbage crematories and destructors."

In line 13 of said section, after the word "sewers" insert the following: "garbage crematories and destructors and dumping grounds for the destruction, deposit or burial of dead animals, manure, dung, rubbish and other offal."

In line 3, section 3, of the printed bill, strike the word "private." In lines 6 and 7 of said section strike the quotation marks.

In line 4, section 9 of the printed bill, after the word "improvement," strike the period, substitute a colon therefor and add the following: "*Provided*, That the person so appointed shall not be in the employ of such city."

In lines 1 and 2, section 10, of the printed bill, strike the words "or damaged." In line 2 of said section strike the words "shall include in their verdict" and substitute therefor the word "add to their finding of the value of the land taken." In line 5 of said section strike the words "on the premises." In line 5 of said section, strike the word "thereof" and substitute therefor the word "of the land." In line 6 of said section, strike the words "if a part be taken."

In line 8, section 12, of the printed bill, strike the word "hereinafter" and substitute the word "herein" therefor.

In line 3, section 15 of the printed bill, strike the word "or damaged." In line 6 of said section strike the word "or damaged" and substitute therefor the words "and in all cases the damages found in respect to lands or property not taken."

In line 5, section 17, of the printed bill, strike the words "into court" and substitute the word "or paid into court" therefor.

In lines 6, 7 and 8 of section 20 of the printed bill, strike the words "shall refer said proceedings for assessment to a board of eminent domain commissioners of such city, to be appointed as hereinafter provided" and substitute therefor the words "if there be a board of eminent domain commissioners of such city, appointed under the provisions of this act, said proceeding for assessment shall be referred to said board."

Insert section 21 as follows: "Sec. 21. At any time after the taking effect of this act, any such city may petition the superior court of the county in which said city is situated, that a board of eminent domain commissioners be appointed to make assessments in all condemnation proceedings instituted by such city. Said superior court shall thereupon, by order duly entered in its records, appoint three competent persons as commissioners who shall be known as and who shall constitute the board of eminent domain commissioners of the city of _____, and who shall thereafter make assessments in all condemnation proceedings instituted by such city. The order of the court shall provide that one of the members of such board shall serve for one year, one for two years and one for three years, from the date of their appointment and until their successors are appointed and qualified. Annually thereafter, said superior court shall appoint one such person as such commissioner, whose term shall begin on the same day of the month on which the first order of appointment was made and continue for three years thereafter and until his successor is appointed and qualified. If any commissioner shall be disqualified in any proceeding by reason of interest, or for any other reason, said superior court shall appoint some other competent person to act in his place in such proceeding."

In line 81, section 22, of the printed bill, after the word "comptroller" insert the words "or city clerk."

After section 46, add section 47 to the printed bill, as follows: Sec. 47. If any street, avenue, or alley, or the right to use and control the same for purposes of public travel, shall belong to any city and such city shall establish a grade therefor, which grade requires any cut or fill, damaging abutting property, the damages to arise from the making of such grade may be ascertained in the manner provided in this act; but such city may provide that the compensation to be made for such damage, together with the accruing costs shall be added to the cost of the labor and material necessary for the grading thereof, and shall be paid by assessment upon the property within the local assessment district defined by law or the charter or ordinances of such city in the same

manner and to the same extent as other expenses of such improvement are assessed and collected. In such cases it shall not be necessary to procure the appointment of commissioners to take the other proceedings herein provided for making such assessments, but all the proceedings for the assessment and collection of such damages and costs, shall, if so ordained by such city, be governed by the charter provisions, law or ordinances in force in such city for the assessment and collection of the cost of such improvements upon property locally benefited thereby: *Provided, however,* That this section shall apply only to the original grading of such street, avenue or alley."

Make section 47 of the printed bill section 48.

Make section 48 of the printed bill section 49.

Make section 49 of the printed bill section 50.

Make section 50 of the printed bill section 51.

Make section 51 of the printed bill section 52.

Make section 52 of the printed bill section 53.

Make section 53 of the printed bill section 54.

Strike section 54 of the printed bill.

WILL G. GRAVES, *Chairman.*

We concur in this report: E. M. RANDS, T. A. HUNTER, ROBT. F. BOOTH, HARRY ROSENHAUPT, CHAS. T. HUTSON.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred substitute House bill No. 65, entitled, "An act to provide for the apprehension, trial, treatment and control of delinquent children under the age of seventeen years," etc., 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:

In line 1 of the title of the printed bill, strike the words "to provide for" and substitute therefor the words "relating to." In line 2 of said title, after the figures "1905" strike the remainder of said title.

In lines 1, 2 and 3 of section 1 of the printed bill, strike the words "entitled 'An act to provide for the apprehension, trial, treatment and control of delinquent children under the age of seventeen years,' approved February 15, 1905." In line 7 of said section, before the word "act" strike the word "the" and substitute the word "this" therefor. In line 7 of said section strike the words "of which this act is amendatory."

Strike section 2 of the printed bill.

Make section 3 section 2.

In lines 1, 2 and 3, section 3 of the printed bill, strike the words "entitled 'An act to provide for the apprehension, trial, treatment and control of delinquent children under the age of seventeen years,' approved February 15, 1905." In line 4 of said section strike the figures

"16" and substitute the figures "15" therefor, in each place where it occurs in said line.

Strike section 4 of the printed bill.

WILL G. GRAVES, *Chairman.*

We concur in this report: E. M. RANDS, T. A. HUNTER, ROBT. F. BOOTH, HARRY ROSENHAUPT, CHAS. T. HUTSON.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 192, entitled, "An act to provide for the indeterminate sentence of persons convicted of certain felonies, for the termination of such sentence and the release of such persons," 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 line 2 of the title of the printed bill, after the word "persons" insert the word "and." In line 2 of said title, before the word "board" insert the word "state." In line 3 of said title strike the words "and repealing all acts and parts of acts in conflict herewith."

In line 12, section 1 of the printed bill, after the word "months" strike the comma and insert the words "nor more than five years."

In line 1, section 2 of the printed bill, before the word "board" insert the word "state."

In line 8, section 5 of the printed bill, strike the words "with the seal of the penitentiary attached thereto." In line 14 of said section, strike the words "also for" and substitute therefor the word "at."

In line 11, section 6 of the printed bill, after the word "secretary" strike the comma and substitute a period therefor. In lines 11 to 14 of said section, strike the words "with the seal of the penitentiary, and sent to the judge of the court that sentenced said prisoner to the penitentiary. Said judge shall enter an order for the final discharge of" said prisoner from further liability under his sentence."

In line 14 of said section, strike the words "said order shall constitute" and substitute the words "he shall receive" therefor. In lines 14 and 15 of said section, strike the words "of said prisoner."

In line 1, section 7 of the printed bill, strike the words "or release." In line 5 of said section, after the word "served" strike the comma and substitute a period therefor, and strike the remainder of said section and substitute the following: "If any prisoner while at large upon parole shall commit the crime of treason or murder in the first degree he shall be punished as provided by law and conviction thereof shall terminate his former sentence. Any prisoner who while at large upon parole shall commit any other felony shall upon conviction thereof be

sentenced to the penitentiary as provided herein. Such sentence shall not be cumulative but shall be added to his former sentence and commence to be served at the expiration of his former sentence."

Strike section 9 of the printed bill.

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. RANDS, T. A. HUNTER, ROBT. F. BOOTH, HARRY ROSENHAUPT, CHAS. T. HUTSON.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill 22, entitled, "An act amending section 5994 of Ballinger's Annotated Codes and Statutes of Washington, relating to admissibility in evidence of testimony of persons under certain relations," 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:

In section 1 of the printed bill, strike lines 16 to 21, inclusive, and substitute therefor the following: "4. No physician or surgeon shall, without the consent of his patient, be examined in a civil action as to any communication made by such patient for the purpose of enabling such physician to prescribe or act for the patient, but he may give testimony relative to the actual condition of his patient as disclosed to him by personal observation and examination of such patient."

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. RANDS, T. A. HUNTER, ROBT. F. BOOTH, HARRY ROSENHAUPT, CHAS. T. HUTSON.

On motion of Senator Graves the report of the committee was adopted.

COMMUNICATION FROM THE GOVERNOR.

Major A. N. Brown, secretary to the Governor, delivered the following communication from the Governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 21, 1907.

To the Honorable, the Senate of the State of Washington:

GENTLEMEN: I have this day approved the following bills:

Senate bill No. 17, entitled, "An act relating to the public school system of the State of Washington, amending sections 75, 78, 89, 97 and 98 of chapter 118 of the Session Laws of 1897, approved March 19, 1897."

Senate bill No. 63, entitled, "An act relating to the criminal insane, their trial, commitment and custody."

ALBERT E. MEAD, *Governor*.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 247, entitled, "An act amending section 10 of an act entitled, 'An act to provide for the appointment, qualification and duties of notaries public, certifying their official acts, and declaring an emergency to exist,' approved December 21, 1889," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

WILL G. GRAVES, *Chairman.*

We concur in this report: E. M. RANDS, T. A. HUNTER, ROBT. F. BOOTH, HARRY ROSENHAUPT, CHAS. T. HUTSON.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 155, entitled, "An act to authorize civil actions for the recovery of damages arising from newspaper publications negligently made," 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.

WILL G. GRAVES, *Chairman.*

We concur in this report: E. M. RANDS, T. A. HUNTER, ROBT. F. BOOTH, HARRY ROSENHAUPT, CHAS. T. HUTSON.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Surgery, and Hygiene, to whom was referred engrossed House bill No. 91, entitled, "An act relating to the prevention of pollution of public water supplies used for domestic purposes," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

C. G. BROWN, *Chairman.*

We concur in this report: ROBT. F. BOOTH.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Surgery and Hygiene, to whom was referred House bill No. 92, entitled, "An act for the prevention of the spread of contagious diseases," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

C. G. BROWN, *Chairman*.

We concur in this report: ROBT. F. BOOTH.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Surgery and Hygiene, to whom was referred Senate bill No. 170, entitled, "An act to amend section 1 of an act entitled 'An act relating to the State Board of Health,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

C. G. BROWN, *Chairman*.

We concur in this report: ROBT. F. BOOTH.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 168, entitled, "An act creating a state road in Cowlitz and Skamania counties, 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 be referred to the Committee on Appropriations.

E. C. BRATT, *Chairman*.

We concur in this report: A. W. ANDERSON, W. H. PAULHAMUS, R. L. KLINE, A. GUNN, ALEX. POLSON, S. T. SMITH, R. MCGREGOR, A. S. RUTH.

On motion of Senator Bratt the report of the committee was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 128, authorizing the employment of prisoners in county jails:

Also House bill No. 152, to provide for the assessment of the operating properties of railroads.

LEO O. MEIGS, *Clerk of the House*.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred House bill No. 130, entitled, "An act relating to the withdrawal of joint account deposits in banks or trust companies, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. M. BOONE, *Chairman*.

We concur in this report: C. G. BROWN, W. H. PAULHAMUS, T. A. HUNTER, R. W. CONDON, S. T. SMITH, A. S. RUTH.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, a majority of your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 112, entitled, "An act to provide for annexating certain territory to a neighboring county," 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.

A. W. ANDERSON, *Chairman*.

We concur in this report: H. M. BOONE, FRED EIDEMILLER, P. MCGREGOR, A. GUNN.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, a minority of your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 112, entitled, "An act to provide for annexating certain territory to a neighboring county," 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.

We concur in this report: JOHN L. BLAIR.

Senator Boone moved that the majority report be adopted.

Senator Blair moved as a substitute for motion of Senator Boone, that the minority report be adopted.

The motion was lost.

The report of the majority was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 147, entitled, "An act relating to county commissioners," have had the same under consideration, and we respect-

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

A. W. ANDERSON, *Chairman*.

We concur in this report: H. M. BOONE, FRED EIDEMILLER, P. MCGREGOR, A. GUNN, JOHN L. BLAIR.

On motion of Senator Anderson the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 253, entitled, "An act relating to the place of holding meetings of stockholders and trustees of corporations of this state," 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.

LINCOLN DAVIS, *Chairman*.

We concur in this report: R. W. CONDON, FRED M. PAULY, P. L. ALLEN.

On motion of Senator Davis the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Surgery and Hygiene, to whom was referred engrossed House bill No. 93, entitled, "An act to provide a system of registration of births and deaths," 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 line 8 of section 7 of the printed bill, beginning with the word "provided" strike balance of section.

C. G. BROWN, *Chairman*.

We concur in this report: ROBT. F. BOOTH.

On motion of Senator Brown the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on State Granted School and Tide Lands, to whom was referred Senate bill No. 158, entitled, "An act extending the time for the removal of timber sold on state lands," 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.

ALEX. POLSON, *Chairman*.

We concur in this report: P. L. ALLEN, R. L. KLINE, WILL G. GRAVES, P. MCGREGOR, S. T. SMITH, H. S. MCGOWAN.

On motion of Senator Polson the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 139, entitled, "An act creating a state highway board and the office of highway commissioner, fixing his compensation, duties," 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:

AMENDMENTS TO SENATE BILL NO. 139.

Section 1, line 6 of the printed bill, strike out the figures "\$1,500" and insert in lieu thereof the figures "\$1,200."

Section 1, line 11 of the printed bill, after the word "board" strike out all the remainder of the line, and insert a period after the word "board."

Section 5, add the following: "He shall also have authority to employ one expert draughtsman at a salary of \$1,800 per year, such salary to be paid out of the state highway fund."

Section 6, add the following: "Provided that the cost of such right of way shall be borne by the county in which it is situated."

Section 7, line 10 of the printed bill, insert the word "surety" between the word "a" and "bond."

Section 7, line 14, strike out the words "a reasonable time," and insert in lieu thereof the words "ten days."

Section 9, add the following: "The word "road" in this act shall be deemed to include all tunnels, culverts, and bridges built by, or with aid from the state used for highway purposes."

Section 10, strike out all of section 10 and insert in lieu thereof the following: "All expenses of the state highway commissioner's office including salary, office expenses, traveling expenses, and all expenses of the highway board shall be paid out of the state highway fund."

Insert the following sections to be designated as section 11 and 12:

"SEC. 11. In addition to his other powers and duties, the state highway commissioner shall compile statistics relative to the public highways throughout the state, and shall collect all information in regard thereto deemed expedient. He shall investigate and determine upon various methods of road construction adapted to different sections of the state, and as to the best methods of construction and maintenance of roads and bridges, and such other information relating thereto as he shall deem appropriate. He may be consulted at all reasonable times by county officers having care and authority over highways and bridges, and shall advise such officers relative to the construction, repair, altering or maintenance of the same; and shall furnish such other information and advice as may be requested by persons interested in the con-

struction and maintenance of public highways, and shall at all times, lend his aid in promoting highway improvement throughout the state. He shall co-operate with all highway officers and shall assist county authorities, and, when requested by them, furnish them with plans and directions for the improvement of the public highways and bridges."

"SEC. 12. The road supervisors and the county commissioners of any county, and all other officers who now have or may hereafter have by law the care and supervision of the public highways and bridges shall, from time to time, upon the written request of the state highway commissioner, furnish him with all available information in connection with the building and maintenance of the public highways and bridges in their respective localities."

Change the number of section 11 to number 13, and change section 12 to section 14.

E. C. BRATT, *Chairman*.

We concur in this report: A. W. ANDERSON, W. H. PAULHAMUS, R. L. KLINE, A. S. RUTH, S. T. SMITH, ALEX. POLSON, A. GUNN, PETER MCGREGOR.

On motion of Senator Bratt the report of the committee was adopted.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASHINGTON, February 21, 1907.

We, your Committee on Appropriations, to whom was referred Senate bill No. 206, entitled, "An act for the relief of George W. Rowan 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.

J. A. VENESS, *Chairman*.

We concur in this report: ALEX. POLSON, HARRY ROSENHAUPT, W. H. PAULHAMUS, FRED M. PAULY, R. W. CONDON, J. R. STEVENSON.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASHINGTON, February 21, 1907.

We, your Committee on Appropriations, to whom was referred Senate bill No. 205, entitled, "An act relating to the Fish Commissioner, his duties and the superintendent of hatcheries," 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 9 of section 6 of the printed bill, strike the words "two thousand five hundred" and insert in lieu thereof the words "two thousand four hundred."

In line 18 of section 6 of the printed bill, after the word "annum," strike quotation mark and the remainder of the section.

J. A. VENESS, *Chairman*.

We concur in this report: ALEX. POLSON, HARRY ROSENHAUPT, W. H. PAULHAMUS, FRED M. PAULY, R. W. CONDON, J. R. STEVENSON.

On motion of Senator Veness the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 293, entitled, "An act to amend the Military Code 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 be placed on general file.

J. A. VENESS, *Chairman*.

We concur in this report: ALEX. POLSON, HARRY ROSENHAUPT, W. H. PAULHAMUS, FRED M. PAULY, R. W. CONDON, J. R. STEVENSON.

On motion of Senator Veness the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 131, entitled, "An act creating a commission to revise and recodify the Code of Public Instruction of the State of Washington, defining its powers and duties, and making an appropriation for the payment of its actual and necessary expenses," 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 Committee on Education.

J. A. VENESS, *Chairman*.

We concur in this report: ALEX. POLSON, HARRY ROSENHAUPT, W. H. PAULHAMUS, FRED M. PAULY, R. W. CONDON, J. R. STEVENSON.

On motion of Senator Veness the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 320, entitled, "An act appropriating the sum of \$42,142.75 from the state highway fund to complete contracts now in force on state roads," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman*.

We concur in this report: ALEX. POLSON, HARRY ROSENHAUPT, W. H. PAULHAMUS, FRED M. PAULY, R. W. CONDON, J. R. STEVENSON.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on State School and Granted Lands (joint committee), to whom was referred Senate bill No. 105, entitled, "An act for the relief of Andrew Eskkola, 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.

ALEX. POLSON, *Chairman*.

We concur in this report: WILL G. GRAVES, GEORGE U. PIPEE, H. S. MCGOWAN, R. L. KLINE, J. A. VENESS, P. MCGREGOR.

On motion of Senator Polson the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

We, your Committee on Dairy and Live Stock, to whom was referred House bill No. 245, entitled, "An act to define the practice of veterinary medicine, surgery and dentistry in the State of Washington; to regulate the same and to provide penalties for a 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 with the following amendment:

In line 2 of section 15 of the printed bill, after the word "castrate" insert the words "or spay."

PETER MCGREGOR, *Chairman*.

We concur in this report: H. M. BOONE, E. C. BRATT.

On motion of Senator McGregor the report of the committee was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 265, by Senator Blair, entitled, "An act to provide a penalty for the failure of corporations to file lists of officers with the county auditors in the county of their principal place of business, as required by the act of March 20, 1895, being sections 4259 and 4260 of Ballinger's Annotated Codes and Statutes of Washington; and also to require such lists to be filed in the office of the Secretary of State in the same manner and under the same penalties as are herein prescribed."

The bill was read the first time, and on motion of Senator Blair 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. 266, by Committee on Appropriations, entitled, "An act providing for the distribution and expenditure of moneys received from forest reserves."

The bill was read the first time, and on motion of Senator Watson the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

House bill No. 309, substitute for House bill No. 150, by Committee on Public Morals, entitled, "An act to regulate and in certain cases prohibit the manufacture, sale, keeping for sale, owning or giving away of cigarettes, cigarette paper, cigarette wrappers, and other substitutes for the same, providing penalties for the violation thereof and repealing all laws in conflict therewith."

The bill was read the first time, and on motion of Senator Blair the rules were suspended, the bill was read the second time by title, and placed on general file.

The president signed House bills Nos. 78, 81, 6, 157, 62, 233 and Senate bills Nos. 54 and 77.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 125, An act for the organization, classification, incorporation and government of municipal corporations;

Also Senate bill No. 194, An act relating to the organization and powers of corporations other than those formed for the purpose of profit;

Also Senate bill No. 213, 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, etc., have compared same with the original bill and find them correctly engrossed.

Respectfully submitted,

FRED M. PAULY, *Chairman.*

We concur in this report: A. W. ANDERSON, A. S. RUTH.

On motion of Senator Condon Senate bill No. 139 was ordered reprinted as amended.

The president appointed to serve under House concurrent resolution No. 14, Senators Jones of Pierce, McGregor of Whitman, Cotterill of King and Hutson of Franklin, Walla Walla and Adams counties.

Senator Piper moved that House bill No. 292, amended by the Joint Military Committee be taken up out of order and considered at this time.

The motion was withdrawn.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 15, providing for an investigation of the cost of legislative printing, and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Jones, the Senate concurred in House concurrent resolution No. 15, in regard to legislative printing.

On motion of Senator Condon the Senate adjourned at 3:25 o'clock p. m. in accordance with Senate concurrent resolution No. 17.

J. W. LYSONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.

FORTY-THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, February 25, 1907.
10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m., by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The Secretary called the roll, the following members being present: Senators Allen, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Hunter, Hutson, Kennedy, Kline, Pauly, Piper, Polson, Presby, Rosenhaupt, Ruth, Stevenson, and Veness.

The President announced that a quorum was not present, and on motion of Senator Condon the Senate adjourned until 11:00 o'clock.

The Senate was called to order at 11:00 o'clock a. m., by President Coon, pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Eidemiller, excused, Gunn, excused, Pogue, excused, Metcalf, excused, and Nichols, excused.

On Motion of Senator Reed the reading of yesterday's journal was dispensed with, and it was approved.

Numerous petitions for the direct primary law were received and referred to Committee on Election and Privileges.

Communications were received protesting against the bill to repeal the Sunday closing law, and referred to the Committee on Judiciary.

A communication was received from the Secretary of State as follows:

THE STATE OF WASHINGTON. DEPARTMENT OF STATE,
OFFICE OF THE SECRETARY,
OLYMPIA, February 25, 1907.

Hon. Charles E. Coon, President of Senate:

SIR:—I have the honor to enclose herewith a copy of the House Joint Memorial No. 2, adopted by the House of Representatives of the 24th Legislature Assembly of the State of Oregon, Jan. 28th, 1907, and concurred in by the Senate, Feb. 4th, 1907, relating to the election of United States Senators by the direct votes of the people.

A request was made by the Secretary of State of the State of Oregon that I transmit the same to the Legislative Assembly of this State.

Very respectfully,

SAM H. NICHOLS, *Secretary of State.*

HOUSE JOINT MEMORIAL NO. 2.

WHEREAS, there is a general demand by the people of the United States and of the State of Oregon for the election of United States Senators by the direct vote of the people:

Therefore, Be it Resolved, by the House of Representatives of the State of Oregon, the Senate concurring, that it is the sense of the people of this State that United States Senators should be elected by the direct vote of the people, and that the Congress of the United States is hereby memorialized to propose an amendment to the constitution of the United States, providing for the election of United States Senators by the direct vote of the people, and to submit the same to conventions in the several states of the United States, called for the purpose, for ratification.

Be it Further Resolved, that a copy of this memorial be sent to the Senate and House of Representatives of the United States, in Congress

assembled, and to the legislatures of the several states of the Union by the Secretary of State.

Adopted by the House, January 28, 1907.

FRANK DAVEY, *Speaker of the House.*

Concurred in by the Senate, February 4, 1907.

E. W. HAINES, *President of the Senate.*

(ENDORSED)

House Joint Memorial No. 2.

W. LAIR THOMPSON, *Chief Clerk.*

Filed February 5, 1907.

F. W. BENSON, *Secretary of State.*

UNITED STATES OF AMERICA.

STATE OF OREGON, OFFICE OF THE SECRETARY OF STATE.

I, F. W. BENSON, Secretary of State of the State of Oregon, and Custodian of the Seal of said State, do hereby certify: that the annexed page contains a full, true and complete copy of House Joint Memorial No. 2, adopted by the House of Representatives of the State of Oregon January 28, 1907, and concurred in by the Senate of the State of Oregon February 4, 1907; original of which Memorial was filed in this office February 5, 1907.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the Capitol at Salem, Oregon, this 5th day of February, A. D. 1907.

[SEAL]

F. W. BENSON, *Secretary of State.*

On motion of Senator Cotterill the communication was referred to the Judiciary Committee in order that they might draw up a similar resolution to present to this Legislature.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 41, An act compelling railroads to fence their rights-of-way and to protect the owners of stock injured by moving railway trains, declaring a law of negligence with regard to stock injured by railway trains.

Senate bill No. 82, An act relating to and requiring the publication by railway companies of schedules showing the time of arrival and departure of trains, providing a penalty for the violation thereof.

Senate bill No. 198, An act requiring persons, railroad companies or corporations to so adjust, fill, block and securely guard the frogs, switches and guard rails on their roads as to protect and prevent injury to employes and other persons.

Senate bill No. 207, An act relating to the State Board of Equalization and defining its duties.

Senate bill No. 22, An act relating to admissibility in evidence of testimony of persons under certain relations.

Senate bill No. 205, An act relating to Fish Commissioner and declaring an emergency.

Have compared same with the original bills and find it correctly engrossed.

Respectfully submitted,

A. W. ANDERSON, *Chairman.*

We concur in this report: A. S. Ruth, Fred M. Pauly.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 21st, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation to whom was referred House bill No. 340, entitled, "An act relating to assessment and taxation of bank stock, 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. SUMMER, *Chairman.*

We concur in this report: Alex Polson, J. A. Veness, R. L. Kline, Geo. F. Cotterill, Fred M. Pauly, E. M. Rands.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 179, entitled, "An act amending section 6 of an act to provide for the alteration, replat or vacation of any townsite, city plat or plats, addition or additions, or parts thereof, and the assessment, collection and payment of any damages connected therewith," etc., 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:

In line 1, title of the printed bill, strike the words "amending section 6 of an act to provide for" and substitute the words "relating to" therefor. In line 3 of said title, after the word "therewith" strike the semi-colon and the remainder of said title and substitute therefor the words "and amending section 6 of chapter 92 of the Laws of 1903."

In lines 1 to 4 of section 1 of the printed bill, strike the words "an act entitled, 'An act to provide for the alteration, replat or vacation of any townsite, city plat or plats, addition or additions, or parts thereof, and the assessment, collection and payment of damages connected therewith,' approved March 14th, 1903," and substitute therefor the words "chapter 92 of the Laws of 1903."

In line 9 of said section, after the word "but" insert the words "upon the entry of an order for such vacation and the filing thereof with the county auditor."

WILL G. GRAVES, *Chairman*.

We concur in this report: I. B. Knickerbocker, E. M. Rands, T. A. Hunter, Robt. F. Booth, Harry Rosenhaupt, Chas. T. Hutson.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 28, entitled, "An act to amend section 2 of 'An act to amend sections 1362 and 1394 of Ballinger's Annotated Codes and Statutes of Washington, relating to elections,' approved February 27, 1905," etc., 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:

Strike the title of the printed bill and substitute therefor the following: "An act relating to elections and amending section 1394 of Ballinger's Annotated Codes and States of Washington."

In line 1, section 1 of the printed bill, strike the words and figures "2 of 'An act to amend sections 1362 and'." In line 2 of said section strike the words "the State." In lines 2, 3 and 4 of said section, strike the words "relating to elections," approved February 27, 1905, the same being section 1394 of Ballinger's Annotated Codes and Statutes of the State of Washington."

WILL G. GRAVES, *Chairman*.

We concur in this report: I. B. Knickerbocker, E. M. Rands, T. A. Hunter, Robt. F. Booth, Harry Rosenhaupt, Chas. T. Hutson.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 224, entitled, "An act to repeal sections 25 and 26 of chapter 69 of the Session Laws of 1891, approved March 2, 1891, entitled, 'An act defining certain crimes and declaring their punishment and amending the Code of 1881 and certain statutes in relation to the same subject,'" etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the bill herewith transmitted be substituted therefor and that the same be placed on general file.

WILL G. GRAVES, *Chairman*.

We concur in this report: I. B. Knickerbocker, E. M. Rands, T. A. Hunter, Robt. F. Booth, Harry Rosenhaupt, Chas. T. Hutson.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 243, entitled, "An act to amend section 111 of the Code of Public Instruction," etc., 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 referred to the Committee on Education:

Strike the title of the printed bill and substitute the following: "An act relating to the levying of taxes for school purposes, and amending section 111 of chapter 118 of the Session Laws of 1897."

In lines 1 to 5 of the printed bill, strike the words and figures "of the Code of Public Instruction, approved March 19, 1897, as amended by 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 5, 6, 8, 10, 22, 24, 37, 38, 39, 40, 71, 105, 106, 107, 108, 111, 112, 140, 156, and 177 of said act approved March 19, 1897,' be and the same is hereby," and substitute therefor the words "of chapter 118 of the Session Laws of 1897 is".

WILL G. GRAVES, *Chairman*.

We concur in this report: I. B. Knickerbocker, E. M. Rands, T. A. Hunter, Robt. F. Booth, Harry Rosenhaupt, Chas. T. Hutson.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 242, entitled, "An act relating to lotteries, prohibiting the maintenance thereof, prescribing a penalty and amending section 7259 of Ballinger's Annotated Codes and Statutes 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. Rands, T. A. Hunter, Robt. F. Booth, Harry Rosenhaupt, Chas. T. Hutson.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 23, entitled, "An act amending section 4726 of Ballinger's Annotated Codes and Statutes of Washington, the same being section 4388 of Pierce's Washington Code, relating to the appointment, qualifications, etc., of court commissioner, 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 as follows and placed on general file:

Strike the title of the printed bill and substitute therefor the following: "An act amending section 1 of an act entitled, 'An act relating to the appointment, powers and duties of superior court commissioners and declaring an emergency,' approved March 19, 1895, and declaring an emergency."

In lines 1 and 2, section 1 of the printed bill, strike the words and figures "4728 of Ballinger's Annotated Code and Statutes of Washington, same being section 4388 of Pierce's Washington Code, be and the same" and substitute therefor the words and figures "1 of chapter 83 of the Session Laws of 1895." In line 4 of said section strike the figures "4728" and substitute the figure "1" therefor. In line 4 of said section strike the word "from" and substitute the word "in" therefor.

In lines 8 of said section strike the words "and having some knowledge of law" and substitute therefor the words "a lawyer admitted to practice in the courts of this state."

In line 1, section 2 of the printed bill, strike the words "from and after its passage and approval" and substitute the word "immediately" therefor.

WILL G. GRAVES, *Chairman*.

We concur in this report: I. B. Knickerbocker, E. M. Rands, T. A. Hunter, Robt. F. Booth, Harry Rosenhaupt, Chas. T. Hutson.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 89, entitled, "An act prescribing the mode of procedure in condemnation proceedings to appropriate lands owned by the State, or in which it has an interest," 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 1 of the title of the printed bill, strike the words "prescribing the mode of" and substitute the words "relating to" therefor. In line 2 of said title strike the words "and declaring an emergency."

Strike section 2 of the printed bill and substitute therefor the following: "Sec. 2. When a decree is entered appropriating lands owned by the state, or in which it has an interest, it shall be the duty of the plaintiff to cause a certified copy of such decree to be transmitted to the state treasurer, accompanied by the amount of money fixed in said decree to be paid. The state treasurer shall issue his receipt therefor in triplicate, one to be transmitted to the plaintiff, one to the clerk of the superior court, and one to the commissioner of public lands. When the commissioner of public lands shall certify to the clerk of the superior court that the state treasurer's receipt has been received by him

and that a certified copy of the decree, accompanied by a plat showing in detail the lands appropriated, such decree shall become effective, and plaintiff authorized to enter upon said lands."

Strike section 3 of the printed bill.

WILL G. GRAVES, *Chairman.*

We concur in this report: I. B. Knickerbocker, E. M. Rands, T. A. Hunter, Robt. F. Booth, Harry Rosenhaupt, Chas. T. Hutson.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 18, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 192, entitled, "An act prohibiting the publication in newspapers or other papers of offensive, improper and obscene matter and providing for prosecutions therefor," 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:

In line 5, section 1 of the printed bill, strike the words "or reference to."

In line 7 of said section, strike the word "any" and substitute the word "the" therefor. After the word "crime" strike the period and add the words "of murder."

Strike subdivision 4 of said section and substitute the following: "(4) Details or accounts of the evidence given upon the trial of any person charged with the crime of murder."

Strike subdivision 5 of said section and substitute the following: "(5) Details or accounts of the evidence given upon the trial of any divorce action involving indecent or salacious matter."

In line 9 of said section strike the word "reports" and substitute the word "details" therefor, and make subdivision 5 subdivision 6.

Make subdivision 6 subdivision 7.

Make subdivision 7 subdivision 8.

In line 3, section 4 of the printed bill, italicize the word "warranto."

WILL G. GRAVES, *Chairman.*

We concur in this report: I. B. Knickerbocker, E. M. Rands, T. A. Hunter, Robt. F. Booth, Harry Rosenhaupt, Chas. T. Hutson.

On motion of Senator Graves the report of the Committee was adopted.

On motion of Senator Graves, the amendments were ordered typewritten and placed on the desks of the Senators.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 79, entitled, "An act amending sections 1336 and 1337 of Ballinger's

Annotated Codes and Statutes of Washington, relating to inspectors, judges, clerks and challengers at 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: I. B. Knickerbocker, E. M. Rands, T. A. Hunter, Robt. F. Booth, Harry Rosenhaupt, Chas. T. Hutson.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 111, entitled, "An act amending section 565 of Pierce's Washington Code relating to exemption of wages," etc., 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:

Strike the title of the printed bill and substitute therefor the following: "An act relating to exemptions and amending section 5412 of Ballinger's Annotated Codes and Statutes of Washington."

In lines 1 and 2 of section 1 of the printed bill, strike the words and figures "565 of Pierce's Washington Code, relating to exemption of wages, the same being section 1 of an act entitled 'An act amending section.'" In lines 3 and 4 of said section strike the words "relating to exemption of wages," approved March 18, 1901,". In line 4 of said section strike the figures "565" and substitute therefor the figures "5412."

In line 7 of said section, strike the word "to" and substitute the word "of" therefor.

In line 12, of said section, after the word "wages" strike the word "of" and substitute the word "or" therefor.

WILL G. GRAVES, *Chairman*.

We concur in this report: I. B. Knickerbocker, E. M. Rands, T. A. Hunter, Robt. F. Booth, Harry Rosenhaupt, Chas. T. Hutson.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 37, entitled, "An act relating to the taking of exceptions and to the settling and certifying of bills of exceptions and statements of fact, and amending section 17 of chapter 60 of the Session Laws of 1893," have

had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILL G. GRAVES, *Chairman*.

We concur in this report: I. B. Knickerbocker, E. M. Rands, T. A. Hunter, Robt. F. Booth, Harry Rosenhaupt, Chas. T. Hutson.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 248, entitled, "An act amending section 1 of an act 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 had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

WILL G. GRAVES, *Chairman*.

We concur in this report: I. B. Knickerbocker, E. M. Rands, T. A. Hunter, Robt. F. Booth, Harry Rosenhaupt, Chas. T. Hutson.

On motion of Senator Graves the report of the Committee was adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 86, in relation to estrays, and providing for their detention;

Also Senate bill No. 60, relating to filing of plat, and payment, assessment and collection of taxes upon the same;

Also Senate Joint Resolution No. 1, in relation to the Artillery bill, now before the National Congress;

Also Senate Joint Memorial No. 2, in relation to lights, light-houses and fog-horns on the waters of Puget Sound; have compared same with the Engrossed bill and find it correctly enrolled.

Respectfully submitted,

LINCOLN DAVIS, *Chairman*.

We concur in this report: R. W. Condon, Robt. F. Booth, P. L. Allen.

The President signed Senate Joint Resolution No. 1, Senate Joint Memorial No. 2, Senate bill No. 60, and Senate bill No. 86.

Unanimous consent was given at this time to reconsider the vote by which Senate bill No. 202 failed to pass the Senate, and on motion of Senator Stevenson the vote was reconsidered.

Unanimous consent was given at this time to reconsider the vote by which Senate bill No. 218, substitute for Senate bill No. 83, failed to pass the Senate, and the vote was reconsidered.

On motion of Senator Sumner the bill was referred to Committee on Judiciary for amendment.

GENERAL FILE.

Senate bill No. 159: An act relating to escheats, was placed on third reading.

Senator Stevenson moved to amend the bill by striking the word "eighteen" in line 2, section 2, of the printed bill and insert in lieu thereof the words "thirty-six."

The motion was withdrawn.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Hutson, Kennedy, Kline, McGregor, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—31.

Those absent or not voting were: Senators Eidemiller, Gunn, Hunter, Jones, Knickerbocker, McGowan, Metcalf, Nichols, Pogue, Presby, and Scott—11.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 21, 1907.

MR. PRESIDENT:

The speaker has signed Senate bill No. 54 to establish a state fish hatchery on the Lyle river;

Also Senate bill 77 to establish a state fish hatchery on the Lewis river;

Also House Memorial No. 4 praying for the opening of the Makah Bay Indian Reservation;

Also House bill No. 282 creating the county of Gray's Harbor;

Also House bill No. 73 authorizing counties which have acquired mining claims for taxes to lease the same;

Also House bill No. 40 relating to the assessment and collection of taxes in municipal corporations of the second class;

Also House bill No. 128 relating to the duty of county commissioners in regard to prisoners in county jails;
And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

The House declines to concur in Senate amendments to House bill No. 133, an act authorizing cities and towns owning any street railway line or plant to sell the same; and asks the Senate to recede; and the bill is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

The President signed Senate bills Nos. 54 and 77, House Memorial No. 4, House bills Nos. 282, 73, 40, 128.

GENERAL FILE.

On motion of Senator Kline, Senate bill No. 22 was indefinitely postponed.

On motion of Senator Cotterill, Senate bill No. 14 was ordered placed at the foot of the calendar.

On motion of Senator Rosenhaupt, Senate bill No. 105 was ordered placed at the foot of the calendar.

Senate bill No. 205: An act to amend section 1 of an act entitled, An act to amend sections 6 and 7 of an act entitled, An act for the appointment of a Fish Commissioner, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Hutson, Kennedy, Kline, McGregor, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Veness, Watson, Williams—29.

Those voting nay were: Senators Anderson and Sumner—2.

Those absent or not voting were: Senators Eidemiller, Gunn, Hunter, Jones, Knickerbocker, McGowan, Metcalf, Nichols, Pogue, Rands and Scott—11.

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

On motion of Senator Graves, Senate bill No. 170 was referred to the Judiciary Committee for the purpose of amending the title.

On motion of Senator Booth, Senate bill No. 155 was ordered placed at the foot of the calendar.

Senate bill No. 206: An act for the relief of George W. Rowan and making an appropriation therefor, was placed on third reading.

On motion of Senator Graves the Senate resolved itself into a committee of the whole to consider Senate bill No. 206.

The bill was considered in the committee of the whole, Senator Davis in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Davis the report of the committee of the whole was adopted.

On motion of Senator Davis, the rules were suspended, the reading of Senate bill No. 206, had in the committee of the whole was considered the third reading of the bill, and the bill was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Hutson, Kennedy, Kline, McGregor, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—32.

Those absent or not voting were: Senators Eidemiller, Gunn, Hunter, Jones, Knickerbocker, Metcalf, McGowan, Nichols, Pogue, Scott—10.

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

On motion of Senator Condon at 12:05 the Senate took a recess until 2:00 o'clock p. m.

AFTERNOON SESSION.

The Senate was called to order at 2:00 o'clock p. m., by President Coon, pursuant to adjournment.

The Right Rev. Bishop Keator offered prayer.

The Secretary called the roll, all members being present except Senators Hunter, excused, McGowan, excused, and Pogue, excused.

GENERAL FILE.

Senate bill No. 150: An act relating to the issuance of diplomas by the Washington State College, etc., was placed on third reading.

On motion of Senator Graves, the bill was amended by striking in section 1, line 1, the following words: "the code of public instruction of the State of Washington" and inserting in lieu thereof "chapter 118, laws of 1897."

On motion of Senator Ruth, the words "per week" were inserted after the word "work" in line 5 of the printed bill.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson—34.

Those voting nay were: Senator Williams—1.

Those absent or not voting were: Senators Booth, Hunter, Knickerbocker, McGowan, Metcalf, Pogue, Scott—7.

On motion of Senator Graves, the title of the bill was amended to read as follows: "An act relating to the issuance of diplomas by the Washington State College, and amending section 208, chapter CXVIII, laws of 1897."

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

House bill No. 97: An act providing for the amendment of section 16, article 1 of the Constitution of the State of Wash-

ington, relating to the exercise of the power of eminent domain, was placed on third reading.

On motion of Senator Graves, section 4 of the printed bill was stricken.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Mc-Gregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Steven-son, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Knickerbocker, McGowan, Hunter, Pogue and Scott—5.

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

House bill No. 90: An act regulating the keeping and deposit of public funds in banks by the several county treasurers of this state, was placed on third reading.

On motion of Senator Graves the following amendments were made:

Strike from the title of the printed bill the following: "Reg-ulating the keeping and" and insert in lieu thereof "Relating to the".

In section 2 strike all of that part of the printed bill in line 11 after the word "clerk" and all of line 12. The same being all of that part of line 18 after the word "clerk," all of line 19 and all of line 20 of the engrossed bill.

Add to section 2 the following: Provided that said deposi-tary or depositaries may deposit with the county treasurer good and sufficient municipal, county, state or United States bonds in lieu of the surety bond herein provided for.

Strike section 6 of the engrossed bill and insert in lieu there-of the following section to be numbered section 6: "The word 'bank' wherever it occurs in this act shall be construed to include all national, foreign, state and private banks and trust com-panies doing business in the state."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Kennedy, Kline, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Williams—33.

Those voting nay were: Senators Presby and Watson—2.

Those absent or not voting were: Senators Booth, Hunter, Jones, Knickerbocker, McGowan, Pogue, and Scott—7.

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

On motion of Senator Rands, the rules were suspended and the bill ordered transmitted to the House immediately.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 148, entitled, "An act granting additional authority to cities of the first class to authorize the location, construction and operation of railroads in, along, over or across any highway, street, alley or public place, and to prescribe the duration and condition of such use, and declaring an emergency," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: P. L. Allen, R. W. Condon, Robt. F. Booth, Lincoln Davis.

The President signed Senate bill No. 148.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

The speaker has signed Senate bill No. 86, an act in relation to estrays, and providing for their detention;

Also, Senate bill No. 60, relating to the filing of plats, and payment, assessment and collection of taxes upon the same;

Also, Senate Joint Resolution No. 1, in relation to the Artillery bill, now before the National Congress;

Also, Senate Joint Memorial No. 2, in relation to lights, light-houses and fog-horns in the waters of Puget Sound;

Also, House bill No. 175, relating to elections;

Also, House bill No. 327, amending an act relating to electric railroads;

Also, House bill No. 3, relating to the filing for public record of real estate plats;

Also, House bill No. 288, appropriating the sum of \$5,500 to purchase a gift for the Armored Cruiser Washington;

Also, House bill No. 273, relating to the registration of voters;

Also, House bill No. 260, amending law in relation to recovery of damages for death of persons caused by wrongful act of another person;

Also, House bill No. 266, amending law in relation to the survival of actions for personal injury;

Also, House bill No. 323, an act relating to the nomination of candidates for public office by primary elections;

Also, Senate bill No. 76, providing for the construction of a residence for the Governor of the State of Washington;

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

SPECIAL ORDER.

The hour of 2:30 o'clock p. m. having arrived, Senate bill No. 97, which was a special order for that hour was taken up for consideration.

Senator Graves moved that the Senate do not concur in the House amendments to this bill.

A roll call was demanded by the following: Senators Reed, Piper, Smith, Paulhamus, Jones, Rosenhaupt and Presby, and the motion was carried by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hutson, Kennedy, Kline, McGregor, Metcalf, Minkler, Nichols, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Stevenson, Veness, Williams—30.

Those voting nay were: Senators Eidemiller, Jones, Paulhamus, Presby, Smith, Sumner and Watson—7.

Those absent or not voting were: Senators Hunter, Knickerbocker, McGowan, Pogue and Scott—5.

The Senate therefore refused to concur in the House amendments to Senate bill No. 97.

Major A. N. Brown, Secretary to the Governor, delivered the following

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 21, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN:—I have this day approved the following bill:

Senate bill No. 46, entitled, "An act to provide for state depositories and regulate the deposits of state moneys therein."

ALBERT E. MEAD, *Governor.*

GENERAL FILE.

House bill No. 278: An act authorizing and empowering cities and towns to construct and maintain dikes and embankments to protect such cities or towns or any part thereof from overflow, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Mc-Gregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Hunter, Knick-erbocker, McGowan, Pogue, Presby, Rands and Scott—7.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Gunn, Hutson, Jones, Kennedy, Kline, McGregor, Met-calf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Reed, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Will-iams—33.

Those voting nay were: Senator Graves—1.

Those absent or not voting were: Senators Hunter, Knick-erbocker, McGowan, Pogue, Presby, Rands, Rosenhaupt and Scott—8.

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

On motion of Senator Minkler, the rules were suspended and the bill ordered transmitted to the House immediately.

SPECIAL ORDER.

The hour of 3:00 o'clock p. m. having arrived Senate bill No. 172: An act providing for the appointment of special deputy sheriffs and defining their powers and duties, which was a special order for that hour, was taken up and placed on third reading.

Senator Metcalf moved that further action on this bill be indefinitely postponed.

A roll call was demanded by the following: Senators Nichols, Booth, Knickerbocker, Davis, Metcalf, Condon and Boone, and the motion lost by the following vote:

Those voting aye were: Senators Boone, Booth, Bratt, Cotterill, Graves, Jones, Metcalf, Minkler, Rosenhaupt and Watson—10.

Those voting nay were: Senators Allen, Anderson, Blair, Brown, Condon, Davis, Eidemiller, Hutson, Kennedy, Kline, Knickerbocker, McGowan, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Ruth, Smith, Stevenson, Sumner, Veness, Williams—27.

Those absent or not voting were: Senators Gunn, Hunter, McGregor, Pogue and Scott—5.

Senator Boone moved to amend the bill by inserting after the word "appoint" in line 1, section 1, of the printed bill "by and with the consent of the board of county commissioners."

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Brown, Condon, Davis, Hutson, Kennedy, Kline, Knickerbocker, McGregor, Nichols, Paulhamus, Pauly, Piper, Potts, Presby, Rands, Reed, Smith, Sumner, Veness, Williams—22.

Those voting nay were: Senators Anderson, Boone, Booth, Bratt, Cotterill, Eidemiller, Graves, Gunn, Jones, McGowan, Metcalf, Minkler, Polson, Rosenhaupt, Ruth, Stevenson, Watson—17.

Those absent or not voting were: Senators Hunter, Pogue and Scott—3.

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

On motion of Senator Graves, House bill No. 119 was referred to the Judiciary Committee to amend the title.

House bill No. 8: An act to apportion the State of Washington into three congressional districts, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, McGowan, McGregor, Metcalf, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Stevenson, Veness, Watson—30.

Those voting nay were: Senators Blair, Kline, Minkler, Nichols, Smith and Williams—6.

Those absent or not voting were: Senators Hunter, Knickerbocker, Piper, Pogue, Scott and Sumner—6.

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

Hon. Stephen Judson of Pierce County, former member of the Territorial and State Legislatures, was invited to a seat on the rostrum and introduced by the President.

On motion of Senator Piper, House bills Nos. 292 and 293 were made a special order for 11:00 o'clock a. m., Tuesday, February 26, 1907.

On motion of Senator Boone, Substitute House bill No. 44 was made a special order for 3:00 o'clock p. m., Tuesday, February 26, 1907.

House bill No. 14: An act relating to assessments for improvements, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Gunn, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Ruth, Veness, Watson, Williams—24.

Those absent or not voting were: Senators Allen, Booth, Davis, Eidemiller, Graves, Hunter, Hutson, Jones, Knickerbocker, Metcalf, Piper, Pogue, Reed, Rosenhaupt, Scott, Smith, Stevenson and Sumner—18.

A roll call was had and the emergency clause failed to pass by the following vote:

Those voting aye were: Senators Blair, Boone, Brown, Condon, Kennedy, Paulhamus, Pauly, Piper, Potts, Presby, Ruth, Veness, Williams—13.

Those voting nay were: Senators Anderson, Bratt, Cotterill, Gunn, Kline, McGowan, McGregor, Minkler, Nichols, Rands, Watson—11.

Those absent or not voting were: Senators Allen, Booth, Davis, Eidemiller, Graves, Hunter, Hutson, Jones, Knickerbocker, Metcalf, Pogue, Polson, Reed, Rosenhaupt, Scott, Smith, Stevenson and Sumner—18.

The emergency clause failing to pass the Senate the title of the bill was amended by striking "and declaring an emergency."

Section 2 of the bill was stricken.

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

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 25, 1901.

MR. PRESIDENT:

We, your Committee on Harbor and Harbor Lines to whom was referred Senate bill No. 227, entitled, "An act authorizing any county in this state, under certain conditions, to establish and create an assessment district and to levy an assessment for the purposes of paying expenses of river, lake, canal and harbor improvements, and etc., 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 amended bill herewith submitted be substituted for the original bill, and that the amended bill be printed immediately, and that it do pass.

GEO. F. COTTERILL, *Chairman*.

We concur in this report: Alex Polson, Lincoln Davis.

On motion of Senator Cotterill, the report of the Committee was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 271, by Senator Paulhamus, entitled, "An act to amend section 5 of an act, entitled, 'An act to amend sections 2 and 5 of an act, entitled, "An act in relation to attorneys and counselors-at-law, providing for admission to the bar," approved March 19, 1895,' and declaring an emergency."

The bill was read the first time, and on motion of Senator Paulhamus the rules were suspended, the bill was read the sec-

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

Senate bill No. 272, by Senator Paulhamus, entitled, "An act to amend section 4 of an act, entitled, 'An act relating to automobiles, etc.,' approved March 11, 1905."

The bill was read the first time, and on motion of Senator Paulhamus 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. 273, by Senator Paulhamus, entitled, "An act relating to the fees for issuing deeds or patent of land."

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

Senate bill No. 274, by Senator Paulhamus, entitled, "An act requiring abstract companies to deposit bond with county auditors in counties in which they are doing business, etc."

The bill was read the first time, and on motion of Senator Paulhamus 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. 275, by Senator Veness, entitled, "An act providing for burning timber and brush cut on the right-of-way of wagon roads, or steam, electric or other railroads for the purpose of clearing said right-of-way, providing a penalty for the violation thereof and declaring an emergency."

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

On motion of Senator Sumner, Senate bill No. 218, substitute for Senate bill No. 83, was ordered withdrawn from Judiciary Committee and referred to Committee on Appropriations.

On motion of Senator Condon at 4:00 o'clock p. m. the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FORTY-FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, February 26, 1907.
10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The Secretary called the roll, all members being present except Senators McGowan, excused, and Pogue, excused.

On motion of Senator Reed, the reading of yesterday's journal was dispensed with, and it was approved.

Petitions protesting against the repealing of the Sunday closing law were received and referred to the Judiciary Committee.

A petition for the protection of game birds, and for the removal of the protection of jay birds, and asking that a bounty of two cents each be placed on jay birds, was read and referred to the Committee on Agriculture.

Senate Joint Resolution No. 3 by Senator Boone was read as follows:

Resolved, by the Senate the House concurring, That our Senators and Representatives in the National Congress, are urged to use their influence to secure such modification of our tariff laws as will admit free of duty jute, bags and all material used in the manufacture of grain and wool bags.

On motion of Senator Boone the rules were suspended, and the resolution placed on final passage, and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Hunter, Hutson, Kennedy, Kline, McGregor, Metcalf, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Watson, Williams—33.

Those absent or not voting were: Senators Booth, Gunn, Jones, Knickerbocker, McGowan, Minkler, Pogue, Scott and Veness—9.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on State Granted School and Tide Lands to whom was referred Senate bill No. 85, entitled, "An act to amend section 28 of an act entitled, 'An act to provide for the section, survey, management, lease and disposition 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 be placed on general file.

ALEX POLSON, *Chairman.*

We concur in this report: R. L. Kline, George U. Piper, S. T. Smith, Will G. Graves, J. A. Veness, P. L. Allen.

On motion of Senator Polson the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 26, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 142, entitled, "An act providing for the dissolution of drainage districts organized under the laws of 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 with the following amendments:

In line 1 of the title of the printed bill strike the words "providing for" and substitute therefor the words "relating to." In line 1 of said title strike the words "organized under the laws of the State of Washington."

In line 5, section 1 of the printed bill, before the word "land" strike the word "said."

In line 9 of said section strike the words "and that no indebtedness of such district exists." In line 10 of said section strike the word "water-ways" and substitute therefor the words "ditches, drains, dykes."

In line 11 of said section, after the word "of" strike the comma and the words "and improvements by" and substitute the word "the" therefor.

In line 2, section 2 of the printed bill, after the word "personal" insert the words "other than such ditches, drains, dykes or other improvements." In line 1 of said section strike the word "shall" and substitute the word "may" therefor. In line 5 of said section strike the words "turned over to the county treasurer, who shall use the same"

and substitute therefor the word "used." In line 6 of said section, after the word "district" add the following: "If the indebtedness of any such district exceeds the amount received from the sale of such property the amount of such excess shall be certified to the auditor of the county in which such district is located and the amount thereof shall be levied against and apportioned to the lands in such district in proportion to and upon the basis of the value of such lands as fixed by the last preceding equalized assessment roll of said county and said amount shall be added to the general taxes against said lands and collected therewith. If the amount received from the sale of any property in such district exceeds the indebtedness of such district the excess shall be distributed to the land owners of such district in proportion to the value of their respective holdings therein."

WILL G. GRAVES, *Chairman*.

We concur in this report: Ralph D. Nichols, E. M. Rands, T. A. Hunter, W. B. Presby, Harry Rosenhaupt, Ralph Metcalf.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASHINGTON, February 26, 1907.

We, your Committee on Judiciary to whom was referred Senate bill No. 160, entitled, "An act to provide for the organization of bonding and surety companies and to regulate their management," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the bill herewith transmitted be substituted therefor, that the same be printed and do pass.

WILL G. GRAVES, *Chairman*.

We concur in this report: Ralph D. Nichols, E. M. Rands, T. A. Hunter, W. B. Presby, Harry Rosenhaupt, Ralph Metcalf.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 26, 1907.

MR. PRESIDENT:

We, your Committee on Military to whom was referred Senate bill No. 203, entitled, "An act to establish a Nautical Training School," 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 Appropriation Committee.

GEORGE U. PIPER, *Chairman*.

We concur in this report: John L. Blair, Walter J. Reed.

On motion of Senator Piper the report of the Committee was adopted.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASHINGTON, February 25, 1907.

We, your Committee on Military to whom was referred Senate bill No. 195, entitled, "An act to prevent unauthorized persons from using or wearing any emblem, badge, button, token or insignia of any fraternal, secret or beneficiary, or order of the Grand Army of the Republic, and amending section 7440 of Ballinger's Annotated Codes and Statutes 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.

GEORGE U. PIPER, *Chairman*.

We concur in this report: Walter J. Reed, John L. Blair, E. M. Rands, Harry Rosenhaupt.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASHINGTON, February 26, 1907.

We, your Committee on Public Revenue and Taxation to whom was referred engrossed House bill No. 186, entitled, "An act relating to the government, management and control of the state's public institutions and educational institutions and capitol building and grounds, and amending sections 1, 2, 3, 4, 5, 6, 7, 9, 11, 13, of an act 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 the act, and declaring an emergency,' 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 with the following amendments:

In section 1, line 12 of the printed bill, being line 20 of the engrossed bill, strike the words and figures, "three thousand (\$3,000)," insert in lieu thereof the words and figures, "two thousand four hundred (\$2,400)," in line 13 of the same section of the printed bill, being line 21 of the engrossed bill, strike the words "and", and in line 14 of the printed bill, being line 23 of the engrossed bill, strike the words and figures, "one thousand (\$1,000)" insert in lieu thereof the words and figures, "seven hundred and fifty (\$750)."

In section 2, line 7 of the printed bill, being line 11 of the engrossed bill after the word, "institutions;" insert the following, "and shall have the care, custody and control of the State Capitol building and grounds, with power to designate the rooms therein to be occupied by the various state officials;"

In section 4, line 11 of the printed bill, being line 17 of the engrossed bill, strike the words, "those employed by", insert in lieu thereof the words, "employees of."

T. B. SUMNER, *Chairman*.

We concur in this report: R. L. Kline, Alex Polson, J. A. Veness, W. H. Paulhamus, E. M. Rands, Fred M. Pauly, Geo. F. Cotterill.

On motion of Senator Sumner the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands to whom was referred Senate bill No. 162, entitled, "An act granting rights-of-way to irrigation districts, irrigation companies, associations and individuals 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," 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.

CHAS. T. HUTSON, *Chairman*.

We concur in this report: B. D. Minkler, Walter J. Reed, A. S. Ruth, Arthur Gunn.

On motion of Senator Hutson the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Dairy and Live Stock to whom was referred House bill No. 145, entitled, "An act to repeal chapter 145, of the Session Laws of 1895," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

PETER MCGREGOR, *Chairman*.

We concur in this report: H. M. Boone, J. R. Stevenson.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Dairy and Live Stock to whom was referred House bill No. 297, entitled, "An act amending an act in relation to and to prevent the introduction or spread of diseases among sheep," 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 to section 1 the following: And provided further that the inspector so appointed shall serve without compensation.

PETER MCGREGOR, *Chairman*.

We concur in this report: H. M. Boone, J. R. Stevenson.

On motion of Senator McGregor the report of the Committee was adopted.

GENERAL FILE.

Senate bill No. 147: An act amending section 320, etc., of Ballinger's Annotated Codes and Statutes of Washington, re-

lating to county commissioners, etc., was placed on third reading.

On motion of Senator Cotterill, section 1 was amended by striking beginning with the word "Provided" in line 8 up to and including the word "proposition" in line 23, of the printed bill.

On motion of Senator Piper the word "five" in line 5, section 1 of the printed bill was stricken and the words "twenty-three" substituted therefor.

On motion of Senator Cotterill the bill was indefinitely postponed.

Senate bill No. 37: An act relating to the taking of exceptions and to the settling and certifying of bills of exceptions and statements of fact, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Hutson, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Watson, Williams—31.

Those voting nay were: Senators Polson and Veness—2.

Those absent or not voting were: Senators Gunn, Hunter, Jones, Knickerbocker, Metcalf, Piper, Pogue, Stevenson and Sumner—9.

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

Senate bill No. 207: An act amending the law to make a state board of tax commissioners the state board of equalization, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Booth, Condon, Knickerbocker, Pogue and Scott—5.

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

Senate bill No. 242: An act relating to lotteries, was placed on third reading.

On motion of Senator Rosenhaupt the bill was amended by striking the word "hereof" and the brackets around the word "thereof" in line 2, section 2 of the printed bill.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Graves, Gunn, Hutson, Jones, Kennedy, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Watson, Williams—30.

Those voting nay were: Senators Davis, Eidemiller, Hunter, Kline, Rands, Smith and Stevenson—7.

Those absent or not voting were: Senators Knickerbocker, Pogue, Scott, Sumner and Veness—5.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

The Speaker has signed Senate bill No. 148, entitled, "An act granting additional authority to cities of the first class to authorize the location, construction and operation of railroads in, along, over or across any highway, street, alley or public place," and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 26, 1907.

MR. PRESIDENT:

The House has passed House Concurrent Resolution No. 17, requesting the Governor to return to the House, House bill No. 81 for correction;

Also House bill No. 285 providing for the furnishing of cars to shippers; also

House bill No. 241 requiring promissory notes in certain cases.

The House has indefinitely postponed Senate bill No. 113 relating to coroners and prescribing their qualifications; also

Senate bill No. 21 allowing defendants an attorney's fee in actions of eminent domain; also

Senate bill No. 115 relating to sales by corporations in certain cases. And the same are herewith transmitted.

The House has concurred in Senate amendments to House bill No. 90, relating to the deposit of public funds; also House bill No. 278, authorizing and empowering cities and towns to construct dikes, etc., and declaring an emergency.

The House declines to recede from its amendments to Senate bill No. 97, an act relating to the salaries of judges, and has appointed Messrs. Reid, Godman and Romaine as a conference committee on the same, and the bill is returned herewith.

LEO O. MEIGS, *Clerk of the House.*

GENERAL FILE.

Senate bill No. 79: An act relating to inspectors, judges, clerks, and challengers at elections, etc., was placed on third reading.

Senator Kennedy moved to amend the bill by inserting after the words "municipal elections" in line 23 of the printed bill the words "in cities of the first class".

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Watson, Williams—34.

Those voting nay were: Senators Jones, Kennedy, Presby, Rands and Veness—5.

Those absent or not voting were: Senators Knickerbocker, Pogue and Sumner—3.

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

On motion of Senator Davis, amended Senate bill No. 224 was made a special order for 2:30 o'clock p. m., Thursday.

SPECIAL ORDER.

The hour of 11:00 o'clock a. m. having arrived House bills Nos. 292 and 293, which were a special order for that time were taken up.

On motion of Senator Jones, the Senate resolved itself into a committee of the whole to consider House bill No. 292: An

act relating to the construction of armories for the use of the national guard of Washington, etc.

The bill was considered in the committee of the whole, Senator Boone in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendments:

After section 3 of the printed bill add section 3½, which shall read as follows: "Sec. 3½. Any county in the State of Washington is hereby authorized and empowered to appropriate money for the purpose of an armory site whenever the Legislature of this State shall appropriate money for or authorize the construction of an armory therein."

In section 4, line 3 of the printed bill, strike the word "five" and insert in lieu thereof the word "six".

In section 4, line 6 of the printed bill after the word "located" insert the following: "the state board of control and".

Strike the comma after the word "board" in line 8, section 4, and insert a period. Strike the remainder of said line 8 and that part of line 9 up to and including the word "governor".

In section 4, line 16, of the printed bill, beginning with the word "Provided", strike out the remainder of that line, all of lines 17, 18, 19, and that part of line 20 up to and including the word "act".

In section 4, line 20, of the printed bill, strike out the word "further" and insert in lieu thereof the word "however".

In section 7, line 11, of the printed bill, after the word "awarded", strike out the word "him".

Strike out all of section 12 of the printed bill.

Make section 13 of the printed bill to be section 12.

On motion of Senator Boone, the report of the committee was adopted.

On motion of Senator Boone, the rules were suspended, the reading of House bill No. 292 had in the committee of the whole was considered the third reading of the bill, and the bill placed on final passage, and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Condon, Davis, Eidemiller, Gunn, Hunter, Hutson, Kline, McGowan, McGregor, Metcalf, Nichols, Paulhamus, Piper, Potts, Reed, Rosenhaupt, Ruth, Scott, Watson, Williams—26.

Those voting nay were: Senators Brown, Jones, Kennedy, Minkler, Pauly, Polson, Rands, Smith, Stevenson and Sumner—10.

Those absent or not voting were: Senators Cotterill, Graves, Knickerbocker, Pogue, Presby and Veness—6.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Watson, Williams—30.

Those voting nay were: Senators Kennedy, Polson, Rands, Sumner and Veness—5.

Those absent or not voting were: Senators Booth, Brown, Cotterill, Jones, Knickerbocker, Pogue, Presby—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 House bill No. 293 was referred to the Judiciary Committee to amend the title.

GENERAL FILE.

Senate bill No. 221: An act relating to the filing, publication and citation of the laws of the state, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—35.

Those voting nay were: Senator Paulhamus—1.

Those absent or not voting were: Senators Jones, Knickerbocker, Metcalf, Pogue, Rands and Scott—6.

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

Senate bill No. 102: An act to enable cities of the first, second and third class to exercise the right of eminent domain for the taking and damaging of land and property for public purposes, etc., was placed on third reading.

Senator Jones, President pro tem. was called to the chair.

On motion of Senator Boone, the bill was amended by inserting in line 2, section 10, of the printed bill, after the word "jury" the word "shall".

On motion the proviso in the printed bill in lines 9 and 10 was stricken.

On motion of Senator Booth the word "replaced" was inserted in line 5, section 10, of the printed bill, after the word "or".

Senator Nichols moved to strike beginning with the word "in" in line 3, section 11, of the printed bill, to and including the word "verdict" in line 9 of said section.

The motion was lost.

SPECIAL ORDER.

The hour of 2:30 p. m. having arrived House bill No. 44: An act for the protection against the spread of Canada thistles, etc., which was a special order for that hour was taken up, and placed on third reading.

On motion of Senator Allen, the following amendment was made:

Strike out section 1 of both the printed and engrossed bills and substitute therefor the following: "Section 1. That for the purpose of this act the botanists of the State University of Washington, and the botanist of the State College of Washington at Pullman are hereby made *ex-officio* State Botanists, to act without additional compensation."

On motion of Senator Bratt, the following amendment was made:

Amend section 5, of the engrossed bill, by adding the following: "Provided, That this section shall not apply to what is commonly known as 'Bull Thistles' on lands not used for agricultural purposes outside cities and towns."

On motion of Senator Rosenhaupt, the following amendment was made:

In section 3, line 4, of the engrossed bill, after the word "published" insert the word "weekly".

Senator Minkler moved to amend section 2 by striking all the section after the words "Jim Hill Mustard" in line 2.

A roll call was demanded by the following: Senators Graves, Bratt, Kennedy, Veness, Eidemiller, Paulhamus and McGregor, and the amendment lost by the following vote:

Those voting aye were: Senators Anderson, Metcalf, Minkler, Veness and Watson—5.

Those voting nay were: Senators Allen, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Williams—33.

Those absent or not voting were: Senators Hunter, Knickerbocker, Pogue and Scott—4.

On motion of Senator Graves, section 11 of the printed bill was stricken.

On motion of Senator Graves, the following amendment was made:

In section 3, line 1, of the engrossed bill, strike out the word "Botanist" and insert in lieu thereof the following: "Botanists are or either of them".

On motion of Senator Rosenhaupt, the following amendments were made:

In section 3, line 3, of the engrossed bill, after the word "he" insert the words "or they".

In section 3, line 6, of the engrossed bill, after the word "he" insert the words "or they".

In the second line of the title of the engrossed bill strike out the third from the last word "and". In the fifth line of the title of the engrossed bill strike out the word "a". At the end of the sixth line of the title of the printed bill add the letter "s" to the word "Botanist".

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—40.

Those absent or not voting were: Senators Hunter and Pogue—2.

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

Unanimous consent was given at this time to reconsider the vote by which Senate bill No. 25 failed to pass the Senate, and on motion of Senator Cotterill the vote was reconsidered.

GENERAL FILE.

Senate bill No. 102 was again taken up.

The President resumed the chair.

On motion of Senator Cotterill, section 39 was amended by adding the following after the word "therefor" in line 5 of said section: "The city treasurer shall also within ten days after the completion of the sale of all property described in such assessment rolls transmit to the treasurer of the county in which said city is located, a statement showing all property sold by him, when sold, to whom sold and the sums paid therefor and the description of the improvement under which said sale was made. The county treasurer shall thereupon note upon the general tax rolls of said county the date of said sale, and the improvements for which the same was sold, and thereafter whenever the county treasurer shall furnish a statement of taxes to any property owner, he shall include therein a statement of such sale and the improvements for which the same was sold.

On motion of Senator Cotterill, section 47 was stricken, and the following substituted therefor:

"Sec. 47. Such city may, in its discretion, by general or special ordinance, or both, instead of requiring immediate payment for the said assessment to be made by the owners of property included in said assessment roll, authorize the issuance of interest bearing bonds or warrants of such assessment district which shall include the property liable to assessment for such improvement, the said bonds or warrants to be payable on or before a date not to exceed ten (10) years from and after their date and may be issued subject to call, the amount of said assessment to be payable in installments or otherwise, and the bonds to be of such terms as shall be provided in such ordinance or ordinances and to bear interest at such rate as may be prescribed in such ordinance or ordinances, but not to exceed eight

(8) per cent. per annum. Such bonds or warrants shall be payable only from the funds created by special assessment hereinbefore authorized upon the property in the said assessment district, and the holder of any such bond or warrant shall look only to such fund for the payment of the principal and interest thereof and shall have no claim or lien therefor against the city by which the same was issued except from such fund."

On motion of Senator Cotterill, section 49 was amended by inserting between the words "indebtedness" and "shall" in line 7, of the printed bill, the words "for the purpose of raising funds therefor, which indebtedness".

On motion of Senator Booth, section 15, of the printed bill, was stricken, and the following substituted therefor:

"Sec. 15. When the ordinance providing for any such improvement provides that compensation therefor shall be paid, in whole or in part, by special assessment upon property benefited, the compensation found by the jury for any land or property taken shall be irrespective of any benefit from the improvement proposed. When such ordinance does not provide for any assesment, in whole or in part, upon property benefited, the compensation fund for land or property taken and in all cases the damages found in respect to lands or property not taken shall be ascertained over and above any local and special benefit arising from such proposed improvement, except as provided in section two of this act as to streets, avenues and boulevards established or widened to a width greater than one hundred and fifty feet; in which class of cases no benefits shall be deducted as to such cases."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those voting nay were: Senator Nichols—1.

Those absent or not voting were: Senators Jones, Kennedy, Minkler and Pogue—4.

On motion of Senator Booth, the words "and declaring an emergency" were stricken from the title.

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

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 26, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 170, entitled, "An act to amend section 1 of an act entitled, 'An act to amend section 1 of an act entitled an act to amend section 2615 of Hill's Annotated Codes and Statutes of Washington, relating to the state board of health,' etc.," 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:

Strike the title of the printed bill and substitute the following therefor: "An act relating to the state board of health and amending section 10 of chapter XCVIII of the Session Laws of 1891."

In lines 1 to 5, section 1 of the printed bill, strike the words and figures "1 of an act entitled 'An act to amend section 1 of an act entitled an act to amend section 2616 of Volume 1, Hill's Annotated Statutes and Codes of Washington, relating to the State Board of Health, approved March 16, 1897, being section 7542 of Pierce's Code,' approved March 12, 1903, (being chapter 66 of Session Laws of 1903), be and the same is hereby amended to read as follows:" and substitute therefor the words and figures "10 of chapter XCVIII of the Session Laws of 1891 is amended to read as follows: Sec. 10."

WILL G. GRAVES, *Chairman*.

We concur in this report: Ralph D. Nichols, Chas. T. Hutson, E. M. Rands, T. A. Hunter, Harry Rosenhaupt.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 26, 1907.

MR. PRESIDENT:

We, your Committee on Penal and Reformatory Institutions to whom was referred Senate bill No. 248, entitled, "An act authorizing the State Board of Control to use brick manufactured at the state penitentiary for the construction of buildings at 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.

FRED M. PAULY, *Chairman*.

We concur in this report: J. R. Stevenson, W. B. Presby, Alex Polson, W. G. Potts, B. D. Minkler.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 26, 1907.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision to whom was referred Senate bill No. 223, entitled, "An act providing for the amendment of section 3 of article XI of the Constitution of the State of Washington, relating to county, city and township organization," 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.

E. M. WILLIAMS, *Chairman.*

We concur in this report: W. B. Presby, A. L. Watson, Fred M. Pauly, A. S. Ruth.

On motion of Senator Williams the report of the Committee was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred:

Senate bill No. 192, entitled: An act prohibiting the publication of offensive, improper and obscene matter and providing for the prosecution and penalties therefor.

Senate bill No. 23, entitled: An act relating to the appointment, powers and duties of superior court commissioners, etc.

Senate bill No. 179, entitled: An act relating to the alteration, replat or vacation of any townsite, city, plat or plats, addition or additions, or parts thereof, and the assessment, collection and payment of any damages, etc.

Senate bill No. 89, entitled: An act relating to procedure in condemnation proceedings to appropriate lands owned by the state, or in which it has an interest.

Senate bill No. 150, entitled: An act relating to the issuance of diplomas by the Washington State College.

Senate bill No. 159, entitled: An act relating to escheats.

Senate bill No. 28, entitled: An act relating to elections and amending section 1394 of Ballinger's Annotated Codes and Statutes of Washington.

Senate bill No. 111, entitled: An act relating to exemptions and amending section 5412 of Ballinger's Annotated Codes and Statutes of Washington.

Senate bill No. 233, entitled: An act relating to the creation, establishment and maintenance of diking districts, etc.

Have compared same with the original bill and find them correctly engrossed.

Respectfully submitted.

A. W. ANDERSON, *Chairman.*

We concur in this report: A. S. Ruth, A. Gunn.

The President signed Senate bill No. 76.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 26, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I have this day approved the following bills:

Senate bill No. 148, entitled, "An act granting additional authority to cities of the first class to authorize the location, construction and operation of railroads in, along, over or across any highway, street, alley or public place, and to prescribe the duration and condition of such use, notwithstanding any charter provisions limiting the term of franchise, or concerning the acquisition by any such city of the property of companies holding any franchise, privilege, license, grant or authority, and declaring an emergency."

Senate bill No. 77, entitled, "An act to establish a state fish hatchery on the Lewis river or some of its tributaries, in Cowlitz county, in the State of Washington."

Senate bill No. 54, entitled, "An act to establish a state fish hatchery on the Lyle river in Callam county in the State of Washington."

Senate bill No. 60, entitled, "An act to amend section 1263 Ballinger's Annotated Codes and Statutes of Washington, relating to filing of plans and payment, assessment and collection of taxes upon the same."

Senate bill No. 86, entitled, "An act to amend section 3 of an act entitled, 'An act in relation to estrays, providing for their detention, regulation and sale and providing penalties for its violation,' approved Feb. 16, 1905."

ALBERT E. MEAD, *Governor.*

INTRODUCTION OF BILLS.

Senate bill No. 276 (substituted for senate bill No. 160), by the Judiciary Committee, entitled, "An act to provide for the organization of bonding and surety companies and to regulate their management."

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. 277, by Senator Cotterill, entitled, "An act to protect trade and commerce against unlawful restraints and

monopolies, and against collusion in the letting of contracts for public and private work, providing penalties and forfeitures for any violation of its provisions, authorizing certain courts to grant writs of injunction and prohibition, forbidding the violation of its provisions, defining the duties of the prosecuting attorney and the attorney general of this state in reference thereto, providing for the payment of necessary costs and expenses of the prosecution of cases under the provisions of this act, and making appropriations therefor."

The bill was read the first time, and on motion of Senator Cotterill the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 278, by Senator Rosenhaupt, entitled, "An act to prevent the exposing of poisons, to protect persons and domestic animals from being poisoned, and providing a penalty for the violation thereof."

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

Senate bill No. 279, by Senator Cotterill, entitled, "An act relating to the form, canvass and count of ballots received by the election board at any election or primary election held under the laws of the state."

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

Senate bill No. 280, by Senator Allen, entitled, "An act relating to the collection of special assessments, taxes and claims in cities and towns."

The bill was read the first time, and on motion of Senator Allen the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 281, by Senator Presby, entitled, "An act relating to the collection of inheritance taxes."

The bill was read the first time, and on motion of Senator Presby 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. 282, by Senator Rands, entitled, "An act repealing Chapter 161 of the Laws of 1905 relating to the inspection of petroleum and its products."

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 Public Revenue and Taxation.

Senate bill No. 283, by Senator Reed (by request), entitled, "An act providing for the sterilization of feeble minded, epileptic, and insane persons, and prisoners in the penitentiary."

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

Senate bill No. 284, by the Committee on Commerce and Manufactures, entitled, "An act to repeal an act, entitled, 'An act for the purpose of protecting knot sawyers in shingle mills, and requiring the owners and operators of shingle mills to protect knot saws with metallic saw guards, imposing penalties for failure so to do, and declaring the law of negligence in cases where any person is injured by any knot saw not protected by metallic saw guard.'"

The bill was read the first time, and on motion of Senator Condon the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 285, by Senator Reed, entitled, "An act authorizing the purchase of the picture of our martyred President, Abraham Lincoln, by Cogswell, now hanging in the rotunda of the Capitol Building, Olympia, Washington, and making an appropriation therefor."

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

House Concurrent Resolution No. 17, requesting the Governor to return House bill No. 81, for correction in the title, was

taken up, and on motion of Senator Rands the resolution was adopted.

INTRODUCTION OF BILLS.

House bill No. 285, by Mr. Taylor, entitled, "An act providing for the furnishing of cars to shippers and prescribing the time of loading, transporting and unloading the same and providing charges and penalties for delay and for the violation of this act and authorizing The Railroad Commission of Washington to prescribe additional rules and to enforce the same and the provisions of 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, and referred to the Committee on Judiciary.

House bill No. 241, by Mr. Whitlow, entitled, "An act to require promissory notes and other evidence of indebtedness taken or given for any registered stallion, jack or bull, or any stallion, jack or bull, claimed or alleged to be registered, or any interest therein, to express upon its face the consideration for which it was given, and prescribing the penalty for the violation thereof."

The bill was read the first time, and on motion of Senator McGregor 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. 175, by Mr. Klovborg, entitled, "An act relating to elections and amending sections 7 and 21 of an act, entitled, 'An act providing for printing and distributing ballots at public expense, and to regulate voting at State and other elections,' approved March 19, 1890."

The bill was read the first time, and on motion of Senator Presby the rules were suspended, the bill was read the second time by title and referred to the Committee on Elections and Privileges.

House bill No. 327, by Mr. Cameron, entitled, "An act to amend section 1 of an act, entitled, '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.'"

The bill was read the first time, and on motion of Senator Paulhamus the rules were suspended, the bill was read the second time by title and referred to the Committee on Railroad and Transportation.

House bill No. 3, by Mr. Beebe, entitled, "An act regulating the approval and filing for public record of real estate plats or additions to cities of the first and second class and other cities and towns with special charters having sufficient population to authorize them to reincorporate under the laws of the State of Washington as cities of the first or second class and prescribing public grounds therein."

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 Judiciary.

House bill No. 288, by Mr. Hornberger, entitled, "An act appropriating the sum of \$6,500.00 to purchase a gift to be presented to the battleship 'Washington,' and to pay the incidental expenses in connection with the purchase and presentation with the same."

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

House bill No. 173, by Mr. Sayre, entitled, "An act regulating the platting and filing of new additions to existing town plats."

The bill was read the first time, and on motion of Senator Presby the rules were suspended, the bill was read the second time by title and referred to the Committee on Elections and Privileges.

House bill No. 260, by Mr. Halteman, entitled, "An act amending section 4828 of Ballinger's Annotated Codes and Statutes of Washington, in relation to recovery of damages for the death of a person caused by the wrongful act or neglect of another."

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 Judiciary.

House bill No. 266, by Mr. Halteman, entitled, "An act amending section 4838 of Ballinger's Annotated Codes and

Statutes of Washington, in relation to survival of actions for personal injury to any person, occasioning his death.”

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 Judiciary.

House bill No. 323, substituted by Committee on Privileges and Elections for House bill No. 99, entitled, “An act relating to, regulating and providing for the nomination of candidates for public office in the State of Washington by primary elections and providing penalties for the violation thereof.”

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

On motion of Senator Condon, the rules were suspended and Senate bill No. 97 was ordered transmitted to the House immediately.

On motion of Senator Cotterill, Senate bill No. 227 was made a special order for 11:00 o'clock a. m. Wednesday.

Senator Graves moved that a conference committee of three members of the Senate be appointed to confer with a like committee from the House on Senate bill No. 97, and the President appointed Senators Graves, of Spokane county; Booth, of King county, and Rands, of Clarke county, to serve on the committee.

On motion of Senator Graves, Senate bill No. 192 was made a special order for 2:30 o'clock p. m. Wednesday.

On motion of Senator Cotterill, Senate bill No. 228 was referred to the Committee on Educational Institutions.

Numerous petitions in favor of the anti-cigarette law were read and referred to the committee on Commerce and Manufacture.

GENERAL FILE.

Senate bill No. 87: An act to amend the code of public instructions, was read the third time.

On motion of Senator Condon, at 4:30 o'clock p. m., the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FORTY-FIFTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPA, WASHINGTON, Wednesday, February 27, 1907.
10 O'clock A. M.

The Senate was called to order at 10:00 o'clock a. m., by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The Secretary called the roll, all members being present except Senator Pogue, excused.

On motion of Senator Reed, the reading of yesterday's journal was dispensed with, and it was approved.

Petitions in favor of the anti-cigarette bill were read and referred to the Committee on Commerce and Manufacture.

Petitions for direct primary were read and referred to the Committee on Election and Privileges.

Petitions for a direct primary law were read and referred to the Committee on Constitution and Constitutional Revision.

Communication from the National Board of Trade was read and referred to the Committee on Medicine, Dentistry and Hygiene.

Petition against the repeal of the Sunday closing law was read and referred to the Committee on Judiciary.

Senator Boone offered the following resolution:

"Resolved by the Senate of the State of Washington, That no bills other than those carrying appropriations and duly reported by the Committee on Appropriations, shall be introduced after Saturday, March 2, 1907, unless by consent of not less than two-thirds of this body."

The resolution was not adopted.

On motion of Senator Rosenhaupt, the following resolution was adopted:

"Resolved, That the Chief Clerk of the House of Representatives be requested to return to the Senate, Senate bill No. 166."

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 26, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class to whom was referred Senate bill No. 153, entitled, "An act to amend section 166 of an act, entitled, 'An act for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' approved March 27, 1890, as amended by an act approved March 4, 1903," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the bill herewith submitted be substituted for same and that the substitute be printed and placed on general file.

We concur in this report: E. M. Williams, R. L. Kline, Geo. F. Cotterill, Harry Rosenhaupt.

On motion of Senator Sumner the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation to whom was referred Amended Senate bill No. 251, entitled, "An act relating to assessment and 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 Amended Senate bill No. 251 be substituted for Senate bill No. 251 and that the said substituted bill do pass.

T. B. SUMNER, *Chairman*.

We concur in this report: Fred M. Pauly, R. L. Kline, R. W. Condon, E. M. Rands, J. A. Veness, Chas. T. Hutson, Geo. F. Cotterill.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

We, your Committee on Educational Institutions to whom was referred Senate bill No. 228, entitled, "An act granting to the United States of America a right-of-way for Lake Washington canal, etc.," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

RALPH D. NICHOLS, *Chairman*.

We concur in this report: E. M. Williams, Peter McGregor, R. L. Kline, E. C. Bratt.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

We, your Committee on Memorials to whom was referred copy of a concurrent resolution of the Senate and Assembly of the State of New

York, relating to polygamy, 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 Constitution and Constitutional Revision.

H. S. MCGOWAN, *Chairman.*

We concur in this report: Geo. A. Kennedy.

On motion of Senator McGowan the report of the Committee was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

MR. PRESIDENT: OLYMPIA, WASHINGTON, February 27, 1907.

The House has passed House bill No. 321, defining the crime of assault and battery;

Also House bill No. 70, amending an act fixing the fees and compensation of justices of the peace;

Also House bill No. 20, relating to the superior courts in the counties of Stevens, Ferry, Douglas, Okanogan and Chelan;

Also House bill No. 291, substituted for House bill No. 123, dedicating to the City of Tacoma certain lands;

Also House bill No. 64, requiring the filing of a certificate with the county clerk in cases where a business is conducted under an assumed name;

Also House bill No. 229, amending an act granting rights-of-way to railroad companies over lands of the state;

Also House bill No. 426, providing for the appointment of an additional judge of the superior court for the County of Pierce;

Also House bill No. 59, amending an act providing for the establishment of drainage districts;

Also House bill No. 217, defining the weight of a ton of coal;

Also House bill No. 223, an act to prevent and punish family desertion;

Also House bill No. 256, an act providing for the assessment of the property of telegraph companies;

Also House bill No. 272, an act validating defective acknowledgements of deeds and other instruments;

Also House bill No. 208, an act relating to revenue and taxation;

Also House bill No. 328, an act relating to the examination of books employed in the various state offices;

Also House bill No. 251, an act providing for the employment of convicts on state roads;

Also House bill No. 338, an act to establish a state fish hatchery on Trout Lake;

Also House bill No. 13, an act to provide for the formation of banking corporations;

Also House Concurrent Resolution No. 18, relative to the hours of service of telegraph operators.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Cotterill, House bill No. 277 was referred to Committee on Railroads and Transportation.

INTRODUCTION OF BILLS.

Senate Joint Memorial No. 4, by Senator McGregor: Memorializing the Congress of the United States for an appropriation for the relief of Martin Meulin and others for losses sustained in the Nez Perce Indian War in 1877, etc.

On motion of Senator McGregor, the memorial was referred to Committee on Memorials.

Senate bill No. 286, by Senator Hutson, entitled, "An act relating to life insurance companies and providing penalties."

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

Senate Bill No. 287, by Senator Hutson: An act relating to actions for divorce or annulment of marriage, and amending section 5718 of Ballinger's Annotated Codes and Statutes of Washington.

The bill was read the first time, and on motion of Senator Hutson 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. 288, by Senator Nichols: An act relating to overcharges on prices, rates or tariff which by law are required to be published, and providing for interest thereon.

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

Senate bill No. 289, by Senator Hutson: An act to amend section 8 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 Hutson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Insurance.

Senate bill No. 290, by Senator Bratt: An act regulating and controlling the management of theatres, opera houses and play houses, and declaring the same to be public houses of amusement, etc.

The bill was read the first time, and on motion of Senator Bratt the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 291 (Sub. for S. B. 153), by Committee on Cities of the First Class: An act to secure full, free and unrestricted competition in the letting of contracts for public work or improvements.

The bill was read the first time, and on motion of Senator Jones the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

House bill No. 321, by Mr. Freudenberg: An act defining the crime of assault and battery and providing punishment therefor.

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 Judiciary.

House bill No. 70, by Mr. Gilbert: An act to amend section 1 of an act entitled "An act fixing the fees and compensation of justices of the peace, and declaring an emergency," approved March 9, 1893.

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 Judiciary.

House bill No. 20, by Mr. Smalley: An act providing for a Superior Court judge for the counties of Chelan, Douglas and Okanogan jointly, and providing for a Superior Court judge for the counties of Stevens and Ferry jointly, 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 and referred to the Committee on Judiciary.

House bill No. 291, substituted for House bill No. 123, by Mr. Slayden: An act dedicating to the City of Tacoma all the

right, title and interest of the State of Washington in and to certain lands in the City of Tacoma.

The bill was read the first time, and on motion of Senator Jones the rules were suspended, the bill was read the second time by title and referred to the Committee on Cities of the First Class.

House bill No. 64, by Mr. Hanson: An act providing that when any business, other than a corporation or limited partnership, is conducted under an assumed name, a certificate showing the real parties in interest shall be filed with the county clerk, and fixing a penalty.

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 Judiciary.

House bill No. 229, by Mr. Beebe: An act amending an act granting rights-of-way to railroad companies over the lands of the State of Washington.

The bill was read the first time, and on motion of Senator Polson the rules were suspended, the bill was read the second time by title and referred to the Committee on State Granted, Tide and School Lands.

House bill No. 426: An act providing for the appointment of the Superior Court judge of the State of Washington for the County of Pierce, to hold his office until the first Tuesday after the first Monday in November, 1908, 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 and referred to the Committee on Judiciary.

House bill No. 59, by Mr. Gaches: An act amending an act to provide for the establishment and creation of drainage districts.

The bill was read the first time, and on motion of Senator Minkler 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. 217, by Mr. Hutchinson: An act defining the weight of a ton of coal and making it a misdemeanor to sell less for a ton, and providing a penalty for the 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 and referred to the Committee on Judiciary.

House bill No. 223, by Mr. Beebe: An act to prevent and punish family desertion or non-support and to provide for support bonds and for suspension of trial and sentence.

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 Judiciary.

House bill No. 256, by Mr. Rhodes: An act to provide for the assessment of the property of telegraph companies.

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 Public Revenues and Taxation.

House bill No. 272, by Mr. Hogan: An act validating defective acknowledgments of deeds and other instruments.

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 Judiciary.

House bill No. 208, by Mr. Lambert: An act relating to revenue and taxation.

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. 228, by Mr. Ramsey: An act to amend an act to enable cities of the first, second and third classes, and other cities and towns working under special charters, having sufficient population to authorize them to re-incorporate.

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 Judiciary.

House bill No. 251, by Mr. Ulsh: An act providing for the employment of convicts on state roads.

The bill was read the first time, and on motion of Senator Pauly the rules were suspended, the bill was read the second time by title and referred to the Committee on Penal and Reformatory Institutions.

House bill No. 338, by Mr. Morse: An act to establish and maintain a state fish hatchery on the outlet of Trout Lake in Island County, Washington.

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 Game and Game Fish.

House bill No. 13, by Mr. Peddycord: An act to provide for the formation of banking corporations.

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

House Concurrent Resolution No. 18, regarding the hours of service of telegraph operators, was read, and on motion of Senator Paulhamus was adopted.

GENERAL FILE.

Senator Hutson gave notice that at the proper time he would move to reconsider the vote by which House bill No. 292 passed the Senate yesterday.

On motion of Senator Polson, the rules were suspended and House bill No. 340, substitute for House bill No. 107: An act relating to assessment and taxation of bank stock, etc., was taken up out of order, read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—36.

Those absent or not voting were: Senators Eidemiller, Knickerbocker, Nichols, Paulhamus, Pogue and Scott—6.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Cotterill, Davis, Graves, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—33.

Those absent or not voting were: Senators Condon, Eide-miller, Hutson, Knickerbocker, Nichols, Pogue, Potts, Presby and Scott—9.

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

On motion of Senator Polson, the rules were suspended and the bill ordered transmitted to the House immediately.

House bill No. 166: An act relative to the finances of the State of Washington and providing the time when and manner in which moneys shall be paid into the state treasury, etc., was placed on third reading.

Senator McGowan moved to strike the word "day" in line 4 section 1 of the printed bill, and insert in lieu thereof the word "week".

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Kennedy, Kline, Mc-Gregor, Metcalf, Minkler, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Smith, Sumner, Veness, Williams—31.

Those voting nay were: Senators McGowan, Presby, Ruth and Watson—4.

Those absent or not voting were: Senators Jones, Knicker-bocker, Nichols, Piper, Pogue, Scott and Stevenson—7.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Kennedy, Kline, Mc-Gregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—34.

Those voting nay were: Senators McGowan, Presby and Rosenhaupt—3.

Those absent or not voting were: Senators Jones, Knicker-bocker, Nichols, Pogue and Scott—5.

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

On motion of Senator Veness, House bill No. 91 was indefinitely postponed.

House bill No. 92: An act relating to the spread of contagious diseases, etc., was placed on third reading.

On motion of Senator Ruth, section 2 of the printed bill was stricken.

On motion of Senator Watson, the bill was amended by striking the figures "24" in line 13, section 5, of the printed bill, and inserting in lieu thereof the figures "12".

On motion of Senator Stevenson, the bill was amended by striking the words "ten dollars" and inserting in lieu thereof the words "twenty-five dollars", in section 5, of the engrossed bill.

On motion of Senator Ruth, section 2 of the printed bill was re-inserted.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Knickerbocker, Booth, Piper, Pogue and Scott—5.

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

COMMUNICATIONS.

A communication from the Benevolent and Protective Order of Elks, of Seattle, was read regarding the wearing of badges, etc., by unauthorized persons, and referred to the Committee on Military.

SPECIAL ORDER.

The hour of 11:00 o'clock a. m. having arrived, Amended Senate bill No. 227: An act to create assessment districts for

the purpose of paying the expenses of river, lake, canal or harbor improvements, etc., which was a special order for that time was taken up and placed on third reading.

Senator Jones, President *pro tem.* was called to the chair.

On motion of Senator Graves, the following amendment was made:

In line 6, section 1 of the printed bill, after the word "county" insert the following: "who each owner realty of the assessed valuation of not less than five thousand dollars, situated within the limits of the improvement district sought to be created."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Eidemiller, Graves, Knickerbocker, Metcalf, Pogue, Presby and Scott—7.

A roll call was had, and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Eidemiller, Graves, Knickerbocker, Paulhamus, Pogue, Presby and Scott—7.

On motion of Senator Cotterill, the title of the bill was amended by adding after the word "county" the following: "or adjoining counties."

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

On motion of Senator Cotterill, the rules were suspended and the bill ordered transmitted to the House immediately.

The President signed House bill No. 146.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

The Speaker has signed House bill No. 340, substituted for House bill No. 107, entitled, "An act relating to assessment and taxation of bank stock," and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

The President resumed the chair.

GENERAL FILE.

House bill No. 93: An act to provide for a system of registration of births and deaths, etc., was placed on third reading.

On motion of Senator Condon, the Senate took a recess until 2:00 o'clock p. m.

AFTERNOON SESSION.

The Senate was called to order at 2:00 o'clock p. m., by President Coon, pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Stevenson and Pogue, both of whom were excused.

House bill No. 93 was again taken up.

On motion of Senator Brown, the bill was amended by inserting after the word "of" in line 8, section 16, of the printed bill, the word "contageous".

Senator Brown sent to the desk and had read a communication from Cressy L. Wilbur, M. D., Chief Statistician of the Department of Commerce and Labor, Washington, D. C., endorsing a resolution by Congress in reference to the subject matter contained in this bill.

On motion of Senator Graves, section 23 of the printed bill was stricken, and section 24 was re-numbered section 23.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Brown, Condon, Cotterill, Davis, Eidemiller, Graves,

Hunter, Hutson, Kennedy, Kline, McGregor, Metcalf, Paulhamus, Pauly, Piper, Polson, Rands, Reed, Rosenhaupt, Ruth, Smith, Sumner, Veness, Watson, Williams—29.

Those voting nay were: Senators Bratt, McGowan and Minkler—3.

Those absent or not voting were: Senators Booth, Gunn, Jones, Knickerbocker, Nichols, Pogue, Potts, Presby, Scott and Stevenson—10.

On motion of Senator Graves, the title of the bill was amended by striking the words "and repealing all laws inconsistent with this act."

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

On motion of Senator Brown, the rules were suspended and the bill ordered transmitted to the House immediately.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

MR. PRESIDENT:

OLYMPIA, WASHINGTON, February 27, 1907.

The House has concurred in Senate amendments to House bill No. 97, an act providing for the amendment of the State Constitution.

LEO O. MEIGS, *Clerk of the House.*

GENERAL FILE.

House bill No. 130: An act relating to joint accounts, was placed on third reading.

On motion of Senator Boone, the words "or payable to either" in line 3 of the printed bill were stricken.

On motion of Senator Graves, the words "or the survivor" in line 3 of the printed bill were stricken, and the words "of such person" inserted in lieu thereof.

Senator Rosenhaupt moved to strike out of lines 4 and 5 of the printed bill the words "whether the other be living or not".

The motion was withdrawn.

On motion of Senator Boone, the following proviso was added to section 1 of the printed bill: "Provided, That this act shall not apply to deposits in excess of three hundred dollars."

On motion of Senator Graves, the title of the bill was amended by striking the words "joint account" and inserting in lieu thereof the word "bank".

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Piper, Reed, Rosenhaupt, Ruth, Smith, Sumner, Veness, Watson, Williams—29.

Those voting nay were: Senators Kennedy and Rands—2.

Those absent or not voting were: Senators Allen, Cotterill, Jones, Knickerbocker, Pauly, Pogue, Polson, Potts, Presby, Scott and Stevenson—11.

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

House bill No. 245: An act to define the practice of veterinary, medicine, surgery and dentistry, etc., was placed on third reading.

Senator Booth moved that the bill be indefinitely postponed. A roll call was demanded by the following: Senators Booth, Eidemiller, Hutson, Blair, McGregor, Piper and Allen, and the motion lost by the following vote:

Those voting aye were: Senators Booth, Graves, Hunter, Reed and Watson—5.

Those voting nay were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Rands, Rosenhaupt, Ruth, Smith, Sumner, Veness, Williams—30.

Those absent or not voting were: Senators Boone, Knickerbocker, Pogue, Polson, Presby, Scott and Stevenson—7.

SPECIAL ORDER.

The hour of 2:30 p. m. having arrived, Senate bill No. 192: An act prohibiting the publication in newspapers of offensive, improper and obscene matter, etc., which was a special order for that time was taken up.

On motion of Senator Graves, the following amendments were made in the printed bill:

In line 5 of the printed bill, first line of sub-division 2, insert the word "detailed" between the words "and" and "account".

At the end of sub-division 3, insert the following: "except where the crime is a political one, or the victim or intended victim a political officer".

At the end of sub-division 4 insert the following: "except where the crime is a political one, or the victim or intended victim a political officer".

Senator Metcalf moved to strike all in lines 3 to 10 of the printed bill, also the figure "7" in line 11 of the printed bill.

The motion was withdrawn.

On motion of Senator Graves, further consideration of the bill was postponed at this time, and the bill made a special order for 10:30 o'clock a. m. Friday, March 1, 1907, and the bill ordered reprinted as amended.

House bill No. 245 was again taken up.

On motion of Senator Gunn, the following amendment was made: In section 5, line 5, of the printed bill, after the word "profession" add the following: "Provided, That the state veterinarian shall *ex-officio*, be a member of said board, and when there is a state veterinarian, the Governor shall appoint the remaining two members."

On motion of Senator Piper, the following amendment was made: Add to section 4 of the printed bill the following: "Provided, That this bill shall apply also to any member of the medical profession who can certify that he is a graduate of any reputable medical college in the United States, Canada or Great Britain."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Reed, Ruth, Smith, Sumner, Watson—30.

Those voting nay were: Senators Booth, Bratt and Rosenhaupt—3.

Those absent or not voting were: Senators Knickerbocker, Pogue, Polson, Presby, Rands, Scott, Stevenson, Veness and Williams—9.

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

House bill No. 192: An act to provide for the indeterminate sentence of persons convicted of certain felonies, etc., was placed on third reading.

On motion of Senator Nichols, the words "in the first degree" after the word "murder" in section 1, line 2, of the printed bill were stricken.

On motion of Senator Nichols the words "in the first degree" after the word "murder" in section 8, line 3, of the printed bill, were stricken.

On motion of Senator Paulhamus, the word "two" in section 8, line 5, of the printed bill, was stricken and the word "a" inserted in lieu thereof, and the word "terms" in line 6 stricken and the word "term" inserted in lieu thereof.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Kennedy, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Potts, Rosenhaupt, Ruth, Smith, Veness, Watson, Williams—28.

Those voting nay were: Senator Kline—1.

Those absent or not voting were: Senators Condon, Hunter, Jones, Knickerbocker, Piper, Pogue, Polson, Presby, Rands, Reed, Scott, Stevenson and Sumner—13.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

The Speaker has signed Senate bill No. 76, entitled, "An act providing for the purchase of a site, building a residence and furnishing the same, for the Governor of the State of Washington," and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

GENERAL FILE.

House bill No. 65: An act to provide for the apprehension, trial, treatment and control of delinquent children, etc., was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Allen, Blair, Booth, Brown, Condon, Cotterill, Davis, Hunter, Kennedy, McGowan, Metcalf, Nichols, Pauly, Piper, Potts, Rands, Reed, Sumner, Watson, Williams—20.

Those voting nay were: Senators Anderson, Boone, Bratt, Eidemiller, Graves, Jones, Kline, Minkler, Paulhamus, Polson, Rosenhaupt, Ruth, Smith, Veness—14.

Those absent or not voting were: Senators Gunn, Hutson, Knickerbocker, McGregor, Pogue, Presby, Scott and Stevenson—8.

House bill No. 185: An act providing for the holding of examinations for state certificates and life diplomas in the State of Washington, etc., was placed on third reading.

On motion of Senator Boone, section 2 of the printed bill was stricken, also the repealing act in the title.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Brown, Condon, Cotterill, Davis, Eidemiller, Hunter, Kennedy, Kline, McGowan, Metcalf, Minkler, Nichols, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Veness, Williams—25.

Those voting nay were: Senator Ruth—1.

Those absent or not voting were: Senators Booth, Bratt, Graves, Gunn, Hutson, Jones, Knickerbocker, McGregor, Paulhamus, Pogue, Presby, Scott, Smith, Stevenson, Sumner and Watson—16.

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

Senator Rosenhaupt moved that House bill No. 309 be referred to the Committee on Commerce and Manufacture.

Senator Cotterill moved as a substitute for motion of Senator Rosenhaupt that the bill be made a special order to be considered by the committee of the whole tomorrow at 11:00 o'clock a. m.

The motion was carried.

House bill No. 320: An act appropriating the sum of forty-two thousand, one hundred and forty-two dollars and seventy-five hundredths of a dollar (\$42,142.75) to complete contracts now in force on state roads, was placed on third reading.

On motion of Senator Graves, the Senate resolved itself into a committee of the whole to consider House bill No. 320.

The bill was considered in the committee of the whole, Senator Gunn in the chair, and reported back to the Senate with the recommendation that it do pass.

Senator Jones, President *pro tem.* in the chair.

On motion of Senator Veness, the report of the committee of the whole was adopted.

On motion of Senator Veness, the rules were suspended, the reading of House bill No. 320 had in the committee of the whole was considered the third reading of the bill, the bill was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Reed, Rosenhaupt, Ruth, Veness, Watson, Williams—30.

Those absent or not voting were: Senators Davis, Graves, Hutson, Knickerbocker, Piper, Pogue, Presby, Rands, Scott, Smith, Stevenson and Sumner—12.

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

The President resumed the chair.

House bill No. 51: An act to amend an act authorizing the establishment of public libraries in cities, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Graves, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Polson, Potts, Reed, Smith, Veness, Watson—25.

Those voting nay were: Senators Allen, Eidemiller, Paulhamus, Ruth and Williams—5.

Those absent or not voting were: Senators Booth, Gunn, Hutson, Knickerbocker, Piper, Pogue, Presby, Rands, Rosenhaupt, Scott, Stevenson and Sumner—12.

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

Senate bill No. 253: An act relating to the place of holding meetings of stockholders and trustees of corporations of this state, was placed on third reading.

Senator Williams moved that the bill be indefinitely postponed.

Senator Condon moved as a substitute for motion of Senator Williams, that further consideration of this bill be deferred at this time.

The substitute motion was adopted.

On motion of Senator Jones, the committee appointed to investigate oyster lands, etc., were given a longer time in which to make their report.

INTRODUCTION OF BILLS.

Senate bill No. 292, by Senator Allen, entitled, "An act authorizing cities of the first class to lay salt water mains and to assess properties benefited thereby."

The bill was read the first time, and on motion of Senator Allen the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 293, by Senator Veness, entitled, "An act requiring railroad companies and other common carries to equip flat cars with stakes, standards, supports, strips, railings, chains, and other appliances necessary to the safe carriage of goods, commodities and products, etc."

The bill was read the first time, and on motion of Senator Veness 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. 294, by Committee on Commerce and Manufactures, entitled, "An act to amend sections 1, 4, 5, 7 and 11, of an act, entitled, 'An act providing for the protection and health of employes in factories, mills or workshops where machinery is used and providing for suits to recover damages sustained by the violation thereof, and repealing an act approved March 6, 1903.'"

The bill was read the first time, and on motion of Senator Condon the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 295, by Senator Nichols, entitled, "An act relating to the protection of property from destruction by fire,

making it a misdemeanor to set and leave fires, and providing the penalties for violation thereof.”

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

PETITIONS, MEMORIALS, RESOLUTIONS AND MOTIONS.

Communications were read in favor of the anti-cigarette bill and referred to the Committee on Commerce and Manufacture.

Communication against the repeal of the Sunday closing law was read and referred to the Committee on Election and Privileges.

REPORT OF THE COMMITTEE APPOINTED TO VISIT AND REPORT ON THE SOLDIERS' HOME.

To the President of the Senate of the State of Washington:

We, your committee appointed by the Senate to visit the Soldiers' Home at Orting on February 23, 1907, report as follows:

We found the barracks in the following condition: The third story in each of three barracks, which are merely unfinished attics, are attained by going up a narrow, winding stair, in which place about forty cots are occupied in each attic, without ventilation of any kind or fire escapes that an old man could avail himself of. There are no water closets on these floors, and there are only two water closets on the second floors and two on the main floors. The plaster is cracked in nearly all of the barracks and the floor seems to be laid with green lumber, having since seasoned and shrunk, which makes it very unsanitary. The cots of the old soldiers are under the eaves of the buildings, with no ventilation whatever.

The barn and cesspool, around which were a great many hogs, are but a short distance from the hospital; the drainage from this ground is very poor, and part of the hog yard is but forty-four feet away from the hospital. The cemetery is also but a short distance from the hospital and in full view of the same, and there is great danger of the cemetery and the barracks at some future time being all washed away, as the Puyallup river is encroaching on the ground with every high water. In the recent high water over half a million feet of green timber has fallen in and the channel of the river has changed nearly a mile in the last five years, and it will take at least \$50,000 to clean the channel of the river and protect the grounds. The water is now only three and one-half feet below the surface of the ground, or the old channel that runs down by the cemetery. During high water the water rises within three or four inches of the surface of the ground. In excavating

the graves in the cemetery it is impossible to go below about two feet in the ground, and at that the grave must be constantly bailed out before the interment of the remains of the dead soldier can take place. After said interment the grave is quickly filled and a mass of earth piled on top of it, which earth is brought from a distance in wagons belonging to the cemetery, and this earth is terraced upon top of these graves to afford something like a decent covering for the remains of these old brave defenders.

The location in which the Soldiers' Home now is is such that it is not fit even for a penal convict place, much less a place for veterans of the civil war, and we would recommend that the Home be moved as soon as possible from its present location to some place on the waters of Puget Sound. The place is very unhealthy, very unsanitary, and the location is such that it would be hard to make any improvements, even at great cost, and we would not advise spending another dollar except for maintenance until it can be removed.

It has been thought by many that the number of inmates of the Home would naturally decrease owing to the increasing age and the deaths of the veterans of the civil war. We desire to point out that, on the contrary, the increase in the last five years is likely to be far exceeded in the next five, and most likely in the five years succeeding that. Veterans of the civil war have studiously declined to be considered as candidates for the State Soldiers' Home so long as they were able to maintain themselves by manual labor, but as age is creeping on them they are finding themselves unable to support life by their own labor, and they are compelled to accept the hospitality of the Government of the United States and of the State of Washington as provided for them in this Home.

As time passes the admissions must considerably exceed those of the past few years, and it is most-probable that in five years from now, and ten years from now, the number of applicants for the Home who must be accommodated will greatly exceed the number now on the rolls and create a congestion in the Home which it will be impossible to provide for without increased accommodation.

There is also the question of considering those who participated in the Cuban and Phillipine wars. There are in the Home today at Orting some ten or twelve participants in these wars who have been disabled and unable to care for themselves by reason of service, and this number is likely to increase.

We mention these things in order to show that the Soldiers' Home of Washington is not and cannot be considered a merely temporary affair. It is likely to be needed for many years to come, and if a suitable home is prepared for them it will always be available for other state purposes after the death of the last of our brave defenders.

One feature of the administration struck your committee as being somewhat unjust, and that is the requirement that the inmates of the Home performed police duty upon the grounds for a period of at least

two hours per day. This police duty consists mainly in cutting out stumps, digging roots, chopping wood, etc. When it is remembered that these men are all over sixty-five years old, and ranging from that to eighty-three years of age; many of them crippled by rheumatism, weak muscles, etc., it is thought by your committee that they should not be required to perform this severe manual labor, unless they themselves desire to undergo it.

ALEX POLSON.
JOHN L. BLAIR.
FRED M. PAULY.
B. D. MINKLER.

February 27, 1907.

On motion of Senator Veness, the report of the Committee was adopted.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 26, 1907.

MR. PRESIDENT:

We, your Committee on Roads and Bridges to whom was referred Senate bill No. 226, entitled, "An act to amend sections two, four and seven of an act, entitled, 'An act providing for the levy, collection, and manner of payment of road, bridge, poll and property taxes, 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. C. BRATT, *Chairman*.

We concur in this report: Alex Polson, A. Gunn, P. McGregor, A. W. Anderson, A. S. Ruth, R. L. Kline.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 26, 1907.

MR. PRESIDENT:

We, your Committee on Roads and Bridges to whom was referred House bill No. 204, entitled, "An act regulating the use of county bridges by traction engines," 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.

E. C. BRATT, *Chairman*.

We concur in this report: Geo. F. Cotterill, Alex Polson, A. Gunn, A. W. Anderson, A. S. Ruth, S. T. Smith, Peter McGregor, R. L. Kline.

On motion of Senator Bratt, the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

We, your Committee on Commerce and Manufacture, to whom was referred Senate bill No. 180, entitled, "An act regulating steam vessels, and vessels or boats operated by machinery, navigating the waters with-

in the jurisdiction of this state, excepting vessels which are subject to inspection under the laws of the United States, and providing penalties 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.

R. W. CONDON, *Chairman*.

We concur in this report: T. A. Hunter, Fred Eldemiller, A. L. Watson, B. D. Minkler, Ralph Metcalf, S. T. Smith.

On motion of Senator Condon, the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands, to whom was referred Senate bill No. 183, entitled, "An act to amend section 55 of an act, entitled, 'An act providing for the use of water for the purpose of irrigation, 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:

Strike out the words and figures, "Vol. 1" in line 4 of the title.

In section 1, line four, of the printed bill, strike out the word and figures "of Vol. 1,"

In section 1 and line 45, of the printed bill, strike out the words "one dollar" and insert in lieu thereof the words "fifty cents".

CHAS. T. HUTSON, *Chairman*.

We concur in this report: A. Gunn, Walter J. Reed, B. D. Minkler.

On motion of Senator Hutson, the report of the Committee was adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 76, entitled, "An act providing for the purchasing of a site, building a residence and furnishing the same, for the Governor of the State of Washington," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman*.

We concur in this report: P. L. Allen, Robt. F. Booth, Lincoln Davis.

Senate of the State of Washington:

We, your Committee on Printing would most respectfully report to your honorable body that after an investigation of the cost of the Daily

Senate Docket, we are of the opinion that the benefits derived from its publication are not sufficient to justify such expense and therefor respectfully recommend that the Senate Resolution ordering the Secretary of the Senate to print the same be repealed.

GEO. A. KENNEDY, *Chairman.*

P. L. Allen, W. G. Potts, Jesse S. Jones.

On motion of Senator Kennedy, the report of the Committee was adopted.

On motion of Senator Condon at 4:00 o'clock p. m. the Senate adjourned.

J. W. LYSONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.

FORTY-SIXTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, February 28, 1907.
10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The Secretary called the roll, all members being present except Senator Pogue, excused.

On motion of Senator Reed, the reading of yesterday's journal was dispensed with, and it was approved.

Various petitions against the repeal of the Sunday closing law were read and referred to the Committee on Judiciary.

Petition from Snohomish county against the proposed game law was read and referred to Committee on Game and Game Fish.

Petition from King county was read relative to initiative and referendum, and referred to Committee on Constitution and Constitutional Amendments.

Petition for anti-cigarette law from Spokane was read and referred to Committee on Commerce and Labor.

Senator Nichols moved that the Senate recede from its amendment striking the emergency clause from House bill No. 133.

Senator Graves made the point of order that the motion could not be entertained; that the matter of passage of an emergency clause was the same as the passage of the bill and that where the emergency clause failed to pass and was stricken it could not be considered an amendment to the bill, but must be treated the same as failure to pass the bill itself, that is, by reconsideration after notice duly made.

The President announced that the point of order would be ruled on later.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 102, entitled, "An act to enable cities of the first, second and third classes to exercise the right of eminent domain, etc.," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted.

ARTHUR GUNN, *Chairman.*

We concur in this report: Fred M. Pauly, A. S. Ruth.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

We, your Committee on Game and Game Fish to whom was referred Senate bill No. 244, entitled, "An act prohibiting the killing of certain birds," 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.

W. G. POTTS, *Chairman.*

We concur in this report: H. M. Boone, C. G. Brown, E. M. Williams, H. S. McGowan, Alex Polson.

On motion of Senator Potts, the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

We, your Committee on Game and Game Fish to whom was referred Senate bill No. 250, entitled, "An act to amend an act, entitled, 'An act

to provide for the erection of screens or grills at the head of irrigation flumes, ditches or canals on streams where state fish hatcheries are located for the purpose of preventing mountain trout, 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.

W. G. PORTS, *Chairman*.

We concur in this report: H. M. Boone, C. G. Brown, E. M. Williams, H. S. McGowan, Alex Polson.

On motion of Senator Potts, the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 272, entitled, "An act validating defective acknowledgments of deeds and other instruments," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

WILL G. GRAVES, *Chairman*.

We concur in this report: Chas. T. Hutson, E. M. Rands, T. A. Hunter, Robt. F. Booth, Ralph D. Nichols, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 321, entitled, "An act defining the crime of assault and battery, and providing punishment 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: Chas. T. Hutson, E. M. Rands, T. A. Hunter, Robt. F. Booth, Ralph D. Nichols, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 223, entitled, "An act to prevent and punish family desertion or non-support and to provide for support bonds and for suspension of trial and sentence," 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: Chas. T. Hutson, E. M. Rands, T. A. Hunter, Robt. F. Booth, Ralph D. Nichols, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 217, entitled, "An act defining the weight of a ton of coal," 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: Chas. T. Hutson, E. M. Rands, T. A. Hunter, Robt. F. Booth, Ralph D. Nichols, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 70, entitled, "An act to amend section 1 of an act, entitled, 'An act fixing the fees and compensation of justices of the peace, 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: Chas. T. Hutson, E. M. Rands, T. A. Hunter, Robt. F. Booth, Ralph D. Nichols, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 154, entitled, "An act to amend section four of an act relating to the organization, powers and duties of the supreme court," 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.

WILL G. GRAVES, *Chairman.*

We concur in this report: Chas. T. Hutson, E. M. Rands, T. A. Hunter, Robt. F. Booth, Ralph D. Nichols, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 212, entitled, "An act prescribing the time within which actions shall be brought for the collection of special assessments for local improvements," 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 section 2 of the printed bill.

WILL G. GRAVES, *Chairman.*

We concur in this report: Chas. T. Hutson, E. M. Rands, T. A. Hunter, Robt. F. Booth, Ralph D. Nichols, Ralph Metcalf, Harry Rosenhaupt.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 119, entitled, "An act to amend sections 117, 119 and 121 of the Code of Public Instruction," etc., 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.

Strike the title of the printed bill and substitute the following: "An act relating to the issuance of bonds by school districts, and amending sections 117, 119 and 121 of chapter CXVIII of the Session Laws of 1897."

In line 1, section 1, of the printed bill, strike the words "said Code" and substitute therefor the words "chapter CXVIII of the Session Laws of 1897."

In line 1, section 2, of the printed bill, strike the words "said Code of Public Instruction" and substitute therefor the words "chapter CXVIII of the Session Laws of 1897."

In line 1, section 3, of the printed bill, strike the words "one hun-

ded and twenty-one (121)" and substitute therefor the words and figures "121 of chapter CXVIII of the Session Laws of 1897."

Strike section 4 of the printed bill.

WILL G. GRAVES, *Chairman.*

We concur in this report: Chas. T. Hutson, E. M. Rands, T. A. Hunter, Robt. F. Booth, Ralph D. Nichols, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 3, entitled, "An act regulating the approval and filing for public record of real estate plats or additions to cities of the first and second 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 with the following amendments:

Strike the title of the printed bill and substitute the following: "An act relating to the filing and approval of plats of additions to certain cities."

Strike section 1 of the printed bill and substitute the following: "Section 1. No plat of an addition to a city of the first or second class or other city having a special charter, with sufficient population to authorize it to reincorporate under the general incorporation laws as a city of the first or second class, shall be filed, accepted or approved unless a plot of ground not less in area than one-tenth of the area of the blocks therein platted, exclusive of the lands set apart for streets and alleys, be dedicated to the public for use as a park or common and placed under the control of the city authorities for such use forever."

WILL G. GRAVES, *Chairman.*

We concur in this report: Chas. T. Hutson, T. A. Hunter, Robt. F. Booth, Ralph D. Nichols, Ralph Metcalf, Harry Rosenhaupt.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 293, entitled, "An act relating to the National Guard of Washington and amending sections 21 and 45 of an act, entitled, '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,' etc.," 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:

Strike the title of the printed bill and substitute the following therefor: "An act relating to the enrollment of the militia, the organization, maintenance and discipline of the National Guard of the State of Washington, providing for the public defense, amending sections 31, 42, 45, 87, 89 and 176 of chapter CVIII of the Session Laws of 1895, repealing section 16 of chapter 155 of the Session Laws of 1903, and declaring an emergency."

In lines 1 to 4, section 1, of the printed bill, strike the words "an act entitled, '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 entitled the 'Military Code' and to repeal existing laws,' approved March 19, 1895," and substitute therefor the words "chapter CVIII of the Session Laws of 1895."

In lines 1 to 4, section 2 of the printed bill, strike the words "an act entitled, '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 entitled the Military Code' and to repeal existing laws,' approved March 19, 1895," and substitute therefor the words "chapter CVIII of the Session Laws of 1895."

In section 3 of the printed bill, beginning with the figure "5" strike all the remainder of line 1, strike all of lines 2 to 9, inclusive, and in line 10 the words "approved March 16, 1903," and substitute therefor the words and figures "42 of chapter CVIII of the Session Laws of 1895."

In line 10 of said section strike the figure "5" and substitute the figures "42" therefor.

Make section 3 of the printed bill section 2 and section 2 section 3.

In line 1, section 4, of the printed bill, strike the words and figures "12 of said act of March 16, 1903," and substitute therefor the words and figures "87 of chapter CVIII of the Session Laws of 1895." In line 2 of said section strike the figures "12" and substitute the figures "87" therefor.

In line 1, section 5, of the printed bill, strike the words and figures "13 of said act of March 16, 1903," and substitute therefor the words and figures "89 of chapter CVIII of the Session Laws of 1895." In line 2 of said section strike the figures "13" and substitute the figures "89" therefor.

In line 1, section 6, of the printed bill, strike the words "said act of March 16, 1903, be" and substitute therefor the words "chapter 155 of the Session Laws of 1903 is hereby."

In line 1, section 7, of the printed bill, strike the words and figures "18 of said act of March 16, 1903," and substitute therefor the words and figures "176 of chapter CVIII of the Session Laws of 1895". In line

2 of said section strike the figures "18" and substitute the figures "176" therefor.

WILL G. GRAVES, *Chairman.*

We concur in this report: Chas. T. Hutson, T. A. Hunter, E. M. Rands, Robt. F. Booth, Ralph D. Nichols, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision to whom was referred Senate bill No. 252, entitled, "An act providing for the amendment of article IV of the Constitution of the State of Washington relating to the election and term of office of judges of the Supreme Court and Superior Courts of the State," 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.

E. M. WILLIAMS, *Chairman.*

We concur in this report: Fred M. Pauly, A. S. Ruth, A. L. Watson.

On motion of Senator Williams the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision to whom was referred Senate bill No. 231, entitled, "An act providing for the amendment of section 21 of article 1 of the Constitution of the State of Washington, relating to trials by jury," 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.

E. M. WILLIAMS, *Chairman.*

We concur in this report: Fred M. Pauly, A. S. Ruth, A. L. Watson.

On motion of Senator Williams the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation to whom was referred engrossed House bill No. 256, entitled, "An act to provide for the assessment of the property of telegraph companies," 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.

T. B. SUMNER, *Chairman.*

We concur in this report: E. M. Rands, Fred M. Pauly, Geo. F. Cotterill, R. W. Condon, J. A. Veness, Alex. Polson, Chas. T. Hutson.

On motion of Senator Sumner the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation to whom was referred Senate bill No. 240, entitled, "An act to enable counties, cities and towns to validate certain warrants and other obligations and evidences of indebtedness on the part of such counties, cities and towns," 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 3, line 7, of the printed bill, strike the words, "so ratified."

T. B. SUMNER, *Chairman.*

We concur in this report: E. M. Rands, Fred M. Pauly, R. W. Condon, J. A. Veness, Alex Polson.

On motion of Senator Sumner the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation to whom was referred Senate bill No. 247, entitled, "An act empowering boards of county commissioners to levy a special tax and appropriate money for the purpose of advertising the county's resources and to aid in publicity work," 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: E. M. Rands, Fred M. Pauly, Chas. T. Hutson, R. W. Condon.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation to whom was referred engrossed House bill No. 208, entitled, "An act relating to revenue and taxation," 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: E. M. Rands, Fred M. Pauly, Geo. F. Cotterill, R. W. Condon, J. A. Veness, Alex Polson.

OLYMPIA, WASHINGTON, February 28, 1907.

SENATE CHAMBER,

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation to whom was referred engrossed House bill No. 102, entitled, "An act fixing the fees to be paid to the Secretary of State by corporations doing business in this State providing penalties for failure to pay the same and repealing all acts and parts of acts in conflict herewith," 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 6, line 5, of the printed bill, strike the word "ten" insert in lieu thereof the word, "fifteen". In the same section, line 7, of the engrossed bill, strike the word "twenty", insert in lieu thereof the word "fifteen".

T. B. SUMNER, *Chairman.*

We concur in this report: E. M. Rands, Fred M. Pauly, Geo. F. Cotterill, R. W. Condon, J. A. Veness, Alex Polson, Chas. T. Hutson.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 27, 1907.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics to whom was referred House bill No. 162, entitled, "An act to regulate the employment of child labor, and to prohibit the employment of persons under the age of nineteen years as public 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:

Amend section 1 of the printed bill by striking out all that part of the section after the word "parent" where it occurs in line 9 of said section and insert the following:

"And provided further, that the judge of the juvenile court may issue permits for the employment of any male child over fourteen years of age, as messengers by telegraph, telephone and messenger companies subject to such limitations and conditions as may be imposed by said court.

"All permits herein provided for shall be issued for a definite time and shall be revocable at the discretion of the judge by whom issued."

In line 9 of the printed bill strike the word "invalid".

T. A. HUNTER, *Chairman.*

We concur in this report: T. B. Sumner, W. G. Potts, P. L. Allen, Lincoln Davis.

On motion of Senator Hunter the report of the Committee was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 296, by Senator Reed, entitled, "An act to amend section 3730 of Ballinger's Annotated Codes and Statutes of Washington, relating to the assessment and taxation of benefited property for the construction and maintenance of systems of drainage."

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

Senate bill No. 297, by Joint Committee on Horticulture, entitled, "An act creating the office of State Commissioner of Horticulture, providing for the promotion and protection of the fruit growing and horticultural interests of the State of Washington, and providing penalties for the violation of certain provisions of this act."

The bill was read the first time, and on motion of Senator Gunn the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 298, by Senator Reed, entitled, "An act amending section 139 of the Code of Public Instruction relating to granting of state certificates."

The bill was read the first time, and on motion of Senator Reed 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. 299, by Committee on Dairy and Live Stock, entitled, "An act relating to the sales of stallions, jacks, or bulls, and providing penalties for the violation thereof."

The bill was read the first time, and on motion of Senator McGregor the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

GENERAL FILE.

Senate bill No. 89: An act prescribing the mode of procedure in condemnation proceedings, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter,

Hutson, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Pauly, Piper, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Watson, Williams—30.

Those absent or not voting were: Senators Anderson, Booth, Condon, Jones, Knickerbocker, Metcalf, Paulhamus, Pogue, Polson, Scott, Sumner and Veness—12.

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

On motion of Senator Brown, Senate bill No. 170 was referred to the Committee on Judiciary.

Senator Graves reported that the conference committee heretofore appointed on Senate bill No. 97 was unable to agree, and moved that the committee be discharged, and that a free conference committee be appointed.

The motion was carried.

The President appointed to serve on the Free Conference Committee, Senators Graves, Booth and Rands.

Senate bill No. 179: An act amending section 6 of an act to provide for the alteration, replat or vacation of any town site, city plat or plats, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Kline, McGowan, Minkler, Nichols, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Veness, Watson, Williams—29.

Those voting nay were: Senator Kennedy—1.

Those absent or not voting were: Senators Booth, Graves, Hutson, Jones, Knickerbocker, McGregor, Metcalf, Paulhamus, Pogue, Scott, Stevenson and Sumner—12.

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

Senate bill No. 28: An act relating to elections, etc., was placed on third reading.

On motion of Senator Cotterill, the words "and he shall not be permitted to vote" was stricken from line 20 of the printed bill and inserted in lieu thereof, the words "unless he shall take the oath or affirmation as tendered to him by the inspector or judge."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Reed, Rosenhaupt, Ruth, Williams—26.

Those voting nay were: Senators Hutson, Kennedy, Kline, Presby, Rands, Smith, Veness and Watson—8.

Those absent or not voting were: Senators Davis, Jones, Knickerbocker, Piper, Pogue, Scott, Stevenson and Sumner—8.

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

Senate bill No. 23: An act amending section 4028 of Ballinger's Annotated Codes and Statutes of Washington, relating to the appointment, qualifications, etc., of court commissioners, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Davis, Hutson, Jones, Knickerbocker, Pogue, Scott and Sumner—7.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Blair, Boone, Booth, Condon, Cotterill, Davis, Eidemiller, Graves, Hunter, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Smith, Stevenson, Veness, Watson, Williams—30.

Those voting nay were: Senators Allen, Anderson, Bratt, Brown, Gunn and Ruth—6.

Those absent or not voting were: Senators Hutson, Jones, Knickerbocker, Pogue, Scott and Sumner—6.

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

Senator Paulhamus gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 23 passed the Senate; also the vote by which House bill No. 65 failed to pass the Senate yesterday.

Senate bill No. 111: An act relating to the exemption of wages, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Boone, Booth, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Kline, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Piper, Polson, Potts, Rands, Reed, Ruth, Smith, Stevenson, Sumner, Veness,—25.

Those voting nay were: Senators Anderson, Blair, Bratt, Davis, Hunter, Hutson, Jones, Kennedy, McGregor, Pauly, Presby, Rosenhaupt, Watson, Williams—14.

Those absent or not voting were: Senators Knickerbocker, Pogue and Scott—3.

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

SPECIAL ORDER.

The hour of 11:00 o'clock a. m. having arrived House bill No. 309, which was a special order for that hour, was taken up.

On motion of Senator Watson, the bill was referred to the Committee on Commerce and Manufacture.

GENERAL FILE.

House bill No. 186: An act relating to the government, management and control of the state's public institutions and educational institutions, etc., was placed on third reading.

On motion of Senator Stevenson, the words and figures "two thousand four hundred (\$2,400)" in line 12, section 1, of the printed bill, were stricken, and the words and figures "three thousand (\$3,000)" inserted in lieu thereof.

Senator Stevenson moved to amend section 1 of the printed bill by striking the words and figures "seven hundred and fifty (\$750)" and insert in lieu thereof the words and figures "one thousand (\$1,000)."

The motion was withdrawn.

Senator Ruth moved to amend section 1 of the printed bill by inserting a period after the word "duties" in line 14, and striking the balance of the section.

A roll call was demanded by the following: Senators Booth, Hutson, Nichols, Potts, Polson, Stevenson and Ruth, and the amendment adopted by the following vote:

Those voting aye were: Senators Allen, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Potts, Rosenhaupt, Ruth, Smith, Stevenson, Veness, Watson—27.

Those voting nay were: Senators Anderson, Blair, Paulhamus, Polson, Rands, Reed, Sumner and Williams—8.

Those absent or not voting were: Senators Gunn, Hunter, Knickerbocker, Piper, Pogue, Presby and Scott—7.

Senator Ruth moved to strike the words and figures "three thousand five hundred (\$3,500.)" in line 8, section 5, of the printed bill, and insert in lieu thereof the words and figures "three thousand (\$3,000.)".

Senator Gunn moved as a substitute for motion of Senator Ruth that the words and figures "three thousand five hundred (\$3,500.)" in line 8, section 5, of the printed bill, be stricken, and the words and figures "four thousand (\$4,000.)" be inserted in lieu thereof.

The substitute motion was adopted.

On motion of Senator Piper, the following was added to section 5 of the printed bill: "Provided that no person shall be capable to serve as superintendent of either hospital for the insane who has had not less than three years experience as a practicing physician after receiving his diploma or license."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Hunter, Knickerbocker, Pogue, Presby and Scott—5.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

The House has passed Senate bill No. 4, relating to the classification and issuance of teachers' certificates;

Also Senate bill No. 178, relating to the payment by the state of assessments made on state lands;

Also Senate bill No. 35, to provide for the incorporation of associations for social, charitable and educational purposes;

Also Senate bill No. 213, relating to the selection of jurors in superior courts of the state;

Also Senate bill No. 50, relating to the competency of witnesses in certain cases;

Also Senate bill No. 87, amending the code of public instruction;

Also Senate bill No. 136, authorizing the levy of a tax for the purpose of improving rivers and streams;

Also Senate bill No. 132, amending an act providing for the establishment and creation of drainage districts;

Also Senate bill No. 52, amending laws relating to revenue and taxation;

Also Senate bill No. 27, providing for the relief of indigent soldiers, sailors and marines;

Also Senate bill No. 161, an act to amend state constitution;

Also Senate bill No. 61, authorizing assessment of county or state lands within the limits of incorporated cities or towns;

Also Senate bill No. 145, providing for a system of checking the accounts of various county officers;

Also House Concurrent Resolution No. 19, requesting that permission be granted House Committee on Enrolled Bills to make a clerical correction in enrolled House bill No. 81;

Also House Memorial No. 6, protesting against the extension of forest reserves in this state;

Also House bill No. 306, amending an act relating to the ventilation of coal mines;

Also House bill No. 108, relating to the sale of school property;

Also House bill No. 127, amending an act regulating the control of insurance companies;

Also House bill No. 286, granting right to overflow lands belonging to the State of Washington, in certain cases;

Also House bill No. 289, amending an act establishing a railroad commission;

Also House bill No. 222, an act providing for the control of stored waters;

Also House Concurrent Resolution No. 12, requesting an investigation of certain applications involving lands lying within the Long Island Oyster Reserve.

And the same are herewith transmitted.

The House has indefinitely postponed:

Senate bill No. 71, relating to contracts;

Also Senate bill No. 214, providing for the purchase of law libraries;

Also Senate bill No. 200, providing for the compensation of witnesses in certain cases.

The House has passed Senate bill No. 48, entitled, "An act empowering county commissioners to make exhibits at Alaska-Yukan-Pacific Exposition," with the following amendments: Amend section 1, lines 5 and 6, printed bill, same being line 9, original, by striking out the words "one-tenth of one per centum" and inserting in lieu thereof the words "one-half of one mill on the dollar".

Also Senate bill No. 233, entitled, "An act relating to the creation of diking districts," with the following amendments:

Section 3, line 13, of the printed bill, strike the word "thereuntofore" and insert in lieu thereof the word "theretofore".

Section 5, line 2, of the printed bill, after the word "auditor" insert "when so directed by the board of county commissioners";

Also Senate bill No. 181, entitled, "An act fixing the salaries of the governor and other state officials," with the following amendments:

Amend section 1 as follows: In line 4 of the engrossed bill, being in line 3 of the printed bill, after the word "state" strike out the words "three thousand dollars" and insert in lieu thereof the words "two thousand and five hundred dollars".

In lines 4 and 5 of the engrossed bill, being in line 3 of the printed bill, after the word "treasurer" strike out the words "three thousand" and insert the words "two thousand and five hundred."

In line five of the engrossed bill, being in lines 3 and 4 of the printed bill, after the word "Auditor," strike out the words "three thousand" and insert in lieu thereof the words "two thousand and five hundred."

In line 7 of the engrossed bill, being in line 5 of the printed bill, after the word "instruction" strike out the words "three thousand" and insert in lieu thereof the words "two thousand and five hundred."

In line 8 of the engrossed bill, being in line five of the printed bill, after the word "Lands" strike out the words "three thousand" and insert in lieu thereof the words "two thousand and five hundred."

Also Senate bill No. 38, relating to the levy of road tax, with the following amendments:

Amend the last word of section 1 by adding "s" to "Commissioner".

Strike out section 2.

Also Senate bill No. 116, relating to commission merchants with the following amendments:

In section 1, line 8, of the printed bill, the same being line 12 of the original bill, strike "\$5,000" and insert in lieu thereof "\$3,000".

In section 3, line 3, of the printed bill, insert after the word "him" the words "from any resident of the State of Washington". In line 5, of the engrossed Senate bill, insert the same after the word "corporation".

In section 5, line 4, of the printed bill, the same being line 6, of the engrossed bill, insert after the word "purchaser" the words "if requested so to do in writing".

In section 6, line 5, of the printed bill, the same being line 8, of the engrossed Senate bill, strike the period and insert a comma; and add the words "unless otherwise specified in writing". Also add a period.

Also Senate bill No. 68, relating to holidays in the public schools with the following amendments:

Add section 2, Senate bill No. 68: "Sec. 2. An emergency exists and this act shall take effect immediately."

Amend title by adding "and declaring an emergency."

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Allen at 11:55 a. m. the Senate took a recess until 2:00 o'clock p. m.

AFTERNOON SESSION.

The Senate was called to order at 2:00 o'clock p. m. by President Coon, pursuant to adjournment.

The Secretary called the roll, all members being present except Senator Pogue, excused.

The President ruled as follows on the point of order raised by Senator Graves on House bill No. 133, the same being read by the Secretary:

The question raised is whether the failure to pass the emergency clause is treated the same as the failure to pass the bill, or whether the bill itself being passed, the failure to pass the emergency clause is treated as an amendment to the bill.

The point raised is a technical one. The only precedent is that of custom. It has been the uniform custom in the Senate to consider and treat the failure to adopt an emergency clause on House bills as an ordinary amendment. The same thing has occurred during the present session on other bills than the one in question.

Parliamentary law has been aptly termed, "the practice of ordinary common sense," in the transaction of business before an assembly. To hold at this time that a practice which has been followed in the past as a matter of course is wrong, on purely technical grounds, would be in

practical effect to rob a member of this body of a right which has been recognized for several sessions, at least, as sound parliamentary usage. If it is not desired to follow this practice in the future a definite rule on the subject should be adopted to guide the President.

In view of past precedents, however, the point raised by the Senator from Spokane is overruled.

Senator Graves appealed on the decision of the President.

On roll call the decision of the President was sustained by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Hunter, Hutson, Jones, Kline, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Smith, Sumner, Veness, Williams—28.

Those voting nay were: Senators Cotterill, Graves, Gunn, McGowan, Metcalf, Presby, Ruth and Stevenson—8.

Those absent or not voting were: Senators Booth, Kennedy, Knickerbocker, Pogue, Scott and Watson—6.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

The House has passed House bill No. 413, entitled, "An act relating to the superior courts of certain counties."

The Secretary of the Senate is requested to immediately return Senate bill No. 52 to the House for the purpose of amendment.

And the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

The House has passed Senate bill No. 52, entitled, "An act amending law relative to revenue and taxation," with the following amendments:

Amend the title by adding thereto the following words: "and declaring an emergency."

Amend the bill by adding a section to be numbered section 2 to read as follows: "Sec. 2. An emergency exists and this act shall take effect immediately."

And the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Sumner, Senate bill No. 52 was ordered returned to the House immediately.

Senator Nichols now renewed his motion that the Senate recede from its amendment to House bill No. 133, striking the emergency clause.

A roll call was had and the motion was lost by the following vote:

Those voting aye were: Senators Allen, Blair, Booth, Condon, Davis, Eidemiller, Hunter, Kennedy, Kline, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Rands, Reed, Smith, Sumner, Watson, Williams—21.

Those voting nay were: Senators Anderson, Boone, Bratt, Brown, Cotterill, Graves, Gunn, Hutson, Jones, McGowan, McGregor, Metcalf, Polson, Presby, Rosenhaupt, Ruth, Stevenson, Veness—18.

Those absent or not voting were: Senators Knickerbocker, Pogue and Scott—3.

Senator Cotterill moved that the Senate now insist on its amendments to House bill No. 133.

The motion was carried.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

The Speaker has appointed Messrs. Reid, Godman and Romaine as a free conference committee on Senate bill No. 97.

LEO O. MEIGS, *Clerk of the House.*

REPORT OF FREE CONFERENCE COMMITTEE.

MR. PRESIDENT:

Your Free Conference Committee on Senate bill No. 97, relating to salaries of judges of the supreme and superior courts respectfully report that we have reached an agreement with the Free Conference Committee of the House of Representatives as to an amendment to be made to said bill. We therefore recommend that said Senate bill No. 97 be amended as follows and immediately transmitted to the House of Representatives for the action of that body:

Amend the printed bill as follows:

In line 2, section 1, after the word "court" strike the remainder of said section and substitute the following words: "shall receive an annual salary of three thousand dollars: Provided, that in counties of the first class said salary may be increased by order of the board of county commissioners to an amount not exceeding four thousand dollars. Whenever the salary of any judge shall be increased as herein

provided the amount of such increase shall be paid by the county and not otherwise.

WILL G. GRAVES, *Chairman Senate Com.*

We concur in this report: Geo. T. Reid, E. M. Rands, Robt. F. Booth, M. M. Godman, J. W. Romaine.

Senator Graves moved the adoption of the report of the committee.

A roll call was had and the report of the committee adopted by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Sumner, Veness, Watson, Williams—36.

Those voting nay were: Senators Boone and Smith—2.

Those absent or not voting were: Senators Knickerbocker, Pogue, Scott and Stevenson—4.

Senator Hutson withdrew his motion to reconsider the vote by which House bill No. 292 passed the Senate.

On motion of Senator Rosenhaupt, the rules were suspended and House bill No. 292 was ordered transmitted to the House immediately.

Senator Sumner moved that the Senate do concur in the amendments made by the House to Senate bill No. 52.

A roll call was had and the Senate concurred in the amendments made by the House by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Smith, Sumner, Veness, Williams—35.

Those voting nay were: Senators Paulhamus, Ruth and Stevenson—3.

Those absent or not voting were: Senators Knickerbocker, Pogue, Scott and Watson—4.

SPECIAL ORDER.

The hour of 2:30 p. m. having arrived Senate bill No. 224, which was a special order for that hour was taken up for consideration.

Senator Davis moved that the bill be placed at the foot of the calendar.

A roll call was had and the motion carried by the following vote:

Those voting aye were: Senators Allen, Anderson, Booth, Brown, Condon, Davis, Eidemiller, Graves, Hunter, Hutson, Jones, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—32.

Those voting nay were: Senators Blair, Boone, Bratt, Cotterill and Gunn—5.

Those absent or not voting were: Senators Kennedy, Knickerbocker, Pogue, Polson and Scott—5.

GENERAL FILE.

Senate bill No. 158: An act extending the time for the removal of timber sold on state lands, was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Booth, Bratt, Condon, Hunter, Kline, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Sumner, Watson—20.

Those voting nay were: Senators Allen, Anderson, Blair, Boone, Brown, Cotterill, Eidemiller, Gunn, Jones, Kennedy, McGregor, Polson, Rands, Stevenson, Veness—15.

Those absent or not voting were: Senators Davis, Graves, Hutson, Knickerbocker, Pogue, Scott and Williams—7.

Senate bill No. 105: An act for the relief of Andrew Eskola, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Cotterill, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Ruth, Stevenson, Veness, Watson—29.

Those absent or not voting were: Senators Booth, Condon, Davis, Hutson, Knickerbocker, Metcalf, Piper, Pogue, Rosenhaupt, Smith, Scott, Sumner and Williams—13.

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

On motion of Senator Rands, Senate bill No. 202 was ordered placed at the foot of the calendar.

Senate bill No. 246: An act preventing the sale of lands set apart for the use, support, establishment, maintenance and endowment of the state agricultural college and school of science now known as the state college of Washington, or of any of the several state normal schools without the consent of the board of regents or board of trustees of said college or school, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Ruth, Smith, Sumner, Williams—30.

Those voting nay were: Senators Boone, Presby, Veness and Watson—4.

Those absent or not voting were: Senators Booth, Eide-miller, Hutson, Knickerbocker, Pogue, Rosenhaupt, Scott and Stevenson—8.

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

Senator Ruth gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 246 passed the Senate.

Senate bill No. 248: An act authorizing the state board of control to use brick manufactured at the state penitentiary for the construction of buildings at the state penitentiary, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Presby, Rands, Reed, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—32.

Those voting nay were: Senator Jones—1.

Those absent or not voting were: Senators Boone, Booth, Eidemiller, Hutson, Knickerbocker, Pogue, Polson, Rosenhaupt, and Scott—9.

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

COMMUNICATION FROM THE GOVERNOR.

Major A. N. Brown, Secretary to the Governor, delivered the following communication from the Governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, February 28, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN:—I have this day approved Senate bill No. 76, entitled: "An act providing for the purchase of site, construction and furnishing of a residence for the governor of the State of Washington, appropriating the sum of \$35,000 therefor."

ALBERT E. MEAD, *Governor.*

GENERAL FILE.

Senate bill No. 223: An act providing for the amendment of section 3 of article 11 of the constitution of the State of Washington relating to county, city and township organization, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Potts, Presby, Rands, Reed, Ruth, Smith, Stevenson, Sumner, Watson, Williams—33.

Those absent or not voting were: Senators Booth, Hutson, Knickerbocker, Piper, Pogue, Polson, Rosenhaupt, Scott and Veness—9.

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

Senate bill No. 25: An act relating to express companies, providing for delivery within the limits of incorporated cities or towns, etc., was placed on third reading.

On motion of Senator Allen, the following amendment was made: In section 1, line 6, of the printed bill, after the word "within" insert the words "a radius of three miles from the main office of said company within".

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt—27.

Those voting nay were: Senators Rands, Ruth, Smith and Williams—4.

Those absent or not voting were: Senators Graves, Hutson, Knickerbocker, McGregor, Pogue, Presby, Scott, Stevenson, Sumner, Veness and Watson—11.

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

Senate bill No. 139: An act creating a state highway board and the office of state highway commissioner, etc., was placed on third reading.

On motion of Senator Ruth, section 10, line 3, was amended by striking the word "state" in the printed bill, and inserting the word "public" and the same correction was made in section 7, line 16 of the printed bill.

On motion of Senator Graves, section 13 of the printed bill was amended by striking all after the word "of" in line 1 of said section down to and including the word "is" in line 11, and inserting in lieu thereof the words "chapter 174 session laws of 1905, arc".

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Cotterill, Davis, Graves, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Watson, Williams—32.

Those absent or not voting were: Senators Allen, Condon, Eidemiller, Hutson, Knickerbocker, McGregor, Pogue, Rands, Scott and Veness—10.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn,

Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—36.

Those absent or not voting were: Senators Booth, Eide-miller, Knickerbocker, Pogue, Rands and Scott—6.

On motion of Senator Graves, the title of the bill was amended by striking all after the word "of" in line 6 of the title of the printed bill, down to and including the figures "1905" in line 16, and inserting in lieu thereof the words "chapter 174 session laws of 1905".

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

On motion of Senator Reed, the rules were suspended and the bill ordered stransmitted to the House immediately.

On motion of Senator Sumner, Senate bill No. 251 was indefinitely postponed.

Senator Jones, President *pro tem.* was called to the chair.

Senate bill No. 180: An act regulating steam vessels, etc., was placed on third reading.

On motion of Senator Cotterill, the following amendments were made:

In line 2, section 20, of the printed bill, after the word "let-
ters" insert the words "or on a white background in black, yel-
low or gilt letters".

Make section 9 subdivision 15 of section 8.

Make section 10 subdivision 16 of section 8.

Make section 11 subdivision 17 of section 8.

Make section 12 subdivision 18 of section 8.

Re-number section 13 of the printed bill section 9.

Re-number section 14 of the printed bill section 10.

Re-number section 15 of the printed bill section 11.

Re-number section 16 of the printed bill section 12.

Re-number section 17 of the printed bill section 13.

Re-number section 18 of the printed bill section 14.

Re-number section 19 of the printed bill section 15.

Re-number section 20 of the printed bill section 16.

Re-number section 21 of the printed bill section 17.

Re-number section 22 of the printed bill section 18.

Re-number section 23 of the printed bill section 19.

Re-number section 24 of the printed bill section 20.

Re-number section 25 of the printed bill section 21.

Re-number section 26 of the printed bill section 22.

Re-number section 27 of the printed bill section 23.

Re-number section 28 of the printed bill section 24.

Re-number section 29 of the printed bill section 25.

Re-number section 30 of the printed bill section 26.

Re-number section 31 of the printed bill section 27.

Re-number section 32 of the printed bill section 28.

In line 5, section 23, of the printed bill, strike the word "ten" and insert the word "twenty".

Amend the new section 26 of the printed bill by inserting after the word "labor" in the second line the words "an inspection fee, which shall be not less than five dollars nor more than twenty dollars, to be fixed by the commissioner of labor with reference to the size of the vessel inspected." and by striking out the words thereafter "the sum of ten dollars."

Senator Condon moved to amend section 2 of the printed bill by inserting after the word "states" in line 4, the words "or on the waters subject to the jurisdiction of the United States".

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hutson, Jones, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Potts, Reed, Ruth, Smith, Stevenson, Sumner—22.

Those voting nay were: Senators Anderson, Boone, Hunter, Kline,, McGowan, Polson, Presby, Rosenhaupt, Veness, Watson, and Williams—11.

Those absent or not voting were: Senators Booth, Davis, Kennedy, Knickerbocker, Nichols, Piper, Pogue, Rands and Scott—9.

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

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASHINGTON, February 28, 1907.

Your Committee on Enrolled Bills to whom was referred Senate bill No. 52, entitled, "An act amending an act entitled, 'An act to amend sec-

tion 3 of chapter LXXXIII of the Laws of 1897, relating to revenue and taxation." Passed the Senate and the House June 12, 1901, notwithstanding the veto of the Governor.

Have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: Robt. F. Booth, R. W. Condon, P. L. Allen, Lincoln Davis.

The President signed Senate bill No. 52.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

The House has passed Senate bill No. 65, entitled, "An act authorizing cities of the first class to include within local improvement districts, state lands in certain cases," with the following amendments:

Amend the title by striking out everything after the word "lands", in line 5.

Amend section 3 by striking out all of the section, and inserting in lieu thereof the following:

"Where the State has made no lease or contract, or has granted no right with reference to any school section, or any part thereof, against which an assessment has been made for local improvements, the State shall at the next session of the Legislature after such improvement is made, if it still owns the land, appropriate sufficient money to pay for such improvements, or the person entitled to such money may apply to the proper State officers to have such lands sold in the manner provided by law, and if the said lands have not been appraised, the state land commissioner shall, upon said application being made, cause the same to be appraised, and the assessment for such improvement shall be added to the appraised valuation of all such tracts owned by the State, and such land commissioner shall cause the sale of such lands to be made in the manner provided by law, but no sale shall be made for less than the appraised value, plus the assessment, against the tract to be sold. When such lands are sold, the proper state officers are authorized to pay to the party entitled to receive the same, the amount or amounts of said assessments for local improvements."

Amend the title by inserting the word "districts" in line 2 thereof, the words "tide lands and".

Amend section 1 by inserting in line 3 of the printed bill, same being line 4 of the original bill, after the word "sections" the following: "or tide lands".

Amend section 1 by inserting in line 4 of the printed bill, same being line 6 of the original bill, after the word "against" the following: "any such tide or school"; also by striking out in line 5 of the printed bill,

same being line 5 of the original bill, the following words: "included in such school section".

Amend section 2 by inserting after the words "wherever any" in line 1 of the printed bill, same being line 1 of the original bill, the following words: "such tide or school"; also by striking out after the word "situated" in line 1 the following words: "in a school section".

Amend section 3 as amended by striking out in line 2 of the amended section the words: "school section", and insert in lieu thereof the words: "such lands".

Amend the title by striking out everything after the word "lands" in line 5.

Also Senate bill No. 144, authorizing the formation of metropolitan park districts, with the following amendments:

Amend section 6 by striking out the words and figures "one and one-half ($1\frac{1}{2}$)" in line 4 of the printed bill, same being line 5 of the original bill, and inserting in lieu thereof the following: "one quarter of one ($\frac{1}{4}$)".

Amend section 7 by striking out in line 6 of the printed bill, same being line 9 of the original bill, the following: "consistent with the general election laws", and inserting in lieu thereof the following: "in the manner provided by this act".

Amend section 20 by inserting in line 6 of the printed bill, same being line 6 of the original bill, after the period following the word "district" the following: "provided, however, that where such territory proposed to be annexed shall be within the limits of an incorporated city or town other than the first class, such petition shall be signed by at least twenty (20) per cent. of the qualified electors residing within such territory."

Amend by adding to section 3 the following: "Said board of park commissioners shall designate in their notice of election the time of opening and closing of the polls, and the places of voting, but in no event shall there be less than one voting place in each of the various wards of such city, and at least one voting place in any outlying district annexed to such park district and not within the city. The polls shall be kept open at such election at least from one o'clock p. m. to seven o'clock p. m., but said park commissioners may keep the polls open for a longer period if they shall so order, but the time of opening and closing of the polls must be stated in the notice of election, and the polls shall be opened and closed in accordance with such notice. Any person residing in said park district who is, at the time of holding such election, a qualified voter under the laws of the State of Washington, shall be entitled to vote at such election, and the public officials, either city or county, having charge of the registration books, shall deliver the same to the board of park commissioners for the use of the election officers at such park elections."

The Speaker has signed Senate bill No. 52, entitled, "An act amending an act entitled, 'An act to amend section 3 of chapter LXXXIII of

the Laws of 1897, relating to revenue and taxation," passed the Senate and the House June 12, 1901, notwithstanding the veto of the Governor.

The House has passed Senate bill No. 174, entitled, "An act for the protection of persons working in coal mines," with the following amendments:

Strike from the title the words "and declaring an emergency." Change the comma after the figures "1897" to a period.

Amend section 1 as follows: In line 30 of the original bill, being line 25 of the printed bill, strike out the words "and incidental".

Strike out all of section 2.

Also House bill No. 125, an act providing for the organization of municipal corporations.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

The President resumed the chair.

On motion of Senator Kline, Senate bill No. 166 was ordered placed at the foot of the calendar.

Senate bill No. 183: An act to amend section 55 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 to carry water for such purposes, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Jones, Kennedy, Kline, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Stevenson, Veness, Watson, Williams—31.

Those voting nay were: Senator McGowan—1.

Those absent or not voting were: (Senators Hunter, Hutson, Knickerbocker, Nichols, Pogue, Rands, Scott, Smith 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. 266: An act providing for the distribution and expenditure of moneys received from forest reserves, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts,

Presby, Reed, Rosenhaupt, Stevenson, Veness, Watson, Williams—31.

Those absent or not voting were: Senators Booth, Hunter, Hutson, Jones, Knickerbocker, Pogue, Rands, Ruth, Scott, Smith and Sumner—11.

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

On motion of Senator Bratt, Senate bill No. 226 was ordered placed at the foot of the calendar.

Senate bill No. 162: An act granting right of way to irrigation districts, irrigation companies, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Stevenson, Watson, Williams—29.

Those absent or not voting were: Senators Booth, Brown, Hunter, Hutson, Knickerbocker, Nichols, Pogue, Rands, Ruth, Scott, Smith, Sumner and Veness—13.

On motion of Senator Boone the words "and declaring an emergency" were stricken from the title of the printed bill.

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

COMMUNICATION FROM THE GOVERNOR.

Major A. N. Brown, Secretary to the Governor, delivered the following communication from the Governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 28, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN:—I have this day approved Senate bill No. 52, entitled: "An act amending an act entitled, 'An act to amend section 3 of chapter LXXXIII of the Laws of 1897, relating to revenue and taxation,' passed the Senate and the House June 12, 1901, notwithstanding the veto of the Governor, and declaring an emergency."

ALBERT E. MEAD, *Governor.*

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

MR. PRESIDENT: OLYMPIA, WASHINGTON, February 28, 1907.

The House has adopted the report of the Free Conference Committee on Senate bill No. 97.

LEO. O. MEIGS, *Clerk of the House.*

On motion of Senator Boone, Senate bill No. 44 was indefinitely postponed.

Senate bill No. 195: An act to prevent unauthorized persons from using any emblem, badge, button, token or insignia of any fraternal, secret or beneficiary order, etc., was placed on third reading.

On motion of Senator Allen, section 1, of the printed bill was amended by inserting in line 3, after the word "republic" the words "or of the Spanish-American war veterans", and the same correction was made in line 5 of the said section.

On motion of Senator Allen, the title of the bill was amended by inserting after the word "republic" in line 2 the words "or of the Spanish-American war veterans."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Smith, Stevenson, Watson, Williams—31.

Those absent or not voting were: Senators Boone, Hutson, Knickerbocker, McGregor, Pogue, Rands, Rosenhaupt, Ruth, Scott, Sumner and Veness—11.

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

On motion of Senator Reed, the rules were suspended and the bill ordered transmitted to the House immediately.

Senate bill No. 228: An act granting to the United States of America a right of way for Lake Washington Canal, in King county, etc., was placed on third reading.

On motion of Senator Graves, section 1 of the printed bill was amended by striking the words "auditor of King County" in lines 9 and 10 and inserting in lieu thereof the words "state land commissioner."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Piper, Polson,

Potts, Presby, Reed, Smith, Stevenson, Veness, Watson, Williams—33.

Those voting nay were: Senators Garves, Hutson and Rosenhaupt—3.

Those absent or not voting were: Senators Knickerbocker, Pogue, Rands, Ruth, Scott and Sumner—6.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Smith, Stevenson, Veness, Watson, Williams—33.

Those voting nay were: Senators Hutson and Rosenhaupt—2.

Those absent or not voting were: Senators Gunn, Knickerbocker, Pogue, Rands, Ruth, Scott and Sumner—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, House bill No. 204 was indefinitely postponed.

On motion of Senator Condon, House bill No. 253 was ordered placed at the foot of the calendar.

On motion of Senator Graves, House bill No. 131 was indefinitely postponed.

On motion of Senator McGregor, House bill No. 297 was ordered placed at the foot of the calendar.

House bill No. 145: An act to prevent the spread of contagious or infectious diseases among cattle, horses and other domestic animals, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Gunn, Knickerbocker, Pogue, Rands and Scott—5.

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, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Constitution and Constitutional Revision to whom was referred Concurrent Resolution, adopted by the Legislature of the State of New York, dated March 1, 1906, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the accompanying Joint Resolution No. 4 be placed on general file with the recommendation that it do pass.

E. M. WILLIAMS, *Chairman*.

We concur in this report: A. L. Watson, Fred M. Pauly, A. S. Ruth.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, a majority of your Committee on Appropriations to whom was referred Senate bill No. 234, entitled, "An act relating to the organization of fire department relief associations, making provision for the maintenance thereof and prescribing a penalty," 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. A. VENESS, *Chairman*.

We concur in this report: T. B. Sumner, W. H. Paulhamus, B. D. Minkler, J. R. Stevenson, H. M. Boone.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, a minority of your Committee on Appropriations to whom was referred Senate bill No. 234, entitled, "An act relating to the organization of fire department relief associations, making provision for the maintenance thereof and prescribing a penalty," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

We concur in this report: George U. Piper, Robt. F. Booth, Fred M. Pauly, Harry Rosenhaupt, Geo. A. Kennedy.

Senator Veness moved the adoption of the majority report.

Senator Piper moved as a substitute for motion of Senator Veness, that the report of the minority be adopted.

Senator Allen moved as a substitute for the substitute motion of Senator Piper, that the bill together with both reports be placed on general file.

The motion was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Education to whom was referred Senate bill No. 241, entitled, "An act to amend section five of the Code of Public Instruction 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 with the following amendments:

In section 1, line 3, of the printed bill, after the word "writing," insert the following: "from either of the districts effected thereby".

In the same section, line 5, after the word "transfer" strike the word "or", insert in lieu thereof a comma; and in the same line after the word "include" insert the words "or divide".

In section 1, strike all of that part of line 13 beginning with the words "Provided further", also lines 14, 15, 16, 17, 18, and all of line 19 up to and including the word "districts".

In section 1, line 23, after the word, "give", strike the words "notice to parties interested", inserting in lieu thereof the following, "written notice to the directors of school districts effected, and".

WALTER J. REED, *Chairman*.

We concur in this report: J. R. Stevenson, A. W. Anderson, H. S. McGowan.

On motion of Senator Reed the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Education to whom was referred engrossed House bill No. 243, entitled, "An act relating to the levying of taxes for school purposes, and amending section 111 of chapter 118 of the Session Laws of 1897," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WALTER J. REED, *Chairman*.

We concur in this report: J. R. Stevenson, A. W. Anderson, H. S. McGowan.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Education to whom was referred Senate bill No. 263, entitled, "An act to provide for the granting of temporary cer-

tificates by county superintendents," 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 from the title of the printed bill the following words, "and repealing all laws and parts of laws in conflict with the provisions of this act"; also strike section 2.

WALTER J. REED, *Chairman.*

We concur in this report: J. R. Stevenson, A. W. Anderson, H. S. McGowan.

On motion of Senator Reed the report of the committee was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 300, by Committee on Printing, entitled, "An act relating to the public printing and the compensation therefor and amending chapter 168 of the laws of 1905 by adding section 6 $\frac{1}{2}$."

The bill was read the first time, and on motion of Senator Allen the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 301, by Senator Brown, entitled, "An act to establish and maintain a state fish hatchery for the purpose of propagating, maintaining and distributing trout and other game fish and making an appropriation therefor.

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

Senate Joint Resolution No. 4, by Committee on Constitution and Constitutional Revision, entitled, "Relating to polygamy."

The resolution was read the first time, and on motion of Senator Williams the rules were suspended, the resolution was read the second time by title, ordered printed and placed on general file.

INTRODUCTION OF BILLS.

House bill No. 306, by Mr. Tonkin, entitled, "An act to amend sections 4 and 16 of an act entitled, 'An act relating to the proper ventilation and safety of coal mines.'"

The bill was read the first time, and on motion of Senator Kline 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. 289, by Mr. Dickson, entitled, "An act to amend sections 2, 3, 4, 6, 12, 13, 15, 20 and 22 of an act to establish a railroad commission."

The bill was read the first time, and on motion of Senator Paulhamus 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. 127, by Mr. D. M. Thompson, entitled, "An act to amend section 3, of an act entitled, "An act to regulate and control insurance companies, corporations and associations in this state."

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 Public Revenue and Taxation.

House bill No. 222, by Mr. Johnson, entitled, "An act providing for the control, regulation, distribution and measurement of stored waters and flowing waters."

The bill was read the first time, and on motion of Senator Gunn the rules were suspended, the bill was read the second time by title and referred to the Committee on Irrigation and Arid Land.

House bill No. 286, by Mr. Rice, entitled, "An act providing for and giving and granting the right, privilege and authority to perpetually back water upon, overflow and inundate with water, lands belonging to the State of Washington."

The bill was read the first time, and on motion of Senator Polson 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. 108, by Mr. Thompson, entitled, "An act relating to the sale of school property in cities having a population of ten thousand or over."

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 Judiciary.

House bill No. 413, by Joint Judiciary Committee, entitled, "An act providing for the appointment and election of additional Superior Court judges."

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 ordered placed at head of calendar.

House Memorial No. 6, relating to forest reserves in Okanogan and Stevens counties, was read and referred to the Committee on Memorials.

House Concurrent Resolution No. 12, relating to certain tide and oyster lands in Pacific county, was read and referred to Committee on State, Granted, School and Tide Lands.

House Concurrent Resolution No. 19, requesting the Governor to return to the House engrossed House bill No. 81 for amendment was read, and on motion of Senator Graves, the resolution was adopted.

On motion of Senator Condon at 4.45 o'clock p. m. the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FORTY-SEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, March 1, 1907.
10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The Secretary called the roll, all members being present except Senator Pogue, excused.

On motion of Senator Reed, the reading of yesterday's journal was dispensed with, and it was approved.

Petitions against the repeal of the Sunday closing law were read and referred to Committee on Judiciary.

Petition for initiative and referendum from Snohomish and King counties were read and referred to Committee on Election and Privileges.

Senator Davis moved that Senate bill No. 224, and all matter pertaining thereto be indefinitely postponed.

The motion was carried.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 243, entitled, "An act to provide a limitation for the bringing of actions to set aside or cancel tax deeds," etc., 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:

In line 4, section 1, of the printed bill, after the word "deed" strike the remainder of said section.

WILL G. GRAVES, *Chairman.*

We concur in this report: E. M. Rands, T. A. Hunter, Chas. T. Hutson, Ralph Metcalf, W. B. Presby.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 258, entitled, "An act relating to costs in civil actions," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILL G. GRAVES, *Chairman.*

We concur in this report: E. M. Rands, T. A. Hunter, Chas. T. Hutson, Ralph Metcalf, W. B. Presby.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on Election and Privileges to who was referred Senate bill No. 32 and House bill No. 323, entitled, "An act relating to, regulating and providing for the nomination of candidates for public offices in the State of Washington by primary elections and providing penalties for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the

recommendation that Senate bill No. 32 as amended be substituted for House bill No. 323 and that Senate bill be printed, and that it do pass.

W. B. PRESBY, *Chairman*.

We concur in this report: R. L. Kline, Jesse S. Jones, Ralph Metcalf, Will G. Graves.

Senator Piper moved that the bill be indefinitely postponed.

The motion was lost.

On motion of Senator Presby, the report of the Committee was adopted, and the bill made a special order for 2:00 o'clock p. m., Tuesday, March 5, 1907.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 259, entitled, "An act fixing the salaries of county officers in counties of the first class," 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. Rands, T. A. Hunter, Chas. T. Hutson, Ralph Metcalf, W. B. Presby.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred Senate bill No. 201, entitled, "An act relating to the sale of the public lands of the state, giving cities and towns power to buy public lands for water-sheds, and amending section 2142 of Ballinger's Code," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JESSE S. JONES, *Chairman*.

We concur in this report: Geo. F. Cotterill, E. M. Williams, R. L. Kline.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred House bill No. 291, entitled, "An act dedicating to the city of Tacoma all the right, title and interest of the State of Washington in and to certain lands in the city of Tacoma for street, park and boulevard purposes," have had the same under consideration, and we respect-

fully report the same back to the Senate with the recommendation that it do pass.

JESSE S. JONES, *Chairman.*

We concur in this report: Geo. F. Cotterill, E. M. Williams, R. L. Kline.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred Senate bill No. 199, entitled, "An act authorizing cities owning and operating municipal water works or electric lighting plants to fix, regulate and control the use and price of water supplied and light furnished by said works or plants," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JESSE S. JONES, *Chairman.*

We concur in this report: Geo. F. Cotterill, E. M. Williams, R. L. Kline.

INTRODUCTION OF BILLS.

Senate bill No. 302, by Senator Stevenson, entitled, "An act relating to instruction in public schools in any city in the sign language used by the deaf."

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

MOTIONS, OR BUSINESS ON THE TABLE.

On motion of Senator Paulhamus, the Senate concurred in House amendments to Senate bill No. 116, by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Watson—32.

Those absent or not voting were: Senators Anderson, Booth, Knickerbocker, McGowan, McGregor, Piper, Pogue, Scott, Veness and Williams—10.

On motion of Senator Nichols, the Senate concurred in House amendments to Senate bill No. 174 by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller,

Gunn, Hunter, Hutson, Jones, Kennedy, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—34.

Those absent or not voting were: Senators Booth, Graves, Kline, Knickerbocker, Piper, Pogue, Presby and Scott—8.

On motion of Senator Jones, the Senate concurred in House amendments to Senate bill No. 144, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Davis, Eidemiller, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—33.

Those voting nay were: Senator Hutson—1.

Those absent or not voting were: Senators Booth, Condon, Cotterill, Graves, Knickerbocker, Piper, Pogue and Scott—8.

Senator Boone moved that the Senate do not concur in House amendments to Senate bill No. 181, and that the House be requested to recede.

The motion was adopted.

On motion of Senator Reed, the Senate concurred in House amendments to Senate bill No. 68, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—36.

Those absent or not voting were: Senators Davis, Knickerbocker, Pogue, Presby, Rosenhaupt and Scott—6.

On motion of Senator Blair, the Senate concurred in House amendments to Senate bill No. 38, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Ruth, Smith, Sumner, Watson, Williams—35.

Those absent or not voting were: Senators Knickerbocker, Pogue, Presby, Rosenhaupt, Scott, Stevenson and Veness—7.

On motion of Senator Paulhamus, the Senate concurred in House amendments to Senate bill No. 233, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Watson, Williams—33.

Those absent or not voting were: Senators Booth, Jones, Knickerbocker, Metcalf, Pogue, Presby, Scott, Sumner and Veness—9.

Senator Booth moved that the Senate do concur in the House amendments to Senate bill No. 48.

The motion was withdrawn.

Senator Gunn moved that the Senate do not concur in House amendments to Senate bill No. 48.

The motion was adopted.

On motion of Senator Jones, the Senate concurred in House amendments to Senate bill No. 65, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Rands, Reed, Ruth, Smith, Stevenson, Sumner, Watson, Williams—35.

Those absent or not voting were: Senators Knickerbocker, Pogue, Polson, Presby, Rosenhaupt, Scott and Veness—7.

SPECIAL ORDER.

The hour of 10:30 o'clock a. m. having arrived, Senate bill No. 192, which was a special order for that time, was taken up.

On motion of Senator Graves, Senate bill No. 192 was made a special order for 2:30 o'clock p. m., Monday, March 4, 1907.

GENERAL FILE.

House bill No. 413: An act relating to the superior courts of certain counties, was placed on third reading.

Senator Bratt moved to make a special order of the bill for Monday next at 11:00 o'clock.

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Smith, Stevenson, Sumner, Veness, Williams—35.

Those voting nay were: Senator Ruth—1.

Those absent or not voting were: Senators Knickerbocker, Piper, Pogue, Presby, Scott and Watson—6.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Williams—35.

Those absent or not voting were: Senators Knickerbocker, Nichols, Piper, Pogue, Presby, Scott and Watson—7.

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

Senator Bratt gave notice that at the proper time he would move to reconsider the vote by which House bill No. 413 passed the Senate.

Senate bill No. 212: An act prescribing the time within which actions shall be brought for the collection of special assessments for local improvements, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Hutson, Knickerbocker, McGregor, Piper, Pogue, Presby and Scott—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, Senate bill No. 154 was ordered placed at the foot of the calendar.

Senate bill No. 244: An act prohibiting the killing of certain birds, was placed on third reading.

On motion of Senator Ruth, the words "black oyster catcher" were stricken from line 2, section 1, of the printed bill.

Senator Booth moved to strike from line 2, section 1, of the printed bill, the words "long bill curlew" and "wild swan".

The motion was lost.

Senator Davis moved that the words "Bartramian sand piper" be stricken from lines 1 and 2 of the printed bill, and "quail" inserted.

The motion was lost.

Senator Davis moved that the bill be indefinitely postponed.

The motion was lost.

On motion of Senator Minkler, the words "long bill curlew" were stricken from line 2, section 1 of the printed bill.

The bill was read the third time, placed on final passage and passed by the following vote.

Those voting aye were: Senators Allen, Anderson, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Jones, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Polson, Potts, Rosenhaupt, Ruth, Williams—22.

Those voting nay were: Senators Eidemiller, Hunter, Kennedy, Kline, Pauly, Rands, Reed, Smith, Stevenson, Sumner, Veness and Watson—12.

Those absent or not voting were: Senators Blair, Hutson, Knickerbocker, McGregor, Piper, Pogue, Presby and Scott—8.

A roll call was had and the emergency clause failed to pass by the following vote:

Those voting aye were: Senators Minkler, Nichols, Paulhamus and Rosenhaupt—4.

Those voting nay were: Senators Allen, Anderson, Boone, Booth, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Hunter, Jones, Kennedy, McGowan, Metcalf, Pauly, Polson,

Potts, Rands, Reed, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—27.

Those absent or not voting were: Senators Blair, Bratt, Gunn, Hutson, Kline, Knickerbocker, McGregor, Piper, Pogue, Presby and Scott—11.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

The Speaker has signed House bill No. 74, providing for the assessment and collection of an excise tax from express companies;

Also House bill No. 187, amending existing law relative to the trespass of sheep;

Also House bill No. 252, relating to the regulation of corporations organized to build booms;

Also House bill No. 152, to provide for the assessment of the operating property of railroads;

Also House bill No. 90, relating to the deposit of public funds in banks by the several county treasurers;

Also House Memorial No. 5, requesting Congress to confirm certain scrip locations.

The House declines to concur in Senate amendments to House bill No. 8, and the Speaker has appointed Messrs. Shultz, Morse and Abrams as a conference committee on the same, and the bill is herewith transmitted.

The House has passed House bill No. 147, providing for the amendment of the state constitution;

Also House bill No. 17, providing for the levy and manner of payment of road, bridge, poll and property taxes;

Also House bill No. 165, defining the crime of burglary with explosives;

Also House bill No. 218, repealing section 120 of an act providing for the assessment and collection of taxes;

Also House bill No. 5, an act concerning land titles.

The House has concurred in Senate amendments to House bill No. 93, an act providing a system of registration of births and deaths; the House has also concurred in Senate amendments to House bill No. 14, an act amending the law relating to assessments for local improvements.

LEO O. MEIGS, *Clerk of the House.*

The President signed House bills Nos. 74, 187, 252, 152, 90 and House Memorial No. 5.

On motion of Senator Reed, Senate bill No. 250 was ordered placed at the foot of the calendar.

On motion of Senator Booth, Senate bill No. 252 was re-referred to the Committee on Judiciary.

On motion of Senator Piper, Senate bill No. 231 was ordered placed at the foot of the calendar.

Senate bill No. 240 was placed on third reading.

Senator Graves arose to a point of order, stating that a similar House bill had been indefinitely postponed in the Senate and that it was out of order to consider this bill.

Further consideration of the point of order was deferred.

On motion of Senator Condon, further consideration of the bill was postponed.

Senator Boone gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 158 failed to pass the Senate.

On motion of Senator Rands, Senate bill No. 247 was ordered placed at the foot of the calendar.

Senate bill No. 263: An act to provide for the granting of temporary certificates by county superintendents, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, Metcalf, Minkler, Nichols, Polson, Potts, Presby, Reed, Ruth, Stevenson, Sumner, Veness, Watson, Williams—30.

Those voting nay were: Senators Hutson, McGregor and Rosenhaupt—3.

Those absent or not voting were: Senators Davis, Graves, Paulhamus, Pauly, Piper, Pogue, Rands, Scott and Smith—9.

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

On motion of Senator Reed, Senate bill No. 241 was ordered referred to the Judiciary Committee.

Senate bill No. 202: An act relating to the location and construction of railroads over public lands, etc., was placed on third reading.

On motion of Senator Rands, the following amendments were made:

Amend the title of the printed bill by striking the words "and across streets, alleys and public places" in lines 1 and 2, and insert in lieu thereof the words "public lands and shore lands in front thereof".

Also in the title of the printed bill after the word "cities" in line 2, insert the words "other than those of the first class".

Add to the end of the title of the printed bill the words "other than those of the first class."

The title as amended will read: "An act relating to the location and construction of railroads over public lands and shore lands in front thereof in cities other than those of the first class, and relating to the construction of wharves, docks, factories, manufacturing plants and terminals upon public property in cities of the State of Washington, other than those of the first class."

In section 1 of the printed bill, line 1, after the word "state" insert the words "other than those of the first class".

In section 1, line 2 of the printed bill, strike the words "streets alley or public place in", and insert in lieu thereof the words "public levy or shore lands in front thereof", and in the same line after the word "city" insert the words "except such as is reserved for park improvements."

In line 4 of the printed bill after the word "appurtenances" insert the words "in or upon any such property."

In lines 4 and 5 of the printed bill strike the words "in any public place in any city in this state".

In line 5 of the printed bill strike the letter "s" on the end of the word "terms" and after the word "years" in the same line insert the words "not exceeding fifty".

Beginning with the word "notwithstanding" in line 6 of the printed bill, strike all down to and including the word "franchise" in line 9.

On motion of Senator Graves, the bill was ordered reprinted with the amendments, with the privilege of calling it up at any time.

Unanimous consent was given at this time to introduce Senate Joint Resolution No. 5, by Senator Piper, regarding the Alaska-Yukon-Pacific Exposition.

On motion of Senator Piper, the rules were suspended and the resolution placed on final passage, and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Cotterill, Davis, Eidemiller, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Veness, Williams—30.

Those absent or not voting were: Senators Booth, Brown, Condon, Graves, Gunn, Knickerbocker, Metcalf, Piper, Pogue, Scott, Sumner and Watson—12.

On motion of Senator Rands, the rules were suspended and the resolution ordered transmitted to the House immediately.

GENERAL FILE.

Senate bill No. 161: An act to amend section 222 of the Code of Public Instruction of the State of Washington, relating to state normal schools, etc., was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Allen, Blair, Brown, Davis, Eidemiller, Hunter, Hutson, Kennedy, Kline, McGregor, Minkler, Pauly, Piper, Potts, Rands, Ruth, Williams—17.

Those voting nay were: Senators Anderson, Boone, Bratt, Condon, Cotterill, Graves, Gunn, Jones, McGowan, Nichols, Polson, Presby, Rosenhaupt, Smith, Watson—15.

Those absent or not voting were: Senators Booth, Knickerbocker, Metcalf, Paulhamus, Pogue, Reed, Scott, Stevenson, Sumner and Veness—10.

House bill No. 243: An act to amend section 111 of the Code of Public Instruction, etc., was placed on third reading.

Senator Paulhamus moved that the bill be placed at the foot of the calendar.

The motion was lost.

The bill was read the third time, placed on final passage, and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Gunn, Hunter, Hutson, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed,

Rosenhaupt, Ruth, Smith, Stevenson, Veness, Watson, Williams—32.

Those absent or not voting were: Senators Booth, Eidemiller, Graves, Jones, Knickerbocker, Metcalf, Piper, Pogue, Scott, 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. 142: An act providing for the dissolution of drainage districts, etc., was placed on third reading.

On motion of Senator Minkler, the following amendment was made: In section 1, line 10 of the printed bill, after the word "advanced" insert the words "and that it is for the best interests for the land owners in said district that the same be dissolved."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Gunn, Hunter, Hutson, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—32.

Those absent or not voting were: Senators Booth, Eidemiller, Graves, Jones, Kennedy, Knickerbocker, Metcalf, Pogue, Reed, and Scott—10.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—34.

Those absent or not voting were: Senators Booth, Graves, Kennedy, Knickerbocker, Metcalf, Pogue, Reed and Scott—8.

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

House bill No. 253: An act relating to the place of holding meetings of stockholders and trustees of corporations of this state was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Bratt, Condon, Davis, Eidemiller, Hunter, Hutson, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness—25.

Those voting nay were: Senators Blair, Boone, Brown, Cotterill, Paulhamus, Pauly, Presby, Watson and Williams—9.

Those absent or not voting were: Senators Booth, Graves, Gunn, Jones, Knickerbocker, Metcalf, Pogue and Scott—8.

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

On motion of Senator Presby, House bill No. 297 was ordered referred to the Judiciary Committee for the purpose of amending the title.

On motion of Senator Allen at 12:00 o'clock the Senate took a recess until 2:00 o'clock p. m.

AFTERNOON SESSION.

The Senate was called to order at 2:00 o'clock p. m., by President Coon, pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Booth, Metcalf and Pogue, all excused.

Unanimous consent was given for the introduction, out of order, of the following:

REPORT OF JOINT COMMITTEE APPOINTED UNDER SENATE CONCURRENT RESOLUTION NUMBER 11.

To the Honorable President and Senate and Honorable Speaker and House of Representatives of the Tenth Session of the Washington Legislature:

Your committee appointed pursuant to the provisions of Senate Joint or Concurrent Resolution No. 11, to investigate, with the aid of the attorney general, the official acts, etc., of the commissioner of public lands, submits the following report:

1. The House amendments of said Senate Joint or Concurrent Resolution, were concurred in by the Senate on February 13th, 1907.

2. On the 16th day of February, 1907, your joint committee met and organized by the election of one of its members as chairman and by the

election of John F. Brill as secretary and stenographer of said joint committee.

3. Your committee again met on the 18th day of February, 1907, and began receiving and hearing documentary evidence and testimony under oath, pertaining to the seven specific charges contained in said joint resolution, and pertaining to other charges called to the attention of said Joint Committee. Since the date last above mentioned your Joint Committee has devoted practically all of its time to the receiving and hearing of such documentary evidence and oral testimony. Numerous witnesses have been subpoenaed and voluminous oral testimony has been taken. The time of the stenographer of your Joint Committee has been so taken up with the taking of stenographic notes of such oral testimony, that he has been unable to supply the members of your Joint Committee with more than a small portion of typewritten copies of his stenographic notes.

4. Your Joint Committee believes that justice to the State of Washington, and to the present commissioner of public lands demands that such stenographic notes be transcribed and a typewritten copy thereof handed to each member of your committee, to the end that all of the evidence may be carefully sifted and weighed by your committee.

5. During the progress of this investigation the attorney general, Honorable John D. Atkinson, has at all times been present at the meetings of your committee, and assisted your committee in making such investigation.

6. Your committee has partially investigated the first, second, third, fourth and seventh specific charges contained in said Joint or Concurrent Resolution, and is now engaged in investigating what is commonly known as the "Croft Land Sale Case."

7. Your committee has caused to be introduced in the House of Representatives, a bill changing the personnel of the board of state land commissioners, and is now preparing several proposed amendments to the present land laws which, if passed, it believes will be of material benefit to this State.

8. Your committee hopes to be able to make a final report to this legislature and ask for its final discharge on Monday, March 11, 1907, and now asks that all of the powers heretofore granted to it by said Joint or Concurrent Resolution, be continued and extended to that time.

Signed in duplicate March 1, 1907.

I. B. KNICKERBOCKER, *Chairman.*

W. D. SCOTT.

HARRY A. RHODES.

J. D. BASSETT.

EDMUND RICE.

SENATE CONCURRENT RESOLUTION NUMBER 18.

By Senators Knickerbocker and Scott.

Be It Resolved by This Tenth Session of the State Senate of Washington, the House of Representatives Concurring: That the powers and

duties of the Joint Committee heretofore appointed under Senate Concurrent Resolution No. 11, be, and they are hereby, continued and extended to March 11, 1907, at 2:30 p. m.

On motion of Senator Knickerbocker, the resolution was adopted.

GENERAL FILE.

Senator Stevenson gave notice that at the proper time he would move to reconsider the vote by which House bill No. 131 was indefinitely postponed.

House bill No. 70: An act to amend section 1 of an act entitled an act fixing the fees and compensation of justices of the peace, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, McGowan, McGregor, Minkler, Paulhamus, Pauly, Piper, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Watson, Williams—31.

Those voting nay were: Senators Kline and Nichols—2.

Those absent or not voting were: Senators Booth, Condon, Hunter, Knickerbocker, Metcalf, Pogue, Polson, Stevenson, and Veness—9.

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

Unanimous consent was given to take up Senate bill No. 240.

Senator Graves withdrew his point of order raised this morning.

Senate bill No. 240: An act to enable counties, cities and towns to validate certain warrants, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Ruth, Smith, Stevenson, Sumner, Watson, Williams—32.

Those absent or not voting were: Senators Booth, Bratt, Hunter, Kline, Knickerbocker, Metcalf, Pogue, Rosenhaupt, Scott and Veness—10.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Ruth, Smith, Stevenson, Sumner, Watson, Williams—31.

Those absent or not voting were: Senators Booth, Bratt, Graves, Kline, Knickerbocker, Metcalf, Piper, Pogue, Rosenhaupt, Scott and Veness—11.

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

Unanimous consent was given at this time to reconsider the vote by which House bill No. 65 failed to pass the Senate, and on motion of Senator Paulhamus, the vote was reconsidered.

On motion of Senator Sumner, the rules were suspended, and Senate bill No. 240 was ordered transmitted to the House immediately.

On motion of Senator Graves, House bill No. 102 was ordered re-printed as amended.

House bill No. 208: An act relating to revenue and taxation, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Booth, Knickerbocker, Metcalf, Piper, Pogue, Scott and Stevenson—7.

On motion of Senator Graves, the title of the printed bill was amended by striking the words "revenue and taxation" and inserting in lieu the words "the assessment and taxation of property."

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

The Speaker has signed House bill No. 292, relating to the construction of armories for the use of the National Guard of Washington;

Also House bill No. 195, relating to the fees of state and county officers, etc.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

The President signed House bills Nos. 195 and 292.

House bill No. 256: An act to provide for the assessment of property of telegraph companies, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness—31.

Those absent or not voting were: Senators Anderson, Boone, Booth, Davis, Knickerbocker, Metcalf, Piper, Pogue, Scott, Watson and Williams—11.

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

House bill No. 293: An act to amend the military code of the State of Washington, was placed on third reading.

Senator Ruth moved to amend the bill by striking the period at the end of line 12, section 3 of the printed bill, inserting a comma, and the following words: "and shall receive a salary of two thousand four hundred dollars per annum."

The motion was lost.

Senator Veness moved to strike the words "one-fifth" in line 3, section 7 of the printed bill, and insert "not to exceed one-tenth".

Senator Cotterill moved as a substitute for motion of Senator Veness, to insert the words "not to exceed" just before the words "one-fifth" in line 3, section 7, of the printed bill.

The substitute motion was adopted.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Condon, Cottérrill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Reed, Rosenhaupt, Ruth, Stevenson, Watson, Williams—28.

Those voting nay were: Senators Brown, Graves, Kennedy, Polson, Presby, Rands, Smith, Sumner and Veness—9.

Those absent or not voting were: Senators Booth, Knickerbocker, Metcalf, Pogue and Scott—5.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Jones, Kline, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Watson, Williams—29.

Those voting nay were: Senators Graves, Hutson, Kennedy, McGowan, Polson, Rands, Smith and Veness—8.

Those absent or not voting were: Senators Booth, Knickerbocker, Metcalf, Pogue and Sumner—5.

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

On motion of Senator Rosenhaupt, the rules were suspended and the bill ordered transmitted to the House immediately.

House bill No. 3: An act regulating the approval and filing for public record of real estate plats or additions, was placed on third reading.

On motion of Senator Cotterill, the following amendments were made:

After the word "plot" in line 6 of the amended section 1, insert the words "or plots".

In line 9 of the amended section 1, after the word "common" insert the following "or for parks or commons".

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves, Hutson, Kennedy, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Ruth, Smith, Stevenson, Veness, Williams—26.

Those voting nay were: Senators Condon, Jones, Kline and McGowan—4.

Those absent or not voting were: Senators Booth, Gunn, Hunter, Knickerbocker, Metcalf, Piper, Pogue, Rands, Rosenhaupt, Sumner, Scott and Watson—12.

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

House bill No. 119: An act to amend sections 117, 119 and 121 of the Code of Public Instruction of the State of Washington, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Blair, Boone, Bratt, Brown, Condon, Cotterill, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Stevenson, Williams—26.

Those absent or not voting were: Senators Allen, Anderson, Booth, Davis, Eidemiler, Hunter, Knickerbocker, Metcalf, Piper, Pogue, Rands, Scott, Smith, Sumner, Veness and Watson—16.

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

House bill No. 162: An act to regulate the employment of child labor, was placed on third reading.

Senator Nichols moved to amend the bill by striking all that portion of section 1 of the amended bill, relating to the court granting a permit allowing boys to be employed as messengers, beginning with the words "provided further".

A roll call was demanded by the following: Senators Nichols, Veness, Ruth, Reed, Potts, Anderson and Boone, and the motion lost by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Eidemiller, Gunn, McGowan, Nichols, Paulhamus, Pauly, Reed, and Rosenhaupt—13.

Those voting nay were: Senators Allen, Condon, Cotterill, Davis, Hunter, Hutson, Jones, Kennedy, Kline, McGregor, Minkler, Polson, Potts, Ruth, Stevenson, Veness, Williams—17.

Those absent or not voting were: Senators Booth, Graves, Knickerbocker, Metcalf, Piper, Pogue, Presby, Rands, Scott, Smith, Sumner and Watson—12.

On motion of Senator Jones, section 2 of the amended bill was amended by striking the word "ten" in line 3, and inserting the word "fifty".

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Reed, Ruth, Stevenson, Williams—27.

Those voting nay were: Senators Bratt, Rosenhaupt and Veness—3.

Those absent or not voting were: Senators Booth, Graves, Knickerbocker, Metcalf, Piper, Pogue, Presby, Rands, Scott, Smith, Sumner and Watson—12.

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

House bill No. 223: An act to prevent and punish family desertion or non-support, was placed on third reading.

On motion of Senator Graves, the words "at hard labor" in section 1, line 7 of the printed bill, were stricken.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves, Hutson, Jones, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Reed, Rosenhaupt, Ruth, Stevenson, Veness, Williams—26.

Those absent or not voting were: Senators Booth, Condon, Gunn, Hunter, Kennedy, Knickerbocker, Metcalf, Piper, Pogue, Potts, Presby, Rands, Scott, Smith, Sumner and Watson—16.

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

House bill No. 217: An act defining the weight of a ton of coal was placed on third reading.

Senator Graves moved to strike section 1 of the printed bill.

Senator Paulhamus moved as a substitute for motion of Senator Graves, that the bill go over until Monday.

The substitute motion was adopted.

The following resolution by Senator Ruth was read:

WHEREAS, Hon. Albert E. Mead, Governor of the State of Washington, has honored this Senate by the appointment of one of its members as a State Railroad Commissioner; and

WHEREAS, Hon. Jesse S. Jones, the gentleman selected by the Governor, during his membership in this Senate has won the regard, respect and esteem of all his associates by his many excellent qualities of mind and heart, his high ability, his excellent judgment, his fair and impartial attitude on disputed matters, and his courteous and kindly treatment of his fellow Senators:

Now, Therefore, Be It Resolved, by the Senate of the State of Washington, that the appointment of Senator Jones as Railroad Commissioner brings to that position a gentleman eminently fitted for its duties, and assists in making the Board of Railroad Commissioners a strong and efficient body; and

Be It Further Resolved, that the congratulations and commendations of the Senate be extended to the Governor for his eminently wise, judicious and admirable appointment.

On motion of Senator Ruth the resolution was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

MR. PRESIDENT:

OLYMPIA, WASHINGTON, March 1, 1907.

The House has passed Senate Joint Resolution No. 5, asking for an appropriation from Congress for the Alaska-Yukon-Pacific Exposition, and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASHINGTON, March 1, 1907.

We, your Committee on Election and Privileges to whom was referred House bill No. 273, entitled, "An act relating to registration of voters and amending sections 1 and 2 of an act entitled, 'An act amending sections 1451 and 1453 of Ballinger's Codes and Statutes of Washington, relating to the registration of voters,' approved March 12, 1903," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

W. B. PRESBY, *Chairman.*

We concur in this report: Will G. Graves, R. L. Kline, Jesse S. Jones.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate bill No. 293, entitled, "An act requiring railroad companies and other

common carriers to equip flat cars with stakes, standards, supports, strips, railings, chains, and other appliances necessary to the safe carriage of goods, commodities and products," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman*.

We concur in this report: T. B. Sumner, W. H. Paulhamus, H. M. Boone, B. D. Minkler, J. R. Stevenson, Fred M. Pauly.

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASHINGTON, February 25, 1907.

We, your Committee on Appropriations to whom was referred Senate bill No. 245, entitled, "An act relating to premium stamps, commonly called trading stamps, cash discount stamps, ticket or rebate check, ticket, coupon or other similar device, and provide a penalty for any violation of 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.

J. A. VENESS, *Chairman*.

We concur in this report: W. H. Paulhamus, Geo. A. Kennedy, Fred M. Pauly, H. M. Boone, Alex Polson, Harry Rosenhaupt, B. D. Minkler.

On motion of Senator Veness, the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 156, entitled, "An act relating to the superior courts of Skamania, Klickitat and Benton counties, and providing for the appointment and subsequent election of a judge therein," 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 1 of the title of the printed bill, after the word "Skamania" strike the comma and substitute therefor the word "and". In line 1 of said title strike the words "and Benton". In line 1 of said title, after the word "counties" strike the word "and". In line 2 of the said title, after the word "therein" strike the period and add the following words "and declaring an emergency."

In line 1, section 1, of the printed bill, after the word "Skamania" strike the comma and substitute the word "and" therefor, and strike the words "and Benton".

In line 2, section 2 of the printed bill, after the word "Skamania" strike the comma and substitute therefor the word "and". In line 2 of said section strike the words "and Benton".

In line 2, section 3, of the printed bill, after the word "Skamania" strike the comma and substitute therefor the word "and". In line 3 of said section strike the words "and Benton."

In line 2, section 4, of the printed bill, after the word "Skamania" strike the comma and substitute therefor the word "and". In line 2 of said section strike the words "and Benton".

Add section 5 to the printed bill, as follows: "Sec. 5. An emergency exists and this act shall take effect immediately."

WILL G. GRAVES, *Chairman.*

We concur in this report: E. M. Rands, Chas. T. Hutson, W. B. Presby, Harry Rosenhaupt, Ralph D. Nichols.

On motion of Senator Presby, the report of the Committee was adopted, and the Senate bill No. 156 ordered placed at the head of the calendar.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate bill No. 67, entitled, "An act for the relief of James O'Loughlin," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman.*

We concur in this report: R. W. Condon, W. H. Paulhamus, Fred M. Pauly, J. R. Stevenson, George U. Piper, Robt. F. Booth, Alex Polson, B. D. Minkler.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Surgery and Hygiene to whom was referred Senate bill No. 278, entitled, "An act to prevent the exposing of poisons," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

C. G. BROWN, *Chairman.*

We concur in this report: Robt. F. Booth.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on Election and Privileges to whom was referred House bill No. 175, entitled, "An act relating to elections and amending sections 7 and 21 of an act entitled, 'An act providing for printing and distributing ballots at public expense, and to regulate voting at state and other elections,' approved March 19, 1890," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

W. B. PRESBY, *Chairman.*

We concur in this report: Will G. Graves, R. L. Kline, Jesse S. Jones.

On motion of Senator Presby, the report was adopted.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation to whom was referred Senate bill No. 187, entitled, "An act amending an act to provide for the assessment and collection of taxes in 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.

T. B. SUMNER, *Chairman.*

We concur in this report: W. H. Paulhamus, R. L. Kline, E. M. Rands, Geo. F. Cotterill, Chas. T. Hutson, R. W. Condon.

On motion of Senator Sumner, the report of the Committee was adopted.

INTRODUCTION OF BILLS.

Senate bill No. 303, by Senator Presby, entitled, "An act relating to prosecutions for malfeasance in office."

The bill was read the first time, and on motion of Senator Presby 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. 304, by Senator Boone, entitled, "An act to regulate the sale, lease, assignment, transfer, or conveyance of the business, franchise and property of a corporation as a whole."

The bill was read the first time, and on motion of Senator Boone 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. 305, by Committee on Appropriations, entitled, "An act amending section 225 of Ballinger's Annotated Codes and Statutes of Washington, relating to the salary of the reporter of the supreme court."

The bill was read the first time, and on motion of Senator Cotterill the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

House bill No. 205, by Mr. Blackmore, entitled, "An act amending section 2 of an act entitled, 'An act relating to justices of the peace and constables in cities having more than five thousand inhabitants, and fixing their number and salaries,' approved March 13, 1897."

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

House bill No. 165, by Mr. Bassett, entitled, "An act defining the crime of burglary with explosives and fixing punishment therefor."

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

House bill No. 218, by Mr. E. C. Davis, entitled, "An act to amend an act entitled, 'An act to provide for the assessment and collection of taxes in the State of Washington,' approved March, 1897."

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 Public Revenue and Taxation.

House bill No. 147, by Mr. Ranck, entitled, "An act providing for the amendment of section 1 of article 2 of the Constitution of the State of Washington, relating to the Legislative Department of the State of Washington, and of the political subdivisions thereof, and providing for the submission of laws and other measures to a vote of the people."

On motion of Senator Cotterill, House bill No. 147 was substituted for Senate bill No. 14, and the substitute bill ordered placed on general file.

House bill No. 117, by Mr. Ramsay, entitled, "An act to provide for the improvement of the public highways, providing for the payment of cost thereof in part out of the state highway fund, and in part out of the general road and bridge fund, district road fund and property benefited, and declaring an emergency."

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

On motion of Senator Condon at 4:15 o'clock p. m. the Senate adjourned until 11:00 o'clock a. m. Monday.

J. W. LYSONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.

FIFTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, March 4, 1907.
11:00 o'clock a. m.

The Senate was called to order at 11:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The Secretary called the roll, all members being present except Senators Eidemiller, Jones, Metcalf, Pogue and Watson, all of whom were excused.

Petition was read from Pierce county regarding reciprocal demurrage bill, and referred to Committee on Railroads and Transportation.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

The House has passed House bill No. 176, entitled, "An act creating the Washington State Reformatory."

Also, House bill No. 201, "Creating the office of state insurance commissioner."

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 228, entitled, "An act granting to the United States a right-of-way for Lake Washington canal in King county";

Also, Senate bill No. 79, an act relating to inspectors, judges, clerks and challengers at elections;

Also, Senate bill No. 28, an act relating to elections and amending section 1394 of Ballinger's Codes;

Also, Senate bill No. 195, an act to prevent unauthorized persons from using or wearing any emblem, badge, button, token or insignia of any fraternal, secret or beneficiary society, etc.;

Also, Senate bill No. 142, an act relating to the dissolution of drainage districts, and declaring an emergency;—have compared same with the original bills and find them correctly engrossed.

Respectfully submitted, ARTHUR GUNN, *Acting Chairman*.

We concur in this report: A. S. Ruth, Fred M. Pauly.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASHINGTON, March 1, 1907.

Your Committee on Engrossed Bills to whom was referred Senate bill No. 240, entitled, "An act to enable counties, cities and towns to validate certain warrants and other obligations and evidences of indebtedness on the part of such counties, cities and towns, etc.;

Also, Senate bill No. 139, an act creating a state highway board and the office of state highway commissioner, fixing his compensation, prescribing their duties and providing for the survey, establishment, construction, maintenance and repair of state highways, etc.;

Also, Senate bill No. 156, an act relating to the superior court of Skamania and Klickitat counties;—have compared same with the original bills and find them correctly engrossed.

Respectfully submitted, ARTHUR GUNN, *Acting Chairman*.

We concur in this report: A. S. Ruth, Fred M. Pauly.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands, to whom was referred House bill No. 229, entitled, "An act granting rights-of-way to railroad companies over the lands 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 with the following amendments:

In section 1, line 6, of the engrossed House bill, which is section 1, line 4, of the printed bill, strike the words "so as".

In section 1, line 16, of the engrossed House bill, which is section 1, line 11, of the printed bill, after the word "way" insert the following: "Providing, That this act shall not apply to any lands acquired or used by any of the public institutions of the state."

ALEX POLSON, *Chairman*.

We concur in this report: P. L. Allen, P. McGregor, S. T. Smith, R. L. Klíne, Will G. Graves, J. A. Veness.

On motion of Senator Polson the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands, to whom was referred House bill No. 286, entitled, "An act providing for and giving and granting the right, privilege and authority to perpetually back water upon, overflow," 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 line 4 of the printed bill, after the word "use," insert a period in lieu of the comma, and strike the emergency clause following.

In section 2, line 4, of the printed bill, after the word "made," insert a period in place of the comma, and strike the balance of the section.

Strike section 4.

ALEX POLSON, *Chairman.*

We concur in this report: P. L. Allen, P. McGregor, S. T. Smith, R. L. Kline, Will G. Graves, J. A. Veness.

On motion of Senator Polson the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands, to whom was referred Senate bill No. 237, entitled, "An act relating to the arid lands pertaining to the endowment of the University 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 be indefinitely postponed.

ALEX POLSON, *Chairman.*

We concur in this report: P. L. Allen, P. McGregor, S. T. Smith, R. L. Kline, Will G. Graves, J. A. Veness.

On motion of Senator Polson the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Dikes, Drains and Drainage to whom was referred House bill No. 59, entitled, "An act amending section 3 of an act entitled, 'An act to amend sections 3, 9 and 24 of 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 etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

B. D. MINKLER, *Chairman.*

We concur in this report: A. W. Anderson, Geo. F. Cotterill.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands, to whom was referred Senate bill No. 121, entitled, "An act granting rights of way to railroad companies over the lands of the State of Washington, and providing for the appraisement," 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.

ALEX POLSON, *Chairman*.

We concur in this report: P. L. Allen, P. McGregor, S. T. Smith, R. L. Kline, Will G. Graves, J. A. Veness.

On motion of Senator Polson the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 260, entitled, "An act amending section 4828 of Ballinger's Annotated Codes and Statutes of Washington, in relation to the recovery of damages for the death of a person caused by the wrongful act or neglect of another," 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:

In line 2, section 1, of the printed bill, after the figures "4828" strike the remainder of said section and substitute the following: "When the death of a person is caused by the wrongful act or neglect of any person or corporation the surviving spouse or issue of such person, or if the deceased leave no surviving spouse or issue, then the parents, sisters or minor brothers dependent upon the deceased for support, may recover all damages sustained by reason of the death."

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. Rands, T. A. Hunter, Chas. T. Hutson, Harry Rosenhaupt, Ralph D. Nichols, W. B. Presby.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 297, entitled, "An act amending section 1 of an act entitled, "An act to create the office of sheep inspector," etc., 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:

Strike the title of the printed bill and substitute the following: "An act relating to the office of sheep inspector and amending section 1 of chapter LXXVI of the Session Laws of 1901."

In line 1, section 1, of the printed bill, beginning with the words "an act entitled" strike down to and including the word "hereby" in line 8, and substitute the following words "chapter LXXVI of the Session Laws of 1901 is".

WILL G. GRAVES, *Chairman*.

We concur in this report: Chas. T. Hutson, E. M. Rands, T. A. Hunter, Harry Rosenhaupt, Ralph D. Nichols, W. B. Presby.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, February 20, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 35, entitled, "An act relating to the judicial department of cities of the third class," 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. Rands, T. A. Hunter, Chas. T. Hutson, Harry Rosenhaupt, Ralph D. Nichols, W. B. Presby.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 252, entitled, "An act providing for the amendment of article four of the Constitution of the State of Washington relating to the election and term of office of judges of the supreme court and 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 with the following amendments:

In the title of the printed bill, strike the words "A bill for".

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. Rands, T. A. Hunter, Chas. T. Hutson, Harry Rosenhaupt, Ralph D. Nichols, W. B. Presby.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 271, entitled, "An act to amend section 5 of an act entitled, "An act

to amend sections 2 and 5 of an act entitled 'An act in relation to attorneys and counsellors at law,' etc., 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:

Strike the title of the printed bill, and substitute the following: "An act relating to admission to the bar, and amending section 3 of chapter 185 of the Session Laws of 1903."

In line 1, section 1, of the printed bill, strike the words "five (5)" and substitute therefor the words and figures "3 of chapter 185 of the Session Laws of 1903". In line 1 of said section strike the figure "5" where it occurs in said line before the word "All" and substitute the figure "3" therefor.

In lines 6 and 7 of said section strike the words "the clerk of said court" and substitute the word "him" therefor.

WILL G. GRAVES, *Chairman.*

We concur in this report: E. M. Rands, T. A. Hunter, Chas. T. Hutson, Harry Rosenhaupt, Ralph D. Nichols, W. B. Presby.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 426, entitled, "An act providing for the appointment of one additional judge of the superior court of the State of Washington in and for the county of Pierce," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILL G. GRAVES, *Chairman.*

We concur in this report: E. M. Rands, T. A. Hunter, W. B. Presby, Harry Rosenhaupt, Chas. T. Hutson, Ralph D. Nichols.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 328, entitled, "An act relative to the examination of the books, accounts and methods of business used and employed in the various state offices," 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.

WILL G. GRAVES, *Chairman.*

We concur in this report: E. M. Rands, T. A. Hunter, Chas. T. Hutson, Harry Rosenhaupt, Ralph D. Nichols, W. B. Presby.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 274, entitled, "An act relating to the business of making and furnishing to purchasers abstracts of title to real estate," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. Rands, T. A. Hunter, Chas. T. Hutson, Harry Rosenhaupt, Ralph D. Nichols, W. B. Presby.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 266, entitled, "An act amending section 4838 of Ballinger's Annotated Codes and Statutes of Washington in relation to the survival of actions for personal injury to any person, occasioning his death," 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. Rands, T. A. Hunter, Chas. T. Hutson, Harry Rosenhaupt, Ralph D. Nichols, W. B. Presby.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 265, entitled, "An act to provide a penalty for the failure of corporations to file lists of officers," 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. Rands, T. A. Hunter, Chas. T. Hutson, Harry Rosenhaupt, Ralph D. Nichols, W. B. Presby.

Senator Graves moved the adoption of the committee report.

Senator Blair moved, as a substitute for motion of Senator Graves, that Senate bill No. 265 be placed on general file.

The substitute motion was adopted.

Senator Paulhamus moved that the rules be suspended and the vote by which Senate bill No. 174 was indefinitely postponed be reconsidered, and a roll call was had the motion to reconsider lost by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Davis, Paulhamus, Polson, Potts, Ruth, Stevenson and Veness—11.

Those voting nay were: Senators Allen, Booth, Brown, Condon, Cotterill, Graves, Gunn, Hunter, Hutson, Kennedy, Kline, McGowan, Minkler, Nichols, Pauly, Piper, Presby, Rands, Reed, Rosenhaupt, Smith, Williams—22.

Those absent or not voting were: Senators Eidemiller, Jones, Knickerbocker, McGregor, Metcalf, Pogue, Scott, Sumner, and Watson—9.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 261, entitled, "An act relating to legislative reference library," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. Rands, T. A. Hunter, Charles T. Hutson, Harry Rosenhaupt, Ralph D. Nichols, W. B. Presby.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 269, entitled, "An act to authorize and require the State of Washington to accept and collect grants, devises, bequests, gifts and donations to said state," 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: Chas. T. Hutson, Harry Rosenhaupt, W. B. Presby, E. M. Rands, T. A. Hunter, Ralph D. Nichols.

Senator Graves moved the adoption of the report.

Senator Ruth moved as a substitute for motion of Senator Graves, that the bill, together with the committee report be placed on general file.

The substitute motion was lost.

The motion of Senator Graves to adopt the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 267, entitled, "An act amending sections 15 and 18 of chapter 146 of the Laws of 1901 of the State of Washington, being an act for the more effectual prevention of cruelty of animals," 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. Rands, T. A. Hunter, Chas. T. Hutson, Harry Rosenhaupt, Ralph D. Nichols, W. B. Presby.

Senator Graves moved the adoption of the report.

Senator Cotterill moved as a substitute for motion of Senator Graves, that the bill be placed on general file.

The substitute motion was lost.

The motion of Senator Graves to adopt the committee report was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 287, entitled, "An act relating to actions of divorce," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. Rands, T. A. Hunter, Chas. T. Hutson, Harry Rosenhaupt, Ralph D. Nichols, W. B. Presby.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 108, entitled, "An act relating to the sale of school property in cities having a population of ten thousand or over," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILL G. GRAVES, *Chairman*.

We concur in this report: Harry Rosenhaupt, E. M. Rands, T. A. Hunter, Chas. T. Hutson, I. B. Knickerbocker, W. B. Presby.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands to whom was referred House bill No. 138, entitled, "An act to prevent the accumulation of saw-logs, wood and timber in the intake of ditches, canals, flumes

and other aqueducts used for the purpose of irrigation, mining, manufacturing," 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.

CHAS. T. HUTSON, *Chairman*.

We concur in this report: A. Gunn, B. D. Minkler, A. S. Ruth.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on Election and Privileges to whom was referred Senate bill No. 257, entitled, "An act providing for an advisory popular vote of the qualified electors of the State of Washington prior to the election of United States Senators," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

W. B. PRESBY, *Chairman*.

We concur in this report: Will G. Graves, R. L. Kline, Jesse S. Jones.

Senator Presby moved the adoption of the committee report.

Senator Cotterill moved as a substitute for motion of Senator Presby, that the bill be placed on general file.

A roll call was demanded by the following: Senators Hutson, Graves, Booth, Ruth, McGregor, Cotterill and Sumner, and the substitute motion lost by the following vote:

Those voting aye were: Senators Blair, Boone, Cotterill, McGowan, Paulhamus, Polson, Reed, Rosenhaupt, Scott and Smith—10.

Those voting nay were: Senators Allen, Anderson, Booth, Bratt, Brown, Condon, Davis, Graves, Gunn, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGregor, Minkler, Nichols, Pauly, Piper, Potts, Presby, Rands, Ruth, Stevenson, Sumner, Veness, Williams—27.

Those absent or not voting were: Senators Eidemiller, Jones, Metcalf, Pogue and Watson—5.

The motion of Senator Presby that the report of the committee be adopted was carried.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on Election and Privileges to whom was referred Senate bill No. 104, entitled, "An act relating to the nomination of state officers including senators and representatives in Congress,"

have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

W. B. PRESBY, *Chairman*.

We concur in this report: Will G. Graves, R. L. Kline, Jesse S. Jones.

On motion of Senator Presby the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions to whom was referred Senate bill No. 270, entitled, "An act requiring that the formula of all patent medicines be included in advertisements thereof, and providing a penalty for violations 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 line 3 of section 3 of the printed bill strike all of said line after the word *act*, also all of lines 4 and 5 of said section, up to the word *shall* in line 5.

FRED M. PAULY, *Chairman*.

We concur in this report: Alex Polson, W. B. Presby, J. R. Stevenson.

On motion of Senator Pauly the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Corporations Other Than Municipal to whom was referred Senate bill No. 304, entitled, "An act relating to corporations," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the amended bill herewith submitted be printed, and that the same do pass.

LINCOLN DAVIS, *Chairman*.

We concur in this report: George U. Piper, H. M. Boone, Fred M. Pauly, R. W. Condon, P. L. Allen.

On motion of Senator Davis the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 1, 1907.

MR. PRESIDENT:

We, your Committee on Memorials to whom was referred House Memorial No. 6, entitled, "An act relating to forest reserves in the State of Washington," have had the same under consideration, and we respect-

fully report the same back to the Senate with the recommendation that it do pass.

H. S. MCGOWAN, *Chairman.*

We concur in this report: Geo. A. Kennedy, George U. Piper.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 213, entitled, An act amending section 3 of an act entitled "An act providing for the regulation and selection of jurors in the superior courts and providing for the appointment of jury commissioners," etc.

Also Senate bill No. 27, relating to the relief of soldiers, sailors and marines.

Also Senate bill No. 145, relating to a system of checking the accounts of various county officers.

Also Senate bill No. 68, relating to holidays in public schools.

Also Senate bill No. 161, relating to the assessment and taxation of property and amending article VII of the Constitution of the State of Washington.

Also Senate bill No. 136, authorizing the levy of a tax for improving rivers and streams.

Also Senate bill No 4, relating to the issuance of teachers' certificates.

Also Senate bill No. 50, relating to the competency of witnesses.

Also Senate bill No. 97, relating to the salaries of judges of the supreme and superior courts.

Also Senate bill No. 132, providing for the establishment and creation of drainage districts.

Also Senate bill No. 61, authorizing the assessment of county or state lands within the limits of incorporated cities or towns.

Have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

We concur in this report: P. L. Allen, Robt. F. Booth, R. W. Condon, Lincoln Davis.

On motion of Senator Allen at 12:00 o'clock, the Senate took a recess until 2:00 o'clock p. m.

AFTERNOON SESSION.

The Scante was called to order at 2:00 o'clock p. m., by President Coon, pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Pogue and Watson, both of whom were excused.

REPORTS OF STANDING COMMITTEES.

OLYMPIA, WASHINGTON, March 4, 1907.

To the Senate of the State of Washington:

Your Committee on Election and Privileges, to whom was referred the contest of Joseph Lyons, contestant, against Geo. F. Cotterill, respondent, involving the office of State Senator from the Thirty-sixth Senatorial District, respectfully report as follows:

When this contest first came before the committee the respondent, by his counsel, objected to the contest being entertained for the reason that the contestant had failed to comply with the Statute of 1866, directing the procedure in such contests. The committee while recognizing the statute as a rule of practice only, decided to entertain the contest unless the respondent should show that the disregard of the statute had prejudiced him in the preparation of his defense. In response to that ruling the respondent made a showing, but a majority of the committee were of the opinion that the prejudice so far as shown was not so substantial as to require the committee to refuse to entertain the contest, and that the contest should be entertained.

That for the purpose of facilitating the taking of evidence relative to the integrity of the ballots and to avoid traveling expenses of numerous witnesses, the committee set Saturday, the twenty-third day of February, 1907, at the court house in the city of Seattle, as the time and place for hearing evidence in regard to the integrity of the ballots.

That at said time and place, by consent of the parties, the question of the integrity of the ballots of the Ninth precinct of the Eighth ward was first taken up. The contestant produced his witnesses, the inspector, two judges and one of the clerks of election in that precinct, and it was clearly established by their testimony that the proceedings at the election in that precinct had been regular; that the ballots when counted had been put on a string, the ends of the string tied together, and the package deposited in the ballot box, and a paper sealed over the lock of the box, which paper bore the signatures of all five of the election officers. The contestant then produced the deputy county auditor of King county, who brought with him the ballot box of that precinct, and produced proof that the ballot box, since its reception by the auditor, had been carefully guarded.

The ballot box produced bore a paper seal over the lock, but the paper did not contain on the outside of it the signatures of the officers, and the testimony of the witnesses aforesaid clearly established the fact that those signatures were on the outside of the paper when it was sealed over the lock.

At the request of the contestant, the seals were broken and the paper taken off of the lock and it was found not to contain such signatures anywhere. Thereupon, at the request of the contestant, the box was opened and it was found the ballots cast at the same polling place on the same day upon the municipal question of the issuance of bonds by the city of Seattle for some municipal purpose were contained therein, and that the box did not contain any of the ballots of the general election.

It appeared from the testimony that there were two elections conducted at the same time and place, one the general election and the other the said municipal election and that both ballot boxes had been returned by the inspector to the county auditor; that the ballot box in evidence had been retained by the county auditor in the manner above specified and the other turned over to the city comptroller, and it was admitted by contestant that it had never been in the custody of the county auditor since the time it was turned over to the city comptroller. When produced it had no seal on it whatsoever and was in no way in a state of preservation to entitle it to any authenticity.

From these facts the committee finds that the ballot box, presumed to contain the general election ballots, had not been kept in and was not produced from official custody, and further, that there is evidence indicating that this ballot box had been tampered with since it left the possession of the election officers and that therefore its contents ought not to be received in evidence, and since it is impossible to make a re-count throughout the entire district, the committee should not make any re-count at all, considering that under such circumstances the election returns, the canvass thereof by the county officers and the issuance of the certificate of election should be held conclusive and the contest dismissed.

Your committee therefore unanimously recommend that the contest be dismissed and that Geo. F. Cotterill be finally adjudged to be the legally elected Senator of the Thirty-sixth Senatorial District.

The committee further recommends that the costs incurred by each of said parties by reason of this contest, including the fees of his witnesses, but exclusive of his attorney's fees, be paid to the party incurring the same.

Respectfully submitted,

W. B. PRESBY, *Chairman.*
RALPH METCALF.
JESSE S. JONES.
R. L. KLINE.
WILL G. GRAVES.

On motion of Senator Presby the report of the committee was adopted.

The following resolution by the Committee on Election and Privileges was read:

Resolved, By the Senate of the State of Washington: That in the matter of the contest of Joseph Lyons, contestant, against Geo. F. Cotterill, respondent, involving a seat in this Senate, which contest has been determined in favor of the respondent, there be allowed to the contestant and respondent and paid from the money appropriated to defray the expenses of this session of the Senate the actual expenses of the parties to said contest, including witness fees and exclusive of attorney's fees, as determined by the Committee on Election and Privileges, as follows:

To Geo. F. Cotterill the sum of.....\$112.15

To Joseph Lyons the sum of.....\$203.80

That there be allowed and paid from said fund the sum of \$10.00 as stenographer's fees for stenographic work employed by said committee, and to each member of the committee and to A. J. Ahola, clerk of said committee, the sum of \$10.60, the traveling expenses of said committee at the hearing held in the city of Seattle in said matter.

On motion of Senator Presby the resolution was adopted.

Resolution by Senator Reed was read as follows:

Resolved, That the Sergeant-at-Arms be directed to purchase one dollar's worth of postage stamps for each member of the Senate, President of the Senate, Secretary of the Senate, Assistant Secretary of the Senate, and Sergeant-at-Arms.

On motion of Senator Reed the resolution was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

The House has passed House bill No. 178, entitled: An act relating to cities of the second class;

Also House bill No. 362, repealing sections 160 and 161 of the Penal Code of the State of Washington;

Also House bill No. 183, an act relating to the protection of clams;

Also House bill No. 337, amending an act establishing a railroad commission for the State of Washington;

Also Senate Concurrent Resolution No. 18, granting continuance of powers to Joint Committee appointed under Senate Concurrent Resolution No. 11;

Also House Concurrent Resolution No. 20, providing that no bills be considered on the last day of the session.

The House has concurred in Senate amendments to House bill No. 185, providing for the holding of examinations for state certificates;

Also House bill No. 92, amending an act for the prevention of the spread of contagious diseases;

Also House bill No. 51, an act authorizing the establishing of public libraries in cities;

Also House bill No. 130, relating to joint accounts;

Also House bill No. 186, relating to the government, management and control of the State's public institutions;

Also House Substitute bill No. 44, for protection against the spread of Canada thistle;

Also, the House declines to concur in Senate amendment to section 1, House bill No. 192, striking from said section 1, the words "in the first degree";

Also Senate amendment to section 8 of said bill, striking the words "in the first degree," and has appointed Messrs. Godman, Byerly, and Fruedenberg as conference committee on the same, and said bill is herewith returned.

House has also concurred in Senate amendments to House bill No. 245, defining the practice of veterinary medicine.

LEO O. MEIGS, *Clerk of the House.*

INTRODUCTION OF BILLS.

Senate bill No. 306, by Judiciary Committee, entitled, "An act amending section seven of the act entitled, 'An act providing for the assessment and collection of taxes of cities of the first class, and specifying the duties of certain county officers in regard thereto, and declaring an emergency,' approved March 9, 1893, 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 placed on general file.

Senate bill No. 307, by Committee on Election and Privileges, entitled, "An act to amend section 1364 of Ballinger's Annotated Codes and Statutes of Washington, relating to election ballots."

The bill was read the first time, and on motion of Senator Presby the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 308, by Senator McGregor, entitled, "An act relating to the prevention of disease in sheep, and prescribing penalties for the violation of its provisions."

The bill was read the first time, and on motion of Senator McGregor 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. 309, by Senator Boone, entitled, "An act appropriating funds for the relief of the Standard Furniture Co. of Seattle, Washington."

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

Senate bill No. 310, by Senator Bratt, entitled, "An act authorizing city councils in cities of the first class to sell surplus water from their systems to communities lying without the city boundaries, and declaring an emergency."

The bill was read the first time, and on motion of Senator Bratt the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate bill No. 311, by Senator Stevenson, entitled, "An act relating to buildings, improvements, and repairs at various state institutions, making appropriations therefor, and providing for a special tax."

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

Senate bill No. 312, by Joint Committee appointed under Senate Joint Resolution No. 11, entitled, "An act amending sections 2134, 2135, 2146 and 2179 of Ballinger's Annotated Codes and Statutes of Washington, and section 2141, 2142, 2145, 2183 and 2192 of volume three (supplement) of Ballinger's Annotated Codes and Statutes of Washington, relating to the selection, survey, management, reclamation, lease and disposition of the state granted, school, tide, oyster and other lands, harbor areas, and to the confirmation and completion of the several grants to the state by the United States: the creation of a board of appraisers and a board of harbor line commissioners, as required by article 15 and 16 of the state constitution, to be generally known as the board of state land commissioners; and defining their duties."

The bill was read the first time, and on motion of Senator Scott the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 313, by Joint Committee appointed under Senate Joint Resolution No. 11, entitled, "An act to amend section 2130 of Ballinger's Annotated Codes and Statutes of Washington, relating to the creation of 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, and defining its duties, and declaring when such amendment shall take effect."

The bill was read the first time, and on motion of Senator Scott the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 314, by Joint Committee appointed under Senate Joint Resolution No. 11, entitled, "An act relating to improvements made on state lands, defining the duty of the board of state land commissioners in appraising the same and declaring an emergency."

The bill was read the first time, and on motion of Senator Scott the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 315, by Joint Committee appointed under Senate Joint Resolution No. 11, entitled, "An act to amend section 6 of an act entitled, 'An act creating "The State Land Commission," to define the duties and provide for assistance for, and fix the compensation of the commissioner of public lands, and declaring an emergency,' approved March 27, 1890, and providing for the giving of a good and sufficient bond by the commissioner of public lands, and by the auditor and cashier of the office of commissioner of public lands, and declaring an emergency."

The bill was read the first time, and on motion of Senator Scott the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 316, by Joint Committee appointed under Senate Joint Resolution No. 11, entitled, "An act to amend section 3 of an act entitled, 'An act to provide for the preservation of the forests of this state, for the prevention, control and suppression of forest fires, to create a state board of forest com-

missioners, providing for a state fire warden and forester, deputy fire wardens, forest rangers, defining their duties and powers, making an appropriation therefor, and providing punishments for the violation thereof, and repealing an act entitled, "An act to protect from fire forests and other property within the State of Washington, and creating forest fire wardens, deputies, patrolmen and defining the duties and providing penalties, and declaring an emergency," approved March 16, 1903,' approved March 11, 1905."

The bill was read the first time, and on motion of Senator Scott the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate bill No. 317, by Senator H. S. McGowan, entitled, "An act to amend section 513 of Ballinger's Annotated Codes and Statutes of Washington, relating to the duties of sheriffs, and providing a penalty for the neglect thereof, and providing for the recovery by private parties for damages resulting from such neglect."

The bill was read the first time, and on motion of Senator McGowan 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. 318, by Senator Allen, entitled, "An act relating to the sale or disposal of spirituous, vinous, malt, or other intoxicating liquors and providing a punishment for the violation thereof."

The bill was read the first time, and on motion of Senator Allen 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. 319, by Senator Cotterill, entitled, "An act relating to the crime of indecent and obscene exposure and providing a punishment therefor."

The bill was read the first time, and on motion of Senator Cotterill 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. 320, by Joint Committee appointed under Senate Joint Resolution No. 11, entitled, "An act relating to the board of state land commissioners."

The bill was read the first time, and on motion of Senator Scott the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate Joint Memorial No. 5, by Senator Gunn, entitled, "Memorializing the President of the United States and the Secretary of the Interior in regard to certain townships of land withdrawn under the Reclamation Act of 1902," etc.

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

The President signed Senate bills Nos. 213, 132, 50, 61, 97, 68, 145, 136, 161, 27, and 4.

House bill No. 178, by Mr. Hogan, entitled, "An act relating to cities of the second class and providing for the government of such cities," etc.

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 Municipal Corporations.

House bill No. 362, by Mr. Abrams, entitled, "An act to repeal and repealing sections 160 and 161 of the Penal Code of the State of Washington," etc.

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 Judiciary.

House bill No. 183, by Mr. Hogan, entitled, "An act to amend section 1 of 'An act relating to the protection of clams,' " etc.

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

House bill No. 337, by Mr. Troy, entitled, "An act to amend section 23 of an act to establish a railroad commission for the State of Washington," etc.

The bill was read the first time, and on motion of Senator Paulhamus 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. 176, by Mr. F. C. Jackson, entitled, "An act creating the Washington State Reformatory, providing for the

erection and management thereof and making an appropriation therefor."

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

House bill No. 201, by Mr. Strobridge, entitled, "An act creating the office of insurance commissioner, authorizing the appointment of a deputy insurance commissioner and fixing salaries."

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

On motion of Senator Scott, Senate bills Nos 312 to 316, inclusive, and Senate bill No. 320, were ordered given the right-of-way over other work by the printer.

Senator Stevenson moved that the vote by which House bill No. 131 failed to pass the Senate be reconsidered.

A roll call was had and the vote reconsidered by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Condon, Cotterill, Davis, Eidemiller, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Scott, Smith, Stevenson—30.

Those voting nay were: Senators Brown, Graves, Knickerbocker, Rands, Rosenhaupt, Ruth, Sumner, Veness and Williams—9.

Those absent or not voting were: Senators Hunter, Pogue, and Watson—3.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

The House has declined to concur in Senate amendments to House bill No. 133, and has appointed Messrs. Coles, Ulsh and Armstrong a conference committee on the same; and the bill is herewith returned.

LEO O. MEIGS, *Clerk of the House.*

The President appointed Senators Booth of King, Metcalf of Pierce, and Condon of Kitsap counties, as conferees on Senate amendments to House bill No. 133.

The President appointed Senators Graves of Spokane, Nichols of King, and Brown of Spokane counties, as conferees on Senate amendments to House bill No. 192.

On motion of Senator Stevenson, House bill No. 131 was made a special order for 2:30 o'clock p. m., Tuesday, March 5, 1907.

Unanimous consent was given at this time to reconsider the vote by which Senate bill No. 244 passed the Senate, and on motion of Senator Booth, the vote was reconsidered.

On motion of Senator Gunn, Senate bill No. 297 was made a special order for 11:00 o'clock a. m., Tuesday, March 5, 1907.

Unanimous consent was given to reconsider the vote by which Senate bill No. 158 failed to pass the Senate, and on motion of Senator Boone the vote was reconsidered.

SPECIAL ORDER.

The hour of 2:30 p. m. having arrived Senate bill No. 192: An act prohibiting the publication in newspapers or other papers of offensive, improper and obscene matter and providing for prosecution and penalties therefor, which was a special order for that hour was taken up for consideration, and placed on third reading.

On motion of Senator Metcalf, the word "detailed" was inserted after the word "any" in subdivision 3, section 1 of the printed bill.

On motion of Senator Metcalf, the words "details or" in line 9, section 1 of the printed bill, subdivision 4, were stricken, and the word "detailed" inserted in lieu thereof.

Senator Boone moved to amend section 1 of the printed bill by striking all of subdivisions 2, 3 and 4.

The motion was lost.

Senator Presby moved to strike section 3 of the printed bill.

The motion was lost.

On motion of Senator Graves, the words "less than fifty dollars nor" were stricken from line 3, section 3 of the printed bill.

On motion of Senator Graves, the comma at the end of line 3, section 3 of the printed bill was stricken, a period substituted therefor, and the words "or by imprisonment in the county jail for not less than ten days nor more than two months" being all of line 4 were stricken.

The bill was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Blair, Boone, Booth, Brown, Cotterill, Graves, Gunn, McGowan, Metcalf, Minkler, Nichols, Polson, Presby, Rosenhaupt and Veness—15.

Those voting nay were: Senators Allen, Anderson, Bratt, Condon, Davis, Eidmiller, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGregor, Paulhamus, Pauly, Piper, Potts, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Williams—25.

Those absent or not voting were: Senators Pogue and Watson—2.

Senator Ruth gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 192 failed to pass the Senate.

Senator Jones gave notice that at the proper time he would move to reconsider the vote by which House bill No. 175 was indefinitely postponed.

COMMUNICATION FROM THE GOVERNOR.

Major A. N. Brown, Secretary to the Governor, delivered the following communication from the Governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 4, 1907.

To the Honorable, the Senate of the State of Washington:

Gentlemen—In accordance with section 2, article III, of the Constitution of the State of Washington, I herewith transmit a list of the pardons, commutations, reprieves and remissions of fines granted during my term of office.

In the exercise of the power granted by the Constitution and the laws to pardon criminals, commute sentences, remit fines and relieve felons under death sentence, I have endeavored to observe both the dictates of humanity and the ends of justice. The purpose of imprisonment in these enlightened days is not so much to punish as to reform, and often the object of reformation can be attained by lessening the term of a young man's sentence, perhaps for his first offense against the law, when retaining him behind prison walls in the company of older and more hardened criminals would but confirm him in the habit of crime and in that attitude of enmity towards society and constituted authority that characterizes the depraved. You have recognized this

fact in the passage of the indeterminate sentence law, upon which I desire to congratulate you. This measure is based on a common sense and reasonable view of the state's duty toward its charges. Moreover, it removes from the executive the greater portion of the most onerous and vexatious duty imposed upon him. The basic idea of the indeterminate sentence law was the cause of granting executive clemency in the greater number of cases upon which I have passed. We confine insane persons in our hospitals for the insane until they are cured, doing so for the double purpose of protecting society from them and restoring them, if possible, to mental health. Our duty toward our criminals is precisely the same. We should confine them in prison until they are restored to moral health. If a cure be not possible they should be retained not for a term of years, but permanently. It is absurd to turn loose an habitual and incurable criminal to prey upon society just because he has been confined for an arbitrary number of years. It is equally absurd to continue to confine a young man in prison, thereby risking his reinfection with criminality, when he has given evidences of sincere and genuine reformation. Where I believed that a man who gave evidence of reformation would be a better citizen by being permitted to go at large, I have shortened the sentence. In some cases the reduction of time has been very short and in the great majority of cases amounted to a minor proportion of the total term, but in almost every case the result has been most satisfactory. A system of following up and obtaining reports of the conduct of the convicts receiving executive clemency has been instituted by me and these reports, with hardly an exception, show that the recipients of clemency are conducting themselves as good citizens and that their reformations are permanent. Young men such as Arthur F. Gunn, James Barrow, Carmino Pettinato, Henry Callahan, Charles Stoddard, and numerous others whose names will be found in the statement annexed, are examples of what a pardon may do to make a man a better citizen. I have mentioned the foregoing names because the reports of them are particularly good, indicating that in each case the man is living as an upright, honorable citizen, endeavoring by the rectitude of his conduct to demonstrate his gratitude for the clemency that was granted him.

It is to be deplored that the state has no institution where young men of this character, who have committed their first offense against the laws, can be held in custody save in the state's prison. A very considerable portion of our convicts at present are young men, men whose youth has been passed in unfavorable surroundings, who, in fact, "never had a chance" to become useful citizens. Ordinary prison confinement does little to elevate their ideals or to teach them why good citizenship is to be cultivated. Had we a state reformatory such as contemplated in House Bill No. 176, by Mr. Jackson, now before you, young men of the class named could be handled in a manner calculated to make them useful members of society, and could assist materially

in their own maintenance while there. A state reformatory is a real measure of economy, calculated either in manhood or dollars. The indeterminate sentence and the state reformatory are in reality twin ideas. You have approved the one; I trust you will provide for the other.

In the matter of the exercise of executive clemency I have adopted a policy of giving the fullest publicity to all my acts. The records are now open to inspection the same as all public records should be. To my mind, the public should be as fully informed regarding the acts of the executive in such cases as in the trial and conviction of the prisoner. I have no desire to evade criticism by maintaining secrecy in these matters. It has been argued that the publicity I have given my acts of executive clemency has not only injured me in the eyes of the public but has served no good purpose to society at large. This reasoning, to my notion, is extremely weak. I am unwilling to seek to clothe my acts in secrecy. I am willing to stand on the record of my acts. I have no patience with the theory that in a republican government an air of mystery should surround the discharge of the people's business. Nevertheless, I am aware that because of the policy of publicity an impression prevails in the public mind that I have granted a disproportionate number of pardons. The very reverse is true. You will note in statistical table No. 16 of the Penitentiary report printed in the third biennial report of the Board of Control that for the statistical year ending September 30, 1906, a less number of pardons from the Penitentiary were granted by the Governor than for any other statistical year in fourteen years. The percentage of pardons to total releases was very much less than at any time since statehood, as was the percentage of pardons to prison population. While I have had a great many more convicts and convicted persons to deal with than any of my predecessors, owing to the great and recent growth of the state's population, the actual record shows that there has not been a proportionate increase in the granting of executive clemency. I make this statement, not in the spirit of self-justification, but because I think the public should understand the facts.

During the first two years of my administration I have had to deal with 1,476 Penitentiary convicts, 723 being there when I took office, and 753 being received during the two years ending January 11, 1907. Of these I granted pardons to 22 (and to two others since January 11, 1907), and commutations to 13, a total of 35, or a percentage of .0230. The simplest comparison to illustrate is the last two years of my predecessor's administration. At the beginning of that period (January 11, 1903) there were 602 prisoners in the Penitentiary and during the period 684 were received, a grand total of 1,286 chances for the exercise of executive clemency. He pardoned 25 and commuted 6, a total of 31, or a percentage of .0233, three one-hundredths per cent. higher than the percentage for my first two years in office.

Following is a statement of all pardons, commutations and remissions of fine granted by me during my term as Governor:

In computing the good time allowances it must be understood that under the laws of this state, each prisoner is entitled for good behavior to two months off his first year, two months off his second, four months off his third, four months off his fourth, and five months off each succeeding year of his term. He is credited with this good time on entering the prison and only some act of his own will deprive him of the reduction. Hence, a sentence of one year means only ten months confinement, and so on. Jail sentences, however, carry with them no good time allowances, but must be served in full.

PARDONS FROM THE STATE PENITENTIARY.

(1) CARMINO PETTINATO—Sentenced in Spokane county, December 27, 1902, to three years for statutory rape. Paroled by Governor McBride February 10, 1904, and promptly married the girl whom he was alleged to have ruined. In marrying her he carried out the intention he had repeatedly tried to carry out but in which he had been frustrated by family interference. Pardoned February 17, 1905, and released two days later. The pardon reduced his time as a convict by two months and seven days. Reporting to me on Pettinato's conduct since release, Attorney J. M. Geraghty, of Spokane, writes: "The conduct of this young man, since his release through your clemency, has justified the promise of his friends. He is sober, industrious and promises to do as well as could be expected from one of his condition and education. The result in this case justifies and illustrates the wisdom of the liberal use of the executive prerogative; and, as it is the object of our criminal laws rather to reform than to punish, I am personally in entire sympathy with the course you have taken in dealing with this question."

(2) ALBERT HINE—Sentenced in Snohomish county February 23, 1901, to ten years for burglary. Paroled by Governor McBride April 4, 1904. Pardoned April 4, 1905, and released three days later; the pardon recommended by the trial judge, prosecuting attorney, nine of the trial jurors, the chief witness for the state and other citizens and officials. Total reduction of time by pardon, two years, four months and fifteen days. Conduct reported as "being in perfect accord with all statements recommending the pardon."

(3) RAY HAIGHT—Sentenced September 19, 1904, in Adams county, to three years for grand larceny. Pardoned April 10, 1905, and released one day later. Total reduction of time, one year, nine months and seven days. Pardoned on recommendation of trial judge, prosecuting attorney and many citizens on grounds that the sentence was excessive and that the young man, who was of respectable parentage and good home surroundings, had a better chance of becoming a good citizen if released than if compelled to remain in prison. His conduct since has justified his release. He is living on a farm and doing well.

(4) MELL AMICK—Sentenced at the time and under the same circumstances with Ray Haight and for the same period; pardoned at the same time and for the same reasons. Like Haight, he is a very young man. He is now living with relatives in the State of Kansas and is reported to be conducting himself in every way as a good citizen.

(5) MRS. NETTIE MANN—Sentenced in Lewis county, October 1, 1904, to one year for the crime of arson. Pardoned April 10, 1905, and released April 20, 1905, on the recommendation of the trial judge, the Penitentiary authorities and others on the understanding that her relatives would take her to their home in Minnesota. The woman was the mother of an infant child which she was obliged to have with her in the prison. Further, there were grave doubts of her entire guilt, her husband also being charged with the crime. Total reduction of time by pardon, four months and twenty days.

(6) C. W. VROOMAN—Sentenced January 16, 1905, in Skagit county to one year for forgery. Pardoned April 4, 1905. Total reduction of time six months and eleven days. Pardon granted on recommendation of trial judge, prosecuting attorney, and others, on the ground of the convict's youth, his first offense, his being the sole support of a grandmother, and employment being secured for him, and a promise of restitution made. I am informed that Vrooman's conduct since pardon justifies the granting of executive clemency. He is employed as a fireman on a railway.

(7) HENRY BUNTING—Sentenced in Whitman county, December 29, 1902, to ten years for assault to rape; paroled by Governor McBride January 5, 1905; pardoned April 24, 1905, and released May 1, 1905. Total reduction of time four years, one month and twenty-eight days. Pardon granted on representation of girl's uncle and examining physician had been excellent on parole. The results in this case are not entirely satisfactory. Bunting, after being pardoned, was arrested for drunkenness in Moscow, Idaho, and has now disappeared.

(8) HANS JOHANSEN—Sentenced June 10, 1904, in Spokane for receiving stolen property, to serve two years and six months. Pardoned April 25, 1905, and released three days later. Pardon granted on recommendation of trial judge, prosecuting attorney and other officers. Johansen, who conducted a second-hand store, it was shown had been made an example of by the officers, and had been already punished in a severe manner for an offense that seemed to lack criminal intent. The thief who stole the goods purchased received a sentence of but one year. Total reduction of time, one year, one month and eleven days. Johansen has resumed business in Spokane and is reported by the authorities as conducting himself as a good citizen.

(9) THOMAS O'HARE—Sentenced in Adams county, February 18, 1904, to one year and six months for seduction. Pardoned April 28, 1905, and released May 1, 1905. Total reduction of time, eleven months and twenty-nine days. Pardon recommended by trial judge, prosecuting

attorney, eleven trial jurors and the injured party. O'Hare is reported as conducting himself as a peaceable and law-abiding citizen, and managing his farm.

(10) (11) WAH HOP and WILLIE MON—Two Chinese. Sentenced in Garfield county, May 24, 1900, to ten years each for murder in second degree. Pardoned April 28, and released May 18, 1905. Total reduction of time in each of the two cases, one year, six months and five days. Pardon recommended by trial judge and prosecuting attorney, on the ground that the men acted in self-defense. Condition of the pardon was that both men leave the United States never to return thereto. Willie Mon was deported and Wah Hop died.

(12) EDWARD SPENCER—Sentenced in Spokane county, June 4, 1903, to thirteen years for murder in the second degree. Developed into a case of tuberculosis and was obliged to remain in the hospital. On the representation of prison physician and others that he could not live long he was pardoned conditionally and placed in the care of Dr. Y. C. Blalock, of Walla Walla, on May 8, and released from prison May 14, 1905. Total reduction of time, six years, three months and nineteen days. Spencer contracted a marriage after leaving prison and subsequently misconducted himself. Hence, on May 22, 1906, I revoked the conditional pardon and ordered him reincarcerated. On an application for a habeas corpus he brought his case before the superior court in Walla Walla county. His appeal from the judgment of that court, upholding my action, is now pending in the Supreme Court.

(13) FRANK R. SIDWELL—Sentenced in Pierce county, March 3, 1904, to two years for forgery. Pardoned June 10, 1905. Total reduction of time, four months and twenty-two days. Pardon granted on recommendation of trial judge, many leading citizens of the state and the sician that no crime had been committed, and that the conduct of the Penitentiary authorities on the ground that he had rendered valuable services to the state at the prison and that he had given evidence of reforming. However, it is evident those evidences were misleading and the prisoner unworthy of the clemency extended to him, for he has since been convicted of a forgery committed in Victoria, B. C., and is now serving a five-year sentence at the provincial prison at New Westminster. There he has misconducted himself and his sanity has been questioned.

(14) JAMES H. WALKER—Sentenced in Okanogan county, May 19, 1903, to three years for cattle stealing. Pardoned June 19 and released June 21, 1905. Total reduction of time, two months and twenty-seven days. Pardon recommended by a majority of the citizens of the county, on the ground that there was doubt of the man's guilt, and if guilty at all it was as an accessory. Further, it was shown that at the Penitentiary Walker had rendered valuable services as a trusty prisoner. Conduct since pardon reported excellent.

(15) MILTON GABLE—Sentenced in Lincoln county, January 13, 1905, to one year for embezzlement. Pardoned August 26, 1905. Total re-

duction of time, two months and ten days. Granted upon the long and honorable career of the prisoner in the state prior to his conviction of this offense, upon the fact that there was doubt as to criminal intent, the charge being based upon an alleged shortage in accounts as manager of a grain warehouse, and upon the necessities of his family. My latest information is that "he has conducted himself in a manly and upright manner since pardoned."

(16) HENRY CALLAHAN—Sentenced in Kittitas county, April 23, 1902, to five years for burglary. Pardoned September 2, 1905. Total reduction of time two months and twenty days. Pardon granted on the recommendation of the trial judge and the superintendent of the Penitentiary on the ground of the convict's extreme youth, the fact that he had been punished sufficiently, and that he had rendered good service to the state as a trusty prisoner. Callahan is now living with his relatives in Omaha and is reported to be conducting himself well.

(17) RILEY B. SMALLWOOD—Sentenced in Pierce county, November 9, 1901, to six years for manslaughter. Pardoned September 23, 1905. granted on the recommendation of the trial judge, the prosecuting attorney and other citizens, on the ground of previous good character, excellent conduct in the penitentiary, youth, the bad character of the man killed, and the recommendation of mercy made by the trial jury. He is now living with his parents, is working for wages and is conducting himself admirably, according to reports I have received.

(18) ARTHUR F. GUNN—Sentenced in Spokane county March 25, 1905, to two years for burglary. Pardoned October 4, 1905. Total reduction of time, one year, one month and twenty days. Pardon recommended by chief of police of Spokane and a number of leading citizens. Granted by reason of fact that Gunn, the son of highly respected parents, was but eighteen years of age when convicted, and that he had given evidence of sincere reformation. Also because he had suffered the maiming of a hand by an accident in the Penitentiary jute mill. Conduct since release reported of the best.

(19) CHARLES STODDARD—Sentenced in Okanogan county February 2, 1905, to one year for burglary. Pardoned October 5, 1905. Total reduction of time, one month and twenty-six days. Pardon recommended by ten trial jurors, the special prosecutor, the sheriff, most of the county officials and many leading citizens who began their efforts to secure a pardon as soon as Stoddard had been convicted, on the grounds that the sentence was excessive for a purely technical violation of the law, but a lesser one could not legally be imposed. Stoddard's conduct since release justifies the faith of his neighbors who are assisting him in many ways.

(20) JAMES HALEY—Sentenced in Pierce county, October 6, 1902, to twelve years for robbery. Pardoned October 9, 1905. Total reduction of time, four years, seven months and twenty-six days. Pardon recommended by prosecuting attorney, six trial jurors and several citizens.

Haley's offense consisted in disarming a police officer who sought, while in plain clothes, to arrest him, but despite the disarming Haley was overpowered immediately and arrested. The offense can be termed robbery only by a strained construction. It was represented to me by the prosecuting attorney that the excessive sentence had been given because of the understanding of the court and prosecuting officers that Haley in reality was a confirmed criminal named Bruce Creighton, but the prosecuting attorney assured me that he had investigated and was convinced it was a case of mistaken identity. Since granting the pardon evidence has been secured showing that in reality Haley is Bruce Creighton and the prosecuting attorney in his statement to me was mistaken. On release the man went to California. Considerable notoriety has been given to this case. It was published recently that Haley several months ago was sentenced to the Arkansas state prison. Haley writes to me from San Francisco, where he says he has been continually since leaving this state, to assure me that the report is false and that he has been in no trouble with the authorities anywhere.

(21) JAMES BARROW—Sentenced in Spokane county July 15, 1904, to three years and six months for horse stealing. Pardoned November 14, 1905. Total reduction of time, one year and four months. Pardon recommended by trial judge, prosecuting attorney and a number of leading citizens and officials. Barrow is a young negro, son of a clergyman. Arrested with a white boy, his father directed him if guilty to so plead. He did so, and received the sentence set forth. The white boy, who was the more guilty according to the evidence presented to me, was sentenced by another judge and got but one year. Neither judge knew of the other's sentence. Justice dictated that the negro boy, having already served longer than his associate, should be released. Conduct since release reported exemplary. He is attentive to his work, careful of his associates, and the lesson he received seems to be lasting.

(22) CHRIS KLEIN—Sentenced in King county December 21, 1903, to two years in the Penitentiary for grand larceny and recommitted on July 8, 1905, after dismissal of appeal; pardoned April 18, 1906. Total reduction of time, ten months and twenty days. Clemency granted chiefly on the ground of the splendid work done by Klein in the King county jail during the Hilderbrand attempt at jail-break. Klein, then a trusty in the jail, risked his own life to save the lives of the officers. Another fact that was urged in his behalf was that he was in the interior of Alaska when the Supreme Court decided adversely his appeal. Voluntarily Mr. Klein took an arduous journey to get out in order that he might go to jail, and surrendered himself to the officers at Seattle without trouble. W. T. Scott, prosecuting attorney at the time of the trial; Kenneth Mackintosh, present prosecuting attorney; Sheriff L. C. Smith, Congressman W. E. Humphrey, Hon. E. C. Hughes, and many other of the leading citizens of Seattle urged a pardon in this case. On release Klein worked as a butcher in Walla Walla for several weeks

and then went to Nome, Alaska, in a most responsible position. He is now spending the winter in British Columbia, is working at his trade and is doing well.

(23) KURT TIMM—Sentenced in Jefferson county February 28, 1905, to three years for grand larceny. Pardoned January 30, 1907, on the recommendation of the superintendent of the Penitentiary and the agreement of the prosecuting attorney of Jefferson county. Timm had given good service to the state at the convict rock quarry in Lewis county. While so working he became totally disabled through the ulceration of both jaw bones and skilled medical treatment was required. Inasmuch as he was to be discharged June 27, 1907, he was pardoned to permit him to get the required treatment. Total reduction of time, four months and twenty-eight days.

(24) FRANK LADHOFF—Sentenced in Spokane county April 26, 1905, to five years for obtaining money by false pretenses. Pardoned conditionally February 11, 1907, effective March 1, 1907, the conditions being that he shall remain within the State of Washington and support his family, which was destitute. The pardon is revocable at any time. It was recommended by the prosecuting attorney of Spokane county and numerous citizens on the ground of severity of sentence for the offense and necessities of his family. Total reduction of time, one year, eight months and twenty-five days.

Total reduction of time by Penitentiary pardons, thirty-four years, two months and sixteen days.

PENITENTIARY COMMUTATIONS.

(1) GEORGE L. WOODS—Sentenced in Spokane county March 7, 1893, to twenty years for murder in the second degree. Commuted April 11, 1905, to twelve years, one month and twenty-four days, actual time, and released May 1, 1905. Total reduction of time, two months and five days. Sentence commuted because of excellent record of the convict in the prison and because of services rendered there as cook. Woods writes to me and to the Penitentiary officials, and his letters show that he is conducting himself well. Last report by the Penitentiary shows that he is working as a dining car cook at a wage of \$80.00 a month.

(2) JOHNNY WASHING—Sentenced December 9, 1903, in Klickitat county to three years for horse stealing. Sentence commuted April 28, 1905, to one year in the Penitentiary, and released November 26, 1905. Pending an appeal in his case Washing lay in the county jail seventeen months and did not enter upon his Penitentiary term until January 5, 1905. Clemency recommended by the sheriff, prosecuting attorney and many citizens. Washing, who is a young Indian, has conducted himself well since his release. Total reduction of time, four months and twelve days.

(3) S. W. WILLIAMS—Sentenced in Skagit county November 21, 1904, to one year and three months for grand larceny. Sentence com-

muted April 28, 1905. Total reduction of time, six months and twenty-five days. Commutation recommended by prosecuting attorney, several county officers and many citizens on the ground of previous good character, evidence of reformation and dependency of family upon him. My latest report on his conduct since release shows that "he is conducting himself as becomes a good citizen, is a hard-working and industrious fellow, is supporting his wife and child, and has given the authorities no trouble whatever."

(4) CARROLL WELLS—Sentenced in Snohomish county March 8, 1905, to one year for forgery. Commuted November 16, 1905, to eight months and twelve days, actual time, and released November 29, 1905. Total reduction of time, one month and eighteen days. Clemency recommended by trial judge, prosecuting attorney, and many reputable citizens. Wells was but seventeen years old when convicted. It was represented to me that he failed to profit in any degree by the forgery. He lay in the county jail four months before receiving sentence. The circumstances indicated that society would be best served by giving him his liberty at an early day. Peace officers in Snohomish report Well's conduct since release is good.

(5) BERTHA HOPKINS—Sentenced in King county June 3, 1905, to one year for grand larceny. Sentence commuted January 12, 1906, to seven months and fourteen days actual time. Total actual reduction, two months and sixteen days. Clemency recommended by the trial judge, prosecuting attorney, deputy prosecuting attorney, injured party, and all of the trial jurors, in addition to a large number of leading reputable citizens, on account of the youth and inexperience of this unsophisticated German girl and because of her evident reformation. A position was secured for her and she passed from the Penitentiary into the hands of her friends. She has good employment in Seattle now, and has a bank account.

(6) DELL STIMSON—Sentenced in Spokane county April 15, 1905, to one year for conducting a gambling game. Sentence commuted January 12, 1906, to nine months actual time. Total actual reduction, one month. Clemency recommended by trial judge, ten trial jurors and many citizens. In passing sentence the judge said one year was the lowest sentence permitted under the law, but that he considered this severe. He further said that the evidence indicated that the offense was little more than a technical violation of the law and that there was no intention openly to violate the statute nor secretly to act in defiance of the statute. Stimson is a barber who was found playing poker with friends and acting as banker for the game. In the Penitentiary he rendered considerable service to the state as a trusty prisoner. On August 16, 1905, the prosecuting attorney filed a protest against clemency in this case, but on September 14, 1905, he withdrew the protest and endorsed the statement of facts made by the trial judge. Since release Stimson's conduct, according to reports made to me, has been of the best.

(7) FRANK CAIRO—Sentenced by the judge of the superior court in Adams county November 19, 1904, to ten years for the crime of sodomy. Commuted March 13, 1906, to one year, four months and fourteen days, actual time, upon the recommendation of the prosecuting attorney who conducted the trial, the trial judge, three of the trial jurors, the present judge, the county clerk and numerous others, and on the appeal made to me by the Royal Italian Vice Consul at San Francisco. Total reduction of time, five years, seven months and sixteen days. Cairo was convicted solely on the evidence of a man who is represented to me to be a hobo and who subsequently made an affidavit repudiating his testimony at the trial. I attempted through the proper authorities to procure the arrest of the witness on the charge of perjury, but he could not be found. At my request, Assistant Attorney General Macdonald investigated the case and his investigation substantiated the facts stated above. August 12, 1906, I denied a pardon as the prosecuting attorney informed me that he was convinced that the witness, however evil his character, spoke the truth at the trial and a falsehood in his subsequent affidavit. Since then the trial prosecutor has informed me that facts have now come to him which indicate that Cairo was innocent, and he recommends executive clemency. Without passing upon the question of guilt or innocence, I believed the ends of justice would be best served by releasing the man at the expiration of the sentence so commuted, April 1, 1906. On release Cairo went to Spokane and subsequently to British Columbia. His conduct since his release is reported exemplary.

(8) ESAU BALTIMORE—Sentenced by the judge of the superior court in Kittitas county May 22, 1894, to twenty years for murder in the second degree. Sentence commuted March 14, 1906, to eleven years, ten months and ten days, actual time, causing his release April 1, 1906. His sentence would have expired, by reason of good time allowances, on October 22, 1906. Total reduction of time, six months and twenty-one days. Clemency recommended by the Superintendent of the Penitentiary and the Board of Control. I quote from the recommendation of the Board: "Inasmuch as his conduct as a prisoner has been exemplary and as for the past ten years he has acted as chief cook in the prison, performing as faithful service as if employed at a regular salary, we feel that in justice to him and in furtherance of good discipline at the prison that he is entitled to executive clemency." The superintendent, in his recommendation, says that during his many years of service he has cooked for an average of 700 men daily; "he has not missed a day in the kitchen, and during all of this time he has never been late with a meal nor impertinent to the officers. He has been calm and submissive at all times, and has never been reprimanded in any way." Since his release Baltimore has had excellent employment and his conduct is reported by those who see him frequently as of the best.

(9) EDWARD V. TWYMAN—Sentenced in Spokane county December 23, 1899, to twenty years for murder in the second degree; sentence commuted April 19, 1906, to six years, four months and eight days, actual time, releasing him on May 1. By reason of good time earned by the prisoner the commutation reduces his actual imprisonment by six years, as he would have gone out April 22, 1912. Total reduction of time, five years, eleven months and twenty-one days. Clemency strongly urged by the Board of Control, two members of the trial jury, viz.: George P. Walker and Alex W. McCallum, and by Col. E. H. Morrison, Twyman's former employer; C. C. Dempsey, under whom Twyman served as deputy sheriff of Spokane county; Henry W. Collins, Warner Cobb and a large number of other good citizens of Spokane county. The Board of Control in recommending clemency in this case, said: "Almost from the date of Twyman's incarceration in the Penitentiary he has been a trusted employe, and for the past three or four years he has had the entire confidence of the management of the prison, and to our knowledge has performed valuable services and has done many acts that would reflect honor and credit upon him were he a citizen outside the prison. From our knowledge of him we do not believe him a criminal, and we do not believe society would be endangered by granting him his liberty, but on the contrary that a restoration of his liberty, permitting him to associate with his family and friends, would be a benefit." Reports on Twyman's conduct since release are excellent. He has been steadily at work in the railroad business and is conducting himself as a good citizen.

(10) E. L. KELSO—Sentenced by the judge of the superior court in Whatcom county on October 10, 1905, to eight months in the Penitentiary for obtaining money under false pretenses. Sentence commuted May 7, 1906, to eight months in the county jail. A full pardon was recommended in this case by the trial judge, the prosecuting attorney who conducted the case, six of the trial jurors, the sheriff of Whatcom county and a large number of reputable citizens of Whatcom and King counties. Kelso, a lawyer and a man of education with a family dependent upon him, while intoxicated, passed a worthless order for five dollars. While the commutation lengthened rather than reduced the time of imprisonment, it saved the prisoner from the ignominy of wearing convict's stripes. The jail imprisonment, in my opinion, was sufficient punishment in this case. My latest report on this prisoner, dated December 17th, last, was that he was working industriously.

(11) CHRIST DURKOOP—Sentenced by the judge of the superior court in Skagit county on July 26, 1905, to one year and six months in the penitentiary for forgery. Sentence commuted May 7, 1906, to ten months and six days, actual time, releasing the prisoner June 1, 1906. Total reduction of time, four months and twenty-five days. Clemency recommended by the prosecuting attorney who conducted the case and a number of reputable citizens of Skagit and other counties

on the ground that the prisoner is a young man of previous excellent character; that this was his first offense; that it was committed without a realization of its gravity; that the prisoner has learned his lesson and gives every evidence of sincere repentance and reformation.

(12) N. W. MADSEN—Sentenced May 4, 1904, by the superior court of Kitsap county to seven years for grand larceny on a plea of guilty. Commuted May 9, 1906, to two years and twenty-eight days, actual time, releasing the prisoner on June 1, 1906. Total reduction of time, two years, eight months and two days. A pardon in this case was urged by the Royal Danish Vice Consul at Seattle and supported by numerous affidavits of persons familiar with the circumstances, who related that Madsen was a sailor unacquainted with the English language, and was arrested after having been intoxicated with various companions in the vicinity of Port Blakeley. They represented that the offense with which he was charged was participating in a larceny of goods and money of the aggregate value of \$45.00 and that his plea of guilty to the charge of grand larceny was made without a thorough understanding on his part of the gravity of the offense to which he was pleading. The Royal Danish Vice Consul reporting to me on this case, says that on his release Madsen went to Seattle where the Vice Consul furnished him with money to buy clothes, Madsen intending to ship on a vessel. Madsen spent the money for liquor and then robbed a roommate. For this offense he was sentenced to thirty days in jail, on the expiration of which sentence, he shipped on a deep sea vessel. The Vice Consul says: "I am sorry our efforts in behalf of Madsen were misplaced. However, I cannot but feel that the principle involved was not in any way changed by his conduct."

(13) OSCAR BRADSHAW—Sentenced May 14, 1906, by the judge of the superior court in Franklin county to be hanged on August 3, 1906, for murder in the first degree. Sentence commuted to life imprisonment July 21, 1906, on the urgent pleas and recommendations of the trial judge, the prosecuting attorney who conducted the case, eleven of the trial jurors, and several hundred of the leading reputable citizens of Franklin and Walla Walla counties. It was shown that the jury had, in rendering its verdict, no intention to cause the death penalty to be inflicted and learned too late that, under the verdict, no other punishment could be imposed. The youth of the prisoner, his deficient mentality and his previous blameless life was taken into consideration. Bradshaw's conduct as a convict has been exemplary. He is employed in the prison bakery and is learning the baker's trade.

Total reduction of time by Penitentiary commutations, sixteen years, nine months and eleven days.

PARDONED BEFORE REACHING PENITENTIARY.

(1) GEORGE MATELJAK—Sentenced in Pierce county December 30, 1904, to eight years for assault to rape. Became violently insane before commitment and was confined in the Hospital for the Insane at Fort

Steilacoom. Pardoned April 10, 1905, on condition that his friends take him to his former home in Austria. Total reduction in time, five years and twenty days. (See explanatory note at beginning.) Latest report on his case is, confined in an insane asylum at Sibenik, Austria.

(2) H. W. SMITH—Sentenced in Jefferson county February 11, 1907, to one year for forgery. Conditionally pardoned February 25, 1907, on the recommendation of the trial judge, the prosecuting attorney, the sheriff and numerous citizens of Jefferson county, and on the certificate of Dr. L. T. Seavey that the prisoner was in an advanced stage of tuberculosis and that his confinement in prison would soon cause his death. Total reduction of time, nine months and sixteen days.

Total reduction of time by this class of clemency, five years, ten months and six days.

REMISSIONS OF FINE.

(1) WILLIAM HENRY—Sentenced in Whatcom county, January 28, 1905, to six months in the county jail and to pay a fine of \$250.00 for assault. Fine remitted July 31, 1905, after the jail sentence had been served, on the recommendation of the prosecuting attorney, a majority of the trial jurors and many citizens, and on a statement of the evidence made by the trial judge. Henry attacked his wife and her male escort, believing he had good ground for so doing. Charged with assault with intent to commit murder, he was convicted of simple assault. The court admitted it would not have criticised a verdict of not guilty. Henry is now engaged in business in British Columbia and his conduct is reported to be excellent.

(2) NATHAN TURNER—Sentenced in Stevens county August 31, 1904, to pay a fine of \$500 and costs, said costs amounting to \$720.50, for assault and battery. Fine remitted September 5, 1905, after Turner had served eleven months in jail awaiting trial. Clemency recommended by trial judge, prosecuting attorney and county commissioners on the ground of previous good character, his lack of means to pay the fine, and the fact that a family was dependent upon him. Conduct since release, good.

(3) CARL FISHER—Sentenced in Whatcom county, October 10, 1905, to pay a fine of \$500 and costs for the crime of assault and battery and, in default of payment, committed to the county jail. Fine remitted December 22, 1905, on the recommendation of the trial judge, the prosecuting attorney and a large number of reputable citizens, including the Central Labor Council of Bellingham. Fisher's offense was committed in the trouble between labor organizations arising over the loading of a steamer at Bellingham. A number of arrests were made at the time. Fisher, who was charged with assault with a deadly weapon, was among the number. Some of them were dismissed, Fisher convicted of assault and battery. In one case there was a disagreement and two cases were set for the January term, but were dismissed on defendants pleading guilty to simple assault. The authorities were

convinced that Fisher, who bore a good character prior to his arrest, had paid his debt to the law. His conduct since release has been good.

(4) JOHN H. MESSNER—Sentenced by the superior court in Spokane county October 25, 1905, to six months in the county jail and to pay a fine of \$500 and costs for conspiracy. Remission of the unearned portion of the costs granted November 26, 1906. Messner had served out the six months and the fine and was serving the costs with one month and twenty-five days yet to serve. J. W. Prall, convicted with him of the same offense and given a heavier sentence as the more guilty, having means, employed attorneys and took an appeal to the Supreme Court, which reversed the judgment and Prall was discharged. Clemency for Messner was recommended by the sheriff of Spokane county, numerous county officials and employes and many citizens.

No reduction of time of service computed in this class.

PARDONED FROM COUNTY JAILS.

(1) GEORGE MACKINTURFF—Sentenced in Whitman county, March 25, 1904, to one year for assault and battery. Pardoned March 11, 1905. Total reduction of time, fourteen days. Pardon recommended by trial judge, and many citizens on the ground that he had been sufficiently punished. Conduct since pardon, good, save for a fight in which he engaged soon after release, the reason of the fight said to have been that Mackinturff's opponent twitted him with having been in jail.

(2) R. E. FERREE—Sentenced in King county March 23, 1905, to six months in jail for obtaining money under false pretenses. Pardoned April 25, 1905. Total reduction of time, four months and twenty-eight days. Pardon recommended by trial judge, prosecuting attorney and many reputable citizens, on the ground of previous good character; that no person suffered financial loss by his act; that it was committed for the purpose of relieving the destitution of his family, and that the humiliation he had suffered was sufficient punishment. He is reported to be conducting himself in an honest and upright manner.

(3) MOSES HALL—Sentenced in King county February 14, 1905, to six months in jail for blackmail. Pardoned June 7, 1905. Total reduction of time, two months and seven days. Pardon recommended by sheriff and many citizens on the grounds of youth, inexperience, and having been sufficiently punished. The report on his conduct since release says: "He is working hard, staying quite closely at home, and conducting himself in every way as becomes a good citizen."

(4) HENRY JOHNSON—Sentenced in Walla Walla county March 11, 1905, to six months in jail for assault and battery. Pardoned August 12, 1905. Total reduction of time, twenty-nine days. Pardon recommended by the trial judge, prosecuting attorney, the sheriff and others, on the ground of lack of intent to attack the man assaulted, and because of good record in jail. He has left Walla Walla and it is impossible to obtain a recent report on his conduct, but at latest report it was good.

(5) W. L. LEONARD—Sentenced in King county October 14, 1904, to one year in jail for simple assault. Pardoned April 3, 1905. Total reduction, six months and eleven days. Pardon recommended by trial judge, prosecuting attorney and others, and granted on the ground of previous good character and belief that he had been sufficiently punished for an offense evidently committed when in fear of harm to himself and wife. My latest report from those who have observed him says that "he has borne a splendid reputation since being pardoned. He is a quiet, law-abiding man who has never been in any other trouble, before or since."

(6) MOSES DRUXINMAN—Sentenced in King county April 17, 1904, to two years in the county jail for receiving stolen property. Pardoned January 22, 1906. Total reduction of time, two months and twenty-five days. Had he been a Penitentiary prisoner he, with the legal good conduct allowances, would have been released December 15, 1905. Clemency granted because of valuable services rendered the authorities during two attempted jail-breaks at the jail. Recommended by W. T. Scott, prosecuting attorney at time of conviction; Ed Cudihee, former sheriff; L. C. Smith, present sheriff; O. A. Wise, jailor; a number of deputy sheriffs, a number of leading citizens of this state, and Governor Chamberlain of Oregon. Soon after his release Druxinman went to Alaska and reports I have received from there indicate that he has in every way conducted himself as a good citizen since his arrival there.

(7) ED McDONALD—Sentenced February 15, 1906, in the superior court in King county, to six months in the county jail for obtaining money under false pretenses. Pardoned May 22, 1906. Total reduction of time two months and 23 days. Pardon strongly urged by the trial judge, the injured party, the deputy prosecuting attorney, the sheriff and the jailors. The sheriff, under recent date, reports, however, that McDonald deceived him. The sheriff writes: "As near as I can find out he has misrepresented his condition to all of us. He told me he had a family of two children and that one of them had died this last summer and the other one has been in the care of a family at West Seattle, but I have been unable to find any family at all. I also talked with Mr. Wier, who filed the complaint against him, in the first place, for forging some checks or passing some bad ones on him. Mr. Wier is of the same opinion as I am, that is, that he is a fraud and has misled us all the way through. At the time we had him in here before his eyesight was in very bad condition, and he had always conducted himself while in the jail very well, and I must confess it is through the information that I received from his attorneys and the condition of his eyes that led me to write you the letter that I did, thinking myself that he had a family to support and was intoxicated at the time he passed those checks."

(8) FRED MURRY—Sentenced by the judge of the superior court in Walla Walla county December 13, 1905, to eight months in the county

jail for obtaining money under false pretenses. Pardoned June 18, 1906, on the petition and recommendation of the trial judge, prosecuting attorney, sheriff and others on the ground of good conduct, absence of criminal disposition, and sufficiency of punishment. Total reduction of time, one month and twenty-five days. During the last harvest Murry worked on Walla Walla county farms and conducted himself well. Subsequently he went to Whitman county. Nothing but favorable reports have been received regarding him.

(9) GEORGE W. SPENCE—Sentenced by the judge of the superior court in Ferry county on January 11, 1906, to one year in the county jail for larceny by embezzlement. Pardoned June 29, 1906. Total reduction of time, six months and twelve days. Spence was clerk of the court of Ferry county and was charged with misapplying public funds. The shortage was made good. Spence pleaded guilty to the two charges against him. He was an exemplary prisoner. Clemency was recommended by the county attorney of Spokane county and various other officials of that county on the grounds that the ends of justice had been accomplished. The prosecuting attorney of Ferry county notified me that the officials of that county desired to interpose no objections to the granting of clemency. Since release Spence has cared for himself and family well, and his conduct otherwise also is reported excellent.

Total reduction of time by county jail pardons, two years, four months and twenty-four days.

COUNTY JAIL COMMUTATIONS.

(1) CARL NITSCHÉ—Sentenced February 10, 1906, by the judge of the superior court in Spokane county to ten months in the county jail for obtaining money under false pretenses. Sentence commuted May 29, 1906, to four months in the county jail, releasing him June 11, 1906. Total reduction of time, six months. The parties injured by the transaction, and Albert J. Laughon, deputy prosecuting attorney, with a large number of citizens, petitioned for a parole in this case, but the parole law applies only to prisoners who have served a year in the Penitentiary and not to prisoners serving jail sentences. The grounds urged were previous good character, sincere repentance and reform and the fact that the prisoner has a large family dependent upon him. On his release Nitsche went to work for his former employer and has since continued there. His conduct is reported excellent in every respect.

(2) MURRAY SIMONS—Sentenced December 4, 1905, by the judge of the superior court in Snohomish county to one year in the county jail for obtaining money under false pretenses. Commuted May 29, 1906, to six months in the county jail, releasing him June 5, 1906. Total reduction of time, six months. Clemency recommended by W. W. Black, the trial judge; J. W. Hartnett, prosecuting attorney; Frank P. Brewer,

sheriff; and various other county officials, and R. J. Terwilliger, the complaining witness, on the ground of a sufficiency of punishment, and on the further ground that he notified the officers of an impending jail-break and prevented it. Since release, the young man has been clerking in a Seattle business establishment and conducting himself well. An observer reporting on him, writes: "He has given satisfaction (to his employers), has been attentive to his business and has helped out of his earnings to support his little sisters. I think there is no question that he will make a man of himself."

(3) CHARLES WRIGHT—Sentenced November 21, 1905, by a judge of the superior court in Spokane county to one year in the county jail for horse stealing. Sentence commuted September 28, 1906, to ten months and ten days in the county jail. Total actual reduction, one month and twenty days. Clemency recommended by the prosecuting attorney and others on the grounds of youth, previous good character, lack of criminal disposition, and also urged on the ground of the distinguished services to the country of the prisoner's father. On release Wright went to his home in San Francisco where he is steadily employed and doing well. My informant describes him now as "The best all-around boy I know of."

Total reduction of time by county jail commutations, one year, one month and twenty days.

RESPITE.

(1) WILLIAM H. (KID) WHITE—Sentenced in King county January 6, 1906, to be hanged January 26, 1906, for murder in the first degree. Respite granted on January 22, 1906, to March 2, 1906, to permit the many petitioners for executive clemency in this case to prepare their presentation of arguments. Hearing held February 25, 1906, when arguments in behalf of clemency were presented by Attorney William O'Connor, Rev. W. D. Simonds and Mrs. Hummell, all of Seattle, and C. E. Parr, a trial juror. Commutation denied February 26, 1906. Petition for further respite denied February 28, 1906.

RECAPITULATION—REDUCTION OF TIME.

	No.	Years.	Months.	Days.
Penitentiary pardons	24	34	2	16
Penitentiary commutations	13	16	9	11
Pardoned before reaching Penitentiary...	2	5	10	6
County jail pardons	9	2	4	24
County jail commutations.....	3	1	1	20
	<u>51</u>	<u>60</u>	<u>4</u>	<u>17</u>

Total number of prisoners in Penitentiary January 11, 1905, 723; total number of prisoners received from that date to January 11, 1907, 753; grand total, or chances for the exercise of executive clemency, 1,476. Total number of Penitentiary pardons during the period, 22; total number of Penitentiary commutations during period, 13. Grand

total, 35. Percentage of cases in which executive clemency was exercised to total chances, .0230.

It will be noted that two of my 24 Penitentiary pardons have been granted since the end of my first two years, and hence are not figured into the percentage.

Following is the record of pardons, commutations, reprieves, and remissions of fines of my predecessor in office for the two years ending January 11, 1905—the last two years of his administration:

PENITENTIARY PARDONS.

(1) CHAS J. EDWARDS—Sentenced June 22, 1901, to three years for burglary. Pardoned January 7, 1903. Died in prison, January 14, 1903, before he could be taken therefrom. No reduction of time computed in this case.

(2) JOHN O'DAY—Sentenced in King county July 9, 1902, to three years for robbery. Pardoned February 14, 1903. Total reduction of time, eight months and twenty-four days.

(3) JAMES EVANS—Sentenced in King county February 9, 1892, to nineteen years for murder in the second degree. Pardoned April 1, 1903. Total reduction of time, seven months and eight days.

(4) JAMES F. BURKE—Sentenced March 7, 1902, to two years for assault with intent to commit robbery. Pardoned April 1, 1903. Total reduction of time, six months and six days.

(5) SAMUEL SAMPSON—Sentenced in Skagit county August 31, 1902, to fourteen months for grand larceny. Pardoned April 10, 1903. Total reduction of time, three months and eleven days.

(6) BEDFORD SKELTON—Sentenced June 8, 1901, in Whatcom county to ten years for rape. Pardoned May 6, 1903. Total reduction of time, four years, seven months and two days.

(7) WALTER H. ERVING—Sentenced in Island county September 1, 1897, to twenty years for murder in the second degree. Pardoned June 1, 1903. Total reduction of time, six years and seven months.

(8) WALTER BROWN—Sentenced in Pierce county January 6, 1902, to two years for forgery. Pardoned July 1, 1903. Total reduction of time, two months and five days.

(9) GEORGE EMANUEL—Sentenced in King county February 3, 1903, to eight years for burglary. Pardoned July 6, 1903. Total reduction of time, four years, eleven months and two days.

(10) ED MORRIS—Sentenced in Spokane county May 14, 1902, to two years and six months for grand larceny. Pardoned August 19, 1903. Total reduction of time, eight months and twenty-five days.

(11) BERT COFER—Sentenced in Spokane county December 19, 1902, to one year and six months for horse stealing. Pardoned September 19, 1903. Total reduction of time, six months.

(12) J. J. GRANT—Sentenced in Jefferson county February 5, 1900, to ten years for rape. Pardoned October 26, 1903. Total reduction of time, two years, nine months and nine days.

(13) CHARLES GRAAMS—Sentenced in Pierce county February 13, 1898, to twenty years for murder in the second degree. Pardoned November 14, 1903. Total reduction of time, six years, six months and twenty-nine days.

(14) JAMES BOWEN—Sentenced in Chehalis county December 3, 1901, to five years for rape. Pardoned November 3, 1903. Total reduction of time, one year and eight months.

(15) A. M. WITHAM—Sentenced in Whatcom county June 8, 1901, to fifteen years for rape. Pardoned December 14, 1903. Total reduction of time, six years, ten months and twenty-four days.

(16) A. J. THOMAS—Sentenced in Cowlitz county May 14, 1903, to one year for adultery. Pardoned February 2, 1904. Total reduction of time, one month and ten days.

(17) N. A. SERVIS—Sentenced in Snohomish county August 26, 1902, to five years for grand larceny. Pardoned April 13, 1904, and released May 2, 1904. Total reduction of time, one year, ten months and twenty-three days.

(18) JOHN CLARK—Sentenced in Pierce county March 2, 1901, to eight years for burglary. Pardoned April 30, 1904, and released May 3, 1904. Total reduction of time, two years, one month and twenty days.

(19) JOHN COOLEY—Sentenced in Douglas county May 2, 1892, to twenty years for murder in the second degree. Pardoned May 25, 1904, and released four days later. Total reduction of time, six months and seven days. (Change in method of computing good time under new law.)

(20) WILLIAM D. FETTERLY—Sentenced in King county March 18, 1904, to fifteen years for rape. Pardoned June 2, 1904, and released two days later. Total reduction of time, nine years, two months and thirteen days.

(21) R. HARRIS—Sentenced in Walla Walla county December 1, 1901, to four years for cattle stealing. Pardoned June 3, 1904, and released two days later. Total reduction of time, one month and thirteen days. (Break in prison term because of being out on bail.)

(22) H. W. MITCHELL—Sentenced in Pierce county April 4, 1903, to five years for grand larceny. Pardoned November 30, 1904. Total reduction of time three years, four months and four days. (Lost all good time on account of attempt to escape.)

(23) H. ST. JOHN DIX—Sentenced in Whatcom county August 25, 1902, re-sentenced February 24, 1904, to ten years for larceny by embezzlement. Pardoned December 3, 1904, and released one day later. Total reduction of time, five years, eight months and twenty-four days.

(24) JOHN W. SHEENAN—Sentenced in Skagit county February 22, 1902, to ten years for assault to murder. Pardoned January 4, 1905. Total reduction of time, three years, seven months and nineteen days.

(25) CHARLES POWERS—Sentenced in Skagit county, February 24, 1902, to eight years for robbery. Pardoned January 9, 1905, and released two days later. Total reduction of time, two years, five months and twelve days.

Total reduction of time by Penitentiary pardons, sixty-six years and nine months.

PENITENTIARY COMMUTATIONS.

(1) DOMINGO COVELLO—Sentenced in Island county April 26, 1892, to eighteen years for murder in the second degree. Commuted April 29, 1903, to seventeen years and seven months. Total reduction of time, one month and fifteen days.

(2) L. W. SCHULTZ—Sentenced in Lewis county, October 21, 1899, to ten years for cattle stealing. Commuted January 9, 1905, to four years, and released June 15, 1905. Total reduction of time, seven years and seven months.

(3) J. E. CRONEY—Sentenced in Stevens county, June 16, 1902, to seventeen years for murder in the second degree. Commuted January 3, 1905, to four years, and released July 20, 1905. Total reduction of time, two years and four months.

(4) C. G. RABY—Sentenced in Whitman county July 21, 1902, to eight years for grand larceny. Commuted January 10, 1905, to four years and released July 20, 1905. Total reduction of time, two years and four months.

(5) FRED HANSON—Sentenced in Spokane county December 4, 1901, to five years for burglary. Commuted December 12, 1904, to three years and twenty-one days actual time, and released December 25, 1904. Total reduction of time, six months and eight days.

(6) GEORGE GRAY—Sentenced in King county, October 3, 1900, to fourteen years for sodomy. Commuted December 14, 1904, to four years, two months and twenty-eight days, actual time, and released January 1, 1905. Total reduction of time, four years, seven months and one day.

Total reduction of time by Penitentiary commutations, sixteen years, three months and twenty-four days.

PARDONED BEFORE REACHING PENITENTIARY.

(1) FRED HOLDEGER—Sentenced in Spokane county October 30, 1895, to two years for publishing obscene literature, but never committed, and remained out on bail. Pardoned March 11, 1904. Total reduction of time, one year and eight months.

(2) H. W. DANHAUER—Sentenced in King county May 10, 1904, to one year for robbery, but never committed to Penitentiary. Pardoned October 24, 1904. Total reduction of time, two months and twenty

days, calculated on the supposition that he was imprisoned from May to October, though the record is silent on the subject.

Total reduction of time under this class, one year, ten months and twenty days.

PARDONED FROM COUNTY JAILS.

(1) J. M. HOSHER—Sentenced in King county to one year for embezzlement. Pardoned February 14, 1903. Total reduction of time, two months and two days.

(2) BEN DRISCOLL—Sentenced in Spokane county June 4, 1903, to six months for gross lewdness. Pardoned July 20, 1903. Total reduction of time, four months and sixteen days.

(3) JOHN HEARST—Sentenced in Columbia county August 13, 1903, to three months for assault and battery. Pardoned September 19, 1903. Total reduction of time, one month and twenty-four days.

(4) JOHN SNIDER—Sentenced in Columbia county, August 13, 1903, to three months for assault and battery. Pardoned September 19, 1903. Total reduction of time, one month and twenty-four days.

(5) WILLIAM L. BULLARD—Sentenced in Walla Walla county June 23, 1903, to eleven months for assault and battery. Pardoned October 19, 1903. Total reduction of time, seven months and four days.

(6) WOODIE POOLE—Sentenced in Thurston county April 16, 1904, to thirty days for indecent exposure. Pardoned April 22, 1904. Total reduction of time, four months and sixteen days.

(7) ERNEST C. CALLAHAN—Sentenced in Spokane county March 12, 1904, to one year for assault and battery. Pardoned October 26, 1904. Total reduction of time, four months and sixteen days.

Total reduction under this class, one year, ten months and sixteen days.

COMMUTATION OF DEATH PENALTY.

(1) JOHN REYNOLDS—Sentenced to death in King county and commuted to life imprisonment February 10, 1904. (Does not figure in computation of reduction of time.)

RECAPITULATION—REDUCTION OF TIME.

	No.	Years.	Months.	Days.
Penitentiary pardons	25	66	9	0
Penitentiary commutations	6	16	3	24
Before reaching Penitentiary	2	1	10	20
Jail pardons	7	1	10	26
	<u>40</u>	<u>86</u>	<u>10</u>	<u>10</u>

Total number of prisoners in Penitentiary, January 11, 1903, 602; total number of prisoners received from that date to January 11, 1905, 684; grand total of available chances for the exercise of executive clemency, 1,286. Total number of Penitentiary pardons during the period, 25; total number of Penitentiary commutations during period,

6; grand total, 31. Percentage of cases in which executive clemency was exercised to total chances, .0233.

COMPARISON LAST TWO YEARS MC BRIDE AND FIRST TWO YEARS MEAD.

Number Penitentiary pardons granted.....	25	22
Number Penitentiary commutations granted.....	6	13
Total both classes	31	35
Percentage to total chances .....	.0233	.0230
Number of chances	1286	1476

TOTAL REDUCTION OF TIME ALL CLASSES.

McBride (2 years)	86 years, 10 months, 10 days
Mead (2 yrs. 1½ mos.).....	60 years, 4 months, 17 days

AVERAGE REDUCTION OF TIME PER CASE.

McBride	2 years, 9 months, 19 days
Mead	1 year, 7 months, 17 days

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 or subsequent thereto, their conduct during imprisonment having been such as to inspire the Superintendent with a belief in their reformation:

Name.	Date of Restoration.
James Scannell	March 20, 1905
J. S. Hawthorne	March 20, 1905
William Rice	March 20, 1905
William Walker	March 23, 1905
Thomas Thornton	April 4, 1905
George Robinson	April 12, 1905
Chas. B. Anderson	April 20, 1905
Richard Ryan	April 20, 1905
Charles Menard	April 20, 1905
William Davis	April 20, 1905
J. E. Croney	May 17, 1905
J. E. Marsell	May 17, 1905
Wm. R. Hessey	May 17, 1905
Ed. Shafer	June 21, 1905
Wilfred Rigney	June 21, 1905
John Livingston	June 21, 1905
C. D. Malville	June 21, 1905
Henry Courtier	June 21, 1905
Charles O'Mara	June 21, 1905
Clemont Bissant	June 21, 1905
A. Gibbons	July 22, 1905
Frank Westfall	July 22, 1905

Name.	Date of Restoration.
A. B. Hunt	July 22, 1905
H. U. Johnson	July 22, 1905
Joe Hadar	Aug. 18, 1905
Francis White	Aug. 18, 1905
J. W. Walters	Aug. 18, 1905
William Hoyt	Aug. 18, 1905
W. Mardon	Sept. 20, 1905
C. F. Koch	Sept. 20, 1905
F. Hawkins	Sept. 20, 1905
J. W. Davis	Sept. 20, 1905
F. Monroe	Sept. 20, 1905
G. Fielding	Sept. 20, 1905
G. W. Lampke	Sept. 20, 1905
Wm. Julian	Sept. 20, 1905
P. Eusterbrock	Sept. 20, 1905
Chas. McGonigle	Oct. 25, 1905
Frank J. Roberts	Oct. 25, 1905
Will Jacobson	Oct. 25, 1905
Jacob H. Kline	Oct. 25, 1905
John Reed	Oct. 25, 1905
Albert Robinson	Oct. 25, 1905
Fred D. Merrill	Nov. 6, 1905
Chas. Stoddard	Nov. 18, 1905
Henry Hughes	Nov. 18, 1905
W. E. Foster	Nov. 18, 1905
W. F. Lint	Nov. 18, 1905
Ray Shannon	Nov. 18, 1905
James Melton	Nov. 18, 1905
John McDonald	Nov. 18, 1905
Roy Kauffman	Dec. 13, 1905
Lee Reagan	Dec. 21, 1905
J. Ireland	Dec. 21, 1905
S. Wilson	Dec. 21, 1905
R. McCammon	Dec. 21, 1905
B. Mickelsen	January 22, 1906
Thos. Pittam	January 22, 1906
O. W. Thompson	January 22, 1906
H. Eubanks	January 22, 1906
S. A. Waldron	January 26, 1906
Chester Meinecke	February 26, 1906
Victor Garton	February 26, 1906
C. H. Newman	March 22, 1906
Justice Gill	April 20, 1906
Richard McGrath	April 20, 1906
George W. Yandell	April 20, 1906
Robert E. Langford	May 23, 1906

Name.	Date of Restoration.
Allen Burr	May 23, 1906
J. Skidmore	May 23, 1906
J. W. Kirk	June 27, 1906
Ira Whitney	June 27, 1906
Bessie McDonald	June 27, 1906
G. McCloud	July 20, 1906
Geo. W. Claypool	July 20, 1906
F. W. D. Mays	July 20, 1906
John Fogarty	August 21, 1906
Connie Wallace	August 21, 1906
Wm. Sommers	August 21, 1906
H. A. Kister	August 21, 1906
J. B. Dexter	August 21, 1906
F. G. Tilley	August 21, 1906
C. H. Stephens	August 21, 1906
Ed. S. Eisenberg	August 21, 1906
Peter Ingalls	Sept. 21, 1906
J. W. Campbell	Sept. 21, 1906
Guillerino Sanchez	Sept. 21, 1906
M. Larson	Sept. 21, 1906
John Freer	October 22, 1906
Peter Burns	October 22, 1906
Albert Stengar	October 22, 1906
Earl Harkleroad	October 22, 1906
Frank Zenner	October 22, 1906
Jean Miner	November 22, 1906
Thos. Korfus	November 22, 1906
David Chappell	November 22, 1906
W. H. Prisk	November 22, 1906
John Hogg	November 22, 1906
Frank Connell	November 22, 1906
Robert Koller	December 11, 1906
Joseph Atwood	December 22, 1906
John Sullivan	December 22, 1906
Wm. Gollnick	December 22, 1906
Dixon C. Walsh	December 22, 1906
Herman Miller	December 22, 1906
Chas. D. Telley	December 22, 1906
Howard Stanton	December 22, 1906
Albert St. Dennis	December 22, 1906
Frank Murray	December 22, 1906
James Shuck	December 22, 1906
William Montgall	January 21, 1907
Charles Carleson	January 21, 1907
Harry Colton	January 21, 1907
Ernest Jamison	January 21, 1907

Name.	Date of Restoration.
Wm. T. Hinson	January 21, 1907
Alfred J. Symes	January 21, 1907
George Finley	January 7, 1907
Charles Barnes	January 28, 1907
Geo. R. Clay	February 21, 1907
Frank Good	February 21, 1907
Chas. F. Moss	February 21, 1907
Angus McAuley	February 21, 1907
Richard Henry	February 21, 1907
E. J. Page	January 10, 1907

PAROLES.

While it has not been the custom to report paroles to the Legislature, I desire herewith to present a complete report of all paroles during my administration:

(1) SIDNEY HULL—Sentenced May 14, 1903, to five years for grand larceny. Paroled February 18, 1905. Parole revoked March 29, 1905. Prisoner in Penitentiary.

(2) ALLAN BURR—Sentenced June 23, 1903, to four years for rape. Paroled February 18, 1905. Discharged June 22, 1906.

(3) MACK SCOTT—Sentenced March 13, 1903, to fifteen years for rape. Paroled April 14, 1905. Now in business in Walla Walla.

(4) J. W. WALTERS—Sentenced January 19, 1904, to two years for obtaining money under false pretenses. Paroled April 25, 1905. Discharged September 18, 1905.

(5) JOE HADAR—Sentenced May 6, 1903, to three years for forgery. Paroled April 25, 1905. Discharged August 5, 1905.

(6) F. W. D. MAYS—Sentenced April 28, 1904, to three years for rape. Paroled April 24, 1905. Discharged August 27, 1906.

(7) SIGUR PAULSON—Sentenced May 16, 1903, to ten years for burglary. Paroled June 26, 1905. Working in Seattle.

(8) RICHARD McGRATH—Sentenced January 23, 1904, to three years for burglary. Paroled June 26, 1905. Discharged May 22, 1906.

(9) R. McCAMMON—Sentenced May 27, 1904, to two years for burglary. Paroled July 11, 1905. Discharged January 26, 1906.

(10) CHAS. H. NEWMAN—Sentenced December 12, 1903, to three years for forgery. Paroled August 11, 1905. Returned to prison of his own accord. Still there. Conduct excellent.

(11) TOMMY SANTIAGO HOWARD—Sentenced October 7, 1902, to twenty years for manslaughter. Paroled September 5, 1905. Dying of consumption.

(12) BESSIE McDONALD—Sentenced March 29, 1904, to three years for grand larceny. Paroled September 16, 1905. Discharged July 28, 1906.

(13) LEON MACEY—Sentenced July 6, 1904, to five years for robbery. Paroled September 16, 1905. Working for his father at Zillah.

(14) JOHN McDONALD—Sentenced April 30, 1904, to two years for embezzlement. Paroled September 23, 1905. Discharged December 29, 1905.

(15) S. EGLASIAS—Sentenced December 9, 1903, to five years for burglary. Paroled September 6, 1905. Working in Walla Walla.

(16) JOHN FOGARTY—Sentenced September 5, 1903, to four years for robbery. Paroled November 13, 1905. Discharged September 4, 1906.

(17) T. A. MURPHY—Sentenced May 24, 1904, to three years for obtaining money under false pretenses. Paroled November 13, 1905. Parole revoked May 21, 1906, for getting drunk. Discharged September 23, 1906.

(18) WILLIAM GOLLNICK—Sentenced July 6, 1904, to three years for horse stealing. Paroled November 23, 1905. Discharged January 4, 1907.

(19) WILLIAM MONTGALL—Sentenced February 5, 1904, to four years for burglary. Paroled November 28, 1905. Discharged February 4, 1907.

(20) HATTIE NIESE—Sentenced February 1, 1896, to twenty years for murder in the second degree. Paroled January 13, 1906. Working in Tacoma.

(21) A. JUSTUS—Sentenced January 11, 1904, to five years for robbery. Paroled January 13, 1906. Working in Seattle.

(22) STANLEY RAY—Sentenced April 25, 1904, to five years for forgery. Paroled March 13, 1906. Broke parole by attempting another forgery, and parole revoked December 16, 1906. Now in Penitentiary. Forfeited all good time.

(23) F. G. TILLEY—Sentenced January 28, 1905, to two years for embezzlement. Paroled March 13, 1906. Discharged September 27, 1906.

(24) THOMAS DUNN—Sentenced October 16, 1903, to six years for forgery. Paroled March 13, 1906. Escaped and still at large.

(25) E. W. HOFFMAN—Sentenced March 2, 1902, to seven years for robbery. Paroled April 10, 1906. Working in Seattle.

(26) JOHN HERRING—Sentenced March 4, 1904, to fifteen years for robbery. Paroled April 18, 1906. Escaped September 26, 1906. Still at large.

(27) CONNIE WALLACE—Sentenced May 5, 1904, to three years for living with prostitute. Paroled April 18, 1906. Discharged September 5, 1906.

(28) GRACE WILLIAMS—Sentenced September 29, 1904, to two years for assault to murder. Paroled April 18, 1906. Discharged May 28, 1906.

- (29) C. H. STEVENS—Sentenced January 31, 1905, to two years for adultery. Paroled April 17, 1906. Discharged September 30, 1906.
- (30) R. L. BOGARDUS—Sentenced April 17, 1905, to three years for larceny. Paroled April 30, 1906. In business in Spokane.
- (31) E. S. EISENBERG—Sentenced January 31, 1905, to two years for forgery. Paroled May 15, 1906. Discharged September 30, 1906.
- (32) ROBERT WILSON—Sentenced November 25, 1902, to ten years for robbery. Paroled May 24, 1906. Working at Garfield.
- (33) PAUL CARMUCHE—Sentenced March 6, 1905, to four years for burglary. Returned to criminal associations and parole revoked February 23, 1907.
- (34) JOHN HARRIGAN—Sentenced August 6, 1902, to fourteen years for robbery. Paroled June 8, 1906. Working in Seattle.
- (35) JOHN R. LEWIS—Sentenced April 3, 1905, to three years for burglary. Paroled June 11, 1906. Working at Walla Walla.
- (36) JOHN FREER—Sentenced March 2, 1905, to two years for rape. Paroled June 29, 1906. Discharged November 1, 1906.
- (37) ALBERT STENGAR—Sentenced December 19, 1904, to two years and four months for rape. Paroled July 9, 1906. Discharged November 8, 1906.
- (38) FRED HOYT—Sentenced December 22, 1903, to six years for assault to rob. Paroled July 24, 1906. Working at Mossy Rock for his father.
- (39) H. J. KRESSLEY—Sentenced October 1, 1903, to five years for obtaining money under false pretenses. Paroled September 1, 1906. Working in Idaho on railroad construction.
- (40) G. N. ADAMA—Sentenced March 22, 1904, to ten years for burglary. Paroled September 18, 1906. Working at Issaquah for his father.
- (41) WILLIAM HIGGINS—Sentenced June 23, 1905, to five years for perjury. Paroled September 21, 1906. Working at Dayton.
- (42) ALBERT ST. DENNIS—Sentenced May 2, 1905, to two years for larceny from the person. Paroled September 21, 1906. Working in Seattle.
- (43) FRANK G. HARDING—Sentenced December 15, 1904, to seven years for burglary. Paroled September 21, 1906. Working in Seattle.
- (44) JEAN MINER—Sentenced September 8, 1905, to one year and six months for forgery. Paroled September 21, 1906. Discharged December 7, 1906.
- (45) FRANK JAMES—Sentenced July 1, 1905, to six years for robbery. Paroled September 22, 1906. Working in Spokane.
- (46) P. C. COWAN—Sentenced August 21, 1905, to four years for larceny by conversion. Paroled November 9, 1906. Working at Asotin.

(47) LE ROY WEST—Sentenced December 17, 1904, to twelve years for rape. Paroled November 26, 1906. Working in Portland.

(48) E. E. LARIMORE—Sentenced November 11, 1905, to two years for larceny by embezzlement. Paroled November 26, 1906. Working at Portland.

(49) C. A. PIPER—Sentenced March 6, 1905, to three years for burglary. Paroled December 1, 1906. Working at Waterville.

(50) GEORGE VIVIAN—Sentenced September 6, 1905, to three years for assault to rob. Paroled December 14, 1906. Working at Dusty.

(51) ED. R. HUTCHINS—Sentenced October 31, 1904, to five years for larceny from the person. Paroled December 17, 1906. Visiting in Iowa.

(52) WILLIAM ADAMS—Sentenced January 5, 1905, to three years for burglary. Paroled December 21, 1906. Working at Walla Walla.

(53) GEORGE E. TAYLOR—Sentenced November 29, 1905, to two years for embezzlement. Paroled December 24, 1906. Working at Garfield.

(54) WILLIAM STUNDON—Sentenced October 20, 1902, to fifteen years for rape. Paroled December 23, 1906. Working at Tacoma.

(55) JOHN KELLY—Sentenced in King county October 10, 1903, to ten years for robbery. Paroled January 16, 1907.

(56) LOU PARTON—Sentenced in Kittitas county November 8, 1905, to four years for horse stealing. Paroled January 30, 1907.

(57) MICHAEL ELDERMAN—Sentenced in Spokane county December 29, 1905, to two years for larceny by embezzlement. Paroled February 18, 1907.

(58) JOHN MANN—Sentenced in Lewis county October 31, 1904, to five years for arson. Paroled February 18, 1907.

(59) HENRY JAMES NICHOLS—Sentenced in Spokane county January 19, 1905, to five years for burglary. Paroled February 26, 1907.

(60) E. H. WEST—Sentenced in Pierce county December 27, 1902, to seven years for burglary. Paroled February 26, 1907.

(61) ED. GARRETTY—Sentenced in Pierce county January 5, 1899, to fourteen years for assault to commit murder. Paroled February 26, 1907.

(62) MARY A. LATHAM—Sentenced in Spokane county July 20, 1905, to four years for arson. Paroled February 27, 1907. Parole effective April 1, 1907.

Respectfully submitted,

ALBERT E. MEAD,
Governor.

On motion of Senator Jones, the reading of the communication from the Governor was dispensed with, and ordered printed.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

The House has passed House bill No. 469: An act providing for the improvement of the public highways;

Also, House bill No. 213: An act directing the commissioner of public lands to certify certain tide lands to the governor for deed;

Also, House bill No. 467: Providing for the establishment of state roads;

Also, House Substitute bill No. 242: Governing pilots and pilotage on the waters of Puget Sound;

Also, House bill No. 345: Creating the office of state oil inspector;

Also, House bill No. 300: Prescribing the terms of sale of timber on state lands;

Also, House bill No. 373: Providing for the protection of owners of second class tide lands, etc.;

Also, House bill No. 468: Providing for the survey of certain proposed state roads.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 28, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 107: An act relating to the State Board of Health and amending section 10 of chapter XCVIII of the Session Laws of 1891;

Also, Senate bill No. 25: An act relating to express companies, providing for delivery within the limits of incorporated cities or towns, and fixing penalty for the violation thereof—have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,

A. S. RUTH, *Chairman.*

We concur in this report: A. W. Anderson, Fred M. Pauly.

GENERAL FILE.

Senate bill No. 156: An act relating to the superior courts of Skamania, Klickitat and Benton counties, and providing for the appointment and subsequent election of a judge therein, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, Mc-

Gregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Williams—37.

Those absent or not voting were: Senators Eidemiller, Knickerbocker, Metcalf, Pogue and Watson—5.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Veness, Williams—35.

Those absent or not voting were: Senators Eidemiller, Knickerbocker, Metcalf, Pogue, Potts, Stevenson and Watson—7.

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

On motion of Senator Piper, Senate bill No. 291 was made a special order for 11:30 o'clock a. m. Tuesday, March 5, 1907.

On motion of Senator Presby, the rules were suspended and Senate bill No. 156 ordered transmitted to the House immediately.

Senate bill No. 278: An act to prevent the exposing of poisons, was placed on third reading.

On motion of Senator Rosenhaupt, the following amendments were made:

In the title of the printed bill strike the word "exposing" and insert in lieu thereof the word "exposure".

In the title of the printed bill strike the word "poisons" and insert in lieu thereof the words "poisonous or dangerous substances" also strike from the title of the printed bill the words "to protect persons or domestic animals from being poisoned".

The title as amended will read: "An act to prevent the exposure of poisonous or dangerous substances, and providing a penalty for the violation thereof."

In line 2, section 1 of the printed bill strike the words "yard, alley, public or private place" and insert in lieu thereof the words "street, avenue, alley, public square, park, yard or other place within the limits of any incorporated town or city"; also

in line 2 of the printed bill, section 1, strike the word "liable" and insert the word "likely"; also in line 3 of section 1 of the printed bill strike the words "within the limits of any incorporated town or city"; also in lines 5 and 6, section 1 of the printed bill strike the following "(eating the same)".

In line 1, section 2 of the printed bill strike the words "be guilty of a felony and" and insert in lieu thereof the words "upon conviction thereof".

Also in line 3, section 2 of the printed bill strike the words "one year" and insert in lieu thereof the words "six months in the county jail".

On motion of Senator Graves, section 2 of the printed bill as amended by Senator Rosenhaupt, was stricken, and the following substituted therefor: "Sec. 2. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and punished by imprisonment in the county jail for not less than one month nor more than one year."

On motion of Senator Rosenhaupt, the bill was referred to the Judiciary Committee for amendment.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

The Speaker has signed Senate bill No. 213: An act amending section 3 of an act entitled, "An act providing for the regulation and selection of jurors in the superior courts and providing for the appointment of jury commissioners," etc., etc.;

Also, Senate bill No. 27: Relating to the relief of soldiers, sailors and marines;

Also, Senate bill No. 145: Relating to a system of checking the accounts of various county officers;

Also, Senate bill No. 68: Relating to holidays in public schools;

Also, Senate bill No. 161: Relating to the assessment and taxation of property and amending article VII of the Constitution of the State of Washington;

Also, Senate bill No. 136: Authorizing the levy of a tax for improving rivers and streams;

Also, Senate bill No. 4: Relating to the issuance of teachers certificates;

Also, Senate bill No. 50: Relating to the competency of witnesses;

Also, Senate bill No. 97: Relating to the salaries of judges of the supreme and superior courts;

Also, Senate bill No. 132: Providing for the establishment and creation of drainage districts;

Also, Senate bill No. 61: Authorizing the assessment of county or state lands within the limits of incorporated cities or towns.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

GENERAL FILE.

Senate bill No. 259: An act fixing the salaries of county officers in counties of the first class, was placed on third reading.

On motion of Senator Nichols, section 1 of the printed bill was amended by striking the words "two thousand" in line five and inserting in lieu thereof the words "twenty-seven hundred" after the word "schools", also in line 6 after the word "assessor" by striking the words "twenty-four hundred" and inserting in lieu thereof the words "twenty-seven hundred".

On motion of Senator Cotterill, the word "surveyor" in lines 6 and 7 of the printed bill was stricken and the word "engineer" substituted in lieu thereof.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Brown, Graves, Gunn, Hutson, Jones, Kline, McGowan, McGregor, Metcalf, Minkler, Pauly, Piper, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Williams—22.

Those voting nay were: Senators Boone, Bratt, Condon, Cotterill, Eidemiller, Nichols, Paulhamus, Polson and Potts—9.

Those absent or not voting were: Senators Davis, Hunter, Kennedy, Knickerbocker, Poguc, Presby, Rands, Smith, Sumner, Veness and Watson—11.

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

Senate bill No. 67: An act for the relief of James O'Laughlin, etc., was placed on third reading.

On motion of Senator Graves, the Senate resolved itself into a committee of the whole to consider the bill.

The bill was considered in the committee of the whole, Senator Cotterill in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Cotterill, the report of the committee was adopted.

On motion of Senator Cotterill, the reading of Senate bill No. 67 had in the committee of the whole, was considered the third reading of the bill, the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hutson, Jones, Kline, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Williams—31.

Senator Jones, President pro tem. was called to the chair.

Those voting nay were: Senator Eidemiller—1.

Those absent or not voting were: Senators Booth, Hunter, Kennedy, Knickerbocker, McGregor, Pogue, Stevenson, Sumner, Veness and Watson—10.

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

On motion of Senator Minkler, the rules were suspended and the bill ordered transmitted to the House immediately.

Senator Ruth moved to reconsider the vote by which Senate bill No. 246 passed the Senate.

Senator McGregor moved as a substitute for motion of Senator Ruth, that the reconsideration of this vote be made a special order for Tuesday, March 5, at 10:30 o'clock a. m.

The substitute motion was adopted.

Senate bill No. 245: An act relating to premium stamps, commonly called trading stamps, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Sumner, Veness, Williams—34.

Those voting nay were: Senators Hunter and Kline—2.

Those absent or not voting were: Senators Kennedy, Knickerbocker, Pogue, Smith, Stevenson and Watson—6.

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

Senate bill No. 293: An act requiring railroad companies to equip flat cars with stakes, supports, etc., was placed on third reading.

On motion of Senator Veness, the following amendment was made: After the title of the printed bill insert the following: "Be it enacted by the Legislature of the State of Washington:"

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Condon, Cotterill, Graves, Gunn, Hunter, Jones, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Stevenson, Veness, Williams—30.

Those voting nay were: Senators Brown, Davis, Eidemiller, Hutson and Kennedy—5.

Those absent or not voting were: Senators Knickerbocker, Piper, Pogue, Scott, Smith, Sumner and Watson—7.

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

On motion of Senator Scott, the rules were suspended and Senate bill No. 245 ordered transmitted to the House immediately.

On motion of Senator Presby, the rules were suspended and Senate bill No. 293 ordered transmitted to the House immediately.

Senate bill No. 201: An act relating to the sale of public lands of the state, giving cities and towns power to buy public lands for water-sheds, etc., was placed on third reading.

On motion of Senator Cotterill, the following amendments were made:

In the title of the printed bill, after the word "Ballinger's" insert the word "Annotated" and change the word "Code" to "Codes" and add the following "and Statutes of Washington".

After the title of the printed bill add the following:

"Be it enacted by the Legislature of the State of Washington:"

"Section 1. That section 2132 of Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:"

The bill was read the third time, placed on final passage and

passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Bratt, Condon, Cotterill, Davis, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Pauly, Piper, Polson, Potts, Reed, Ruth, Smith, Veness, Williams—23.

Those voting nay were: Senators Anderson, Eidemiller, and Paulhamus—3.

Those absent or not voting were: Senators Booth, Brown, Graves, Gunn, Hunter, Hutson, Knickerbocker, Nichols, Pogue, Presby, Rands, Rosenhaupt, Scott, Stevenson, Sumner and Watson—16.

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

Senator Allen moved that the rules be suspended and Senate bill No. 201 be ordered transmitted to the House immediately.

The motion was carried.

The President resumed the chair.

INTRODUCTION OF BILLS.

House bill No. 242, by Committee on Commerce and Manufactures, entitled, "An act governing and regulating pilots and pilotage on the waters of Puget Sound, its inlets, bays and harbors, etc."

The bill was read the first time, and on motion of Senator Condon the rules were suspended, the bill was read the second time by title and referred to the Committee on Commerce and Manufactures.

House bill No. 345, by Mr. Armstrong, entitled, "An act creating the office of state oil inspector, providing for the appointment of deputies, providing for the compensation of said state oil inspector and deputies, and providing for the inspection of petroleum and its products, used for illuminating purposes," etc.

The bill was read the first time, and on motion of Senator Condon the rules were suspended, the bill was read the second time by title and referred to the Committee on Commerce and Manufactures.

House bill No. 300, by Mr. Bradsberry, entitled: "An act prescribing the terms and conditions of sale of timber on state, school and granted lands."

The bill was read the first time, and on motion of Senator Polson 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. 373, by Mr. Govan, entitled, "An act providing for the protection of owner or lessees of second class tide lands on which they are propagating and cultivating clams, and declaring the taking of clams from such lands by other persons without permission, a misdemeanor and providing a penalty therefor."

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 Judiciary.

House bill No. 468, by Committee on Roads and Bridges, entitled, "An act providing for the survey of certain proposed state roads, by the state highway commissioner, and a report on the feasibility of the same, and making an appropriation therefor."

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

House bill No. 469, by the Committee on Roads and Bridges, entitled, "An act to provide for the improvement of the public highways, providing for the payment of cost thereof in part out of the public highway fund of this state, and in part out of the general road and bridge fund, district road fund and property benefited, and making an appropriation therefor."

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

House bill No. 467, by the Committee on Roads and Bridges, entitled, "An act providing for the establishment, construction and maintenance of state roads and making appropriations for state roads heretofore established."

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

House bill No. 313, by Mr. Gaches, entitled, "An act relating to the payment by the state of assessments made on state, school or granted lands for the construction and maintenance of dikes and drains benefiting such lands."

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

OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

In accordance with joint rule No. 4, I have the honor to report that Senate bills Nos. 61, 132, 97, 50, 4, 136, 161, 68, 145, 27, and 213 were presented to the Governor at 4:07 o'clock p. m., this day.

J. W. LYSONS, *Secretary.*

On motion of Senator Condon at 4:50 p. m. the Senate adjourned.

J. W. LYSONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.

FIFTY-FIRST DAY.

MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, Tuesday, March 5, 1907.

10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The Secretary called the roll, all members being present except Senators Pogue and Watson, both of whom were excused.

On motion of Senator Reed, the reading of yesterday's journal was dispensed with, and it was approved.

Senator Rosenhaupt moved that a conference committee be

appointed on Senate amendments to House bill No. 8, in which the House had refused to concur.

The motion was adopted.

House Concurrent Resolution No. 20 was read as follows:

Resolved by the House, the Senate concurring, that no bills be considered on the last day of the session, being the 14th day of March, 1907, excepting such as come up in connection with conference committee reports.

On motion of Senator Jones, the resolution was amended as follows:

Strike the original resolution and substitute the following:

Resolved, by the House, the Senate concurring, that no bills be considered after 12:00 o'clock noon on the last day of the session, being the 14th day of March, 1907, excepting such as come up in connection with conference committee reports."

The resolution as amended was adopted.

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 235, entitled, "An act authorizing counties to construct or aid the United States in construction canals," etc., have had the same under consideration, and we respectfully report the same back to the Sénate with the recommendation that it be amended as follows and placed on general file:

Strike the title of the printed bill and substitute the following: "An act relating to the power of counties of the first class to construct or aid in the construction of canals."

In line 1, section 1 of the printed bill, after the word "county" and before the word "in" insert the words "of the first class".

In line 7 of said section, after the word "sections" strike the remainder of said section and substitute the following words and figures "1846 to 1851, inclusive, of Ballinger's Annotated Codes and Statutes of Washington."

WILL G. GRAVES, *Chairman*.

We concur in this report: T. A. Hunter, E. M. Rands, Chas. T. Hutson, Harry Rosenhaupt, Ralph Metcalf, W. B. Presby.

On motion of Senator Graves the report of the committee was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 271, entitled: An act relating to admission to the bar;

Also, Senate bill No. 201: An act relating to the sale of the public lands of the state giving cities and towns the power to buy public lands for water sheds, etc.;

Also, Senate bill No. 293: An act requiring railroad companies to equip flat cars with stakes, railings, etc.;

Also, Senate bill No. 142: An act relating to the dissolution of drainage districts and declaring an emergency—have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,

FRED M. PAULY, *Chairman.*

We concur in this report: A. S. Ruth, A. Gunn.

GENERAL FILE.

Senate bill No. 258: An act relating to costs in civil actions and amending chapter 16 of the laws of 1905, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Williams—31.

Those absent or not voting were: Senators Bratt, Condon, Hunter, Kennedy, Kline, Knickerbocker, Piper, Pogue, Presby, Sumner and Watson—11.

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

Senate bill No. 276: An act to provide for the organization of bonding and surety companies and to regulate their management, was placed on third reading.

On motion of Senator Graves, the word "charter" in line 13, section 1 of the printed bill was stricken and the word "character" inserted in lieu thereof.

Senator Paulhamus moved to amend section 3 of the printed bill by striking the words and figures "twenty (20) and insert in lieu thereof the words and figures "fifty (50).

The motion was lost.

On motion of Senator Graves, the following amendment was made:

After the word "time" in line 2, section 9 of the printed bill insert the following:

"For such examination he shall receive the fee required to be paid for the examination of banks, such fee to be paid by the corporation at the time of examination."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Williams—39.

Those absent or not voting were: Senators Piper, Pogue and Watson—3.

SPECIAL ORDER.

The hour of 10:30 a. m. having arrived the reconsideration of the vote by which Senate bill No. 246 passed the Senate was taken up for consideration.

Senator Ruth moved that the vote be reconsidered.

A roll call was demanded by the following: Senators Ruth, Hutson, McGregor, Nichols, Allen, Booth, Bratt and Gunn, and the motion to reconsider the vote lost by the following vote:

Those voting aye were: Senators Anderson, Boone, Condon, Graves, Jones, McGowan, Metcalf, Minkler, Paulhamus, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Veness—16.

Those voting nay were: Senators Allen, Blair, Booth, Bratt, Brown, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGregor, Nichols, Pauly, Rands, Scott, Smith, Stevenson, Sumner, Williams—23.

Those absent or not voting were: Senators Piper, Pogue and Watson—3.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

The House has passed House bill No. 471: Relating to public printing in counties;

Also, House bill No. 257: For the relief of Gunder B. J. Ordal;

Also, House bill No. 254: For the relief of P. C. Hanson;

Also, House bill No. 374: For the relief of R. Stevenson;

Also, House bill No. 461: Making an appropriation for expenses of state library;

Also, House bill No. 418: Creating a state university permanent fund, etc.;

Also, House bill No. 336: Relating to the selection of jurors of superior courts;

Also, House bill No. 234: Authorizing the sale of the Stillaquamish hatchery site;

Also, House bill No. 263: Authorizing railway companies to construct spur tracks;

Also, House bill No. 169: Relating to the incorporation of trust companies;

Also, House bill No. 357: Authorizing city councils to close city offices at certain hours.

The House has indefinitely postponed Senate bill No. 223: An act amending the constitution relating to county, city and township organization.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

Major A. N. Brown, Secretary to the Governor, delivered the following:

COMMUNICATIONS FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, March 4, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I have this day approved the following bills:

Senate bill No. 97, entitled, "An act relating to the salaries of the judges of the supreme and superior courts."

Senate bill No. 50, entitled, "An act relating to the competency of witnesses in certain cases, and providing for immunity from indictment, information, prosecution and punishment for such witnesses."

Senate bill No. 61, entitled, "An act amending section 2 of an act entitled, 'An act authorizing the assessment of lands held or owned by any county in the state, within the limits of incorporated cities or towns in such county, for local improvements, and providing for the payment of such assessments,' approved February 23, 1905."

Senate bill No. 4, entitled, "An act amending section 2407 of Ballinger's Annotated Codes and Statutes of Washington relating to the classification and issuance of teachers' certificates to be issued by the authority of the State of Washington, entitling the holders thereof to teach in the schools of this state."

Senate bill No. 68, entitled, "An act relating to holidays in the public schools and amending section 56 of chapter CXVIII of the Session Laws of 1897, and declaring an emergency."

Senate bill No. 132, entitled, "An act amending section 38 of 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 20th, 1895."

ALBERT E. MEAD, *Governor*.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, March 5, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I have this day approved the following bills:

Senate bill No. 145, entitled, "An act providing for a system for checking the accounts of various county officers, and amending section 1597 of Ballinger's Annotated Codes and Statutes of Washington, and repealing all acts or parts of acts in conflict herewith."

Senate bill No. 213, entitled, "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 9, 1905."

Senate bill No. 27, entitled, "An act relating to the relief of soldiers, sailors and marines and their families, and amending sections 1, 2, 3, 4, 5, 6 and 7 of chapter 117 of the Laws of 1888."

Under date of March 4, 1907, I approved Senate bill No. 136, entitled, "An act authorizing the levy of a tax for the purpose of improving rivers and streams and providing for the expenditure of the same."

ALBERT E. MEAD, *Governor*.

Senate bill No. 234: An act relating to the organization of fire department relief associations, making provisions for the maintenance thereof, and prescribing a penalty, was placed on third reading.

Senator Veness moved that the bill be indefinitely postponed.

SPECIAL ORDER.

The hour of 11:00 o'clock a. m. having arrived Senate bill No. 297: An act creating the office of state commissioner of horticulture, etc., which was a special order for that hour was taken up for consideration and placed on third reading.

Senator Hutson was called to the chair.

On motion of Senator Presby, the following amendment was made:

After the word "provided" in line 6, section 16 of the printed bill insert the following: "Each county inspector before entering upon the discharge of his duties shall take and subscribe the oath required in section 2 of this act and shall also furnish a bond in the sum of one thousand (\$1,000.) dollars conditioned upon the faithful performance of his duties as such county inspector."

The President resumed the chair.

Senator Nichols moved to strike the word "Tacoma" in line 1, section 3 of the printed bill and insert the word "Pomeroy".

Senator Boone moved as a substitute for the motion of Senator Nichols that the word "Olympia" be inserted instead of "Pomeroy".

The substitute motion was adopted.

On motion of Senator Davis, the word "except" was inserted after the word "case" in line 2, section 6 of the printed bill.

On motion of Senator Nichols both the amendments of Senators Boone and Davis were stricken.

Senator Condon moved to amend the bill as follows: After the word "provided" in section 16, line 3, strike the balance of the section, and insert after the amendment of Senator Presby "Said horticultural inspector shall receive such salary as the board of county commissioners of the county in which the service is performed may direct".

A roll call was demanded and the amendment adopted by the following vote:

Those voting aye were: Senators Allen, Anderson, Boone, Booth, Brown, Condon, Cotterill, Graves, Gunn, Hutson, Kennedy, McGowan, Minkler, Nichols, Piper, Potts, Rands, Rosenhaupt, Ruth, Stevenson, Sumner, Veness, Williams—23.

Those voting nay were: Senators Blair, Bratt, Davis, Eide-

millier, Jones, Kline, McGregor, Paulhamus, Pauly, Polson, Presby, Reed, Scott, Smith—14.

Those absent or not voting were: Senators Hunter, Knickerbocker, Metcalf, Pogue and Watson—5.

Senator Paulhamus moved to indefinitely postpone the bill.

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Polson, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Williams—31.

Those voting nay were: Senators Kline, Paulhamus, Piper, Potts and Veness—5.

Those absent or not voting were: Senators Booth, Brown, Hunter, Pogue, Sumner and Watson—6.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

The Speaker has signed House bill No. 97: An act providing for the amendment of the constitution relative to the exercise of eminent domain;

Also, House bill No. 14: Amending an act relative to assessments for local improvements;

Also, House bill No. 145: Repealing an act for the prevention of the spread of infectious diseases among cattle;

Also, House bill No. 320: Making an appropriation to complete contracts now in force on state roads;

Also, House bill No. 278: Authorizing cities to construct and maintain dykes;

Also, House bill No. 166: Relative to the finances of the State of Washington.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

The President signed House bills Nos. 97, 14, 145, 320, 278 and 166.

The hour of 11:30 a. m. having arrived Senate bill No. 291:

An act to secure full, free and unrestricted competition in the letting of contracts for public work or improvements, which was a special order for that hour was taken up for consideration, and placed on third reading.

Senator Jones moved that all of section 2, beginning with the word "provided" in line 10 of the printed bill be stricken.

On motion of Senator Allen, the Senate took a recess until 2:00 o'clock p. m.

AFTERNOON SESSION.

The Senate was called to order at 2:00 o'clock p. m., by President Coon, pursuant to adjournment.

The Secretary called the roll, all members being present except Senator Pogue, excused.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 38, entitled, "An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes and the manner of the extension thereof," etc.;

Also, Senate bill No. 35, entitled, "An act to provide for the incorporation of associations," etc.;

Also, Senate bill No. 178, entitled, "An act relating to the payment by the state of assessments made on state, school or granted lands for the construction and maintenance of dikes and drains," etc.;

Also, Senate bill No. 65, entitled, "An act authorizing and empowering cities of the first class to include within local improvement district tide lands and land in school sections, the title of which remains in the State of Washington," etc.;

Also, Senate bill No. 174, entitled, "An act for the protection of persons working in coal mines,"—have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: P. L. Allen, R. W. Condon, Lincoln Davis.

The President signed Senate bills Nos. 38, 35, 178, 65 and 174.

Senate bill No. 291 was again taken up.

A roll call was demanded by the following: Senators Nichols, Booth, Allen, Potts, McGregor, Williams and Smith, and Senator Jones' motion lost by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Condon, Eidemiller, Jones, McGowan, Metcalf, Minkler, Paulhamus, Pauly, Potts, Reed, Rosenhaupt, Ruth, Stevenson, Watson—18.

Those voting nay were: Senators Allen, Bratt, Brown, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGregor, Nichols, Piper, Polson, Rands, Scott, Smith, Sumner, Veness, Williams—22.

Those absent or not voting were: Senators Pogue and Presby—2.

On motion of Senator Graves, the words "adopt plans or specifications" were stricken from section 2, line 11 of the printed bill, and the words "advertise for bids" inserted in lieu thereof.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Bratt, Brown, Cotterill, Davis, Graves, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Piper, Polson, Scott, Smith, Sumner, Veness, Williams—23.

Those voting nay were: Senators Blair, Boone, Booth, Condon, Eidemiller, Gunn, Jones, Metcalf, Paulhamus, Pauly, Potts, Rands, Reed, Rosenhaupt, Ruth, Stevenson, Watson—17.

Those absent or not voting were Senators Pogue and Presby—2.

On motion of Senator Graves, the title of the bill was amended by striking the words "to secure full, free and unrestricted competition in" and inserting in lieu thereof the words "relating to".

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

Major A. N. Brown, Secretary to the Governor, delivered the following:

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, March 5, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I have this day approved Senate bill No. 161, entitled: "An act to amend article VII of the Constitution of the State of Washington relating to the assessment and taxation of property within the state."

ALBERT E. MEAD, *Governor.*

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

The House has receded from its amendments to Senate bill No. 191 and the bill is herewith returned.

The House refuses to recede from its amendments to Senate bill No. 48 and has appointed Messrs. Thompson, W. H., Sheets and Godman, a conference committee on the same, and the bill is herewith returned.

The House has reconsidered the vote whereby Senate bill No. 223 was indefinitely postponed.

The Speaker has signed Senate bill No. 38: An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes and the manner of the extension thereof, etc.;

Also, Senate bill No. 35: An act to provide for the incorporation of association, etc.;

Also, Senate bill No. 178: An act relating to the payment by the state of assignments made on state, school or granted lands for the construction and maintenance of dikes and drains, etc.;

Also, Senate bill No. 65: An act authorizing and empowering cities of the first class to include within local improvement district tide lands and land in school sections, the title of which remains in the State of Washington, etc.;

Also, Senate bill No. 174: An act for the protection of persons working in coal mines, etc.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Williams, the rules were suspended and Senate bill No. 291 was ordered transmitted to the House immediately.

SPECIAL ORDER.

The hour of 2:30 p. m. having arrived amended Senate bill No. 32, which was a special order for that hour was taken up for consideration, and placed on third reading.

Senator Ruth moved that the bill be made a special order for 2:30 o'clock p. m. Thursday.

Senator Metcalf moved as a substitute for motion of Senator Ruth, that the bill be made a special order for 10:30 a. m. tomorrow, March 6th.

A roll call was demanded by the following: Senator Nichols, Ruth, Reed, Blair, Boone, Piper and Pauly, and the substitute motion adopted by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Scott, Smith, Stevenson, Watson—32.

Those voting nay were: Senators Davis, Kennedy, Knickerbocker, Piper, Rands, Ruth, Sumner, Veness and Williams—9.

Those absent or not voting were: Senator Pogue—1.

Senator Presby stated that at the proper time he would move to amend the bill by inserting the following:

“No person shall be competent to qualify for any public office who shall have within a period of ninety days prior to the holding of any primary election, paid, or promised or agreed to pay, either directly or through another or in any manner whatsoever, to the owner, publisher, manager or representative of any newspaper, any sum of money or other thing of value, for any article or published statement in a newspaper, wherein the electors are advised or counseled to vote for such candidate, or his fitness or qualifications for office are set forth, or his photograph or biography is published.”

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on Conference to whom was referred House bill No. 133, entitled, “An act authorizing cities and towns owning any street railway line or plant to sell and convey the same, and ratifying and validating all such sales and conveyances heretofore made 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 Senate recede from its amendment striking the emergency clause.

ROBT. F. BOOTH, *Chairman.*

We concur in this report: R. W. Condon, Ralph Metcalf.

A roll call was had and the report adopted by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Davis, Eidemiller, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Watson, Williams—33.

Those voting nay were: Senators Cotterill, Graves, Gunn, Jones, McGowan, Rosenhaupt and Veness—7.

Those absent or not voting were: Senators Boone and Pogue—2.

SPECIAL ORDER.

The hour of 2:30 p. m. having arrived House bill No. 131: An act creating a commission to revise and recodify the Code of Public Instruction, etc., which was a special order for that hour was taken up for consideration and placed on third reading.

On motion of Senator Rosenhaupt, the rules were suspended and the third reading of the bill had previously was considered the third reading of the bill.

Senator Jones moved that the bill be referred to the Committee on Appropriations.

The motion was lost.

The bill was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Presby, Reed, Rosenhaupt, Scott, Smith, Stevenson, Williams—32.

Those voting nay were: Senators Graves, Polson and Veness—3.

Those absent or not voting were: Senators Davis, McGregor, Pogue, Rands, Ruth, Sumner and Watson—7.

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

Senator Rosenhaupt gave notice that at the proper time he would move to reconsider the vote by which the bill passed the Senate.

GENERAL FILE.

Senate bill No. 234 was again taken up.

A roll call was had on the motion to indefinitely postpone the bill, and the motion lost by the following vote:

Those voting aye were: Senators Blair, Boone, Bratt, Gunn, Hunter, McGowan, McGregor, Minkler, Paulhamus, Rands, Ruth, Smith, Stevenson, Sumner, Veness, Watson—16.

Those voting nay were: Senators Allen, Booth, Brown, Cotterill, Davis, Eidemiller, Graves, Hutson, Jones, Kline, Knickerbocker, Metcalf, Nichols, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Scott, Williams—22.

Those absent or not voting were: Senators Anderson, Condon, Kennedy and Pogue—4.

A call of the Senate was demanded by Senators Allen, Piper and Cotterill.

The Secretary called the roll, all members being present except Senators Condon, Gunn, Kennedy, Paulhamus and Sumner.

On motion of Senator Smith further call of the Senate was dispensed with.

Senate bill No. 234 was read the third time, placed on final passage, and failed to pass by the following vote:

Those voting aye were: Senators Allen, Booth, Cotterill, Davis, Eidemiller, Graves, Hutson, Jones, Kline, Metcalf, Nichols, Pauly, Piper, Polson, Potts, Presby, Scott, Williams—18.

Those voting nay were: Senators Anderson, Blair, Boone, Bratt, Brown, Hunter, McGowan, McGregor, Minkler, Paulhamus, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Veness, Watson—18.

Those absent or not voting were: Senators Condon, Gunn, Kennedy, Knickerbocker, Pogue and Sumner—6.

Senator Rands moved that the rules be suspended and the vote by which Senate bill No. 234 failed to pass the Senate be reconsidered immediately.

Senator Ruth moved as a substitute for motion of Senator Rands, that the motion of Senator Rands be laid on the table.

Senator Ruth withdrew his motion.

Senator Rands withdrew his motion.

Senator Rosenhaupt gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 234 failed to pass the Senate.

Senate bill No. 199: An act authorizing cities owning and operating municipal water works or electric lighting plants to fix, regulate and control the use and price of water supplied and light furnished, etc., was placed on third reading.

On motion of Senator Rands, the words "by said city" were inserted after the word "supplied" in line 8, section 1 of the printed bill.

On motion of Senator Williams, the words "owning or operating a municipal water plant or electric lighting plant" were inserted in line 1, section 1 of the printed bill, after the word "city".

Senator Nichols moved to strike all of section 2 of the printed bill down to the word "that" in line 5.

Senator Booth moved as a substitute for motion of Senator Nichols that the bill be indefinitely postponed.

The substitute motion was carried.

Senator Jones moved to reconsider the vote by which House bill No. 175 was indefinitely postponed.

A roll call was had and the vote reconsidered by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Stevenson—30.

Those voting nay were: Senator Boone—1.

Those absent or not voting were: Senators Hutson, Kline, Knickerbocker, McGowan, Pogue, Presby, Smith, Sumner, Veness, Watson and Williams—11.

Senate bill No. 154: An act relating to the organization, powers and duties of the supreme court, etc., was placed on third reading.

Senator Graves moved to strike in section 1, commencing with the word "it" in line 4 of the printed bill, down to and including the word "law" in line 7, and insert in lieu thereof the words

“it shall adopt rules prescribing the time when and manner in which appeal cases shall be heard”.

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Cotterill, Davis, Eidemiller, Hunter, Hutson, Jones, Kline, Knickerbocker, McGregor, Nichols, Paulhamus, Pauly, Polson, Presby, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Sumner, Watson, Williams—27.

Those voting nay were: Senators Brown, Condon, Graves, Kennedy, McGowan, Minkler, Potts, Rands, Smith and Veness—10.

Those absent or not voting were: Senators Booth, Gunn, Metcalf, Piper and Pogue—5.

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

Senator Ruth gave notice that at the proper time he would move to reconsider the vote by which the bill passed the Senate.

Senator Bratt moved to reconsider the vote by which Senate bill No. 413 passed the Senate.

Senator Bratt now made a substitute motion that the reconsideration of this vote and his motion be made a special order for 10:15 tomorrow morning.

The substitute motion was adopted.

Senate bill No. 187: An act relating to the assessment and collection of taxes, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—36.

Those absent or not voting were: Senators Boone, Eidemiller, Gunn, Jones, Pogue and Rosenhaupt—6.

On motion of Senator Hutson, the word “bill” was stricken in section 2, and the word “act” inserted in lieu thereof.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Davis, Graves, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—34.

Those voting nay were: Senator Rosenhaupt—1.

Those absent or not voting were: Senators Boone, Cotterill, Gunn, Hunter, Eidemiller, Jones and Pogue—7.

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

Senator Blair moved that the rules be suspended and the bill ordered transmitted to the House immediately.

The motion was adopted.

On motion of Senator Rands, Senate bill No. 247 was allowed to go over.

Senate bill No. 202: An act relating to the location and construction of railroads over certain public lands, was placed on third reading.

Senator Cotterill moved to amend the bill by inserting the following proviso after section 1 of the printed bill:

“Provided also, That the matter of any such grant shall first be submitted to and approved by a majority vote of the qualified electors of such city”.

The amendment was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Booth, Condon, Davis, Eidemiller, Graves, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Pauly, Piper, Potts, Presby, Rands, Reed, Ruth, Smith, Sumner, Veness, Watson—26.

Those voting nay were: Senators Boone, Bratt, Brown, Cotterill, Nichols, Paulhamus and Polson—7.

Those absent or not voting were: Senators Blair, Gunn, Jones, Metcalf, Pogue, Rosenhaupt, Scott, Stevenson and Williams—9.

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

Senate bill No. 243: An act to provide for the limitations for the bringing of actions to set aside or cancel tax deeds, etc., was placed on third reading.

On motion of Senator Anderson, the following amendments were made:

Strike the remainder of section 1, after the word "deed" in line 4 of the printed bill, and add the following proviso:

"Provided, This act shall not apply to actions not otherwise barred on deeds heretofore issued if the same be commenced within one year after the passage of this act."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Pauly, Piper, Polson, Potts, Rands, Reed, Ruth, Smith, Stevenson, Sumner, Veness, Watson—32.

Those voting nay were: Senator Presby—1.

Those absent or not voting were: Senators Gunn, Hunter, Hutson, Metcalf, Paulhamus, Pogue, Rosenhaupt, Scott and Williams—9.

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

Senate bill No. 305: An act relating to the salary of the reporter of the supreme court, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Brown, Condon, Cotterill, Graves, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Veness, Watson—26.

Those voting nay were: Senators Bratt, Eidemiller, Rands and Ruth—4.

Those absent or not voting were: Senators Davis, Gunn, Hunter, Hutson, Minkler, Nichols, Pogue, Scott, Smith, Stevenson, Sumner and Williams—12.

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

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

I beg to report that Senate bills Nos. 174, 65, 178, 35 and 38 were presented to the Governor at 2:50 o'clock p. m., this day.

J. W. LYSONS, *Secretary*.

Major A. N. Brown, Secretary to the Governor, delivered the following:

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 5, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I have this day approved the following bills:

Senate bill No. 174, entitled, "An act to amend section one (1) of an act entitled, 'An act for the protection of persons working in coal mines,' approved March 6, 1897."

Senate bill No. 38, entitled, "An act amending section 8 of an act entitled, 'An act providing for the levy, collection and manner of payment of road, bridge, poll and property taxes and the manner of the extension thereof, and providing for the division of the counties into road districts, and the appointment of supervisors thereof, and repealing all acts and parts of acts in conflict herewith,' approved March 16th, 1903, and being chapter 119 of the Session Laws of the State of Washington of the year 1903."

Senate bill No. 35, entitled, "An act to amend sections seven and twelve of an act entitled, 'An act to provide for the incorporation of associations for social, charitable and educational purposes,' approved March 21, 1895."

ALBERT E. MEAD, *Governor*.

Senate Joint Resolution No. 4: Relating to polygamy was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Graves, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Veness, Watson—26,

Those absent or not voting were: Senators Davis, Eidemiller, Gunn, Hunter, Hutson, Knickerbocker, Nichols, Pogue, Rands, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner and Williams—16.

Senator Jones, President pro tem., was called to the chair.

Senate bill No. 244: An act prohibiting the killing of certain birds, was placed on third reading.

On motion of Senator Ruth, the words "black oyster catcher" were inserted in the bill, in line 2.

The bill was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Cotterill, Graves, Jones, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Piper, Potts, Reed, Rosenhaupt, Ruth—17

Those voting nay were: Senators Booth, Bratt, Brown, Condon, Davis, Kennedy, Kline, McGregor, Pauly, Polson, Presby, Smith, Veness and Watson—14.

Those absent or not voting were: Senators Eidemiller, Gunn, Hunter, Hutson, Knickerbocker, Pogue, Rands, Scott, Stevenson, Sumner and Williams—11.

On motion of Senator Ruth, Senate bill No. 252 was indefinitely postponed.

On motion of Senator Cotterill, Senate bill No. 277 was laid over.

On motion of Senator McGregor, Senate bill No. 299 was allowed to go over.

Senate bill No. 271: An act relating to attorneys and counsellors-at-law, providing for admission to the bar, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Graves, Hutson, Jones, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Ruth, Scott, Veness, Watson—30.

Those absent or not voting were: Senators Davis, Eidemiller, Gunn, Hunter, Kennedy, Pogue, Rands, Rosenhaupt, Smith, Stevenson, Sumner and Williams—12.

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

The President resumed the chair.

Senate bill No. 287: An act relating to actions for divorce or annulments of marriage, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Gunn, Hutson, Jones, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Piper, Polson, Potts, Presby, Reed, Scott, Stevenson, Veness, Watson—28.

Those absent or not voting were: Senators Boone, Davis, Eidemiller, Graves, Hunter, Kennedy, Knickerbocker, Pogue, Rands, Rosenhaupt, Ruth, Smith, Sumner and Williams—14.

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

On motion of Senator Blair, Senate bill No. 265 was ordered placed at the foot of the calendar.

On motion of Senator Gunn, Senate bill No. 261 was indefinitely postponed.

On motion of Senator Allen, Senate bill No. 300 was ordered placed at the foot of the calendar.

Senate bill No. 270: An act relating to patent medicines, etc., was placed on third reading.

Senator Ruth moved to indefinitely postpone the bill.

The motion was withdrawn.

Senator Polson moved to amend the bill by adding a new section to be numbered section 5 as follows:

“Sec. 5. This act shall be in full force and effect after September first, 1907.”

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Brown, Condon, Cotterill, Davis, Gunn, Hunter, Hutson, Jones, Kline, McGowan, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Smith, Williams—26.

Those voting nay were: Senator Bratt—1.

Those absent or not voting were: Senators Booth, Eidemiller, Graves, Kennedy, Knickerbocker, McGregor, Metcalf, Pogue, Presby, Rands, Scott, Stevenson, Sumner, Veness and Watson—15.

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

Major A. N. Brown, Secretary to the Governor, delivered the following:

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 5, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I have this day approved the following bills:

Senate bill No. 178, entitled, "An act relating to the payment by the state of assessments made on state, school or granted lands for the construction and maintenance of dikes and drains benefiting such lands, repealing section 2 of chapter 127 of Laws of 1905 and making an appropriation therefor."

Senate bill No. 65, entitled, "An act authorizing and empowering cities of the first class to include within local improvement districts tide lands and lands in school sections, the title of which remains in the State of Washington, and to assess such land for the cost of local improvements, and authorizing the sale of such lands."

ALBERT E. MEAD, *Governor.*

On motion of Senator Piper, Senate bill No. 231 was ordered to go over.

On motion of Senator Reed, Senate bill No. 250 was referred to the Committee on Irrigation and Arid Lands.

Senate bill No. 284: An act relating to knot sawyers in shingle mills, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kline, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Scott, Smith, Sumner, Williams—30.

Those absent or not voting were: Senators Brown, Graves, Kennedy, Knickerbocker, McGregor, Pogue, Presby, Rosenhaupt, Ruth, Stevenson, Veness and Watson—12.

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

Senate bill No. 294: An act providing for the protection and health of employees in factories, etc., was placed on third reading.

On motion of Senator Condon, section 1 of the printed bill was amended by striking all commencing with the word "provided" in line 24 of said section.

On motion of Senator Condon, the word "fees" in line 64, section 2 of the printed bill was stricken and the word "fines" inserted in lieu thereof.

On motion of Senator Nichols, the words "in said factory, mill or workshop" were inserted after the word "persons" in line 55 of the printed bill.

Senator Veness moved to strike all of section 5 from the printed bill.

The motion was withdrawn.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Kennedy, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Hutson, Jones, Knickerbocker, McGregor, Pogue, Potts, Presby—7.

On motion of Senator Metcalf, the title of the bill was amended by inserting after the word "thereof" in line 3 the following words: "and providing a punishment for the violation thereof."

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

Senator Condon moved that the rules be suspended and all bills passed by the Senate be transmitted to the House immediately, except those on which there is a notice of reconsideration pending.

The motion was adopted.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on Roads and Bridges to whom was referred House bill No. 467, entitled, "An act providing for the establishment, construction and maintenance of state roads and making appropriations for state roads heretofore established," 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:

Amend section 4, line three of page two of the engrossed bill, strike out the word "Metalline", and insert in lieu thereof the word "Tiger", making the section read the same as the printed bill.

E. C. BRATT, *Chairman*.

We concur in this report: A. W. Anderson, A. Gunn, R. L. Kline, A. S. Ruth, Geo. F. Cotterill, S. T. Smith, Alex Polson.

On motion of Senator Bratt the report of the committee was adopted. •

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on Education to whom was referred Senate bill No. 298, entitled, "An act amending section 139 of the Code of Public Instruction relating to granting of state certificates," 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.

WALTER J. REED, *Chairman*.

We concur in this report: A. W. Anderson, Geo. A. Kennedy, J. R. Stevenson, H. S. McGowan.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on Education to whom was referred Senate bill No. 302, entitled, "An act relating to instruction in public schools in any city in the sign language used by the deaf," 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.

WALTER J. REED, *Chairman*.

We concur in this report: A. W. Anderson, Geo. A. Kennedy, J. R. Stevenson, H. S. McGowan.

On motion of Senator Reed the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate bill No. 168, entitled, "An act creating a state road in Cowlitz and Skamania counties," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman*.

We concur in this report: W. H. Paulhamus, R. W. Condon, Fred M. Pauly, George U. Piper, Alex Polson, B. D. Minkler, J. R. Stevenson.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on State Library to whom was referred Senate bill No. 254, entitled, "An act to place the control and management of the traveling library in the hands of a superintendent to be appointed by the State Library Commission," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

I. B. KNICKERBECKER, *Chairman.*

We concur in this report: Geo. A. Kennedy, Will G. Graves.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on Roads and Bridges to whom was referred House bill No. 469, entitled, "An act to provide for the improvement of the public highways, providing for the payment of cost thereof in part out of the public highway fund of this state, and in part out of the general road and bridge fund, district road fund and property benefited, 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.

E. C. BRATT, *Chairman.*

We concur in this report: A. W. Anderson, A. Gunn, R. L. Kline, A. S. Ruth, Geo. F. Cotterill, S. T. Smith, Alex Polson.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on Roads and Bridges to whom was referred House bill No. 468, entitled, "An act providing for the survey of certain proposed state roads, by the State Highway Commissioner, and a report on the feasibility 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.

E. C. BRATT, *Chairman.*

We concur in this report: A. W. Anderson, A. Gunn, R. L. Kline, A. S. Ruth, Geo. F. Cotterill, S. T. Smith, Alex Polson.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on Irrigation and Arid Lands to whom was referred Engrossed House bill No. 222, entitled, "An act providing for the control, regulation, distribution and measurement of stored waters and flowing waters," 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.

W. D. SCOTT, *Chairman*.

We concur in this report: A. S. Ruth, A. Gunn, Chas. T. Hutson, B. D. Minkler, Walter J. Reed.

On motion of Senator Scott the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on State, Granted, School, and Tide Lands to whom was referred Senate bill No. 190, entitled, "An act to provide for the improvement of tide lands and adjacent lands in aid of commerce and navigation," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the same be indefinitely postponed and that amended bill herewith be printed and substituted therefor and that the same do pass.

ALEX POLSON, *Chairman*.

We concur in this report: P. L. Allen, Henry S. McGowan, R. L. Kline, S. T. Smith, Will G. Graves.

On motion of Senator Polson the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation to whom was referred Senate bill No. 232, entitled, "An act to amend sections 2 and 6 of an act entitled, 'An act creating a state board of tax commissioners, defining its powers and duties,' approved March 9th, 1905, adding a section 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: R. L. Kline, Fred M. Pauly, Geo. F. Cotterill, J. A. Veness, Alex Polson.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation to whom was referred engrossed House bill No. 127, entitled, "An act to amend section 3 of an act entitled, 'An act to regulate and control insurance companies, corporations and associations in this state and to amend sections 1, 6, 7 of an act to regulate and control insurance companies,' etc.," have had the same under consideration, and we respectfully report the same

back to the Senate with the recommendation that it be printed and that it do pass.

T. B. SUMNER, *Chairman*.

We concur in this report: R. L. Kline, R. W. Condon, Fred M. Pauly, Geo. F. Cotterill, J. A. Veness, Alex Polson.

On motion of Senator Sumner the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation to whom was referred engrossed House bill No. 190, entitled, "An act relating to the assessment and collection of taxes," 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: R. L. Kline, R. W. Condon, Fred M. Pauly, Geo. F. Cotterill, J. A. Veness, Alex Polson.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Mines and Mining to whom was referred House bill No. 306, entitled, "An act relating to the proper ventilation and safety of coal mines," 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. L. KLINE, *Chairman*.

We concur in this report: S. T. Smith, E. M. Williams, E. C. Bratt, C. G. Brown, A. S. Ruth.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Commerce and Manufactures to whom was referred House bill No. 242, entitled, "An act governing and regulating pilots and pilotage on the waters of Puget Sound," 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. W. CONDON, *Chairman*.

We concur in this report: T. A. Hunter, Fred Eidemiller, B. D. Minkler, S. T. Smith.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class to whom was referred Senate bill No. 204, entitled, "An act to amend section 45 of an

act entitled, 'An act to provide for the assessment and collection of taxes in the State of Washington,' approved March 15, 1897," 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 11, section 1, after the word "commissioners", strike the semi-colon and insert in lieu thereof a comma, and insert the following words: "not exceeding the sum of three dollars and fifty cents per day" Provided, however, that whenever in the discretion of the board of county commissioners, and upon the recommendation of the county assessor, it shall be deemed necessary special expert deputy assessors may be appointed; the number and compensation to be fixed by the board of county commissioners;"

Add section 2 as follows:

Section 2. "An emergency exists and this act shall take effect immediately."

JESSE S. JONES, *Chairman.*

We concur in this report: Geo. F. Cotterill, E. M. Williams, Fred Eidemiller.

On motion of Senator Jones the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class to whom was referred Senate bill No. 292, entitled, "An act authorizing cities of the first class to lay salt water mains and to assess property benefited thereby," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JESSE S. JONES, *Chairman.*

We concur in this report: Geo. F. Cotterill, E. M. Williams, Fred Eidemiller.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Commerce and Manufactures to whom was referred Senate bill No. 295, entitled, "An act relating to the protection of property from destruction by fire," 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. W. CONDON, *Chairman.*

We concur in this report: T. A. Hunter, Fred Eidemiller, B. D. Minkler, S. T. Smith.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Commerce and Manufactures to whom was referred Senate Memorial No. 3, relating to the improvement of the Cowlitz river, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

R. W. CONDON, *Chairman*.

We concur in this report: T. A. Hunter, Fred Eidemiller, B. D. Minkler, S. T. Smith.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Commerce and Manufactures to whom was referred House bill No. 309, entitled, "An act to regulate the manufacture and sale of cigarettes," 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.

R. W. CONDON, *Chairman*.

We concur in this report: Ralph Metcalf, T. A. Hunter, S. T. Smith.

On motion of Senator Condon the report of the committee was adopted.

INTRODUCTION OF BILLS.

House bill No. 263, by Mr. McCoy, entitled, "An act to authorize railway companies to construct, maintain and operate spur tracks and to require right-of-way therefor."

The bill was read the first time, and on motion of Senator Paulhamus 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. 357, by Mr. H. F. Jackson, entitled, "An act authorizing city officials in cities of the first class to close their offices Saturdays at 1 o'clock in the afternoon."

The bill was read the first time, and on motion of Senator Jones the rules were suspended, the bill was read the second time by title and referred to the Committee on Cities of the First Class.

House bill No. 169, by Mr. Strobridge, entitled, "An act relating to the incorporation of trust companies."

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 Corporations other than Municipal.

House bill No. 234, by Mr. Armstrong, entitled, "An act to authorize the state board of fish commissioners to sell the old Stillaguamish salmon hatchery site in Snohomish county."

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

House bill No. 336, by Mr. Abrams, entitled, "An act relating to the selection of jurors in superior courts of the state 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 and referred to the Committee on Judiciary.

House bill No. 418, by Mr. McMaster, entitled, "An act creating a state university permanent fund, a state university current fund," etc.

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 Judiciary.

House bill No. 416, by Mr. Taylor, entitled, "An act relating to the purchase of uniforms, etc., of railway and other corporation employes," etc.

The bill was read the first time, and on motion of Senator Knickerbocker the rules were suspended, the bill was read the second time by title and referred to the Committee on State Library.

House bill No. 374, by Mr. Congleton, entitled, "An act for the relief of R. Stevenson, of Spokane county, State of Washington, and making an appropriation therefor."

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

House bill No. 254, by Mr. Hutchinson by request, entitled, "An act for the relief of P. Hanson, Spokane county, State of Washington, and making an appropriation therefor."

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

House bill No. 257, by Mr. Beach, entitled, "An act providing for the relief of Gunder B. J. Ordal, and making an appropriation."

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

House bill No. 471, by Mr. Dickson, entitled, "An act amending section 371 of Ballinger's Annotated Codes and Statutes of Washington, relating to public printing in counties."

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

On motion of Senator Condon at 5:45 o'clock p. m. the Senate adjourned.

J W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FIFTY-SECOND DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, March 6, 1907.
10 o'clock a. m.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The Secretary called the roll, all members being present, except Senator Pogue, excused.

On motion of Senator Reed, the reading of yesterday's journal was dispensed with, and it was approved.

Petition from King county for initiative and referendum was read and referred to the Committee on Constitution and Constitutional Revision.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Engrossed House bill No. 169, entitled, "An act relating to the incorporation of trust companies, defining their powers and duties, and amending chapter 176 of the Session Laws of 1903," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

LINCOLN DAVIS, *Chairman*.

We concur in this report: Fred M. Pauly, P. L. Allen, R. W. Condon, George U. Piper.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation to whom was referred House bill No. 337, entitled, "An act amending section 23 of an act entitled, 'An act to establish a railroad commission 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 be placed on general file.

W. H. PAULHAMUS, *Chairman*.

We concur in this report: Ralph D. Nichols, A. W. Anderson, Ralph Metcalf, T. B. Sumner, Geo. A. Kennedy, George U. Piper, Walter J. Reed, Peter McGregor.

On motion of Senator Paulhamus the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation to whom was referred Senate bill No. 255, entitled, "An act to require railroad companies doing business in the State of Washington to have a general executive officer of such road with the rank and power of vice president in some city in the state and requiring certain duties to be performed by him and fixing a penalty," 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 of the printed bill as follows: In the first line after the word "general" insert the word "executive", in the second line strike the word "title" and insert in lieu thereof the word "power"; add to the title "and fixing a penalty".

In line 2 of section 1 of the printed bill strike the word "title" and insert in lieu thereof the word "power".

In line 1, section 2, strike the word "vice-president" and insert in lieu thereof the word "official".

Add to section 4 the following: "for each offence. Each day's failure or refusal to comply with the requirements of this act shall constitute a separate offence."

W. H. PAULHAMUS, *Chairman.*

We concur in this report: Ralph D. Nichols, A. W. Anderson, Ralph Metcalf, T. B. Sumner, Geo. A. Kennedy, Walter J. Reed, George U. Piper, Peter McGregor.

On motion of Senator Paulhamus the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation to whom was referred Senate bill No. 124, entitled, "An act fixing the maximum charge for carrying passengers over any railroad," 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.

W. H. PAULHAMUS, *Chairman.*

We concur in this report: Ralph D. Nichols, A. W. Anderson, Ralph Metcalf, T. B. Sumner, Walter J. Reed, George U. Piper, Geo. A. Kennedy.

On motion of Senator Paulhamus the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation to whom was referred Senate bill No. 288, entitled, "An act relating to overcharges on prices, rates or tariffs which by law are required to be published, and providing for interest thereon," 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 7 of the printed bill—strike the word "six" and insert in lieu thereof the word "eight".

W. H. PAULHAMUS, *Chairman.*

We concur in this report: Ralph D. Nichols, A. W. Anderson, Ralph Metcalf, T. B. Sumner, Geo. A. Kennedy, Walter J. Reed, George U. Piper, Peter McGregor.

Senator Paulhamus moved the adoption of the report.
The motion was adopted.

SPECIAL ORDER.

The hour of 10:15 a. m. having arrived the consideration of House bill No. 413, and Senator Bratt's motion to reconsider the vote by which this bill passed the Senate was taken up.

Senator Bratt withdrew his motion to reconsider the vote.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation to whom was referred House bill No. 327, entitled, "An act to amend section 1 of an act entitled, 'An act relating to electric railroads,' 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.

W. H. PAULHAMUS, *Chairman*.

We concur in this report: A. W. Anderson, Geo. A. Kennedy, Ralph D. Nichols, Peter McGregor, George U. Piper.

On motion of Senator Paulhamus the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 6, 1907.

MR. PRESIDENT:

We, your Committee on Municipal Corporations to whom was referred Senate bill No. 225, entitled, "An act relating to powers of cities and towns, and amending chapter 159, Session Laws 1905, relating to cities and towns," 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.

S. T. SMITH, *Chairman*.

We concur in this report: Ralph D. Nichols, H. M. Boone, T. A. Hunter, Geo. A. Kennedy.

On motion of Senator Smith the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 6, 1907.

MR. PRESIDENT:

We, your Committee on Municipal Corporations to whom was referred House bill No. 178, entitled, "An act relating to cities of the second class and providing for the government of such cities, and repealing sections 24 to 91, inclusive, of an act providing for the organization, classification, incorporation and government of municipal corporations, and etc.," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

S. T. SMITH, *Chairman*.

We concur in this report: Ralph D. Nichols, H. M. Boone, T. A. Hunter, Geo. A. Kennedy.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 6, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 5, entitled, "An act concerning land titles," etc., 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:

Strike the title of the printed bill and substitute the following: "An act relating to the registration and confirmation of titles to land."

WILL G. GRAVES, *Chairman*.

We concur in his report: Ralph D. Nichols, E. M. Rands, T. A. Hunter, W. B. Presby, Chas. T. Hutson, Ralph Metcalf.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 6, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 20, entitled, "An act relating to the superior courts in the counties of Stevens, Ferry, Douglas, Okonagan and Chelan," 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. Rands, T. A. Hunter, Chas. T. Hutson, W. B. Presby, Ralph Metcalf.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 6, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 236, entitled, "An act permitting the deposit with the state treasurer of a special guarantee fund by corporations," 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: Ralph D. Nichols, E. M. Rands, T. A. Hunter, W. B. Presby, Harry Rosenhaupt, Chas. T. Hutson.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 241, entitled, "An act to amend section 5 of the Code of Public In-

struction," etc., 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:

Strike the title of the printed bill and substitute the following: "An act relating to the boundaries of school districts, and amending section 5 of chapter CXVIII of the Session Laws of 1897."

In line 1, section 1 of the printed bill, strike the words "the Code of Public Instruction" and substitute therefor the words "chapter CXVIII of the Session Laws of 1897."

Strike the amendment recommended by the Committee on Education, and reinsert lines 13 to 19 of section 1 as the same appear in section 1 of the printed bill.

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. Rands, T. A. Hunter, Chas. T. Hutson, Ralph D. Nichols, Harry Rosenhaupt, Ralph Metcalf.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 6, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 281, entitled, "An act relating to the collection of inheritance taxes," 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 line 1 of the title of the printed bill, after the word "to" insert the words "the limitation of actions for".

In line 1, section 1 of the printed bill, after the word "estate" strike the words "by reason" and substitute therefor the words "for the collection".

WILL G. GRAVES, *Chairman*.

We concur in this report: Ralph D. Nichols, E. M. Rands, T. A. Hunter, Ralph Metcalf, W. B. Presby, Chas. T. Hutson.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 6, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 278, entitled, "An act to prevent the exposing of poisons, to protect persons and domestic animals," 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 lines 1 and 2 of the title of the printed bill, strike the words "exposing of poisons, to protect persons and domestic animals from

being poisoned," and substitute therefor the words "exposure of poisonous or dangerous substances,"

Strike lines 2 to 6, inclusive, of section 1 of the printed bill, and substitute therefor the following: "Street, avenue, alley, public square, park, yard or other place within the limits of any incorporated city or town, any substance, food, mixture or composition, known to contain either poison, ground or pounded glass, or other substance likely to be eaten by any person, dog, cat or domestic animal and which when eaten may cause the serious illness or death of any person or animal."

In line 1, section 2 of the printed bill, strike the word "felony" and substitute the word "misdemeanor" therefor. In line 2 of said section strike the words "state penitentiary" and substitute the words "county jail" therefor. In lines 2 and 3 of said section strike the words "five years or less than".

WILL G. GRAVES, *Chairman.*

We concur in his report: Ralph D. Nichols, E. M. Rands, T. A. Hunter, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt, Chas. T. Hutson.

On motion of Senator Graves the report of the committee was adopted.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASHINGTON, March 5, 1907.

We, your Committee on State, Granted, School and Tide Lands to whom was referred Engrossed House bill No. 213, entitled, "An act authorizing the commissioner of public lands to certify certain tide lands to the governor for deed," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ALEX POLSON, *Chairman.*

We concur in this report: R. L. Kline, H. S. McGowan, P. McGregor, J. A. Veness, Will G. Graves, S. T. Smith.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands to whom was referred House Concurrent Resolution No. 12, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be adopted.

ALEX POLSON, *Chairman.*

We concur in this report: R. L. Kline, H. S. McGowan, P. McGregor, J. A. Veness, Will G. Graves, S. T. Smith.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands to whom was referred Senate bill No. 253, entitled, "An act authorizing the

state harbor line commission or the board of state land commissioners in surveying and platting harbor lines," 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.

ALEX POLSON, *Chairman*.

We concur in this report: R. L. Kline, H. S. McGowan, P. McGregor, J. A. Veness, Will G. Graves, S. T. Smith.

On motion of Senator Polson the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands to whom was referred Senate bill No. 275, entitled, "An act providing for burning timber and brush cut on the right-of-way of wagon roads," 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.

ALEX POLSON, *Chairman*.

We concur in this report: R. L. Kline, H. S. McGowan, P. McGregor, J. A. Veness, Will G. Graves, S. T. Smith.

On motion of Senator Polson the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation to whom was referred Senate bill No. 289, entitled, "An act to amend an act to establish a railroad commission in the State of Washington, and granting certain powers to said commission," 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 and insert in lieu thereof the following: "An act relating to railroads and regulation of railroads, amending sections 2, 3, 4, 6, 12, 13, 15, 20 and 22 of chapter 81, Session Laws of 1905; adding sections 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38 thereto; providing penalties for the violation thereof and declaring an emergency."

In line 1, section 1 of the printed bill, commencing with and including the word "an" strike all of the words succeeding down to and including the word "therefor" in line 10 and insert in lieu thereof the words and figures "Chapter 81, Session Laws of 1905."

After the word "Capital" in line 26, section 1 of the printed bill, insert the following: "Provided, however, if on the completion of the armory building in Seattle or Tacoma suitable offices and accommodations can be furnished the commission therein without rent the commission by resolution may provide for having its office in such place."

Strike present section 13 and substitute therefor the following: Section 13. There shall be added to said act to be designated as section 31, the following: "Section 31. It shall be unlawful for any railroad or railway corporation or company owning and operating, or operating, or that may hereafter own or operate, a railroad in whole or in part in this state to knowingly or negligently use or operate any car, tender or locomotive that is defective, or any car or locomotive upon which the machinery or attachments thereto belonging are in any manner defective, or to knowingly operate its train over any defective or dangerous track, bridge or structure."

Section 14. There shall be added to said act to be designated as section 32 the following: "Section 32. That every railroad corporation owning or operating a railroad or part of a railroad in this state shall on or before the first day of January, 1908, equip and furnish all cars owned or leased and used by it in its service in this state with automatic couplers, coupling automatically, which can be coupled and uncoupled without the necessity of men going between the ends of the cars, and shall equip, furnish and operate all cars in its passenger service, and not less than 80 per cent. of such cars in its freight service with perfectly acting air brakes, and also with good and sufficient hand brakes, and in such a manner as to enable the engineer under ordinary conditions to control the speed of the train without the use of hand brakes, and no freight train shall after such date be run by any such railroad corporation over any part of its road lying within this state, unless the cars composing such freight train are so furnished and equipped. All freight cars shall be equipped and provided with proper grab-irons, ladders and stirrups, securely bolted on so as to enable the employes to climb upon and off such cars with safety; provided, however, that this section shall not apply to boarding and outfit cars when moved by work trains."

In section 14, line 14, after the word "trains" insert the following: "or to trains consisting wholly of logging trucks and a passenger car or caboose, or to freight trains consisting of not to exceed fifty per cent. of logging trucks."

Section 15. There shall be added to said act to be designated as section 33 the following: "Section 33. An inspector of safety appliances and tracks, bridges and structures shall be appointed by the railroad commission of Washington at a salary not to exceed two thousand dollars per annum. Such inspector shall not be an officer of any railroad operating in this state, nor shall he be interested, directly or indirectly, in the stock or bonds of any railroad company, and he shall have had at least seven years' actual experience in the operating department of some railroad. Before entering on his duties the said inspector shall give a bond to the State of Washington in the sum of five thousand dollars secured by a bond and security company acceptable to the railroad commission, conditioned for the faithful performance of his duties, and shall make and file an affidavit that he is not an officer or

director of any railroad company, and is not directly or indirectly interested in the stock or bonds of any railroad company, and such other facts as are required of employes of the state."

Section 16. There shall be added to said act to be designated as section 34 the following: "Section 34. It shall be the duty of the inspector to inspect the couplers, air brakes and automatic power brakes found on the cars and engines, and the grab-irons, ladders, stirrups and hand brakes on all freight cars of any railroad in Washington, and make such report of his inspection to the railroad commission as it may order and require, reporting all cars, tenders and engines, giving the number of the same, the road on which they are found and the road owning same if known which is found to have a defective coupler, brake or other defect rendering the operation thereof in any way dangerous, particularly describing such defects. He shall on discovering a defective coupler, brake or other defect rendering the use of such car, tender or engine dangerous immediately report the same to the superintendent of the road on which it is found and to the agent thereof at the nearest station, describing the defect. Such inspector may, on the discovery of the defective coupler, brake or other defect rendering the use of such car, tender or engine dangerous condemn such car, tender or engine, and order the same out of service until repaired and put in good working order. He shall in addition thereto inspect the tracks, bridges, and structures of all lines of railroad operating in this state, and in case he finds such track, bridge or structure defective or unsafe in any particular, he shall report such condition to the railroad commission and in addition thereto shall report the same to the divisional superintendent of such railroad. In case any track is found so defective as to be dangerous to the employes or traveling public for a train or trains to be operated over the same, the inspector is hereby authorized to condemn such track, bridge, or structure, and notify the railroad commission and the railroad divisional superintendent of such road of his action concerning the same, reporting in detail the defects complained of, and the work and improvements necessary to be done to repair such defects. He shall also report to the railroad commission of Washington the violation of any law governing, controlling or affecting the conduct of railroads within this state. Such inspector shall have the right and privilege of riding upon any engine either on passenger or freight trains, or on caboose of freight train for the purpose of inspecting the track of any road in this state. *Provided*, That the engineer or conductor in charge of any such engine or caboose may require such inspector to produce his authority under the seal of the railroad commission of Washington showing that he is such inspector. The inspector shall be an employe of the railroad commission of Washington, and he shall perform in addition to the duties above described such other and further duties as the commission may require of him."

Section 17. There shall be added to said act to be designated as section 35 the following: "Section 35. Whenever the railroad commission of Washington has reasonable grounds to believe either on com-

plaint made to it or otherwise that any of the tracks, bridges, or other structures of any railroads in this state, or the couplers, air brakes, or automatic power brakes of any cars, tenders and engines, or the grab irons, ladders, and stirrups of any freight car used in this state are in a condition which renders them or any of them dangerous or unfit for the transportation of passengers or the carrying of freight, it shall forthwith cause the same to be inspected and examined, and if on such examination of said commission or its inspector or agents it is of the opinion that any such tracks, bridges, structures, cars, tenders or engines are unfit for the transportation of passengers and freight with safety, it shall immediately give to the superintendent or other executive officer of the company operating such road notice of the condition thereof and of the repairs or reconstruction necessary to place the same in a safe condition, and it may also prescribe the rate of speed for trains passing over such dangerous or defective track, bridge or other structure until the repairs or reconstruction required are made, and may also prescribe the time within which such repairs or reconstructions must be made, or if in its opinion it is needful or proper, it may forbid the running of passenger trains over such defective track, bridge or structure until such repairs are made. If any superintendent or other executive officer receiving such notice and order neglects for two days after receiving the same to direct the proper subordinate officer to run the trains over such defective track, bridge or other structure at a speed not greater than that so prescribed, or if the running of such trains is forbidden, then to stop running trains over the same, or if any engineer, conductor or other employee knowingly disobeys such order, every superintendent, officer, engineer, conductor or employee so offending shall be fined in any sum not exceeding five hundred dollars, or be imprisoned in the jail for any period not exceeding one year, or both, at the discretion of the court; and the company operating such road, if it neglects or without good cause fails to make the repairs or reconstruction prescribed by the commission in the time limited shall for each day that such repair or reconstruction is delayed beyond the time prescribed, forfeit and pay to the state the sum of one hundred dollars, to be recovered in the same manner that other penalties are recovered by the state against railroad companies by the act providing for the appointment of the railroad commission, and defining its duties and powers, being chapter 81 of the Session Laws of Washington for the year 1905."

Section 18. There shall be added to said act to be designated as section 36 the following: "Section 36. Any railroad whose superintendent, officer or agent shall receive such notice of a defective coupler, brake or other defect rendering the use of such car, tender or engine dangerous shall cause the same to be immediately repaired. On receiving from the inspector an order condemning any car, tender or engine, the employees of the road in charge of said car, tender or engine shall put the same out of service at the first freight divisional terminal, or, in case the inspector so orders, at the first station reached. Any rail-

road whose superintendent, officer or agent shall receive notice of a defect in the track, or any bridge or other structure, shall cause the same to be immediately repaired and on receiving from the commission an order condemning the track, bridge or structure, no train excepting for the purpose of repairing shall be run over the same until the defects pointed out are remedied and repaired."

Section 19. There shall be added to said act to be designated as section 37 the following: "Section 37. It shall be the duty of the general manager, superintendent or other proper officer of every railroad operating in this state to make to the railroad commission of Washington at its office a monthly report under oath of all the collisions of trains, or where any train or part of a train accidentally leaves the track, and of all accidents which may occur to its passengers or employees while in the service of such road and actually on duty, which report shall state the nature and cause thereof and the circumstances connected therewith. *Provided, however,* That neither said report nor any part thereof shall be admitted as evidence or used for any purpose against such railroad so making such report in any suit or action for damages growing out of any matter mentioned in said report; that the railroad commission of Washington is hereby authorized to prescribe for such railroad a method and form for making the reports in this section provided."

Section 20. There shall be added to said act to be designated as section 38 the following: "Section 38. Any railroad, divisional superintendent, agent, officer or employee of any railroad operating in this state who shall wilfully and knowingly violate any of the provisions of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined in any sum not exceeding five hundred dollars."

Section 21. An emergency exists and this act shall take effect immediately.

W. H. PAULHAMUS, *Chairman.*

We concur in this report: T. B. Sumner, Geo. A. Kennedy, A. W. Anderson, T. A. Hunter, Walter J. Reed, J. R. Stevenson, Peter McGregor.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 4, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation to whom was referred House bill No. 285, entitled, "An act providing for the furnishing of cars to shippers and prescribing the time for loading," 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:

After the words "forty-eight hours" in line 6 of section 7 of the printed bill, add the following: "Provided such demurrage is demanded before commencing the transportation of said car or cars."

In section 20, lines 1 and 2 of the printed bill, strike the words

"The Superior Court of" and insert in lieu thereof the words, "Any court of competent jurisdiction in."

W. H. PAULHAMUS, *Chairman.*

We concur in this report: Ralph D. Nichols, A. W. Anderson, Ralph Metcalf, T. B. Sumner, Geo. A. Kennedy, George U. Piper, Walter J. Reed, Peter McGregor.

On motion of Senator Paulhamus the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 6, 1907.

MR. PRESIDENT:

We, your Committee on Cities of the First Class to whom was referred House bill No. 357, entitled, "An act authorizing councils of cities of the first class to permit city officials to close their offices on Saturdays at one o'clock in the afternoon of certain months," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JESSE S. JONES, *Chairman.*

We concur in this report: Fred Eidemiller, R. L. Kline, E. M. Williams, Geo. F. Cotterill.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 6, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 297: An act creating the office of state commissioner of horticulture and providing for the promotion and protection of the fruit growing and horticultural interests of the State of Washington, etc.—have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. GUNN, *Acting Chairman.*

We concur in this report: A. W. Anderson, Fred M. Pauly, A. S. Ruth.

GENERAL FILE.

House bill No. 297: An act relating to the office of sheep inspector, etc., was placed on third reading.

On motion of Senator Graves, the reading previously had of this bill was considered the third reading, and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus,

Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson—38.

Those absent or not voting were: Senators Booth, Gunn, Pogue and Williams—4.

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

SPECIAL ORDER.

The hour of 10:30 having arrived, amended Senate bill No. 32, substitute for House bill No. 323: An act relating to the direct primary, which was a special order for that hour was taken up for consideration.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 6, 1907.

MR. PRESIDENT:

The House has passed House bill No. 366: Amending the law relating to the method of sale of state, school and granted lands;

Also, House bill No. 335: To promote the safety of employes upon railroads;

Also, House bill No. 430: Amending an act relating to the prevention of pollution of water supplies;

Also, Amended House bill No. 232: Relating to the taking of food fishes;

Also, House bill No. 347: For the relief of Skamania county;

Also, House bill No. 404: To provide for the sale of certain state tide lands situate in Jefferson county;

Also, Senate bill No. 102: To enable cities of the first, second and third classes to exercise the right of eminent domain, with the following amendments:

Amend section 1 of the bill by adding after the word "marshes" in line 12 of the printed bill, the words: "tide flats, tide lands".

Amend by adding a new section to be known as section 56, to read as follows: "Sec. 56. Insofar as this act relates to cities of the second class, this act shall not be deemed to be exclusive or as repealing or superceding any existing law relative to such cities, covering any subject covered by this act, but as to such cities, this act shall be construed as conferring additional powers and additional remedies, to those now provided by law."

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

The president held that to take up Senate bills at this time it would be necessary to suspend Joint Rule No. 10, which pro-

vides that House bills be a special order in the Senate on Wednesday of each week.

On motion of Senator Presby, Joint Rule No. 10 was suspended and amended Senate bill No. 32 was placed on third reading.

Senator Knickerbocker moved to substitute the bill drawn by the Direct Primary League for Senate bill No. 32.

A roll call was demanded by the following: Senators Metcalf, Allen, Blair, Ruth, Davis, Jones, and Booth, and the motion lost by the following vote:

Those voting aye were: Senators Davis, Hutson, Knickerbocker, Pauly, Ruth and Williams—6.

Those voting nay were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols Paulhamus, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Scott, Smith, Stevenson, Sumner, Veness, Watson—34.

Those absent or not voting were: Senators Piper and Pogue—2.

Senator Metcalf offered the following amendment to Senate bill No. 32: "Whenever the word 'September' as applied to the primary occurs it shall be stricken and the word 'June' inserted in lieu thereof, and wherever the word 'June' occurs, applying to the primary, it shall be stricken and the word 'May' inserted in lieu thereof."

A roll call was demanded by the following: Senators Jones, Bratt, Condon, Hutson, Smith, Allen and Booth, and the amendment adopted by the following vote:

Those voting aye were: Senators Anderson, Bratt, Hutson, Kennedy, Knickerbocker, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Potts, Rands, Rosenhaupt, Ruth, Scott, Smith, Sumner, Veness, Williams—20.

Those voting nay were: Senators Allen, Blair, Booth, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kline, McGowan, Polson, Presby, Reed, Stevenson, Watson—19

Those absent or not voting were: Senators Boone, Piper and Pogue—3.

Senator Rosenhaupt moved to amend section 3, line 6 of the printed bill by striking the word "four" and inserting the word "two".

Senator Booth moved that a conference committee be appointed to confer with a committee from the House on House amendments to Senate bill No. 48.

The motion was adopted and the President appointed to serve on the committee, Senators Booth of King, Gunn of Chelan, and Rands of Clarke counties.

On motion of Senator Booth, the Senate concurred in House amendments to Senate bill No. 102 by the following vote:

Those voting aye were: Senators Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Potts, Rands, Reed, Scott, Stevenson, Watson—27.

Those voting nay were: Senators Sumner, Veness and Williams—3.

Those absent or not voting were: Senators Allen, Boone, Eidemiller, Kline, Metcalf, Piper, Pogue, Polson, Presby, Rosenhaupt, Ruth and Smith—12.

Senator Williams moved that the Senate take a recess until 2:00 o'clock p. m.

A roll call was demanded by the following: Senators Ruth, Nichols, Gunn, Davis, Williams, Metcalf and Booth, and the motion lost by the following vote:

Those voting aye were: Senators Allen, Blair, Brown, Davis, Eidemiller, Graves, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGregor, Pauly, Potts, Rands, Smith, Sumner, Williams—18.

Those voting nay were: Senators Anderson, Booth, Bratt, Condon, Cotterill, Gunn, Jones, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Polson, Presby, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Veness, Watson—21.

Those absent or not voting were: Senators Boone, Piper and Pogue—3.

Senator Condon moved that the Senate take a recess until 1:45 p. m.

A roll call was demanded by the following: Senators Sumner, Smith, Hutson, Kennedy, Davis, Ruth and Booth, and the motion adopted by the following vote:

Those voting aye were: Senators Allen, Anderson, Booth, Bratt, Condon, Cotterill, Graves, Gunn, Hunter, Hutson, Jones, Knickerbocker, McGowan, Metcalf, Paulhamus, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Watson, Williams—26.

Those voting nay were: Senators Blair, Brown, Davis, Eide-miller, Kennedy, Kline, McGregor, Minkler, Nichols, Pauly, Presby, Scott and Veness—13.

Those absent or not voting were: Senators Boone, Piper and Pogue—3.

AFTERNOON SESSION.

The Senate was called to order at 1:45 o'clock p. m. by President Coon, pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Piper excused, and Pogue, excused.

Senate bill No. 32 was taken up.

Senator Rosenhaupt withdrew his motion to amend the bill.

Senator Rosenhaupt moved the following amendment:

After the end of section 3 of the printed bill insert the following: "Provided that the primary held for the purpose of nominating candidates for a city election shall be held two weeks before the date of such election."

The motion was lost.

On motion of Senator Metcalf, section 4 of the printed bill was amended by adding the following to the end of that section:

"Provided that a candidate for a judicial office shall not in his declaration of candidacy state that he is a member of any political party."

Senator Rosenhaupt moved to amend section 4 line 5 of the printed bill by striking the words "being duly sworn or affirmed"

The motion was lost.

Senator Stevenson moved to amend section 10, line 5 of the printed bill by striking the word "without" and inserting in lieu thereof the word "with".

The motion was lost.

Senator Davis moved to amend the bill by inserting in line 17, section 11, after the word "fourth" the words "the names of candidates shall be on separate ballots indicating the different political parties" and strike the balance of the section.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 6, 1907.

MR. PRESIDENT:

The Speaker has signed House bill No. 413: Relating to the superior courts of the counties of Whatcom, Yakima, Kittitas, Benton, Franklin, Adams, Lincoln and Spokane.

And the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

The President signed House bill No. 413.

A roll call was demanded by the following: Senators Metcalf, Nichols, Reed, Gunn, Polson, Jones, and Booth, and the amendment lost by the following vote:

Those voting aye were: Senators Davis and Ruth—2.

Those voting nay were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Scott, Smith, Stevenson, Sumner, Watson, Williams—37.

Those absent or not voting were: Senators Piper, Pogue and Veness—3.

On motion of Senator Presby, the words "not conforming to this requirement" were inserted after the word "ballot" in line 20, section 12 of the printed bill.

On motion of Senator Nichols, the words "as to such part of such ballot as is thus defective" were inserted after the word "counted" in section 18, line 11 of the printed bill.

On motion of Senator Cotterill, the word "other" in line 2, section 31 of the printed bill was stricken.

Speaker Falconer of the House of Representatives appeared in the Senate Chamber, and was invited to a seat on the rostrum.

Senator Metcalf moved that the amendment made this morning changing the month of holding the primary be stricken.

A roll call was demanded by the following: Senators Nichols, Hutson, Smith, Gunn, Jones, Metcalf and Booth, and the motion lost by the following vote:

Those voting aye were: Senators Blair, Brown Condon, Catterill, Eidemiller, Graves, Gunn, Hunter, Jones, Kline, McGowan, Metcalf, Minkler, Polson, Presby, Reed, Stevenson, Watson—18.

Those voting nay were: Senators Allen, Anderson, Boone, Booth, Bratt, Davis, Hutson, Kennedy, Knickerbocker, McGregor, Nichols, Paulhamus, Pauly, Potts, Rands, Rosenhaupt, Ruth, Scott, Smith, Sumner, Veness, Williams—22.

Those absent or not voting were: Senators Piper and Pogue—2.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—40.

Those absent or not voting were: Senators Piper and Pogue—2.

When Senator Rands' name was called he made the following explanation of his vote and asked that the same be entered on the journal:

I am opposed to the bill for the following reasons:

1. A direct primary election law, no matter how well guarded, favors the rich man at the expense of his poor neighbor. No poor man no matter how efficient and capable can afford the expense of a campaign for a state office.

2. The ultimate result of a direct primary election law will be to give all state offices to the big cities, and the majority of county offices to the most populous centers of the county. No small county or sparsely settled rural community, in a county can hope to secure an office under the act.

3. This law tends to break up and destroy party lines, and in my judgment will ultimately wipe out not only the republican but every other party in this state. I believe in party organization. This gov-

ernment and its affairs have been dominated by party policies since the organization of our government. I believe that a responsible party will give better government than any chaotic conglomeration of individuals elected in a free for all squabble, where every candidate and officeholder represents only himself.

4. I am opposed to this bill because it is vouched for and has been forced upon the state by political hacks, who have been repudiated o'er and o'er.

The only commendable feature of this bill to my mind, is that these same political hacks will ultimately find that they will be repudiated under a law, which they have advocated in hopes only of personal exaltation.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Rosen-haupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—39.

Those voting nay were: Senator Rands—1.

Those absent or not voting were: Senators Piper and Pogue—2.

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

Senator Rands gave notice that at the proper time he would move to reconsider the vote by which the bill passed the Senate.

Senator Metcalf moved that Senate Rule No. 28 be sus-pended temporarily.

The motion was adopted and the rules suspended.

Senator Metcalf moved that the vote by which Senate bill No. 32 passed the Senate be reconsidered immediately under sus-pension of the rules.

On motion of Senator Cotterill, the motion to reconsider the vote was laid on the table.

Senator Metcalf moved that the rules be further suspended and that Senate bill No. 32 be immediately transmitted to the House.

The motion was carried.

Senator Booth gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 199 was indefinitely postponed.

Senator Scott asked that a vote be taken at this time on the emergency clause to Senate bill No. 154.

The roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Hutson, Jones, Kennedy, Kline, McGregor, Minkler, Nichols Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Scott, Stevenson, Veness, Watson—28.

Those voting nay were: Senators Graves, McGowan and Ruth—3.

Those absent or not voting were: Senators Gunn, Hunter, Knickerbocker, Metcalf, Paulhamus, Piper, Pogue, Rands, Smith, Sumner and Williams—11.

GENERAL FILE.

House bill No. 108: An act relating to the sale of school property in cities, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Cotterill, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGregor, Metcalf, Minkler, Nichols, Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth—24.

Those voting nay were: Senators Paulhamus and Williams—2.

Those absent or not voting were: Senators Boone, Condon, Davis, Eidemiller, Hunter, Knickerbocker, McGowan, Piper, Pogue, Rands, Scott, Smith, Stevenson, Sumner, Veness and Watson—16.

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

Unanimous consent was given at this time to reconsider the vote by which Senate bill No. 192 failed to pass the Senate, and on motion of Senator Ruth the vote was reconsidered.

House bill No. 59: An act relating to the establishment and creation of drainage districts, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, Minkler, Pauly, Polson, Potts, Presby, Reed, Ruth, Scott, Stevenson, Sumner, Watson, Williams—29.

Those absent or not voting were: Senators Davis, Hutson, Knickerbocker, McGregor, Metcalf, Nichols, Paulhamus, Piper, Pogue, Rands, Rosenhaupt, Smith and Veness—13.

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

Senate bill No. 35: An act relating to the judicial department of cities of the first class, etc., was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Allen, Blair, Booth, Bratt, Condon, Cotterill, Eidemiller, Gunn, Hunter, Jones, Kennedy, Kline, McGregor, Minkler, Pauly, Potts—16.

Those voting nay were: Senators Anderson, Brown, Graves, McGowan, Polson, Presby, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Watson and Williams—13.

Those absent or not voting were: Senators Boone, Davis, Hutson, Knickerbocker, Metcalf, Nichols, Paulhamus, Piper, Pogue, Rands, Smith, Sumner and Veness—13.

House bill No. 328: An act relative to the examination of books, accounts and methods of business used and employed in the various state offices, was placed on third reading.

On motion of Senator Ruth, the words "tax commissioners" in line 1, section 1 of the printed bill were stricken, and the word "control" inserted in lieu thereof.

On motion of Senator Presby, the bill was indefinitely postponed.

The President resumed the chair.

House bill No. 289: An act relating to the railroad commission, etc., was placed on third reading.

On motion of Senator Ruth, the proviso following the word "capital" in section 2 of the engrossed bill was stricken.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, Met-

calf, Minkler, Nichols, Paulhamus, Pauly, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—34.

Those voting nay were: Senator Rands—1.

Those absent or not voting were: Senators Allen, Eidemiller, Hunter, McGregor, Piper, Pogue, Polson—7.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—35.

Those voting nay were: Senator Rands—1.

Those absent or not voting were: Senators Allen, Eidemiller, McGregor, Piper, Pogue and Polson—6.

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

House bill No. 285: An act providing for the furnishing of cars to shippers and prescribing the time of loading, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson—37.

Those absent or not voting were: Senators Eidemiller, Piper, Pogue, Polson and Williams—5.

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

On motion of Senator Paulhamus, the rules were suspended and all House bills Nos. 289 and 285 were ordered transmitted to the House immediately.

House bill No. 102: An act fixing the fees to be paid to the Secretary of State by corporations doing business in this state, was placed on third reading.

On motion of Senator Scott, section 12 of the printed bill was stricken.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Veness, Williams—32.

Those voting nay were: Senator Presby—1.

Those absent or not voting were: Senators Booth, Graves, Jones, McGregor, Piper, Pogue, Polson, Stevenson and Watson—9.

On motion of Senator Scott all after the word "same" in the title of the printed bill was stricken.

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

House bill No. 217: An act defining the weight of a ton of coal, was placed on third reading.

Senator Nichols moved to indefinitely postpone the bill.

The motion was withdrawn.

Senator Ruth moved to substitute the figures "2240" for "2000" in line 1, section 2 of the printed bill.

The motion was withdrawn.

Senator Cotterill moved to substitute the original House bill for the engrossed bill now under consideration.

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Hunter, Jones, Knickerbocker, McGowan, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Watson—26.

Those voting nay were: Senators Boone, Hutson, Kline, Presby, Rands, Smith, Sumner, Veness and Williams—9.

Those absent or not voting were: Senators Graves, Gunn, Kennedy, McGregor, Metcalf, Piper, Pogue—7.

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

House bill No. 273: An act relating relating to the registration of voters, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kline, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Veness, Watson, Williams—30.

Those voting nay were: Senator Nichols—1.

Those absent or not voting were: Senators Booth, Condon, Graves, Kennedy, Knickerbocker, Piper, Pogue, Rands, Smith, Stevenson and Sumner—11.

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

House bill No. 291: An act dedicating to the city of Tacoma certain lands, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Jones, Kennedy, Kline, McGowan, Metcalf, Minkler, Pauly, Polson, Potts, Presby, Reed, Ruth, Veness, Watson—23.

Those voting nay were: Senators Boone, Bratt, Paulhamus, Rosenhaupt, Scott and Williams—6.

Those absent or not voting were: Senators Booth, Graves, Hunter, Hutson, Knickerbocker, McGregor, Nichols, Piper, Pogue, Rands, Smith, Stevenson and Sumner—13.

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

On motion of Senator Cotterill, the rules were suspended and all House bills passed up to this time were ordered transmitted to the House immediately.

INTRODUCTION OF BILLS.

House bill No. 232, by Mr. Megler, entitled, "An act providing for the protection and propagation of food fishes in the waters of the state," etc.

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

House bill No. 335, by Mr. Peddycord, entitled, "An act to promote the safety of employes and travelers upon railroads," etc.

The bill was read the first time, and on motion of Senator Paulhamus 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. 347, by Mr. Stevenson, entitled, "An act for the relief of Skamania county, and making an appropriation."

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

House bill No. 366, by Mr. McCoy, entitled, "An act amending section 8174 of Pierce's Washington Code relating to the time, method and place of sales of state, school and granted lands, materials thereon, and leases thereof, and regulating the manner in which other public lands and leases shall be sold."

The bill was read the first time, and on motion of Senator Polson the rules were suspended, the bill was read the second time by title and referred to the Committee on State, Granted and Tide Lands.

House bill No. 404, by Mr. Troy, entitled, "An act to provide for the sale of certain state tide lands situate in Jefferson county, and to provide for the survey, appraisement, and classification, price and manner of sale thereof, and making an appropriation therefor, and providing for the disposition of the proceeds of said sale."

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

House bill No. 430, by Committee on Medicine, Surgery, Dentistry and Hygiene, entitled, "An act to amend an act entitled, 'An act to preserve from pollution the water supplied to the inhabitants of cities and towns in the State of Washington,' " etc.

The bill was read the first time, and on motion of Senator Williams the rules were suspended, the bill was read the second time by title and referred to the Committee on Cities of the First Class.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 6, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate bill No. 272, entitled, "An act to amend section 4 of an act entitled, 'An act regulating automobiles or motor vehicles on public roads,' " etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman*.

We concur in this report: W. H. Paulhamus, R. W. Condon, Fred M. Pauly, Geo. A. Kennedy, Robt. F. Booth, J. R. Stevenson, B. D. Minkler.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 6, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred House bill No. 254, entitled, "An act for the relief of P. C. Hanson, Spokane county," 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.

J. A. VENESS, *Chairman*.

We concur in this report: R. W. Condon, W. H. Paulhamus, Fred M. Pauly, Geo. A. Kennedy, Robt. F. Booth, Alex Polson, J. R. Stevenson, Harry Rosenhaupt, B. D. Minkler.

On motion of Senator Veness the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 6, 1907.

MR. PRESIDENT:

We, your Committee on Fisheries to whom was referred House bill No. 338, entitled, "An act to establish and maintain a state fish hatchery on the outlet of Trout Lake in Island county, 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.

A. L. WATSON, *Chairman*.

We concur in this report: H. S. McGowan, T. A. Hunter, E. M. Williams, W. B. Presby, John L. Blair, B. D. Minkler.

On motion of Senator Watson the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 6, 1907.

MR. PRESIDENT:

We, your Committee on Fisheries to whom was referred House bill No. 234, entitled, "An act to authorize the state board of fish commis-

sioners to sell the old Stillaguamish salmon hatchery in Snohomish county," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. L. WATSON, *Chairman*.

We concur in this report: H. S. McGowan, T. A. Hunter, E. M. Williams, W. B. Presby, John L. Blair, B. D. Minkler.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 6, 1907.

MR. PRESIDENT:

We, your Committee on Fisheries to whom was referred House bill No. 183, entitled, "An act to amend section 1 of 'An act relating to the protection of clams; 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.

A. L. WATSON, *Chairman*.

We concur in this report: H. S. McGowan, T. A. Hunter, E. M. Williams, W. B. Presby, John L. Blair, B. D. Minkler.

On motion of Senator Watson the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 5, 1907.

MR. PRESIDENT:

We, your Committee on Insurance to whom was referred Engrossed House bill No. 201, entitled, "An act creating the office of state insurance commissioner, authorizing the appointment of a deputy insurance commissioner, prescribing his duties and fixing salaries," 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 section 2, line 5 of the engrossed bill by striking out the words "twenty-five hundred" and insert in lieu thereof the words "three thousand".

Amend section 4, line 3 of the engrossed bill by striking out the word "fifty", and insert in lieu thereof the words "twenty-five".

CHAS. T. HUTSON, *Chairman*.

We concur in this report: I. B. Knickerbocker, Lincoln Davis, P. L. Allen, J. A. Veness, Fred Eidemiller, A. L. Watson.

On motion of Senator Hutson the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 5, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate bill No. 176, entitled, "An act to establish and maintain a home for the

indigent blind, aged and infirm, 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 be placed on general file.

J. A. VENESS, *Chairman*.

We concur in this report: R. W. Condon, W. H. Paulhamus, George U. Piper, Fred M. Pauly, Harry Rosenhaupt, J. R. Stevenson, B. D. Minkler.

On motion of Senator Veness the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 25, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate bill No. 219, an act to establish the Western Washington Interstate Fair, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman*.

We concur in this report: R. W. Condon, W. H. Paulhamus, George U. Piper, Fred M. Pauly, J. R. Stevenson, B. D. Minkler.

On motion of Senator Veness the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, February 6, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate bill No. 218, entitled, "An act to amend 2, 7, and 8 of chapter LXXXV, Laws of 1895, entitled, 'An act to establish a bureau of statistics,' 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:

Strike the present title of the printed bill and in lieu thereof insert the following: "An act to amend sections two (2) and seven (7) of chapter LXXXV, Laws of 1895, entitled, 'An act to establish a bureau of statistics, labor, agriculture and immigration, and making an appropriation therefor.'"

Strike present section 3 of the printed bill.

Strike present section 4 of the printed bill.

J. A. VENESS, *Chairman*.

We concur in this report: H. M. Boone, R. W. Condon, Fred M. Pauly, T. B. Sumner, Geo. A. Kennedy, Harry Rosenhaupt, B. D. Minkler.

On motion of Senator Veness the report of the committee was adopted.

Senator Polson gave notice that at the proper time he would move to reconsider the vote by which House bill No. 328 was indefinitely postponed.

On motion of Senator Condon, the Senate took a recess until 8:00 o'clock p. m. this evening.

EVENING SESSION.

The Senate was called to order at 8:00 o'clock p. m., by President Coon, pursuant to adjournment.

The Secretary called the roll, all members being present except Senators Piper and Pogue, excused.

GENERAL FILE.

On motion of Senator Condon, rule 64 was suspended.

House bill No. 147: An act providing for the amendment of section 1 of article 2 of the constitution providing for the submission of laws and other measures to a vote of the people was placed on third reading.

Senator Davis moved to indefinitely postpone the bill.

A call of the Senate was demanded by the following: Senators Davis, Smith and Booth.

The roll was called, the following members being present: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson and Williams.

On motion of Senator Davis, further call of the Senate was dispensed with.

A roll call was demanded on Senator Davis' motion to indefinitely postpone, by the following: Senators Cotterill, Boone, Graves, Brown, Polson, Polson, Smith and Booth, and the motion adopted by the following vote:

Those voting aye were: Senators Allen, Anderson, Booth, Brown, Condon, Davis, Eidemiller, Hutson, Kennedy, Kline,

McGowan, McGregor, Minkler, Nichols, Pauly, Potts, Presby, Reed, Rosenhaupt, Ruth, Stevenson, Sumner, Veness, Watson, Williams—25.

Those voting nay were: Senators Blair, Boone, Bratt, Cotterill, Graves, Gunn, Hunter, Jones, Metcalf, Paulhamus, Polson and Smith—12.

Those absent or not voting were: Senators Knickerbocker, Piper, Pogue, Rands and Scott—5.

The bill was therefore indefinitely postponed.

House bill No. 65: An act relating to delinquent children, was placed on third reading.

On motion of Senator Graves, the reading of the bill previously had was considered the third reading, and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Potts, Presby, Reed, Ruth, Smith, Stevenson, Watson, Williams—28.

Those voting nay were: Senators Bratt, Brown, Kline and Rosenhaupt—4.

Those absent or not voting were: Senators Boone, Knickerbocker, Paulhamus, Piper, Pogue, Polson, Rands, Scott, Sumner and Veness—10.

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

House bill No. 286: An act providing for the giving and granting the right, privilege and authority to perpetually back water upon, overflow and inundate with water lands belonging to the state, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Watson, Williams—30.

Those absent or not voting were: Senators Boone, Booth, Kline, Knickerbocker, Paulhamus, Piper, Pogue, Polson, Rands, Scott, Sumner and Veness—12.

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

On motion of Senator Reed, House bill No. 138 was indefinitely postponed.

House bill No. 242: An act governing and regulating pilots and pilotage on the waters of Puget Sound, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Kennedy, McGowan, McGregor, Minkler, Nichols, Pauly, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Watson, Williams—28.

Those absent or not voting were: Senators Boone, Booth, Jones, Kline, Knickerbocker, Metcalf, Paulhamus, Piper, Poguc, Polson, Rands, Scott, Sumner and Veness—14.

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

On motion of Senator Graves, House bill No. 229 was ordered placed on the calendar for tomorrow.

House bill No. 426: An act providing for the appointment of one additional judge of the superior court for the county of Pierce, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Kennedy, McGowan, McGregor, Minkler, Pauly, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Watson, Williams—27.

Those absent or not voting were: Senators Boone, Booth, Jones, Kline, Knickerbocker, Metcalf, Nichols, Paulhamus, Piper, Poguc, Polson, Rands, Scott, Sumner and Veness—15.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Watson, Williams—32.

Those absent or not voting were: Senators Boone, Booth, Hutson, Knickerbocker, Paulhamus, Piper, Pogue, Polson, Scott, and Veness—10.

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

House bill No. 175: An act relating to elections, was placed on third reading.

On motion of Senator Jones, the reading previously had was considered the third reading of the bill, and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Watson, Williams—30.

Those voting nay were: Senator Kline—1.

Those absent or not voting were: Senators Boone, Booth, Knickerbocker, Paulhamus, Pogue, Polson, Piper, Rands, Scott, Sumner and Veness—11.

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

House Memorial No. 6, relating to forest reserves in the State of Washington, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Bratt, Condon, Cotterill, Davis, Eidemiller, Graves, Hunter, Jones, Kline, McGowan, Metcalf, Minkler, Pauly, Potts, Presby, Rands, Reed, Ruth, Smith, Sumner, Watson—22.

Those voting nay were: Senators Allen, Blair, Brown, Hutson, McGregor, Nichols, Rosenhaupt, Stevenson and Williams—9.

Those absent or not voting were: Senators Boone, Booth, Gunn, Kennedy, Knickerbocker, Paulhamus, Piper, Pogue, Polson, Scott and Veness—11.

Senator Stevenson moved that the Senate adjourn.

The motion was lost.

On motion of Senator Ruth, Senate bill No. 190 was ordered placed lower on the calendar with the rest of the Senate bills.

On motion of Senator Cotterill, the Senate resolved itself into a committee of the whole to consider House bills Nos. 467 and 469.

The bills were considered in the committee of the whole, Senator Kennedy in the chair, and reported back to the Senate with the recommendation that they do pass.

On motion of Senator Kennedy, the report of the committee of the whole was adopted.

On motion of Senator Kennedy, the reading of the bills had in the committee of the whole was considered the third reading of the bills.

House bill No. 467 was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Watson, Williams—30.

Those absent or not voting were: Senators Boone, Booth, Davis, Knickerbocker, Paulhamus, Piper, Pogue, Polson, Rands, Scott, Sumner and Veness—12.

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

House bill No. 469: An act to provide for the improvement of public highways, etc., was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Potts, Presby, Reed, Rosenhaupt, Ruth, Stevenson, Watson, Williams—30.

Those absent or not voting were: Senators Boone, Booth, Knickerbocker, Paulhamus, Piper, Pogue, Polson, Rands, Scott, Sumner, Veness and Smith—12.

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

House bill No. 468: An act providing for the survey of certain proposed state roads, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Watson, Williams—29.

Those voting nay were: Senator Graves—1.

Those absent or not voting were: Senators Boone, Booth, Davis, Knickerbocker, Paulhamus, Piper, Pogue, Polson, Rands, Scott, Sumner and Veness—12.

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

House bill No. 222: An act providing for the control, regulation, distribution, and measurement of stored waters and flowing waters, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Cotterill, Davis, Eidemiller, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Potts, Presby, Reed, Ruth, Smith, Stevenson, Sumner, Watson—26.

Those voting nay were: Senators Brown, Condon, Graves, and Rosenhaupt—4.

Those absent or not voting were: Senators Boone, Booth, Hunter, Knickerbocker, Paulhamus, Piper, Pogue, Polson, Rands, Scott, Veness and Williams—12.

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

On motion of Senator Davis, House bill No. 127 was ordered placed on the calendar for tomorrow.

House bill No. 190: An act relating to the assessment and collection of taxes, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Potts, Presby, Reed, Rosenhaupt, Ruth, Stevenson, Sumner, Watson—30.

Those absent or not voting were: Senators Boone, Booth, Knickerbocker, Paulhamus, Piper, Pogue, Polson, Rands, Scott, Smith, Veness and Williams—12.

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

House bill No. 306: An act relating to the safety and ventilation of coal mines, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Potts, Presby, Reed, Ruth, Smith, Stevenson, Sumner, Watson—29.

Those absent or not voting were: Senators Boone, Booth, Graves, Knickerbocker, Paulhamus, Piper, Pogue, Polson, Rands, Rosenhaupt, Scott, Veness and Williams—13.

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

House bill No. 309: An act to regulate and prohibit the sale of cigarettes, was placed on third reading.

Senator Cotterill moved that this bill be made a special order for 11:00 o'clock tomorrow.

The motion was withdrawn.

On motion of Senator Metcalf, the words after "smoking" in line 5 of the printed bill were stricken, up to and including the word "wrapper" in line 6.

On motion of Senator Metcalf, section 2 of the printed bill was stricken and the following inserted in lieu thereof:

"Sec. 2. This act shall not take effect until September 1, 1907."

On motion of Senator Metcalf, the parenthesis and the words embraced therein in line 8 of the printed bill were stricken.

On motion of Senator Metcalf, the title of the printed bill was amended by striking all after the word "thereof", and changing the comma to a period after said word; also insert the word "and" between the words "same" and "providing".

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Potts, Presby, Reed,

Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Watson, Williams—32.

Those absent or not voting were: Senators Boone, Booth, Knickerbocker, Paulhamus, Piper, Pogue, Polson, Rands, Scott and Veness—10.

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

On motion of Senator Condon at 9:50 o'clock p. m. the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FIFTY-THIRD DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASH., Thursday, March 7, 1907.

The Senate was called to order at 10 o'clock a. m., by President Coon, pursuant to adjournment.

Chaplain La Violette offered prayer.

The secretary called the roll, all members being present except Senators Piper, excused, and Pogue, excused.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Dikes, Drains and Drainage to whom was referred Senate bill No. 296 entitled, "An act to amend section 3730 of Ballinger's Annotated Codes and Statutes of Washington, relating to the assessment and taxation of benefited property for the construction and maintenance of system of drainage," 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:

At the end of section 1 of the printed bill strike the "period" insert in lieu thereof a "colon" and add the following words:

Provided, however, That no such further assessment shall be made until the commissioners shall have filed a petition in the original proceedings setting forth the necessity for the extra expenditure and assessment showing amount required and causing to be served a notice, as in the original proceedings to all property owners, as provided in the original action, and upon the return of such notice the court shall as in the original action if the court finds that it is reasonably necessary and proper to make such extra assessment: *Provided,* That the right to appeal from such order by any one effected thereby, is preserved."

B. D. MINKLER, *Chairman.*

We concur in this report: A. W. Anderson, Geo. F. Cotterill.

On motion of Senator Minkler, the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 5, 1907.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House bill No. 17 entitled, "An act providing for the levy and manner of payment of road, bridge, poll and property taxes and the manner of expenditure thereof, and providing for division of counties into road districts and apportionment of road overseers, and repealing all acts and parts of acts in conflict herewith," 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, and printed, and as so amended that it do pass:

Amended House bill No. 17: An Act relating to the formation and management of road districts and the appointment of supervisors therefor, amending sections 7 and 12 of chapter 119 of the Session Laws of 1903, and repealing section 1 of chapter 156, of the Session Laws of 1905, and sections 2, 3, 4, 5, and 6, of chapter 119 of the Session Laws of 1903.

Be it enacted by the Legislature of the State of Washington:

Section 1. That section 1 of chapter 119 of the Session Laws of 1903 be amended to read:

Section 1. The board of county commissioners shall, as often as they deem it necessary, but not oftener than once each year, divide their respective counties or any part thereof, into suitable and convenient road districts, not exceeding twenty-four in number, and cause a description thereof to be entered upon the county records: *Provided,* That the size and form of each road district shall be such as to permit personal oversight and management by one road supervisor.

Sec. 2. That section 12 of chapter 119 of the Session Laws of 1903 be amended to read as follows: Section 12. The board of county commissioners shall appoint from among the qualified electors in each

road district, for such time as they may determine, with compensation not to exceed four dollars per diem for time and labor actually performed, a road supervisor who shall enter into a bond satisfactory to the commissioners: *Providing, however,* That when any road district has a good road association, then such road overseer shall be appointed from a list furnished by such association.

Sec. 3. That section 1 of chapter 156 of the Session Laws of 1905, and sections 2, 3, 4, 5 and 6 of chapter 119 of the Session Laws of 1903, be and the same are hereby repealed.

Sec. 4. This act shall not take effect until the first Monday in January, 1908, except that the county commissioners, shall at the time of making the general tax levy in 1907, make the levy for the road and bridge tax provided for in section 8.

E. C. BRATT, *Chairman.*

We concur in this report: Geo. F. Cotterill, Alex. Polson, A. W. Anderson, A. Gunn, A. S. Ruth, R. L. Kline.

On motion of Senator Bratt, the report of the committee was adopted and the bill ordered reprinted, and given right of way at the printing office.

Hon. L. B. Andrews, former member of the Territorial Council and State Senate appeared in the Senate chamber and was invited to a seat on the rostrum.

GENERAL FILE.

On motion of Senator Cotterill the rules were suspended and House bill No. 309 was ordered transmitted to the House immediately.

Senate bill No. 218: An act relating to the Bureau of Statistics, Labor, Agriculture and Immigration, etc., was placed on third reading.

On motion of Senator Williams, the rules were suspended, the reading of the bill previously had was considered the third reading and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Brown, Condon, Cotterill, Davis, Gunn, Hunter, Hutson, Jones, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Polson, Potts, Rands, Reed, Ruth, Smith, Veness, Watson, Williams—28.

Those voting nay were: Senators Anderson and Bratt—2.

Those absent or not voting were: Senators Booth, Eidemiller, Graves, Kennedy, Paulhamus, Piper, Pogue, Presby, Rosenhaupt, Scott, Stevenson and Sumner—12.

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

On motion of Senator Nichols, the rules were suspended and the bill was ordered transmitted to the House immediately.

Senate bill No. 219: An act to establish a Western Washington Interstate Fair, and making an appropriation therefor, was placed on third reading.

On motion of Senator Williams, the Senate resolved itself into a committee of the whole to consider Senate bill No. 219.

The bill was considered in the committee of the whole, Senator Metcalf in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Metcalf, the report of the committee of the whole was adopted.

On motion of Senator Veness, the rules were suspended, the reading had of Senate bill No. 219 in the committee of the whole was considered the third reading in the Senate, and the bill placed on final passage.

On motion of Senator Veness, Senate bill No. 219 was made a special order for 10:30 o'clock tomorrow, March 8th.

Senator Boone gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 124 was indefinitely postponed.

MESSAGE TO THE SENATE:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

The House has passed Senate bill No. 198, entitled, "An act to protect and prevent injury to employes and other persons," with the following amendment:

Strike out the title of said bill and insert in lieu thereof the following: "An act relating to railroads and the regulation of railroads, and amending sec. 1 of chapter XXXV of Session Laws, 1899."

Also Senate bill No. 162, granting rights-of-way to irrigation districts, with the following amendments:

Amend by striking from sec. 5, original bill, lines 4, 5 and 6.

Amend by striking out the period at the end of section 1 and insert the words "or pipe line for irrigation."

Also insert after the word "ditch," in line 2 of the printed bill, same being line 4 of the original bill, the words "or pipe line for irrigation."

Also Senate bill No. 227, authorizing counties to establish and create assessment districts with the following amendments:

Amend section 1 by striking out all of line 8 after the word "completed" of the original bill, and the first five words of line 9, and insert in lieu thereof the following: "to define and establish an assessment district within such county and to levy an assessment."

Amend section 1 by striking out all of line 12 of original bill after the word "determine" and all of line 13 to and including the word "and."

Amend section 9, line 2 of the original bill, by inserting after the word "treasurer" the words: "in the county depository."

Strike out section 19, and insert in lieu thereof section 20.

Also Senate bill No. 221, entitled, "An act relating to the filing, citation and publication of the laws of the state," with the following amendments:

Add emergency clause to the title.

Add another section to be known as section 7, to read as follows:

"Sec. 7. An emergency exists and this act shall take effect immediately."

Amend section 6, line 2, printed bill, by inserting between the words "session" and "within" the words "in book form."

Also Senate amended bill No. 139, creating a state highway board, with the following amendments:

Amend section 5, in line 7 of the printed bill, same being line 10 of the original bill, by striking out the word "state" and inserting in lieu thereof the word "public."

Amend section 7, in line 16 of the printed bill, same being line 25 of the original bill, by striking out the word "state" and inserting in lieu thereof the word "public."

Amend section 10, in line 3 of the printed bill, same being line 4 of the engrossed bill, by striking out the word "state" and inserting in lieu thereof the word "public."

Amend line 1, section 10, by striking out the word "public" and inserting in lieu thereof the word "state."

Also Senate bill No. 180, entitled "An act regulating steam vessels and boats operated by machinery within the jurisdiction of this state," with the following amendments:

Amend section 25 of the engrossed bill, being section 29 of the printed bill, as follows: Add after the period following the last word of said section, the words: "No launch under ten tons, carrying passengers shall navigate the waters of the straits of Juan de Fuca, unless provided with a boat of sufficient size to accommodate said passengers and be under the management of a person holding a U. S. license for steam vessels."

Amend section 12, engrossed bill, line 3, after the word "preservers," by striking out the balance of line 3, all of lines 4, 5, 6 and line 7 to second mention of word "cork." and insert in lieu thereof the following: "of the sort prescribed by the supervising inspector appointed under this act."

The House has concurred in Senate amendments to House bill No. 243, an act amending the code of public instruction;

Also Senate amendments to House bill No. 3, regulating the filing for record of real estate plats;

Also Senate amendments to House bill No. 119, amending the code of public instruction;

Also Senate amendments to House bill No. 162, regulating the employment of child labor;

Also Senate amendments to House bill No. 223, to prevent and punish family desertion;

Also Senate amendments to House bill No. 293, an act relating to the National Guard of Washington;

Also Senate amendments to House bill No. 208, an act relating to revenue and taxation;

Also Senate amendments to House concurrent resolution No. 20, providing that no bills be considered on the last day of the session.

The House has passed Senate bill No. 122, relating to the taxation of inheritances;

Also Senate bill No. 66, granting to cities of the first class certain powers;

Also Senate bill No. 182, amending an act providing for the establishment of a state reform school;

Also Senate bill No. 41, compelling railroads to fence their rights-of-way;

Also Senate bill No. 205, relating to the fish commissioner;

Also Senate bill No. 141, providing for the employment of convicts on state roads;

Also Senate bill No. 140, relating to the training departments of normal schools;

Also Senate bill No. 177, relating to the assessment of state lands for drainage purposes;

Also Senate bill No. 216, relating to the joinder of causes of action; And the same are herewith transmitted.

The House has failed to pass Senate bill No. 183;

Also Senate bill No. 193.

The House has indefinitely postponed Senate bill No. 172, relating to the duties of special deputy sheriffs;

Also Senate bill No. 242, an act relating to lotteries;

Also Senate bill No. 179, relating to the alteration of township plats;

Also Senate bill No. 191, relating to the salaries of bailiffs of the superior court.

LEO. O. MEIGS, *Clerk of the House.*

On motion of Senator Cotterill, the Senate concurred in House amendments to Senate bill No. 227, by the following vote:

Those voting aye were: Senators Allen, Anderson, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Sumner, Veness, Watson, Williams—31.

Those absent or not voting were: Senators Blair, Booth, Graves, Hutson, Jones, Knickerbocker, Metcalf, Piper, Pogue, Rands and Smith—11.

Amended Senate bill No. 190: An act to provide for the improvement of tide lands, etc., was placed on third reading.

On motion of Senator McGowan, the following amendments were made:

Amend section 2 in line 11 of the amended bill by striking out the word "common" and inserting in lieu thereof the word "city."

Amend section 2 in line 17 of the amended bill by striking the word "common" and inserting in lieu thereof the word "city."

Amend section 2 in line 19 of amended bill by striking out the word "common" and inserting in lieu thereof the word "city."

Amend section 2 in line 24 of the amended bill by inserting after the word "commerce" a comma.

Amend section 3, lines 1 and 2 of the printed bill, by striking the words "either sections 2 or 3," and inserting in lieu thereof the words "section 2."

Amend section 5, line 20 of the amended bill, by inserting after the word "full" a comma and the words "or in part."

Amend section 5, line 20 of the amended bill, by inserting after the word "bonds" the words "or the proceeds thereof."

Amend section 5, line 20 of the amended bill, by inserting after the word "which" the word "bonds."

So that line 20 of section 5 of the amended bill, when so amended will read "full, or in part, by the improvement bonds, or the proceeds thereof, the issuance of which bonds is provided for hereinafter. Each"

Add to section 21: "The Board of Commissioners shall not have power to improve state lands unless they shall have acquired said lands as herein provided."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Booth, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Scott, Stevenson, Veness, Watson, Williams—29.

Senator Boone voted nay.

Those absent or not voting were: Senators Anderson, Blair, Condon, Hunter, Hutson, Knickerbocker, Piper, Pogue, Rosenhaupt, Ruth, Smith and Sumner—12.

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

On motion of Senator Williams, the rules were suspended and the bill ordered transmitted to the House immediately.

Senate bill No. 235: An act authorizing counties to construct or aid the United States in constructing canals, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hutson, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Scott, Stevenson, Veness, Watson, Williams—31.

Those absent or not voting were: Senators Anderson, Eidemiller, Hunter, Jones, Knickerbocker, Piper, Pogue, Rosenhaupt, Ruth, Smith and Sumner—11.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Smith, Stevenson, Veness, Watson, Williams—33.

Those absent or not voting were: Senators Anderson, Hutson, Knickerbocker, Piper, Pogue, Rosenhaupt, Ruth, Scott and Sumner—9.

On motion of Senator Cotterill, the words "and declaring an emergency" were added to the title.

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

On motion of Senator Cotterill, the rules were suspended and the bill was ordered transmitted to the House immediately.

On motion of Senator Scott, Senate bills Nos. 312, 313, 314, 315, 316 and 320 were made a special order for 2:30 o'clock p. m., Friday, March 8, 1907.

Senate bill No. 281: An act relating to the collection of inheritance taxes, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Potts, Presby, Reed, Ruth, Smith, Sumner, Veness, Watson, Williams—31.

Those absent or not voting were: Senators Anderson, Boone, Eidemiller, Knickerbocker, Piper, Pogue, Polson, Rands, Rosenhaupt, Scott and Stevenson—11.

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

Senate bill No. 278: An act to prevent the exposing of poisons, and to protect persons and domestic animals from being poisoned, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Sumner, Veness, Williams—34.

Those absent or not voting were: Senators Davis, Eidemiller, Hunter, Knickerbocker, Piper, Pogue, Scott and Stevenson—8.

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

Senate bill No. 275: An act to provide for the burning of brush, etc., cut on the right-of-way of wagon roads, etc., was placed on third reading.

Senator Polson moved to amend the bill by striking the words "timber or" from line 3, section 1 of the printed bill.

The motion was lost.

Senator Cotterill moved to insert the words "or remove" between the words "and" and "burn" in line 3, section 1 of the printed bill.

The motion was withdrawn.

On motion of Senator Condon, the words "timber or" in line 3, section 1 of the printed bill were stricken.

On motion of Senator Polson, the words "Provided, that any timber cut down as aforesaid which is intended to be used in the construction of such road and is so used within a reasonable time shall not be covered by this act," were stricken from lines 3, 4 and 5 of the printed bill; also the words "timber or" in line 5 of the printed bill after the word "No."

On motion of Senator Graves, section 2 of the printed bill was stricken.

On motion of Senator Graves, the title of the printed bill was amended by striking the words "and declaring an emergency:"

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Ruth, Smith, Stevenson, Sumner, Venness, Watson, Williams—34.

Those absent or not voting were: Senators Booth, Davis, Knickerbocker, Metcalf, Piper, Pogue, Rosenhaupt and Scott.

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

Senate bill No. 255: An act to require railroad companies doing business in the State of Washington to have a general officer of such road with the rank and title of vice-president in some city in the state, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Ruth, Veness, Watson—29.

Those voting nay were: Senators Davis, Smith and Sumner—3.

Those absent or not voting were: Senators Booth, Eidemiller, Knickerbocker, Piper, Pogue, Rands, Rosenhaupt, Scott, Stevenson and Williams—10.

Senate bill No. 272: An act relating to automobiles and motor cars, etc., was placed on third reading.

Senator Polson moved to strike the word "ten" where it occurred in line 4 and in line 5 of the printed bill and insert in lieu thereof the word "two."

Senator Stevenson moved as a substitute for the motion of Senator Polson, that the bill be indefinitely postponed.

A roll call was demanded by the following: Senators Davis, Sumner, Smith, Williams, Polson, Stevenson and Blair, and the substitute motion lost by the following vote:

Those voting aye were: Senators Brown, Davis, Eidemiller, Gunn, Kline, McGowan, Nichols, Pauly, Polson, Presby, Rosenhaupt, Smith, Stevenson, Veness, Watson—15.

Those voting nay were: Senators Anderson, Blair, Bratt, Condon, Cotterill, Hunter, Hutson, Jones, Kennedy, McGregor, Minkler, Paulhamus, Potts, Rands, Reed, Ruth, Sumner, and Williams—18.

Those absent or not voting were: Senators Allen, Boone, Booth, Graves, Knickerbocker, Metcalf, Piper, Pogue, Scott—9.

Senator Polson's motion was now lost.

Senator Paulhamus moved to make a special order of the bill for 2 o'clock p. m., tomorrow.

The motion was lost.

The bill was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Anderson, Blair, Bratt, Condon, Cotterill, Jones, Kennedy, McGowan, Minkler, Paulhamus, Potts, Rands, Reed, Ruth, Sumner, Watson—16.

Those voting nay were: Senators Brown, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Kline, McGregor, Nichols, Pauly, Polson, Presby, Rosenhaupt, Smith, Stevenson, Veness, Williams—18.

Those absent or not voting were: Senators Allen, Boone, Booth, Knickerbocker, Metcalf, Piper, Pogue, Scott—8.

On motion of Senator Kline, Senate bill No. 304 was indefinitely postponed.

Senate bill No. 306: An act relating to the assessment and collection of taxes in cities of the first class, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Veness, Watson, Williams—30.

Those voting nay were: Senator Davis—1.

Those absent or not voting were: Senators Allen, Boone, Booth, Gunn, Knickerbocker, Piper, Pogue, Presby, Rands, Scott and Sumner—11.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Veness, Watson, Williams—31.

Those absent or not voting were: Senators Allen, Boone, Hunter, Kline, Knickerbocker, Piper, Pogue, Presby, Rands, Scott and Sumner—11.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

The speaker has signed House bill No. 92, amending an act for the prevention of the spread of contagious diseases;

Also House bill No. 44, for protection against the spread of Canada thistle;

Also House bill No. 130, relating to the withdrawal of bank deposits;

Also House bill No. 93, providing a system of registration of births and deaths;

Also House bill No. 51, amending an act authorizing public libraries in cities;

Also House bill No. 195, relating to the granting of state certificates and life diplomas;

And the same are herewith transmitted.

LEO. O. MEIGS, *Clerk of the House.*

Senate bill No. 307: An act to amend section 1364 of Ballinger's Annotated Codes and Statutes of Washington, relating to election ballots, was placed on third reading.

Senator Presby moved that the bill be placed at the foot of the calendar.

Senator Ruth moved as a substitute for motion of Senator Presby, that the bill be indefinitely postponed.

The substitute motion was lost.

The motion of Senator Presby was adopted.

The president appointed as conferees on House bill No. 3, Senators Rosenhaupt of Spokane, Kline of Whatcom, and Rands of Clarke county.

The president signed Senate bills Nos. 92, 44, 130, 93, 51 and 185.

On motion of Senator Condon at 12:10 p. m., the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

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

The secretary called the roll, all members being present except Senator Pogue, excused.

RESOLUTION BY COMMITTEE ON EMPLOYEES OTHER THAN
REGULAR.

Resolved, That Charles V. Leach be employed for journal work at \$5 per day.

Senator Stevenson moved the adoption of the resolution.

A roll call was had and Charles V. Leach was elected by the following vote:

Those voting aye were: Senators Anderson, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGregor, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Sumner, Veness, Williams—30.

Those absent or not voting were: Senators Allen, Blair, Eidemiller, Hunter, Knickerbocker, McGowan, Metcalf, Minkler, Pogue, Presby, Smith and Watson—12.

Senate bill No. 232: An act relating to the State Board of Tax Commissioners, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Boone, Bratt, Brown, Condon, Cotterill, Davis, Gunn, Hutson, Jones, Kennedy, Kline, McGregor, Metcalf, Nichols, Paulhamus, Pauly, Piper, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Sumner, Veness, Williams—29.

Those absent or not voting were: Senators Blair, Booth, Eidemiller, Graves, Hunter, Knickerbocker, McGowan, Minkler, Pogue, Polson, Presby, Smith and Watson—13.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Boone, Bratt, Brown, Condon, Cotterill, Gunn, Hutson, Jones, Kennedy, Kline, McGregor, Metcalf, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Sumner, Veness, Williams—29.

Those absent or not voting were: Senators Blair, Booth, Davis, Eidemiller, Graves, Hunter, Knickerbocker, McGowan, Minkler, Pogue, Presby, Smith and Watson—13.

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

On motion of Senator Paulhamus, all bills passed up to this time were ordered transmitted to the House immediately.

Senate bill No. 295: An act relating to the protection of property from destruction by fire, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Boone, Booth, Bratt, Condon, Cotterill, Davis, Gunn, Hutson, Jones, Kennedy, Kline, McGregor, Metcalf, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Sumner, Veness, Williams—29.

Those absent or not voting were: Senators Blair, Brown, Eidemiller, Graves, Hunter, Knickerbocker, McGowan, Minkler, Pogue, Presby, Smith, Stevenson and Watson—13.

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

Senate bill No. 292: An act authorizing cities of the first class to lay salt water mains, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Sumner, Veness, Williams—33.

Those absent or not voting were: Senators Blair, Eidemiller, Graves, Hunter, McGowan, Pogue, Presby, Smith and Watson—9.

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

Senate bill No. 254: An act relating to the traveling library, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Booth, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Knickerbocker, McGowan, McGregor, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Watson, Williams—33.

Those voting nay were: Senators Anderson, Bratt, Hunter, Kline, Nichols, Stevenson and Veness—7.

Those absent or not voting were: Senators Metcalf and Pogue—2.

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

On motion of Senator Reed, Senate bill No. 298 was ordered placed at the foot of the calendar.

Senator Rosenhaupt moved to reconsider the vote by which Senate bill No. 234 failed to pass the Senate.

A roll call was demanded by the following: Senators Hutson, Rands, Blair, Smith, Sumner, Gunn and Booth, and the motion lost by the following vote:

Those voting aye were: Senators Allen, Blair, Booth, Cotterill, Hutson, Jones, Kline, McGowan, Metcalf, Nichols, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Scott, Williams—18.

Those voting nay were: Senators Anderson, Boone, Bratt, Brown, Condon, Davis, Eidemiller, Gunn, Hunter, Kennedy, McGregor, Minkler, Paulhamus, Presby, Rands, Ruth, Smith, Stevenson, Sumner, Veness, Watson—21.

Those absent or not voting were: Senators Graves, Knickerbocker and Pogue—3.

Senate bill No. 168: An act creating a state road in Cowlitz and Skamania counties, and making an appropriation, was placed on third reading.

On motion of Senator Watson, the Senate resolved itself into a committee of the whole to consider Senate bill No. 168.

The bill was considered in the committee of the whole, Senator Rands in the chair, and reported back to the Senate with the recommendation that it do pass.

Senator Rands moved the adoption of the report of the committee of the whole.

The motion was carried.

On motion of Senator Rands, the rules were suspended, the reading of Senate bill No. 168 had in the committee of the whole, considered the third reading in the Senate and the bill was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller,

Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Booth, Hunter, Knickerbocker, Pogue and Scott—5.

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

On motion of Senator Watson, the rules were suspended and Senate bill No. 168 ordered transmitted to the House immediately.

On motion of Senator Bratt, Senate bill No. 266 was ordered placed at the foot of the calendar.

On motion of Senator Rands, Senate bill No. 300 was re-referred to the Judiciary Committee.

Senate bill No. 299: An act relating to the sale of stallions, jacks or bulls, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Anderson, Booth, Hunter, Knickerbocker, Metcalf, Piper and Pogue—7.

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

On motion of Senator McGregor, the rules were suspended and the bill ordered transmitted to the House immediately.

Senate bill No. 302: An act relating to instruction in public schools in any city in the sign language used by the deaf, was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Boone, Booth, Bratt, Condon, Cotterill, Hunter, Jones, Kline, McGowan, Minkler, Paulhamus, Polson, Reed, Rosenhaupt, Scott, Stevenson—16.

Those voting nay were: Senators Allen, Anderson, Blair, Brown, Davis, Eidemiller, Graves, Gunn, Hutson, Kennedy, Mc-

Gregor, Nichols, Pauly, Potts, Presby, Rands, Ruth, Smith, Sumner, Veness, Williams—21.

Those absent or not voting were: Senators Knickerbocker, Metcalf, Piper, Pogue and Watson—5.

Senate joint memorial No. 3: Relating to the improvement of the Cowlitz river, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Booth, Eidemiller, Graves, Knickerbocker, Metcalf, Piper and Pogue—7.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 233, an act relating to the creation, establishment and maintenance of diking districts, etc., etc.; also Senate bill No. 181, fixing the salaries of the Governor and other state officials and providing for the manner of payment, have compared same with the engrossed bill and find it correctly enrolled.

RALPH METCALF, *Chairman.*

We concur in this report: P. L. Allen, R. W. Condon, Lincoln Davis, Robt. F. Booth.

The President signed Senate bills Nos. 233 and 181.

House bill No. 127: An act to amend section 3 of an act to regulate and control insurance companies, was placed on third reading.

On motion of Senator Davis, the following amendment was made: In line 13 of the printed bill, after the word "premiums" insert the following: "Provided that the rate of taxation on life insurance shall be two per centum of the amount of net premiums collected."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves,

Gunn, Hunter Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson—35.

Those voting aye were: Senator Rosenhaupt—1.

Those absent or not voting were: Senators Booth, Condon, Knickerbocker, Piper, Pogue and Williams—6.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

The House has refused to concur in the Senate amendments to House bill No. 323 as they appear in Senate bill No. 32, substituted for House bill No. 323, and asks the Senate to recede from such amendments; and the bill is herewith returned.

LEO. O. MEIGS, *Clerk of the House.*

Senator Metcalf moved that the Senate do not recede from its amendments to Senate bill No. 32, and that a conference committee be appointed.

The motion was adopted.

On motion of Senator Brown, House bill No. 357 was indefinitely postponed.

House bill No. 213: An act directing the Governor to execute a deed to the city of Port Townsend to certain tide lands, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson—34.

Those absent or not voting were: Senators Boone, Gunn, Knickerbocker, Metcalf, Piper, Pogue, Sumner and Williams—8.

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

Senator Nichols moved that House bill No. 20 be indefinitely postponed.

Senator Booth moved as a substitute that the bill be referred to the Judiciary committee.

The substitute motion was withdrawn.

Senator Cotterill moved as a substitute for motion of Senator Nichols that Senate bill No. 69, and House bill No. 20 be made a special order for 11:00 o'clock tomorrow.

The motion was lost.

A roll call was demanded by the following: Senators Graves, McGowan, Brown, Cotterill, Anderson, Gunn and Booth, and Senator Nichols' motion to indefinitely postpone the bill was carried by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Condon, Eidemiller, Jones, Kennedy, Knickerbocker, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—28.

Those voting nay were: Senators Allen, Brown, Cotterill, Davis, Graves, Gunn, Hunter, Kline, McGowan, McGregor—10.

Those absent or not voting were: Senators Hutson, Piper, Pogue and Presby—4.

House bill No. 327: An act to amend section 1 of an act relating to electric railroads, etc., was placed on third reading.

On motion of Senator Cotterill, the word "or" was inserted between the words "road" and "where" in line 9, section 1 of the printed bill.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Veness, Watson, Williams—33.

Those voting nay were: Senator Polson—1.

Those absent or not voting were: Senators Davis, Graves, Nichols, Piper, Pogue, Rands, Smith and Sumner—8.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Eidemiller, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Potts, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Veness, Watson, Williams—31.

Those voting nay were: Senator Polson—1.

Those absent or not voting were: Senators Allen, Cotterill, Davis, Graves, Gunn, Piper, Pogue, Presby, Rands and Stevenson—10.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

The House has passed House bill No. 492, relating to the board of state land commissioners;

Also House bill No. 496, repealing the act prescribing the ways in which water-ways for the uses of navigation may be excavated by private contract;

Also House bill No. 497, fixing the official bond of the commissioner of public lands;

Also House bill No. 498, relating to improvements made on state lands;

Also House bill No. 499, relating to the board of state land commissioners;

Also House bill No. 485, relating to the improvement of the Columbia and Snake rivers;

And the same are herewith transmitted.

LEO. O. MEIGS, *Clerk of the House.*

House bill No. 337: An act amending an act entitled an act to establish a railroad commission, was placed on third reading.

Senator Davis moved to amend section 23 by adding the following proviso:

“Provided, this act shall only apply to stock shipped to and from the Alaska-Yukon-Pacific Exposition to be held at Seattle in the year 1909.”

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Cotterill, Gunn, Hutson, Jones, Knickerbocker, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Polson, Potts, Reed, Rosenhaupt, Scott, Veness, Williams—22.

Those voting nay were: Senators Brown, Condon, Davis, Eidemiller, Kline, McGowan, Nichols, Smith, Stevenson and Watson—10.

Those absent or not voting were: Senators Allen, Graves, Hunter, Kennedy, Piper, Pogue, Presby, Rands, Ruth and Sumner—10.

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

House bill No. 254: An act for the relief of P. Hanson, was placed on third reading.

On motion of Senator Bratt the Senate resolved itself into a committee of the whole to consider House bill No. 254.

The bill was considered in the committee of the whole, Senator Blair in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Blair the report of the committee of the whole was adopted.

On motion of Senator Blair, the rules were suspended, the reading of House bill No. 254 had in the committee of the whole was considered the third reading in the Senate, the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Hutson, Kline, Knickerbocker, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Scott, Watson—25.

Those absent or not voting were: Senators Booth, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, McGregor, Piper, Pogue, Ruth, Smith, Stevenson, Sumner, Veness and Williams—17.

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

House bill No. 338: An act to establish and maintain a state fish hatchery on the outlet of Trout lake in Island county, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, McGowan, Metcalf, Nichols, Paulhamus, Pauly, Polson, Potts, Reed, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—29.

Those absent or not voting were: Senators Boone, Booth, Graves, Kennedy, Kline, Knickerbocker, McGregor, Minkler, Piper, Pogue, Rands, Rosenhaupt and Sumner—13.

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

Senator Veness gave notice that at the proper time he would move to reconsider the vote by which House bill No. 20 was indefinitely postponed.

House bill No. 234: An act to authorize the fish commission to sell the old Stillaguamish salmon hatchery site, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Kline, McGowan, Metcalf, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—29.

Those absent or not voting were: Senators Allen, Both, Graves, Jones, Kennedy, Knickerbocker, McGregor, Minkler, Nichols, Paulhamus, Piper, Pogue, Presby—13.

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

House bill No. 183: An act relating to the protection of clams, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Kline, McGowan, Metcalf, Minkler, Nichols, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Smith, Stevenson—27.

Those voting nay were: Senator Sumner—1.

Those absent or not voting were: Senators Boone, Graves, Jones, Kennedy, Knickerbocker, McGregor, Paulhamus, Piper, Pogue, Ruth, Scott, Veness, Watson and Williams—14.

A roll call was had and the emergency clause failed to pass by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Kline, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Stevenson, Veness, Watson, Williams—25.

Those voting nay were: Senators Boone, Graves, McGowan, Presby, Rosenhaupt, Smith and Sumner—7.

Those absent or not voting were: Senators Booth, Jones, Kennedy, Knickerbocker, McGregor, Metcalf, Piper, Pogue, Ruth and Scott—10.

The emergency clause having failed to pass, the same was stricken from the title.

Charles V. Leach was sworn in as a Senate clerk.

House bill No. 201: An act creating the office of Insurance Commissioner, was placed on third reading.

On motion of Senator Hutson, section 7 of the printed bill was stricken.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kline, McGowan, McGregor, Metcalf, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Veness, Watson, Williams—32.

Those absent or not voting were: Senators Boone, Booth, Kennedy, Knickerbocker, Minkler, Nichols, Piper, Pogue, Presby and Stevenson—10.

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

House bill No. 169: An act relating to the incorporation of trust companies, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Polson, Potts Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Williams—36.

Those voting nay were: Senators Boone, Paulhamus, Presby and Watson—4.

Those absent or not voting were: Senators Piper and Pogue—2.

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

Senator Minkler gave notice that at the proper time he would move to reconsider the vote by which House bill No. 337 passed the Senate.

On motion of Senator Paulhamus, the Secretary was instructed to request the House to return to the Senate House bill No. 289 for amendment to the title.

Unanimous consent was given at this time to reconsider the vote by which House bill No. 328 was indefinitely postponed, and on motion of Senator Presby the vote was reconsidered.

House bill No. 229: An act amending an act granting rights-of-way to railroad companies, was placed on third reading.

On motion of Senator Ruth, the word "way" in line 11 of the printed bill was stricken and the word "line" was inserted in lieu thereof.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Brown, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Pauly, Polson, Potts, Rands, Reed, Ruth, Smith, Sumner, Veness, Williams—29.

Those voting nay were: Senators Boone, Condon, Paulhamus, Presby, Rosenhaupt and Watson—6.

Those absent or not voting were: Senators Bratt, Graves, Metcalf, Piper, Pogue, Scott, and Stevenson—7.

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

House bill No. 300: An act prescribing the terms and condition of the sale of timber, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Davis, Gunn, Hunter, Hutson, Jones, Kenedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—34.

Those voting nay were: Senators Allen and Eidemiller—2.

Those absent or not voting were: Senators Cotterill, Graves, Metcalf, Piper, Pogue and Polson—6.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

The speaker has signed Senate bill No. 233, entitled, "An act relating to the creation, establishment and maintenance of diking districts," etc., etc.;

Also Senate bill No. 181, An act fixing the salaries of the Governor and other state officials and providing for the maner of payment.

And the same are herewith transmitted.

LEO. O. MEIGS, *Clerk of the House.*

On motion of Senator Sumner the report of the Committee was adopted.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 72, entitled "An act to amend section 42 of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897," 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 of the printed bill by adding the following: "and declaring an emergency."

In section 1, line 4 of the printed bill, after the word "item" insert the following: "from which any exemption allowed by law shall be deducted"; also in the same line after the word "and" insert the words "the remainder."

T. B. SUMNER, *Chairman*...

We concur in this report: E. M. Rands, Geo. F. Cotterill, Fred. M. Pauley, J. A. Veness, Alex. Polson, R. L. Kline.

On motion of Senator Sumner the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 273, entitled, "An act relating to the fees for issuing deed or patent of land," 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: E. M. Rands, Geo. F. Cotterill, W. H. Paulhamus, Fred M. Pauly, J. A. Veness, Alex. Polson, R. L. Kline.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No 282, "An act repealing chapter 161 of the Laws of 1905, relating to the inspection of petroleum and its products," 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.

T. B. SUMNER, *Chairman*.

We concur in this report: E. M. Rands, Geo. F. Cotterill, Fred M. Pauley, J. A. Veness, Alex. Polson, R. L. Kline.

On motion of Senator Sumner the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred engrossed House bill No. 345, entitled "An act creating the office of oil inspector," 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.

T. B. SUMNER, *Chairman.*

We concur in this report: E. M. Rands, Geo. F. Cotterill, Fred M. Pauley, J. A. Veness, Alex. Polson, R. L. Kline.

On motion of Senator Sumner the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 10, entitled "An act providing for a state board of tax commissioners; and defining its powers and duties 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 indefinitely postponed.

T. B. SUMNER, *Chairman.*

We concur in this report: E. M. Rands, Geo. F. Cotterill, Fred M. Pauley, J. A. Veness, Alex. Polson, R. L. Kline.

On motion of Senator Sumner the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred engrossed House bill No. 218, entitled "An act repealing section 120 of an act entitled 'An act to provide for the assessment and collection of taxes in the State of Washington,' approved March 15, 1897," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

T. B. SUMNER, *Chairman.*

We concur in this report: E. M. Rands, Geo. F. Cotterill, Fred M. Pauley, J. A. Veness, Alex. Polson, R. L. Kline.

On motion of Senator Sumner the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 133, entitled "An act to amend the Code of Public Instruction," 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.

T. B. SUMNER, *Chairman*.

We concur in this report: E. M. Rands, Geo. F. Cotterill, Fred M. Pauley, J. A. Veness, Alex. Polson, R. L. Kline.

On motion of Senator Sumner the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 49, entitled "An act to amend an act entitled 'An act to amend section 1657 of Ballinger's Annotated Codes and Statutes 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.

T. B. SUMNER, *Chairman*.

We concur in this report: E. M. Rands, Geo. F. Cotterill, Fred M. Pauley, J. A. Veness, Alex. Polson, R. L. Kline.

On motion of Senator Sumner the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 106, entitled "An act relating to revenue and taxation, and amending section 1657 of Ballinger's Annotated Codes and Statutes 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.

T. B. SUMNER, *Chairman*.

We concur in this report: E. M. Rands, Geo. F. Cotterill, Fred M. Pauley, J. A. Veness, Alex. Polson, R. L. Kline.

On motion of Senator Sumner the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 62, entitled "An act to amend an act entitled 'An act fixing the fees to be paid to the secretary of state by corporations doing business in this state,'" have had the same under consider-

ation, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

T. B. SUMNER, *Chairman*.

We concur in this report: E. M. Rands, Geo. F. Cotterill, Fred M. Pauley, J. A. Veness, Alex. Polson, R. L. Kline.

On motion of Senator Sumner the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 208, entitled "An act exempting certain property of associations of students in institutions of learning from taxation," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

T. B. SUMNER, *Chairman*.

We concur in this report: E. M. Rands, Geo. F. Cotterill, Fred M. Pauley, J. A. Veness, Alex. Polson, R. L. Kline.

On motion of Senator Sumner the bill was re-referred to the Committee on Public Revenue and Taxation.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 209, entitled "An act relating to revenue and taxation, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

T. B. SUMNER, *Chairman*.

We concur in this report: E. M. Rands, Geo. F. Cotterill, Fred M. Pauley, J. A. Veness, Alex. Polson, R. L. Kline.

On motion of Senator Sumner the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 149, entitled "An act amending section 8595 of Pierce's Code of Washington, relating to exemptions from taxation," have had the same under consideration, and we respectfully report the

same back to the Senate with the recommendation that it be indefinitely postponed.

T. B. SUMNER, *Chairman.*

We concur in this report: E. M. Rands, Geo. F. Cotterill, Fred M. Pauley, J. A. Veness, Alex. Polson, R. L. Kline.

On motion of Senator Sumner the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 222, entitled "An act relating to the qualifications and compensation of county commissioners," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. W. ANDERSON, *Chairman.*

We concur in this report: H. M. Boone, John L. Blair, P. McGregor, Walter J. Reed, A. Gunn.

On motion of Senator Hutson the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate bill No. 289, entitled "An act to amend section 8 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," 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.

CHAS. T. HUTSON, *Chairman.*

We concur in this report: P. L. Allen, Fred Eidemiller, A. L. Watson, Lincoln Davis, J. A. Veness.

On motion of Senator Hutson, the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 6, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 64, entitled "An act providing that when any business, other than a corporation or limited partnership, is conducted under an assumed name," 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.

WILL G. GRAVES, *Chairman.*

We concur in this report: E. M. Rands, T. A. Hunter, Robt. F. Booth, W. B. Presby, Chas. T. Hutson.

On motion of Senator Graves the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 249, entitled "An act relating to the improvement of the Puyallup and Stuck rivers," 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 words "appropriating one hundred thousand dollars for" and insert in lieu thereof the words "relating to."

In line 3 of the title strike the words "the same" and insert in lieu thereof the words "such money as may be appropriated therefor."

In line 1 of section 1 of the printed bill, strike the words "there is hereby" and insert in lieu thereof the words "whenever any money is"

In line 2 of section 1 of the printed bill strike the words "the sum of one hundred thousand dollars."

At the end of section 1 in line 5, after the word "county" insert a comma and the words "it shall be expended as herein provided."

In line 3 of section 3 of the printed bill, change the word "this" to "such" and add the letter "s" to the word "appropriation."

In line 1 of section 5 of the printed bill, strike the words "is hereby declared to" and add the letter "s" to the word "exist"; and in line 2 strike the words "upon its passage and approval."

J. A. VENESS, *Chairman.*

We concur in this report: R. W. Condon, Fred M. Pauly, J. R. Stevenson, Robt. F. Booth, Alex. Polson, W. H. Paulhamus, Harry Rosenhaupt.

On motion of Senator Veness the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred amended House bill No. 13, entitled "An act to provide for the formation of banking corporations, and to regulate the business of banking and securing state supervision thereof; for the appointment of a state examiner, defining his duties, fixing his compensation and making an appropriation therefor; and prohibiting the use of the words 'bank,' 'trust,' and 'savings,' " 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, with the following amendments, and that the same be printed:

Strike the title and substitute the following: "An act relating to the business of banks and banking, creating the office of bank examiner, and providing penalties for its violation."

In line 5, section 1 of the engrossed bill, beginning with the word "No," strike all of lines 5, 6, 7 and down to and including "Washington," in line 8, and insert in lieu thereof the words: "The appointee must have been a citizen and resident of the state for at least two years, and have had at least two years practical experience in the business of banking."

In line 8, section 6 of the engrossed bill, after the word "every," insert the words "individual, co-partnership, association, or."

In line 1, section 7 of the engrossed bill, between the words "any" and "corporation" insert words "individual, co-partnership, association, or,"

In line 6, section 7 of the engrossed bill, after the word "such" insert the words "individual, co-partnership, association, or."

In line 7, section 8 of the engrossed bill, after the word "any" insert the words "individual, co-partnership, association, or."

In line 10, section 8 of the engrossed bill, between the words "such" and "corporations," insert the words, individual, co-partnership, association, or."

In line 1, section 9 of the engrossed bill, strike the words "the persons incorporating" and insert in lieu thereof the words "persons desiring to incorporate for the purpose of doing a banking business."

In line 3, section 30, strike the words "the laws of the United States, or."

In line 4, section 30 of the engrossed bill, between the words "Washington" and "and," insert the words "national banks."

In line 14, section 30 of the engrossed bill, beginning with the words "This act," strike all the rest of the section.

In line 7, section 40 of the engrossed bill, strike the sentence beginning with the word "but" and ending with the word "dollars," in line 8.

In line 5, section 48 of the engrossed bill, strike all of the section, beginning with the word "Provided."

H. M. BOONE, *Chairman.*

We concur in this report: R. W. Condon, W. H. Paulhamus, C. G. Brown, J. A. Veness.

On motion of Senator Boone engrossed House bill No. 13 and the amendments submitted by the committee were ordered printed.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred amended House bill No. 232, an act relating to the taking of food fishes, providing penalties for a violation thereof, and 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 following amendments:

Insert a new section to the printed bill to be known as section 6, as follows:

Sec. 6. That section 1 of chapter 170 of the Session Laws of 1905 be amended to read as follows: Section 1. That section 6 (same being section 5278 of Pierce's Washington Code) of "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, be amended to read as follows:

Sec. 6 (5278). All licenses provided in sections 2 and 3 of this act shall be issued as follows: Upon application therefor by any person, a license shall be issued by the Fish Commissioner for fixed and other appliances for catching salmon or other food fishes as herein provided, which shall entitle the holder to operate said appliances in the waters of this state, wherein such appliances are not prohibited by law. The following fees for such licenses shall be collected by the Fish Commissioner and turned over to the State Treasurer on or before the tenth of each month, and by him turned into the fish hatchery fund, to-wit:

For each drag seine not exceeding 250 feet in length.....	\$ 2.50
For each drag seine more than 250 feet in length and not more than 400 feet in length.....	7.50
For each drag seine more than 400 feet in length and not exceeding 500 feet.....	15.00
For each additional foot in length, the further sum of.....	.03
For each first class pound net, trap, or weir, on the Columbia river	25.00
For each second class pound net, trap, or weir, on the Columbia river	10.00
For each first class purse seine.....	50.00
For each second class purse seine.....	25.00
For each gill net or drift net.....	5.00
For each set net.....	2.50
For each pound net, trap or weir, on Willapa harbor and Grays harbor	10.00
For each pound net, trap or weir (except on the Columbia river, Willapa harbor or Grays harbor)	50.00
For each scow fish wheel.....	15.00

Stationery (stationary) fish wheels shall pay twenty-five dollars for first class wheels, and ten dollars for second class wheels, all classification of wheels, pound nets and purse seines to be determined by the Fish Commissioner: *Provided*, Where any trap or pound net is so constructed as to take fish at each end of its main lead, it shall obtain and pay for a license especially permitting the taking of fish at both ends, for which it shall pay a license fee double the amount of a pound net or a trap taking fish at one end only. In addition to the foregoing license charges there shall also be paid by the owner of each trap, pound net or fish wheel operated in the waters of the state, the sum of one dollar for each one thousand fish taken by such trap, pound net or fish wheel to furnish to the Fish Commissioner on or before the tenth day of each month. It shall be the duty of every person owning or operating any trap, pound net or fish wheel to furnish to the Fish Commissioner on or before the tenth day of each month a sworn statement giving the number and location of such trap or pound net and a detailed statement of the actual number of fish caught at such trap or pound net, and in addition to answer such questions as the Fish Commissioner shall propound with reference thereto, which statement shall be filed with and retained by the Fish Commissioner. Any person, firm or corporation using scows and boats or other craft in the buying of fish on the Columbia river, are hereby required to obtain from the Fish Commissioner of the State of Washington, before engaging in said trade or occupation, a license for such scow, boat or other craft: *Provided*, *That this shall not apply to scows, boats and other craft regularly used in buying fish for, and transporting fish to canneries and packing plants which pay an annual license fee to the State of Washington of at least one hundred dollars each.* Each person, firm or corporation obtaining such license shall pay to the Fish Commissioner of the State of Washington at the time of said license is issued, the sum of fifty dollars (\$50.00). All licenses issued under the provisions of this act shall expire on the thirty-first day of March following the issuance of such license, and shall be renewed upon application and upon payment of the license fees as provided by this act: *Provided*, That licenses now issued shall be valid until their expiration, and shall likewise be renewed to expire on March thirty-first following the issuance of such license.

That section 6 of the printed bill shall be section 7, and section 8 shall be section 9.

A. L. WATSON, *Chairman.*

We concur in this report: H. S. McGowan, W. B. Presby, S. T. Smith, T. A. Hunter, John L. Blair.

On motion of Senator Watson the report of the Committee was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

MR. PRESIDENT:

OLYMPIA, WASH., March 7, 1907.

The House herewith returns to the Senate for amendment, House bill No. 289.

The speaker has appointed Messrs. Reid, Kirkpatrick and Strobridge as a conference committee on Senate bill No. 32, substituted in the Senate for House bill No. 323.

LEO. O. MEIGS, *Clerk of the House.*

INTRODUCTION OF BILLS.

House bill No. 499, by Joint Committee appointed to investigate the Land Office: An act relating to the Board of State Land Commissioners, etc.

The bill was read the first time, and on motion of Senator Veness, the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 485, by the Joint Appropriations Committee: An act relating to the improvement of the Columbia and Snake rivers and making an appropriation.

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

House bill No. 498, by Joint Committee appointed to investigate the office of State Land Commissioner: An act relating to the State Land Commissioner.

The bill was read the first time, and on motion of Senator Veness, the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 497, by Joint Committee appointed to investigate the office of State Land Commissioner: An act relating to the State Land Commissioner.

The bill was read the first time, and on motion of Senator Veness, the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 496, by Joint Committee appointed to investigate the office of State Land Commissioner: An act relating to the State Land Commissioners.

The bill was read the first time, and on motion of Senator Veness, the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 492, by Joint Committee appointed to investigate the office of State Land Commissioner: An act relating to the Board of State Land Commissioners.

The bill was read the first time, and on motion of Senator Veness, the rules were suspended, the bill was read the second time by title and placed on general file.

Senator Ruth moved to reconsider the vote by which Senate bill No. 154 passed the Senate.

A roll call was had and the motion lost by the following vote:

Those voting aye were: Senators Allen, Blair, Brown, Graves, McGowan, Minkler, Rands, Reed, Ruth, Smith, Sumner, Veness—12.

Those voting nay were: Senators Anderson, Boone, Bratt, Condon, Cotterill, Davis, Eidemiller, Hunter, Hutson, Jones, Kline, Knickerbocker, McGregor, Metcalf, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rosenhaupt, Scott, Stevenson, Watson and Williams—25.

Those absent or not voting were: Senators Booth, Gunn, Kennedy, Piper and Pogue—5.

Senator Scott moved that the rules be suspended and Senate bill No. 154 ordered transmitted to the House immediately.

The motion was carried.

A roll call was demanded by the following: Senators Ruth, Hutson, McGregor, Graves, Scott, Sumner and Booth, and the motion carried by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Cotterill, Davis, Eidemiller, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Williams—31.

Those voting nay were: Senator Veness—1.

Those absent or not voting were: Senators Booth, Condon, Graves, Gunn, Hunter, Jones, Metcalf, Piper, Pogue and Watson—10.

On motion of Senator Rands all bills passed by the Senate on which there is no motion of reconsideration, were ordered transmitted to the House immediately.

On motion of Senator Sumner, at 5:05 o'clock p. m., the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHAS. E. COON,
President of the Senate.

FIFTY-FOURTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASH., Friday, March 8, 1907.

The Senate was called to order at 10 o'clock a. m., by President Coon, pursuant to adjournment.

Chaplain La Violette offered prayer.

The secretary called the roll, all members being present except Senators Piper and Pogue, both excused.

On motion of Senator Watson the reading of yesterday's Journal was dispensed with, and it was approved.

RECONSIDERATIONS.

On motion of Senator Paulhamus, the vote by which House bill No. 289 passed the Senate was reconsidered, and the bill again placed before the Senate.

On motion of Senator Paulhamus, the title of the printed bill was stricken and the following substituted therefor:

AN ACT

Relating to railroads and express companies and providing for the regulation thereof, and amending sections 2, 3, 4, 6, 12, 13, 15, 20 and 22 of an act entitled "An act to establish a Railroad Commission for the State of Washington, whereby discrimination and extortion in Railroad and express charges may be prevented and reasonable and just freight and passenger service and tariff may be corrected and established; to authorize the commission to make all necessary rules and regulations for its government and the carrying into effect the provisions of this act; to give to said commission the power

to regulate the sale of railroad tickets, and to correct and provide charges for hauling loaded or empty cars, proper trackage, proper train service, sufficient freight and passenger rooms, and just and reasonable joint rates and demurrals charges; to prescribe penalties for the violation of this act, and to provide means and rules for its proper enforcement, and making an appropriation therefor," approved March 7, 1905, being Chapter 81 of the Laws of the Legislature of the State of Washington, passed in the year 1905, and to authorize the commission to provide for proper railroad connections and sidings; to provide proper and reasonable charges or penalties to be paid by shippers for failure to promptly load and unload cars; to provide proper and reasonable charges or penalties to be paid by railroads to shippers for failure to promptly furnish cars and equipment after demand therefor, or to promptly and expeditiously deliver cars and freight to the consignee, and to make all necessary rules and regulations to carry such provisions into effect; to authorize and empower said commission to ascertain the value of all railroad property used in this state for the public convenience; to authorize the commission to make findings thereon and establishing rules of evidence governing the same; to authorize said commission to designate certain books and accounts to be kept by the railroad and express companies doing business in this state; providing for safety appliances and track inspection; authorizing said commission to investigate accidents; and to provide penalties for the violation of this act, and declaring an emergency.

A roll call was had and the bill passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Rosenhaupt, Ruth, Smith, Stevenson, Veness, Watson, Williams—35.

Those voting nay were: Senator Davis—1.

Those absent or not voting were: Senators Hutson, Piper, Pogue, Reed, Scott and Sumner—6.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus,

Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Sumner, Veness, Watson, Williams—36.

Those absent or not voting were: Senators Eidemiller, Piper, Pogue, Presby, Scott and Stevenson—6.

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

On motion of Senator Paulhamus, the rules were suspended and the bill ordered transmitted to the House immediately.

On motion of Senator Minkler the vote by which House bill No. 337 passed the Senate was reconsidered, and the bill ordered placed on general file.

Senator Boone moved to reconsider the vote by which Senate bill No. 124 was indefinitely postponed.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

OYMPIA, WASH., March 8, 1907.

MR. PRESIDENT:

The House has passed Senate bill No. 194, entitled "An act relating to the organization and powers of corporations other than those formed for the purpose of profit," with the following amendment:

Amend by adding another section to be numbered 13 and to read as follows: "Sec. 13. All corporations formed under the provisions of this act shall pay to the secretary of state, for the use of the state, the same fee for filing its articles of incorporation and the same annual license fee, as is prescribed by law for other corporations having a capital stock."

Also Senate bill No. 92, "An act providing for the manner of sale and distribution of all grain sacks manufactured at the State Penitentiary, with the following amendments:

In Sec. 2, line 2 of the printed bill, the same being line 4 of the original bill, substitute a period for the comma, after the word "year," and strike out the rest of the section.

In line 8, Sec. 5 of the printed bill, strike out the word "June" and insert the word "July."

In line 10, Sec. 5 of the printed bill, strike out all of said section after the word "state."

The House has concurred in Senate amendments to House bill No. 286, granting the right in certain cases to overflow state lands;

Also House bill No. 467, relating to the establishment of state roads;

Also House bill No. 65, relating to the control of delinquent children;

Also House bill No. 297, amending an act creating the office of sheep inspector;

Also House bill No. 102, fixing the fees to be paid the secretary of state;

Also House bill No. 309, regulating the sale of cigarettes;

Also House bill No. 285, providing for reciprocal demurrage.

The House has failed to pass Senate bill No. 223.

The House has passed Senate bill No. 297, with the following amendments:

Strike "each year" in line 5, section 30, and insert "every second year."

Amend section 30, line 14, after the word "assignable" insert the following: "except upon written approval of the Commisisoner of Horticulture."

Sec. 31: Strike "one" in line 7 and substitute the word "two"; word "year" read "years."

And the same is herewith transmitted.

LEO. O. MEIGS, *Clerk of the House.*

SPECIAL ORDER.

The hour of 10:30 having arrived, Senate bill No. 219: An act to establish a Western Washington Interstate Fair, etc., which was a special order for that hour, was taken up for consideration, read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Graves, Gunn, Hunter, Hutson, Jones, Kline, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Reed, Ruth, Stevenson, Sumner, Veness, Watson, Williams—30.

Those voting nay were: Senators Eidemiller, McGregor, Presby, Rands, Rosenhaupt and Smith—6.

Those absent or not voting were: Senators Davis, Kennedy, Knickerbocker, Piper, Pogue, and Scott—6.

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

On motion of Senator Veness, the rules were suspended and the bill ordered transmitted to the House immediately.

MESSAGE TO THE SENATE.

MR. PRESIDENT: HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 8, 1907.

The House has passed House bill No. 29, providing for a closed season for trout fishing in Chelan county;

Also House bill No. 270, to provide against the adulteration of food, drinks and drugs;

Also Senate bill No. 186, relating to the qualifications of notaries public.

The speaker has signed House bill No. 133, authorizing cities and towns to sell street railway lines in certain cases.

And the same are herewith transmitted.

LEO. O. MEIGS, *Clerk of the House.*

RECONSIDERATIONS.

Senate bill No. 124 was again taken up, and Senator Boone's motion to reconsider the vote was lost by the following vote:

Those voting aye were: Senators Boone, Booth, Condon, Cotterill, Gunn, Polson, Rosenhaupt, Ruth, Watson—9.

Those voting nay were: Senators Allen, Anderson, Blair, Bratt, Brown, Davis, Eidemiller, Graves, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Potts, Presby, Rands, Reed, Smith, Stevenson, Sumner, Veness, Williams—28.

Those absent or not voting were: Senators Jones, McGowan, Piper, Pogue and Scott—5.

On motion of Senator Cotterill, the Senate concurred in House amendments to Senate bill No. 180, by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Booth, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Williams—32.

Those voting nay were: Senator McGowan—1.

Those absent or not voting were: Senators Anderson, Condon, Knickerbocker, Piper, Pogue, Presby, Stevenson, Veness, and Watson—9.

On motion of Senator Gunn, the Senate concurred in House amendments to Senate bill No. 297, by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Kline, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Ruth, Smith, Stevenson, Watson, Williams—29.

Those absent or not voting were: Senators Allen, Condon, Jones, Kennedy, Knickerbocker, McGowan, Metcalf, Piper, Pogue, Rosenhaupt, Scott, Sumner, and Veness—13.

On motion of Senator Condon, the Senate concurred in House amendments to Senate bill No. 194 by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Ruth, Smith, Veness, Watson, Williams—29.

Those absent or not voting were: Senators Allen, Brown, Hutson, Jones, Kennedy, Knickerbocker, Piper, Pogue, Presby, Rosenhaupt, Scott, Stevenson, and Sumner—13.

The president signed House bill No. 133.

On motion of Senator Reed, the Senate concurred in House amendments to Senate bill No. 139, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Cotterill, Davis, Eidemiller, Gunn, Hutson, Kline, McGowan, McGregor, Metcalf, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Watson—26.

Those absent or not voting were: Senators Condon, Graves, Hunter, Jones, Kennedy, Knickerbocker, Minkler, Piper, Pogue, Presby, Scott, Smith, Stevenson, Sumner, Veness, and Williams—16.

On motion of Senator Jones, the Senate concurred in House amendments to Senate bill No. 198, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Condon, Cotterill, Davis, Eidemiller, Gunn, Jones, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Watson—26.

Those absent or not voting were: Senators Booth, Bratt, Brown, Graves, Hunter, Hutson, Kennedy, Knickerbocker, Piper, Pogue, Presby, Scott, Stevenson, Sumner, Veness, and Williams—16.

On motion of Senator Nichols, the Senate concurred in

House amendments to Senate bill No. 221, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Cotterill, Davis, Eidemiller, Gunn, Hutson, Jones, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Watson, Williams—30.

Those absent or not voting were: Senators Booth, Condon, Graves, Hunter, Kennedy, Knickerbocker, Piper, Pogue, Presby, Scott, Sumner, and Veness—12.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASH., February 7, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 309, entitled "An act for the relief of the Standard Furniture Company," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman.*

We concur in this report: Fred M. Pauly, W. H. Paulhamus, B. D. Minkler, R. W. Condon, Robt. F. Booth, Alex. Polson, Harry Rosenhaupt, H. M. Boone, J. R. Stevenson, George U. Piper.

SENATE CHAMBER,
OLYMPIA, WASH., February 25, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 143, "An act to establish and maintain a state fish hatchery in the State of Washington west of the Cascade range for the purpose of propogating, maintaining and distributing trout and other game fish, 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.

J. A. VENESS, *Chairman.*

We concur in this report: Fred M. Pauly, B. D. Minkler, R. W. Condon, Robt. F. Booth, Alex. Polson, Harry Rosenhaupt, H. M. Boone, J. R. Stevenson, George U. Piper.

SENATE CHAMBER,
OLYMPIA, WASH., February 7, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 285, entitled "An act authorizing the purchase of the picture of Abraham Lincoln," 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.

J. A. VENESS, *Chairman*.

We concur in this report: Fred M. Pauly, W. H. Paulhamus, B. D. Minkler, R. W. Condon, Robt. F. Booth, Alex. Polson, Harry Rosenhaupt, J. R. Stevenson, George U. Piper.

On motion of Senator Veness, the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 7, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 239, entitled "An act authorizing the Board of Regents of the State University to cause to be filled under contract, certain shore lands in Lake 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.

J. A. VENESS, *Chairman*.

We concur in this report: Fred M. Pauly, B. D. Minkler, R. W. Condon, Robt. F. Booth, Alex. Polson, Harry Rosenhaupt, H. M. Boone, J. R. Stevenson, George U. Piper.

On motion of Senator Veness, the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 84, entitled "An act providing for the completion of a state wagon road in Yakima and Lewis counties, 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 line 3 of section 1 of the printed bill, strike the words "seventy-five" and in lieu thereof insert the word "fifteen."

In line 2 of section 2 of the printed bill strike the words "seventy-five" and in lieu thereof insert the word "fifteen."

J. A. VENESS, *Chairman*.

We concur in this report: Fred M. Pauly, W. H. Paulhamus, B. D. Minkler, R. W. Condon, Robt. F. Booth, Alex. Polson, H. M. Boone, J. R. Stevenson, George U. Piper.

On motion of Senator Veness, the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 11, entitled "An act appropriating two thousand five

hundred dollars for expenses of litigation involving the boundary line between the states of Washington and Oregon, and affecting the title of islands and lands in the Columbia river," 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 1 of the title of the printed bill, strike the words "ten thousand" and insert in lieu thereof the words "two thousand five hundred."

In line 1 of section 1 of the printed bill, strike the words "ten thousand" and insert in lieu thereof the words "two thousand five hundred."

J. A. VENESS, *Chairman*.

We concur in this report: Fred M. Pauly, W. H. Paulhamus, B. D. Minkler, R. W. Condon, Robt. F. Booth, Alex. Polson, Harry Rosenhaupt, H. M. Boone, J. R. Stevenson, George U. Piper.

On motion of Senator Veness, the report of the committee was adopted.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASH., February 7, 1907.

We, your Committee on Appropriations, to whom was referred House bill No. 404, entitled "An act to provide for the sale of certain state tide lands situate in Jefferson county," 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.

J. A. VENESS, *Chairman*.

We concur in this report: Fred M. Pauly, B. D. Minkler, R. W. Condon, Robt. F. Booth, Alex. Polson, Harry Rosenhaupt, H. M. Boone, J. R. Stevenson, George U. Piper.

On motion of Senator Veness, the report of the committee was adopted.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASH., February 28, 1907.

We, your Committee on Appropriations, to whom was referred House bill No. 288, entitled "An act appropriating the sum of \$5,500 to purchase a gift to be presented to the armored cruiser "Washington" and to pay the incidental expenses in connection with the purchase and presentation 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.

J. A. VENESS, *Chairman*.

We concur in this report: Fred M. Pauly, W. H. Paulhamus, B. D. Minkler, R. W. Condon, Robt. F. Booth, Alex. Polson, Harry Rosenhaupt, H. M. Boone, J. R. Stevenson, George U. Piper.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASH., February 7, 1907.

We, your Committee on Appropriations, to whom was referred House bill No. 176, "An act creating the Washington Reformatory,"

have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman.*

We concur in this report: W. H. Paulhamus, B. D. Minkler, R. W. Condon, Robt. F. Booth, Alex. Polson, J. R. Stevenson, George, U. Piper.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred House bill No. 335, "An act to promote the safety of employes and travelers upon railroads by requiring and compelling all railroads operating in this state to provide all cars with automatic couplers, air brakes," 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.

W. H. PAULHAMUS, *Chairman.*

We concur in this report: Ralph D. Nichols, A. W. Anderson, Ralph Metcalf, Walter J. Reed, J. R. Stevenson, George U. Piper.

On motion of Senator Paulhamus, the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1907.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred engrossed House bill No. 373, entitled "An act providing for the protection of owner or lessees of second class tide lands or oyster lands on which they are propagating and cultivating clams or oysters," and etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended and placed on general file.

That the emergency clause be stricken from the title, and section 4 be also stricken, which contains the "emergency clause."

A. L. WATSON, *Chairman.*

We concur in this report: S. T. Smith, John L. Blair, B. D. Minkler, Fred Eidemiller.

On motion of Senator Watson, the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 69, entitled "An act creating two judicial districts out of the counties of Ferry, Okanogan, Douglas and Chelan, and providing judges 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 be made a special order for 2:30 p. m. March 8, and do pass with the following amendments:

Strike the title of the printed bill and substitute the following: "An act relating to the superior courts of the counties of Stevens, Ferry, Okanogan, Douglas and Chelan, the election of judges therein, and declaring an emergency."

Strike section 1 of the printed bill and substitute the following: "Section 1. At the general election to be held in nineteen hundred and eight there shall be elected in the county of Stevens one superior judge; in the counties of Ferry and Okanogan jointly, one superior judge; in the county of Douglas one superior judge; and in the county of Chelan one superior judge."

Strike section 2 of the printed bill and substitute the following: "Sec. 2. Upon the taking effect of this act the superior judge elected at the November election, 1906, for the county of Stevens, shall, during the remainder of his term of office, be the superior judge for the counties of Stevens and Ferry jointly; and the superior judge elected at the November election, 1904, for the counties of Ferry, Okanogan, Douglas and Chelan shall, during the remainder of his term of office, remain the superior judge for the counties of Okanogan, Douglas and Chelan jointly."

Strike section 3 of the printed bill.

Make section 4 of the printed bill section 3.

WILL G. GRAVES, *Chairman.*

We concur in this report: Chas. T. Hutson, T. A. Hunter, E. M. Rands, Robt F. Booth, Harry Rosenhaupt, Ralph Metcalf, W. B. Presby.

On motion of Senator Anderson, the report of the committee was adopted.

SENATE CHAMBER,

OYMPIA, WASH., March 8, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 81, entitled "An act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary condition or property of any corporation," 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:

In line 1, section 1 of the printed bill, after the word "who" insert the words "for the purpose of inducing any person or persons to buy or sell any property hereinafter mentioned, or any stock, right or interest therein or securities thereupon." In lines 1 and 2 of said section strike the word "permits" and substitute the word "authorizes" therefor. In line 5 of said section, after the word "is" insert the word "knowingly," and after the word "false" insert the words "or which he does not have reason to believe true." In line 6 of said section,

before the word "wilfully" insert the words "which is," and after the word "have" strike the word "a" and substitute therefor the words "an intended."

WILL G. GRAVES, *Chairman*.

We concur in this report: Chas. T. Hutson, E. M. Rands, T. A. Hunter, Robt F. Booth, Harry Rosenhaupt, Ralph C. Metcalf, W. B. Presby.

On motion of Senator Graves, the report of the committee was adopted.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASH., March 8, 1907.

We, your Committee on Judiciary, to whom was referred House bill No. 418, entitled "An act creating a State University permanent fund," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILL G. GRAVES, *Chairman*.

We concur in this report: Chas. T. Hutson, E. M. Rands, T. A. Hunter, Robt F. Booth, Harry Rosenhaupt, Ralph Metcalf, W. B. Presby.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASH., March 8, 1907.

We, your Committee on Judiciary, to whom was referred Senate bill No. 12, entitled "An act defining perjury and providing 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: Chas. T. Hutson, E. M. Rands, T. A. Hunter, Robt F. Booth, Harry Rosenhaupt, Ralph Metcalf, W. B. Presby.

On motion of Senator Graves, the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 13, entitled "An act to punish public officials, their assistants, deputies, clerks, and employes of such officers, and all persons who attempt to improperly influence such officers," 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: Chas. T. Hutson, E. M. Rands, T. A. Hunter, Robt F. Booth, Harry Rosenhaupt, Ralph Metcalf, W. B. Presby.

On motion of Senator Graves, the report of the committee was adopted.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASH., March 8, 1907.

We, your Committee on Judiciary, to whom was referred Senate bill No. 319, entitled "An act relating to the crime of indecent and obscene exposure and providing a punishment 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: Chas. T. Hutson, E. M. Rands, T. A. Hunter, Robt F. Booth, Harry Rosenhaupt, Ralph Metcalf, W. B. Presby.

On motion of Senator Graves, the report of the committee was adopted.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASH., March 8, 1907.

We, your Committee on Judiciary, to whom was referred Senate bill No. 317, entitled "An act to amend section 513 of Ballinger's Annotated Codes and Statutes of Washington, relating to the duties of sheriffs," 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.

WILL G. GRAVES, *Chairman*.

We concur in this report: Chas. T. Hutson, E. M. Rands, T. A. Hunter, Robt F. Booth, Harry Rosenhaupt, Ralph Metcalf, W. B. Presby.

On motion of Senator Graves, the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands, to whom was referred engrossed House bill No. 366, entitled "An act amending section 8174 of Pierce's Washington Code, relating to the time, method and place of sales of State, School and Granted Lands, materials, 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.

ALEX POLSON, *Chairman*.

We concur in this report: H. S. McGowan, P. L. Allen, R. L. Kline, Will G. Graves, P. McGregor, S. T. Smith, J. A. Veness.

On motion of Senator Polson, the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1907.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred House bill No. 263, entitled "An act to authorize railway com-

panies to construct, maintain and operate public spur tracks and to acquire right-of-way 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.

W. H. PAULHAMUS, *Chairman*.

We concur in this report: Ralph Metcalf, T. A. Hunter, Walter J. Reed, P. McGregor, Ralph D. Nichols, Chas. T. Hutson.

On motion of Senator Paulhamus, the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1907.

MR. PRESIDENT:

We, your Committee on State Library, to whom was referred House bill No. 461, entitled "An act making an appropriation for postage, express and incidental expenses of the State Library," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to Appropriations Committee.

I. B. KNICKERBOCKER, *Chairman*.

We concur in this report: G. W. Kennedy, Will G. Graves.

On motion of Senator Knickerbocker, the report of the committee was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 7, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate bill No. 32, entitled "An act regulating and providing for the nomination of candidates for public office by direct primary elections," etc.,

Also Senate bill No. 276, entitled "An act to provide for the organization of bonding and surety companies and to regulate their management";

Also Senate bill No. 278, "An act to prevent the exposure of poisonous or dangerous substances and providing a penalty for the violation thereof";

Also Senate bill No. 275, "An act providing for burning timber and brush out on the right-of-way of wagon roads and steam, electric or other railroads," etc.;

Also Senate bill No. 270, "An act requiring that the formula of all patent medicines be included in advertisements thereof," etc.;

Also Senate bill No. 235, "An act relating to the power of counties of the first class to construct or aid in the construction of canals and declaring an emergency";

Also Senate bill No. 255, "An act to require railroad companies doing business in the state to have a general executive officer in some city in the state and requiring duties to be performed by him," etc.;

Also Senate bill No. 259, "An act fixing the salaries of county officers in counties of the first class";

Also Senate bill No. 243, "An act to provide a limitation for the bringing of actions to set aside or cancel tax deeds, or for the recovery of lands sold for delinquent taxes";

Also Senate bill No. 218, "An act relating to a Bureau of Statistics, Labor, Agriculture and Immigration, and making an appropriation";

Also Senate bill No. 294, "An act providing for the protection and health of employes in factories, mills and workshops, where machinery is used," etc.; have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

FRED M. PAULY, *Chairman.*

We concur in this report: Ralph Metcalf, A. S. Ruth, A. Gunn.

Major A. N. Brown, Secretary to the Governor, delivered the following:

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 8, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—Supplementing the list of appointments reported to you I have to inform you that I have this day made the following appointments:

Members of Alaska-Yukon-Pacific Exposition Commission of the State of Washington—Hon. Geo. E. Dickson, of Ellensburg; Hon. M. M. Godman, of Dayton, and Mr. Henry A. McLean, of Mt. Vernon.

Regent, State College of Washington—Hon. Lee A. Johnson, of Sunnyside.

ALBERT E. MEAD, *Governor.*

Unanimous consent was given at this time to introduce Senate memorial No. 6, by Senator Gunn, out of order, memorializing the President of the United States, the Secretary of the Interior and the Congress of the United States in regard to the survey of certain lands in Okanogan county.

On motion of Senator Gunn, the memorial was ordered placed on general file.

Resolution by Senator Metcalf was read as follows:

Resolved, That the records of the Senate be changed to show that House bill No. 323 passed the Senate with amendments on March 6,

1907, under the name and number of Senate bill No. 32, and was forthwith transmitted to the House of Representatives, and that the House of Representatives returned said bill with the report that it refused to concur in the amendments made by the Senate; that the Senate refused to recede, and the appointment of a conference committee upon said bill was then ordered.

Senator Metcalf moved the adoption of the resolution.

Before calling for a vote upon the above resolution, the president made the following statement:

The resolution has just been spoken of by a senator on the floor as correcting the records of the Senate. Doubtless the senator used this word inadvertently and intended to say "changing the records." (The senator indicated promptly assented to this statement made by the Chair.) The facts are that amended Senate bill No. 32 was considered and passed by the Senate and transmitted to the House as a Senate bill. From information received, it appears not to have been accorded the courtesy of a reading in that body, but was met by a motion, which was adopted, that the House do not concur in the Senate's amendments to House bill No. 323, a bill which had never been read in nor received the consideration of the Senate.

Under these circumstances the president could not legally appoint a conference committee to consider the differences between the two houses on House bill No. 323, as no such bill had been acted upon by the Senate. He at once called a meeting of the Committee on Rules to devise some way of meeting the conditions presented. That committee decided that they would introduce this resolution asking the Senate to change its record so as to show that House bill No. 323 had been passed by the Senate with amendments, although under the name, style and title of amended Senate bill No. 32. In order to save valuable time, however, and in the interests of the direct primary principle, the president intimated to three senators last evening that he would, when he could legally do so, appoint them as conferees on the part of the Senate, and it is understood that these senators met with the conferees from the House and made progress during the evening. The president desires to state, most emphatically, that the records of the Senate are absolutely correct and that there would have been no necessity for the resolution now before this body had the House considered the bill passed by the Senate and taken action thereon.

A roll call was demanded by the following: Senators Metcalf, Nichols, Rands, Ruth, Jones, Graves and Booth, and the resolution adopted by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Knickerbocker, Mc-

Gowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Scott, Stevenson, Watson—31.

Those voting nay were: Senators Davis, Kennedy, Kline, Rands, Ruth, Smith, Sumner, Veness, and Williams—9.

Those absent or not voting were: Senators Piper and Pogue—2.

When Senator Ruth's name was called, he arose and explained his vote as follows:

The resolution just adopted reflects unjustly on the record as made by the secretary of the Senate. The Journal speaks the truth when it states that on March 6th the Senate passed amended Senate bill No. 32. This Senate has never voted on or even considered on the floor House bill No. 323. If the resolution just adopted by the Senate is allowed to stand it will amount practically to the statement that the minutes of the Senate have been incorrectly kept. I desire to have this statement go in the record along with the resolution to show that the Senate is not correcting an error in the minutes as kept in the Journal, but that the majority of the Senate is forcing through a resolution by which the records will show that House bill No. 323 passed the Senate on a certain day, when in fact it has never even been considered by this body.

When Senator Williams' name was called he arose and stated that he desired to explain his vote, in the same words as did Senator Ruth, and requested that the same be recorded in the Journal.

The president announced that he would appoint as conferees on Senate amended bill No. 32 (or House bill No. 323), Senator Presby of Klickitat and Skamania, Senator Metcalf of Pierce, and Senator Knickerbocker of King county.

On motion of Senator Condon, the Senate took a recess until 2 o'clock p. m.

AFTERNOON SESSION.

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

The secretary called the roll, all members being present except Senators Piper and Pogue, excused.

Senator Presby reported for the conference committee on Senate bill No. 32 and House bill No. 323, that the committee was unable to agree and moved that a free conference committee be appointed.

The motion was adopted.

The president appointed to serve on the free conference committee, Senators Presby of Klickitat and Skamania, Metcalf of Pierce, and Knickerbocker of King counties.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 8, 1907.

MR. PRESIDENT:

The House has passed House bill No. 495, entitled "An act amending existing laws relating to state's granted, school, tide, oyster and other lands," and the same is herewith transmitted.

LEO. O. MEIGS, *Clerk of the House.*

GENERAL FILE.

House bill No. 64: An act providing that when any business is conducted under an assumed name a certificate shall be filed, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hutson, Jones, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Reed, Ruth, Scott—26.

Those voting nay were: Senators Bratt, Graves, Kline, Presby, Rosenhaupt, Smith, Stevenson, Sumner, Watson—9.

Those absent or not voting were: Senators Hunter, Kennedy, Piper, Poguc, Rands, Veness, and Williams—7.

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

Senate bill No. 241: An act to amend section 5 of the Code of Public Instruction, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hutson, Jones, Kennedy, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Potts,

Presby, Reed, Ruth, Stevenson, Veness, Watson, Williams—30.

Those absent or not voting were: Senators Bratt, Graves, Hunter, Kline, Piper, Pogue, Polson, Rands, Rosenhaupt, Scott, Smith, and Sumner—12.

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

On motion of Senator Nichols, the rules were suspended and the bill ordered transmitted to the House immediately.

Senate bill No. 222: An act amending an act relative to the qualifications and compensation of county commissioners, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hutson, Jones, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Polson, Potts, Reed, Scott, Stevenson, Veness, Watson, Williams—29.

Those absent or not voting were: Senators Graves, Hunter, Kennedy, Kline, Nichols, Piper, Pogue, Presby, Rands, Rosenhaupt, Ruth, Smith and Sumner—13.

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

Senate bill No. 72: An act amending an act relative to the assessment and collection of taxes, was placed on third reading.

On motion of Senator Gunn, the words "money, whether in possession or on deposit shall be entered in the statement at the full amount thereof" were stricken from lines 22 and 23, section 1 of the printed bill.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Knickerbocker, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Potts, Reed, Ruth, Smith, Stevenson, Sumner, Watson, Williams—29.

Those voting nay were: Senators Boone, Cotterill, McGowan, McGregor, Polson, Presby and Veness—7.

Those absent or not voting were: Senators Kline, Piper, Pogue, Rands, Rosenhaupt, and Scott—6.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Knickerbocker, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Potts, Reed, Ruth, Smith, Stevenson, Sumner, Veness, Williams—30.

Those voting nay were: Senators Boone, Cotterill, McGowan, Polson, and Presby—5.

Those absent or not voting were: Senators Kline, Piper, Pogue, Rands, Rosenhaupt, Scott, and Watson—7.

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

SPECIAL ORDER.

The hour of 2:30 o'clock p. m. having arrived, Senate bills Nos. 69, 312, 313, 314, 315, 316 and 320, which were special order for that hour, were taken up for consideration.

On motion of Senator Anderson, Senate bill No. 69, An act creating two judicial districts out of the counties of Ferry, Okanogan, Douglas and Chelan, and providing for judges therefor, and declaring an emergency, was taken up first, read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Watson, Williams—36.

Those absent or not voting were: Senators Booth, Kline, Piper, Pogue, Rands, and Veness—6.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Watson, Williams—35.

Those absent or not voting were: Senators Booth, Kline, Piper, Pogue, Rands, Rosenhaupt, and Veness—7.

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

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,
OLYMPIA, WASH., March 8, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 141, entitled "An act providing for the employment of convicts on state roads";

Also Senate bill No. 205, "An act for the appointment of Fish Commission";

Also Senate bill No. 41, "An act compelling railroads to fence their right-of-way";

Also Senate bill No. 66, "An act providing for filling and closing of cesspools and removing of garbage, etc., by cities of the first class";

Also Senate bill No. 132, "An act changing the name of the Washington State Reform School to the Washington State Training School";

Also Senate bill No. 177, "An act relating to the assessment of state, school, granted and other lands for drainage purposes";

Also Senate bill No. 216, "An act relating to the joinder of causes of action and amending section 4942 of Ballinger's Annotated Codes and Statutes of Washington," have compared the same with the engrossed bill and find them correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: P. L. Allen, R. W. Condon, Lincoln Davis.

On motion of Senator Anderson, the rules were suspended and Senate bill No. 69 ordered transmitted to the House immediately.

On motion of Senator Scott, the rules were suspended and the following bill was introduced out of order:

House bill No. 495, by the joint committee appointed to investigate the office of the Land Commissioner: An act in relation to the State Land Commissioners.

The bill was read the first time, and on motion of Senator Scott the rules were suspended, the bill read the second time by title and ordered placed on general file.

On motion of Senator Scott, the following House bills were substituted for Senate bills:

House bill No. 495 was substituted for Senate bill No. 312.

House bill No. 492 was substituted for Senate bill No. 313.

House bill No. 498 was substituted for Senate bill No. 314.

House bill No. 497 was substituted for Senate bill No. 315.

House bill No. 499 was substituted for Senate bill No. 320.

The president signed Senate bills Nos. 141, 205, 41, 66, 182, 177 and 216.

Senator Jones, president *pro tem*, was called to the chair.

House bill No. 495 (substitute for Senate bill No. 312): An act relating to the selection, survey, management, reclamation, lease and disposition of state's granted school, tide, oyster and other lands, was placed on third reading.

On motion of Senator Cotterill, the bill was amended by inserting the following proviso after the word "land" in line 9, section 6 of the printed bill:

"Provided, however, That wherever such public lands shall be within the limits of any watershed from or through which is derived the water supply of any city or town of the State of Washington, in such case the said city or town desiring to purchase or condemn the same may do so, and in case of purchase, shall have the right to buy the said land with the timber, stone, hay or gravel thereon, and without a separate appraisalment."

Senator Minkler moved to strike out of section 6 of the printed bill after the word "lands" in line 11, all down to the word "year" in line 18.

The motion was lost.

On motion of Senator Booth, section 6 of the printed bill was amended by inserting after the word "year" in line 18, the words "nor more than two dollars per acre per year."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knicker-bocker, McGowan, McGregor, Metcalf, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—36.

Those voting nay were: Senators Minkler and Rands—2.

Those absent or not voting were: Senators Graves, Piper, Pogue, and Presby—4.

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

House bill No. 492, substitute for Senate bill No. 313: An act relating to the creation of a Board of Appraisers and a Board of Harbor Line Commissioners, was placed on third reading.

On motion of Senator Knickerbocker, section 1 of the engrossed bill was amended by inserting the word "and forester" after the word "warden."

On motion of Senator Knickerbocker, the words "and declaring an emergency" were stricken from the title, and section 2 of the bill was also stricken.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Ruth, Scott, Smith, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Booth, Graves, Piper, Pogue, Presby, Rosenhaupt, and Stevenson—7.

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

House bill No. 498, substitute for Senate bill No. 314: An act relating to the improvements made on state lands and defining the duty of the board of state land commissioners, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Brown, Condon, Cotterill, Davis, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Pauly, Polson, Potts, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—32.

Those absent or not voting were: Senators Booth, Bratt, Eidemiller, Graves, Metcalf, Paulhamus, Piper, Pogue, Presby, and Rosenhaupt—10.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Pauly, Polson, Potts, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—34.

Those absent or not voting were: Senators Booth, Graves, Metcalf, Paulhamus, Piper, Pogue, Presby and Rosenhaupt—8.

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

House bill No. 497, substitute for Senate bill No. 315: An act to amend an act creating the state land commission, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—36.

Those absent or not voting were: Senators Booth, Graves, Piper, Pogue, Presby and Rosenhaupt—6.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Williams—34.

Those absent or not voting were: Senators Allen, Booth, Graves, Piper, Pogue, Presby, Rosenhaupt and Watson—8.

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

House bill No. 499, substitute for Senate bill No. 320: An act relating to the board of state land commissioners, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kenendý, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Polson, Potts, Presby, Rands, Rosenhaupt, Ruth, Scott, Stevenson, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Booth, Graves, Pauly, Piper, Pogue, Reed and Smith—7.

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

On motion of Senator Scott, House bill No. 496 was ordered placed at the foot of the calendar.

Senate bill No. 316: An act to amend section 3 of an act for the preservation of the forests of this state, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Gunn, Hunter Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Eidemiller, Graves, Piper, Pogue and Rosenhaupt—5.

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

On motion of Senator Scott the rules were suspended and House bills Nos. 495, 492, 498, 497 and 499, and Senate bill No. 316 were ordered transmitted to the House immediately.

GENERAL FILE.

Senate bill No. 289: An act to amend an act to regulate and license insurance, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller,

Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—38.

Those absent or not voting were: Senators Booth, Graves, Piper, Pogue—4.

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

Senate bill No. 249: An act appropriating one hundred thousand dollars for the improvement of the Puyallup and Stuck rivers, was placed on third reading.

On motion of Senator Knickerbocker, the printed bill was considered instead of the bill as amended by the committee.

On motion of Senator Nichols, the Senate resolved itself into a committee of the whole to consider Senate bill No. 249.

The bill was considered in the committee of the whole, Senator Nichols in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Cotterill, the report of the committee of the whole was adopted.

On motion of Senator Nichols, the rules were suspended, the reading of Senate bill No. 249 had in the committee of the whole considered the third reading in the Senate, and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Condon, Cotterill, Davis, Eidemiller, Gunn, Hutson, Jones, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Ruth, Scott, Stevenson, Veness, Watson, Williams—31.

Those voting nay were: Senators Brown, Kennedy, Smith, and Sumner—4.

Those absent or not voting were: Senators Bratt, Graves, Hunter, Piper, Pogue, Rands and Rosenhaupt—7.

On motion of Senator Nichols, the emergency clause, being section 2, was stricken, and the words "and declaring an emergency" were stricken from the title.

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

On motion of Senator Nichols, the rules were suspended and the bill ordered transmitted to the House immediately.

On motion of Senator Paulhamus, Senate bill No. 273 was indefinitely postponed.

Senate bill No. 265: An act to provide a penalty for failure of corporations to file a list of officers with county auditor and secretary of state, was placed on third reading.

Senator Presby moved the following amendments:

Strike the words "or defend," in line 12 of the printed bill.

Insert the word "or" between the words "institute" and "maintain" in line 12.

Also strike the words "or defence to suit" in line 13 of the printed bill.

The motion was lost.

Senators Cotterill, Blair and Presby demanded a call of the Senate.

The roll was called, all senators being present except Senators Booth, Condon, Davis, Hunter, Knickerbocker, Piper, Pogue and Scott.

On motion of Senator Ruth further call of the Senate was dispensed with.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Cotterill, Davis, Eidemiller, Gunn, Hutson, Jones, Kennedy, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Rands, Reed, Ruth, Stevenson—23.

Those voting nay were: Senators Boone, Condon, Graves, Hunter, Kline, McGowan, Polson, Potts, Presby, Rosenhaupt, Scott, Smith, Sumner, Veness, Watson, Williams—15.

Those absent or not voting were: Senators Knickerbocker, Piper, Pogue and Scott—4.

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

The president resumed the chair.

Senate bill No. 204: An act relating to the assessment and collection of taxes, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Brown, Condón, Cotterill, Davis, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith Stevenson, Sumner, Veness, Watson, Williams—31.

Those voting nay were: Senators Boone, Graves and Rands—3.

Those absent or not voting were: Senators Eidemiller, Gunn, Hunter, Jones, Paulhamus, Piper, Pogue and Scott—8.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Polson, Potts, Presby, Rands, Reed, Ruth, Smith, Stevenson, Sumner, Veness, Watson, Williams—34.

Those absent or not voting were: Senators Davis, Hunter, Jones, Paulhamus, Piper, Pogue, Rosenhaupt and Scott—8.

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

On motion of Senator Williams, the rules were suspended and the bill ordered transmitted to the House immediately.

On motion of Senator Cotterill Senate bill No. 268 was substituted on the calendar for Senate bill No. 253, and the same was taken up for consideration.

Senate bill No. 268: An act relating to tide and shore lands, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Brown, Condon, Cotterill, Graves, Kennedy, Knickerbocker, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Reed, Ruth, Smith, Sumner, Veness, Watson, Williams—27.

Those voting nay were: Senators Eidemiller, Hutson, Kline and Rands—4.

Those absent or not voting were: Senators Bratt, Davis, Gunn, Hunter, Jones, McGregor, Piper, Pogue, Rosenhaupt, Scott and Stevenson—11.

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

Senate bill No. 288: An act relating to overcharges on prices, rates and tariffs, was placed on third reading.

On motion of Senator Nichols, the enacting clause was added to the bill.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Condon, Cotterill, Davis, Eidemiller, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Potts, Reed, Ruth, Smith, Stevenson, Veness, Watson, Williams—26.

Those voting nay were: Senators Brown, Graves, Kline and Presby—4.

Those absent or not voting were: Senators Gunn, Hunter, Hutson, Jones, Kennedy, Piper, Pogue, Polson, Rands, Rosenhaupt, Scott and Sumner—12.

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

Senate bill No. 277: An act to protect trade and commerce against unlawful restraints and monopolies, was placed on third reading.

Senator Sumner moved the indefinite postponement of the bill.

A roll call was demanded by the following: Senators Smith, Sumner, Veness, Graves, Presby, Cotterill and Booth, and the motion adopted by the following vote:

Those voting aye were: Senators Allen, Anderson, Brown, Condon, Davis, Eidemiller, Graves, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, Metcalf, Minkler, Pauly, Polson, Potts, Presby, Rands, Ruth, Smith, Sumner, Veness, Watson, Williams—26.

Those voting nay were: Senators Blair, Boone, Booth, Bratt, Cotterill, McGregor, Nichols, Paulhamus, Reed, Rosenhaupt and Stevenson—11.

Those absent or not voting were: Senators Gunn, Hunter, Piper, Pogue and Scott—5.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASH., March 8, 1907.

MR. PRESIDENT:

The speaker has signed Senate bill No. 141, entitled "An act providing for the employment of convicts on state roads";

Also Senate bill No. 205, "An act for the appointment of a Fish Commission";

Also Senate bill No. 41, "An act compelling railroads to fence their right-of-way";

Also Senate bill No. 66, "An act providing for filling and closing of cesspools and removing of garbage, etc., by cities of the first class";

Also Senate bill No. 182, "An act changing the name of the Washington State Reform School to the Washington State Training School";

Also Senate bill No. 177, "An act relating to the assessment of state, school, granted and other lands for drainage purposes";

Also Senate bill No. 216, "An act relating to the joinder of causes of action and amending sections 4942 of Ballinger's Annotated Codes and Statutes of Washington," and the same are herewith transmitted.

LEO. O. MEIGS, *Clerk of the House.*

On motion of Senator Rands, House bills Nos. 5 and 178 were made a special order for 2:00 o'clock Monday, March 11, 1907.

On motion of Senator Smith, Senate bill No. 225 was indefinitely postponed.

On motion of Senator Rands, Senate bill No. 282 was indefinitely postponed.

Senate bill No. 192: An act prohibiting the publication in newspapers or other papers of offensive, improper and obscene matter and providing for prosecutions and penalties therefor, was placed on third reading.

On motion of Senator Graves, the reading of the bill previously had was considered the third reading at this time.

On motion of Senator Graves, the following amendments were made:

Strike all of sub-divisions 2, 3, 4, 5 and 6 from the printed bill.

Make sub-division 7 read sub-division 2.

Add a new sub-division to be numbered "3" and reading as follows: "This shall not be construed to prevent the publication of investigations concerning the conduct of public officials or employes where the statements or accounts of the doings of prostitutes shall be material to the investigation nor to cases where the prostitute is charged with the commission of a crime."

The bill was placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Anderson, Blair, Booth, Brown, Cotterill, Graves, Gunn, McGowan, Nichols, Presby, Rosenhaupt, Ruth and Watson—13.

Those voting nay were: Senators Allen, Bratt, Condon, Davis, Eidemiller, Hunter, Hutson, Jones, Kenendy, Kline, Knickerbocker, McGregor, Metcalf, Minkler, Pauly, Potts, Rands, Scott, Smith, Stevenson, Sumner, Williams—22.

Those absent or not voting were: Senators Boone, Paulhamus, Piper, Pogue, Polson, Reed and Veness—7.

On motion of Senator Condon, Senate bill No. 298 was indefinitely postponed.

SENATE CHAMBER.

OLYMPIA, WASH., March 8, 1907:

MR. PRESIDENT:

In accordance with joint rule No. 4, I have the honor to report that Senate bills Nos. 141, 205, 41, 66, 132, 177, and 216, were presented to the Governor at 4:35 o'clock p. m., this day.

J. W. LYSONS, *Secretary*.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1907.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred House bill No. 471, entitled "An act amending section 371 of Ballinger's Annotated Codes and Statutes of Washington, relating to public printing in counties," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. A. KENNEDY, *Chairman*.

We concur in this report: Jesse S. Jones, P. L. Allen, B. D. Minkler, W. G. Potts.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 347, entitled "An act for the relief of Skamania county," 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.

J. A. VENESS, *Chairman*.

We concur in this report: W. H. Paulhamus, Fred M. Pauly, J. R. Stevenson, Robt. F. Booth, B. D. Minkler, Alex. Polson, R. W. Condon, H. M. Boone.

On motion of Senator Veness the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 374, entitled "An act for the relief of R. Stevenson, 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.

J. A. VENESS, *Chairman*.

We concur in this report: W. H. Paulhamus, J. R. Stevenson, Robt. F. Booth, B. D. Minkler, Alex. Polson, R. W. Condon, H. M. Boone.

On motion of Senator Veness the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 257, entitled "An act for the relief of G. B. J. Ordal," 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.

J. A. VENESS, *Chairman*.

We concur in this report: W. H. Paulhamus, Fred M. Pauly, J. R. Stevenson, Robt. F. Booth, B. D. Minkler, Alex. Polson, R. W. Condon, H. M. Boone.

On motion of Senator Veness the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 95, entitled "An act establishing a highway between Monte-

sano and Port Angeles," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that amended Senate bill No. 95 do pass.

J. A. VENESS, *Chairman.*

We concur in this report: W. H. Paulhamus, Fred M. Pauly, J. R. Stevenson, Robt. F. Booth, B. D. Minkler, Alex. Polson, R. W. Condon, H. M. Boone.

On motion of Senator Veness the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., March 9, 1907.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate bill No. 286, entitled "An act relating to life insurance companies and providing penalties," 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 with the following amendments:

Amend section 6, line 1 of the printed bill, by inserting the word "any" between the words "issue" and "policy."

Amend section 8, line 5 of the printed bill, by adding after the word "time" the words "after three years from date of such policy."

Amend the printed bill by striking sections 9 and 10 therefrom and thus making sections 11 and 12 read 9 and 10.

Amend the printed bill by striking sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, therefrom.

Amend the printed bill by making section 28 read section 11.

CHAS. T. HUTSON, *Chairman.*

We concur in this report: A. L. Watson, P. L. Allen, Lincoln Davis, J. A. Veness, I. B. Knickerbocker, Fred Eidemiller.

On motion of Senator Hutson the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 138, entitled "An act for the relief of Pierce county," 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.

J. A. VENESS, *Chairman.*

We concur in this report: W. H. Paulhamus, Fred M. Pauly, J. R. Stevenson, Robt. F. Booth, B. D. Minkler, Alex. Polson.

On motion of Senator Veness the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 256, entitled "An act relating to the improvement of the Cowlitz river," 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 1 of the title of the printed bill strike the words "one hundred and twenty" and insert in lieu thereof the word "thirty."

After the word "Cowlitz" strike the word "and" and insert the word "river."

In line 2 of the title of the printed bill, strike the words "Lewis rivers."

In line 3 of section 1 of the printed bill, after the word "the," strike the words "Lewis river in Cowlitz and Clarke counties, and the."

In line 6 of section 1 of the printed bill, after the word "expended," strike the word "in" and insert in lieu thereof the words "at or near."

J. A. VENESS, *Chairman*.

We concur in this report: W. H. Paulhamus, Fred M. Pauly, J. R. Stevenson, Robt H. Booth, B. D. Minkler, Alex. Polson, R. W. Condon, H. M. Boone.

On motion of Senator Veness the report of the Committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASH., February 8, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 175, entitled "An act providing for the purchase of the Highway bridge across the Columbia river at Wenatchee," 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 3 of the title, strike the words "for the time and," and insert in lieu thereof the word "means."

In the same line after the word "method" insert the words "and time."

In line 2 of section 2 after the word "thereof" strike all of the balance of the line and line 3 to and including the words "transfer thereof."

Strike all of section 7 and in lieu thereof insert the following:

Sec. 7. For the purpose of carrying out the provisions of this act the sum of \$170,000 or so much thereof as may be necessary, is hereby appropriated out of the State Highway fund against which fund warrants shall be issued therefor: *Provided, however,* That none of said warrants shall be issued before the issuance and sale of the bonds

hereinafter provided for. To make or replace in said fund the amount necessary for payment of such warrants beyond \$20,000, state coupon bonds to the amount of \$150,000, payable to bearer are hereby authorized to be issued bearing interest at a rate not to exceed $3\frac{1}{2}$ per cent. per annum, payable semi-annually, and to run for ten years, save that any of said bonds may be redeemed upon any interest date upon call of the State Auditor, and that not less than ten per cent. of said bonds shall be redeemed annually and be payable, principal and interest, out of the State Highway fund. Such bonds shall be numbered in series, consecutive numbers from 1 outwards; be issued in denominations of One Thousand Dollars (\$1,000) each and shall each contain upon its face the date of issue, the number, the rate of interest, into what fund the proceeds are to be paid, where payable, time to run and the provision for redemption. Such bonds shall be signed by the Governor and attested by the Secretary of State under the seal of the state and countersigned and registered by the State Auditor and shall be offered for sale by the Governor and State Auditor. The coupons shall be authenticated by the facsimile signatures of the Governor and Secretary of State and be payable to bearer, and need not be under seal. Such bonds shall not be sold by the state at less than par and upon sale the proceeds shall be turned into the State Highway fund. Such bonds shall be redeemed in numerical order.

J. A. VENESS, *Chairman.*

We concur in this report: W. H. Paulhamus, Fred M. Pauly, J. R. Stevenson, Robt. F. Booth, B. D. Minkler, Alex. Polson, R. W. Condon, H. M. Boone.

On motion of Senator Veness the report of the Committee was adopted.

INTRODUCTION OF BILLS.

House bill No. 29, by Mr. King: An act to amend an act entitled "An act to amend section one (1) of chapter forty-seven (47) of the Laws of 1903, providing for a closed season for trout fishing in the lakes and streams of Chelan 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 and referred to the Committee on Game and Game Fish.

House bill No. 270, by Mr. Gaches: An act to provide against the adulteration of foods, drinks and drugs, and fraud in the sale thereof.

The bill was read the first time, and on motion of Senator Brown, the rules were suspended, the bill was read the second time by title and placed on general file.

On motion of Senator Condon, at 5:15 o'clock p. m., the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate. . .

CHAS. E. COON,
President.

FIFTY-FIFTH DAY.

MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASH., Saturday, March 9, 1907.

The Senate was called to order at 10:00 o'clock a. m., by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The Secretary called the roll, all members being present except Senators Booth, Piper and Pogue, excused.

On motion of Senator Boone, the reading of yesterday's Journal was dispensed with and it was approved.

On motion of Senator Williams, Rule No. 64 was suspended.

Senate concurrent resolution No. 19, by the Committee on Appropriations:

Resolved by the Senate, the House concurring: That the Senate Committee on Appropriations be allowed to introduce in the Senate Senate bill No. 321, by the Senate Committee on Appropriations, making an appropriation for legislative expenses, and Senate bill No. 322, by the Joint Committee on Appropriations, being the Omnibus Appropriations bill.

A roll call was had and the resolution adopted by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Pol-

son, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Veness, Watson, Williams—33.

Those absent or not voting were: Senators Booth, Condon, Hunter, Metcalf, Piper, Pogue, Potts, Rands and Seteven-son—9.

MOTIONS.

On motion of Senator Presby, the Senate concurred in House amendments to Senate bill No. 92, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Watson, Williams—33.

Those absent or not voting were: Senators Booth, Boone, Davis, Kenedy, Kline, Piper, Pogue, Potts and Veness—9.

On motion of Senator Presby, the Senate concurred in House amendments to Senate bill No. 162, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGregor, Metcalf, Minkler, Nichols, Pauly, Reed, Ruth, Sumner, Williams—27.

Those absent or not voting were: Senators Booth, McGowan, Paulhamus, Piper, Pogue, Polson, Potts, Presby, Rands, Rosenhaupt, Scott, Smith, Stevenson, Veness and Watson—15.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1907.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 201, creating the office of insurance commissioner;

Also House bill No. 229, granting rights-of-way to railroad companies over state lands;

Also House bill No. 327, relating to electric railroads;

Also House bill No. 127, for the regulation and control of insurance companies;

Also House bill No. 131, creating a commission to revise the code of public instruction;

Also House bill No. 289, amending an act establishing a railroad commission.

The House has passed House bill No. 410, authorizing the exchange of certain state lands for lands now owned by commercial trust companies;

Also House bill No. 276, establishing a fish hatchery on the Big Quilcene river;

Also House bill No. 283, authorizing county commissioners to establish game preserves;

Also House bill No. 274, relating to female witnesses;

Also House bill No. 456, providing for the filling of private property in cities of the first and second classes;

Also House bill No. 262, amending the code of public instruction;

Also Senate bill No. 190, providing for the improvement of tide lands;

Also Senate bill No. 159, relating to escheats;

Also House bill No. 409, relating to the acquisition of right of way for railroads through lands owned by the state;

Also House bill No. 235, providing for the annexation to cities of the first class of unincorporated territory;

Also, House concurrent resolution No. 21, allowing introduction of a bill making an appropriation for printing expenses of this Legislature;

Also House bill No. 349, providing for the annexation of unincorporated territory to cities of first class.

The House has passed Senate bill No. 126, entitled "An act relating to county engineers," with the following amendment:

Strike out all of section 6 and advance sections 7 and 8 one number.

Also Senate bill No. 184, entitled "An act to regulate the salary of state labor commissioner," with the following amendment:

Strike from line 10, section 1, engrossed bill, the words "and incidental."

The House has passed House bill No. 501, entitled "An act making an appropriation for legislative printing";

Also Senate concurrent resolution No. 19, allowing Senate Committee on Appropriations to introduce Senate bills Nos. 321 and 322.

The speaker has appointed Messrs. Reid, Kirkpatrick, and Strobridge a committee of free conference for the consideration of Senate amendments to House bill No. 323, as shown by Senate bill No. 32, substituted for House bill No. 323.

LEO. O. MEIGS, *Clerk of the House.*

GENERAL FILE.

House bill No. 345: An act creating the office of state oil inspector, was placed on third reading.

On motion of Senator Paulhamus, the bill was amended as follows:

Amend section 1, line 9, page 2, engrossed bill, after the word "receive" by striking out "three dollars per day" and inserting in lieu thereof the words "one hundred dollars per month."

Senator Polson moved that the bill be indefinitely postponed.

The motion was withdrawn.

Senator Graves moved to strike all of the bill except section 8, and make section 8 section 1.

A roll call was demanded by the following: Senators Nichols, Hutson, Blair, Sumner, Jones, Allen and Stevenson, and the motion was lost by the following vote:

Those voting aye were: Senators McGowan, Polson, Presby, Rands and Veness—5.

Those voting nay were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGregor, Metcalf, Minkler, Nicholas, Paulhamus, Pauly, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Watson, Williams—31.

Those absent or not voting were: Senators Booth, Graves, Piper, Pogue, Potts and Scott—6.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kenendy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Presby, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Watson, Williams—33.

Those voting nay were: Senators Polson, Rands and Veness—3.

Those absent or not voting were: Senators, Booth, Graves, Piper, Pogue, Potts and Scott—6.

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

Senator McGowan gave notice that at the proper time he would move to reconsider the vote by which Senate bill No. 345 passed the Senate.

Senate joint memorial No. 6, relating to the platting and sale of certain lots, tracts and parcels of the Colville Indian reservation, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Watson, Williams—31.

Those absent or not voting were: Senators Booth, Hunter, Paulhamus, Pauly, Piper, Pogue, Polson, Potts, Rands, Sumner and Veness—11.

On motion of Senator Gunn, the rules were suspended and the resolution ordered transmitted to the House immediately.

MOTIONS.

On motion of Senator Ruth, the Senate refused to concur in House amendments to Senate bill No. 126.

House bill No. 176: An act creating a Washington State Reformatory, was placed on third reading.

On motion of Senator Allen, the Senate resolved itself into a committee of the whole to consider House bill No. 176.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1907.

MR. PRESIDENT:

The House has passed Senate bill No. 107, entitled "An act relating to the exercise of the power of eminent domain in certain cases," with the following amendments:

Strike section 1 of the printed bill.

Make section 2 section 1.

In substituted section 1 strike line 1 and line 2 down to and including the word "purposes" and insert in lieu thereof the words "Any corporation authorized to do business in this state, which, under the present laws of the state, is authorized to condemn property for the purpose of generating and transmitting electrical power for the operation of railroads or railways, or for municipal lighting, and which, by its

charter or articles of incorporation, assumes the additional right."

In line 16 of substituted section 1 after the word "exhausted" strike the period, insert a semi-colon and add these words: "provided, further, that no such corporation shall be obliged to furnish such excess power to any one consumer to an amount exceeding twenty-five per cent. of the total amount of such excess power generated or transmitted by it."

In line 20 of substituted section 1, after the word "one" strike the period and insert a semi-colon and add these words: "Provided, That all public service or quasi-public service corporations shall at no time sell, deliver and dispose of electrical power in bulk to manufacturing concerns at the expense of its public service functions and any person, firm or corporation that is a patron of such corporation as to such public function shall have the right to apply to any court of competent jurisdiction to correct any violation of the provisions of this act."

Make section 3 of the bill section 2.

Strike substituted section 2 and insert in lieu thereof the following: "Whenever any corporation has acquired any property by decree of appropriation, based on proceedings in court under the provisions of this act, no portion of the electricity generated or transmitted by it by means of the property appropriated under the provisions of this act shall be used or applied by such corporation for or to a business or trade not under the present laws deemed public or quasi-public conducted by itself."

Make section 4 section 3.

Add a new section to the bill as follows: "Sec. 4. Nothing in this act contained shall affect any action or proceeding pending in any court at the time of its passage."

And the same is herewith transmitted.

LEO. O. MEIGS, *Clerk of the House.*

The bill was considered in the committee of the whole, Senator Allen in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendment:

Strike the words "where in the judgment of said committee shall best serve the interests of the" in lines four and five, section 2 of the printed bill, and insert in lieu thereof the words "Snohomish county in the".

On motion of Senator Allen, the report of the committee of the whole was adopted.

On motion of Senator Allen, the rules were suspended, the reading of House bill No. 176 had in the committee of the whole, considered the third reading in the Senate, the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Polson, Potts, Rands, Reed, Ruth, Scott, Smith, Sumner, Veness, Watson, Williams—28.

Those voting nay were: Senators Anderson, Boone, Bratt, Brown, Graves, Hutson, McGowan, Pauly and Presby—9.

Those absent or not voting were: Senators Booth, Piper, Pogue, Rosenhaupt and Stevenson—5.

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

Senate joint memorial No. 5: Memorializing the President of the United States and the Secretary of the Interior relative to certain lands in Okanogan county, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Bratt, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Pauly, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Sumner, Veness, Watson, Williams—33.

Those absent or not voting were: Senators Anderson, Booth, Brown, Nichols, Paulhamus, Piper, Pogue, Rosenhaupt and Stevenson—9.

On motion of Senator Gunn, the rules were suspended and the memorial ordered transmitted to the House immediately.

Senator Scott gave notice that at the proper time he would move to reconsider the vote by which House bill No. 176 passed the Senate.

On motion of Senator Graves, House bill No. 485 was made a special order for 3:30 p. m., Monday, March 11, 1907.

On motion of Senator Williams, House bill No. 13 was made a special order for 2:15 p. m., Monday, March 11, 1907.

MOTIONS.

On motion of Senator Graves, the Senate concurred in House amendments to Senate bill No. 107, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller,

Graves, Gunn, Hutson, Jones, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Pauly, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Stevenson, Sumner, Veness, Watson, Williams—33.

Those absent or not voting were: Senators Booth, Hunter, Kennedy, Nichols, Paulhamus, Piper, Pogue, Rosenhaupt and Smith—9.

The following resolution was introduced by Senator Ruth:

Resolved, That the Secretary of the Senate be authorized to employ necessary clerks for enrolling work during the remainder of the session.

On motion of Senator Ruth, the resolution was adopted.

House bill No. 366: An act relating to the sale of state lands, and the material thereon, etc., was placed on third reading.

On motion of Senator Knickerbocker, the following amendments were made:

Strike the words "or lease," in line 20, section 1 of the printed bill.

Strike the words "or lease," in line 21, section 1 of the printed bill.

Strike the words "treasurer of the State of Washington" in line 54 of section 1 of the printed bill, and insert in lieu thereof the words "commissioner of public lands."

Strike the words "school and granted lands and" in line 1, section 2 of the printed bill.

On motion of Senator Graves the following amendments were made:

Strike the title of the printed bill and insert the following: "An act relating to the sale or lease of state lands and materials thereon, and amending section 14, chapter 89, Session Laws of 1897."

In section 1, line 1 of the printed bill, strike the words and figures "8174 of Pierce's Washington Code" and insert in lieu thereof "14, chapter 89, Session Laws of 1897."

In line 3 of the printed bill, strike the figures "8174" and insert in lieu thereof the figures "14."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Booth, Hunter, Jones, Metcalf, Piper, Pogue and Stevenson—7.

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

REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT: SENATE CHAMBER,
OLYMPIA, WASH., March 9, 1907.

Your Committee on Enrolled Bills, to whom was referred Senate bill No. 140, entitled "An act relating to the model training school departments of normal schools;

Also Senate bill No. 144, An act authorizing the formation of metropolitan park districts.

Also Senate bill No. 116, An act regulating commission merchants or persons selling farm, dairy, orchard or garden produce on commission, have compared same with the engrossed bill and find them correctly enrolled.

Respectfully submitted,

We concur in this report: R. W. Condon, Lincoln Davis, P. L. Allen.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 9, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I have this day approved the following bills:

Senate bill No. 41, entitled "An act compelling railroads to fence their rights-of-way and to protect the owners of stock injured by moving railway trains, declaring a law of negligence with regard to stock injured by railway trains";

Senate bill No. 177, entitled "An act relating to the assessment of state, school, granted and other lands for drainage purposes, amending section 1 and repealing section 2 of chapter 127 of the Laws of 1905, and declaring an emergency."

ALBERT E. MEAD, *Governor.*

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 9, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I have this day approved the following bills:

Senate bill No. 182, entitled "An act to amend section one (1) of an act entitled 'An act providing for the establishment and location

of a State Reform School and to declare an emergency,' approved March 28th, 1890";

Senate bill No. 216, entitled "An act relating to the joinder of causes of action and amending section 4942 of Ballinger's Annotated Codes and Statutes of Washington";

Senate bill No. 141, entitled "An act providing for the employment of convicts on state roads and declaring an emergency";

Senate bill No. 205, entitled "An act to amend section 1 of an act entitled 'An act to amend sections 6 and 7 of an act entitled "An act for the appointment of a Fish Commission, and defining its duties, and declaring an emergency to exist," approved February 20, 1890, relating to Fish Commissioner, and declaring an emergency,' approved March 18, 1901";

Senate bill No. 66, entitled "An act authorizing cities of the first class to provide for the filling and closing of cess-pools and for the removing of garbage, debris, grass, weeds and brush on property in such cities, and the levying and collecting of taxes or assessments on such property for the payment of the cost thereof."

ALBERT E. MEAD, *Governor*.

SENATE CHAMBER,
OLYMPIA, WASH., March 9, 1907.

MR. PRESIDENT:

In accordance with joint rule No. 4, I have the honor to report that Senate bills Nos. 233, 181, were presented to the Governor at 11:55 o'clock a. m., this day.

J. W. LYSONS, *Secretary*.

The President signed Senate bills Nos. 140, 144 and 116.

Senate bill No. 256: An act appropriating money for improvement of the Cowlitz and Lewis rivers, was placed on third reading.

On motion of Senator Veness, the Senate resolved itself into a committee of the whole to consider Senate bill No. 256.

The bill was considered in the committee of the whole, Senator Nichols in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendments:

In line 2 of section 1, strike out "one hundred and twenty" and insert in lieu thereof the word "thirty."

Change the word "rivers" where it appears in sections 2 and 4 to read "river."

In section 2, change the word "their" to "its" where it appears in the last two lines.

On motion of Senator Nichols, the report of the committee of the whole was adopted.

On motion of Senator Nichols, the rules were suspended, the reading of Senate bill No. 256 had in the committee of the whole considered the third reading in the Senate, the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kline, Knickerbocker, McGowan, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Veness, Watson, Williams—31.

Those absent or not voting were: Senators Booth, Hunter, Kennedy, McGregor, Metcalf, Piper, Pogue, Rosenhaupt, Smith, Stevenson and Sumner—11.

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

On motion of Senator Veness, the rules were suspended and the bill ordered transmitted to the House immediately.

On motion of Senator Condon, the rules were suspended, and all bills passed up to this time were ordered transmitted to the House.

House bill No. 347: An act for the relief of Skamania county, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Cotterill, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Pauly, Polson, Potts, Presby, Rands, Reed, Smith, Sumner, Veness, Watson, Williams—30.

Those absent or not voting were: Senators Booth, Condon, Davis, Hutson, Metcalf, Paulhamus, Piper, Pogue, Rosenhaupt, Ruth, Scott and Stevenson—12.

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

On motion of Senator Veness, the rules were suspended and the bill ordered transmitted to the House immediately.

Amended Senate bill No. 95: An act providing for the construction of a bridge across the Humptulips river, was placed on third reading.

On motion of Senator Polson, the Senate resolved itself into a committee of the whole to consider Senate bill No. 95.

The bill was considered in committee of the whole, Senator Pauly in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Pauly, the report of the committee of the whole was adopted.

On motion of Senator Pauly, the rules were suspended, the reading of Senate bill No. 95, had in the committee of the whole, considered the third reading in the Senate, the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Gunn, Hunter, Jones, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Reed, Venness, Watson, Williams—27.

Those voting nay were: Senators Rands, Ruth and Sumner—3.

Those absent or not voting were: Senators Booth, Eidemiller, Graves, Hutson, Kennedy, Piper, Pogue, Presby, Rosenhaupt, Scott, Smith and Stevenson—12.

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

On motion of Senator Polson, the rules were suspended and the bill ordered transmitted to the House immediately.

On motion of Senator Nichols, House bill No. 418 was made a special order for 11:00 o'clock a. m., Monday, March 11, 1907.

Senator Scott withdrew his motion to reconsider the vote by which House bill No. 176 passed the Senate.

Senator Minkler gave notice that at the proper time he would move to reconsider the vote by which House bill No. 176 passed the Senate.

On motion of Senator Gunn, Senate bill No. 175 was made a special order for 11:15 o'clock a. m., Monday, March 11, 1907.

INTRODUCTION OF BILLS.

House bill No. 235, by Mr. Henderson: An act to provide the extending and enlarging of the corporate limits of any city, town or village in this state.

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 Municipal Corporations.

House bill No. 262, by Mr. Bassett: An act to amend sections 22, 24, 27, 28, 40, 51, 71, 137, 139, 141, 144, 145 and 165 of the Code of Public Instruction of the State of Washington, the same being chapter CXVIII (H. B. No. 472) of the Session Laws of 1897, and repealing all laws and parts of laws in conflict with the provisions of this act.

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

House bill No. 274, by Mr. Bradsberry: An act providing that female complaining witnesses giving testimony in actions of rape, seduction and abduction, shall be corroborated, 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 and referred to the Committee on Judiciary.

House bill No. 276, by Mr. Sewall: An act to establish a fish hatchery on the Big Quilcene river in Jefferson county, and making an appropriation therefor.

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

House bill No. 283, by Mr. Slayden: An act authorizing Boards of County Commissioners to establish game preserves within the county, fix by proclamation the boundaries thereof, prohibit the hunting, chasing, snaring, trapping or killing of game therein, and prescribing 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 and referred to the Committee on Game and Game Fish.

House bill No. 349, by Mr. Coles: An act providing for the annexation to cities of the first class, unincorporated territory contiguous thereto and declaring an emergency.

The bill was read the first time, and on motion of Senator Cotterill, the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 409, by Mr. E. P. Gilbert: An act relating to the acquisition of right-of-way for railroads through lands owned by the State of Washington, held for military purposes at American Lake, Pierce county, Washington.

The bill was read the first time, and on motion of Senator Polson, 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. 410, by Mr. E. P. Gilbert: An act authorizing the exchange of certain state lands for other lands now owned by the Commercial Trust Company.

The bill was read the first time, and on motion of Senator Polson, 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. 456, by Committee on Municipal Corporations of the First Class: An act to provide for the filling of private property in cities of the first class, where necessary as a sanitary measure.

The bill was read the first time, and on motion of Senator Cotterill, the rules were suspended, the bill was read the second time by title and placed on general file.

Senate bill No. 321, by Committee on Appropriations: Appropriating \$5,000 for Legislative expenses.

The bill was read the first time, and on motion of Senator Veness, the rules were suspended, the bill was read the second time by title, ordered printed and placed on the calendar.

House concurrent resolution No. 21, by Committee on Appropriations: Permitting the introduction in the House of House bill No. 501, making an appropriation for Legislative printing.

A roll call was had and the resolution passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, Mc-

Gregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Sumner, Venness, Watson—34.

Those absent or not voting were: Senators Boone, Booth, Knickerbocker, Piper, Pogue, Rosenhaupt, Stevenson, and Williams—8.

House bill No. 501, by Mr. Miller: An act appropriating \$3,500 for printing ordered.

The bill was read the first time, and on motion of Senator Venness, the rules were suspended, the bill was read the second time by title and placed on general file.

On motion of Senator Cotterill, the rules were suspended, and House bill No. 176 was ordered transmitted to the House immediately.

On motion of Senator Bratt, House bill No. 17 was made a special order for 4:00 o'clock Monday, March 11, 1907.

On motion of Senator Condon, at 3:30 p. m., the Senate adjourned until 10:00 o'clock a. m., Monday.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FIFTY-SEVENTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, March 11, 1907.

The Senate was called to order at 10:00 o'clock a. m. by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The Secretary called the roll, all members being present except Senator Pogue, excused.

RESOLUTIONS.

Senate Concurrent Resolution No. 20, by Senator Presby, was read as follows:

Resolved by the Senate, the House concurring, that the Free Conference Committee of the House and Senate appointed to confer upon differences existing between the two houses relative to House bill No. 323 and amended Senate bill No. 32 be permitted to introduce in the Senate a new bill entitled: "An act relating to, regulating and providing for the nomination of candidates for public office in the State of Washington and providing penalties for the violation thereof, and declaring an emergency."

On motion of Senator Presby, the resolution was adopted by the following vote:

Those voting aye were: Senators Allen, Blair, Booth, Bratt, Brown, Condon, Davis, Graves, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Presby, Reed, Rosenhaupt, Ruth, Scott, Watson—28.

Those absent or not voting were: Senators Anderson, Boone, Cotterill, Eidemiller, Gunn, McGregor, Pogue, Potts, Rands, Smith, Stevenson, Sumner, Veness and Williams—14.

On motion of Senator Presby, the rules were suspended, and the resolution ordered transmitted to the House immediately.

On motion of Senator Blair, House bills Nos. 373 and 404 were made a special order for 10:30 tomorrow.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASHINGTON, March 9, 1907.

We, your Committee on Banks and Banking to whom was referred House bill No. 165, entitled, "An act refining the crime of burglary with explosives," 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.

H. M. BOONE, *Chairman*.

We concur in this report: T. A. Hunter, W. H. Paulhamus, I. B. Knickerbocker, J. A. Veness, C. G. Brown, A. S. Ruth, S. T. Smith.

On motion of Senator Boone the report of the committee was adopted.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASHINGTON, March 9, 1907.

We, your Committee on Medicine, Dentistry, Surgery and Hygiene to whom was referred Senate bill No. 283, entitled, "An act providing

for the sterilization of feeble minded, epileptic, and insane persons, and prisoners in the penitentiary," 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.

C. G. BROWN, *Chairman*.

We concur in this report: Robt. F. Booth.

On motion of Senator Brown the report of the committee was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 9, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 175: An act providing for the purchase of the highway bridge across the Columbia river at Wenatchee and making an appropriation therefor;

Also, Senate bill No. 256: An act appropriating thirty thousand dollars for the improvement of the Cowlitz river;

Also, Senate bill No. 69: An act relating to the superior court of Stevens, Ferry, Okanogan, Douglas, and Chelan, the election of judges therein, and declaring an emergency;

Also, Senate bill No. 288: An act relating to overcharges, rates or tariffs which by law are required to be published, and providing for interest thereon;

Also, Senate bill No. 72: An act relating to the assessment and collection of taxes and declaring an emergency;

Also, Senate bill, No. 241: An act relating to the boundaries of school districts, etc.;—have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. S. RUTH, *Chairman*.

We concur in this report: Fred M. Pauly, A. W. Anderson, A. Gunn.

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, March 9, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I have this day approved Senate bill No. 181, entitled, "An act fixing the salaries of the Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, Attorney General, Superintendent of Public Instruction and Commissioner of Public Lands, and providing for the manner of payment."

ALBERT E. MEAD, *Governor*.

GENERAL FILE.

Senate bill No. 176: An act to establish and maintain a home for the indigent, aged and infirm, was placed on third reading.

On motion of Senator Graves, the Senate resolved itself into a committee of the whole to consider Senate bill No. 176.

The bill was considered in the committee of the whole, Senator Metcalf in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendments:

Amend the title of the printed bill by striking the words "and declaring an emergency".

Amend section 5 of the printed bill by striking the words "The Governor, the commissioner of public lands and such other state officer as the Governor may designate, shall constitute a commission for the purpose of, and they are hereby authorized and" in lines 1, 2 and 3, and inserting in lieu thereof the words "The State Board of Control".

Amend section 6 of the printed bill by striking the words "The powers of the board of commissioners shall cease and they shall stand dissolved as soon as the institution is established in running order, which time shall be entered upon their records as such board and forthwith thereafter they shall turn over the control, which board," in lines 1, 2, 3 and 4 of said section, and insert in lieu thereof the words "The State Board of Control".

Amend section 7, line 2 of the printed bill by inserting the words "the State Board of Control" after the word "said" and strike the word "commissioners" in said line.

Strike section 8 of the printed bill.

Re-number section 9 of the printed bill, section 8.

Re-number section 10 of the printed bill, section 9.

Re-number section 11 of the printed bill, section 10.

Re-number section 12 of the printed bill, section 11.

Re-number section 13 of the printed bill, section 12.

Re-number section 14 of the printed bill, section 13.

Re-number section 15 of the printed bill, section 14.

Re-number section 16 of the printed bill, section 15.

Amend new section 8 of the printed bill by striking the words "board of commissioners until the management is turned over to the trustees as above provided, and before entering upon their duties said board of commissioners shall organize by elect-

ing a president and secretary." from lines 1, 2 and 3, and inserting in lieu thereof the words "State Board of Control."

Also amend section 8 of the printed bill further by striking the words "such commissioners over the signature of their president and secretary", in lines 5 and 6, and inserting the words "the State Board of Control."

Also strike the word "commissioners" in line 7, section 8 of the printed bill and insert in lieu thereof the words "State Board of Control."

Amend new section 9 of the printed bill by striking the words "audit and" in line 1 of said section.

Amend new section 13 of the printed bill in line 6 by striking the words "audit and".

Also amend new section 13 of the printed bill, line 6, by inserting between the words "a" and "board" the word "state".

Strike new section 15 of the printed bill.

On motion of Senator Metcalf, the report of the committee of the whole was adopted.

On motion of Senator Metcalf, the rules were suspended, the reading of Senate bill No. 176 had in the committee of the whole was considered the third reading in the Senate, and the bill was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Cotterill, Davis, Graves, Hunter, Hutson, Jones, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Piper, Polson, Presby, Reed, Ruth, Smith, Watson—25.

Those voting nay were: Senators Kennedy, Kline, Nichols, Pauly, Rands, Stevenson and Williams—7.

Those absent or not voting were: Senators Booth, Condon, Eidemiller, Gunn, Pogue, Potts, Rosenhaupt, Scott, Sumner and Veness—10.

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

Senate bill No. 296: An act relating to the assessment and taxation of property benefited by a drainage system, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Cotterill, Davis, Graves, Gunn,

Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Watson, Williams—35.

Those absent or not voting were: Senators Condon, Eidemiller, Pogue, Presby, Stevenson, Sumner and Veness—7.

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

On motion of Senator Polson, that part of Rule 64 relating to smoking was dispensed with for the day.

Senate bill No. 286: An act relating to life insurance companies, etc., was placed on third reading.

On motion of Senator Davis, sections 9 and 10 of the engrossed bill were stricken.

On motion of Senator Nichols, all of section 3 was stricken beginning with line 11, the word "where" also all of section 4 down to the word "no" in line 8, of the printed bill.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, McGregor, Paulhamus, Pauly, Polson, Potts, Reed, Rosenhaupt, Ruth, Scott, Smith, Watson, Williams—23.

Those voting nay were: Senators Boone, Bratt, Hunter, Kline, McGowan, Nichols and Rands—7.

Those absent or not voting were: Senators Condon, Jones, Kennedy, Knickerbocker, Metcalf, Minkler, Piper, Pogue, Presby, Stevenson, Sumner and Veness—12.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

MR. PRESIDENT:

OLYMPIA, WASHINGTON, March 11, 1907.

The Speaker has signed Senate bill No. 140: An act relating to the model training school departments of normal schools;

Also, Senate bill No. 144: An act authorizing the formation of metropolitan park districts;

Also, Senate bill No. 116: An act regulating commission merchants or persons selling farm, dairy, orchard or garden produce on commission.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

SPECIAL ORDER.

The hour of 11 :00 o'clock a. m. having arrived House bill No. 418: An act relating to permanent state university fund, etc., which was a special order for that hour was taken up for consideration, read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Nichols, Pauly, Piper, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Williams—34.

Those absent or not voting were: Senators Graves, Knickerbocker, Metcalf, Minkler, Paulhamus, Pogue, Polson—8.

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

GENERAL FILE.

Senate bill No. 309: An act for the relief of the Standard Furniture Company, was placed on third reading.

On motion of Senator Boone, the Senate resolved itself into a committee of the whole to consider Senate bill No. 309.

The bill was considered in the committee of the whole, Senator Kline in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Kline, the report of the committee of the whole was adopted.

On motion of Senator Kline, the rules were suspended, the reading of Senate bill No. 309, had in the committee of the whole considered the third reading in the Senate, and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, Metcalf, Minkler, Nichols, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Smith, Stevenson, Veness, Williams—31.

Those voting nay were: Senators Rands and Ruth—2.

Those absent or not voting were: Senators Booth, Hunter, Metcalf, Paulhamus, Pogue, Presby, Scott, Sumner and Veness—9.

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

SPECIAL ORDER.

The hour of 11:15 o'clock a. m. having arrived, Senate bill No. 175: An act providing for the purchase of a bridge across the Wenatchee river, etc., which was a special order for that hour was taken up for consideration and placed on third reading.

On motion of Senator Gunn, the Senate resolved itself into a committee of the whole to consider Senate bill No. 175.

The bill was considered in the committee of the whole, Senator McGregor in the chair and reported back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 4, line 3 of the printed bill by inserting the words and figures "two (2)" between the words "lay" and "pipe".

Amend section 6 of the printed bill by inserting the words "together with the maintenance, repair and safety of said bridge" after the word "shall" in line 11.

On motion of Senator McGregor, the report of the committee of the whole was adopted.

On motion of Senator McGregor, the rules were suspended, the reading of Senate bill No. 175 had in the committee of the whole, considered the third reading in the Senate, and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Stevenson, Watson—30.

Those voting nay were: Senators Kennedy, Rands and Sumner—3.

Those absent or not voting were: Senators Booth, Hunter, Knickerbocker, Metcalf, Pogue, Scott, Smith, Veness and Williams—9.

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

On motion of Senator Gunn, the rules were suspended, and all bills passed by the Senate up to this time were ordered transmitted to the House immediately.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

The House declines to recede from its amendments to Senate bill No. 126.

The House has concurred in Senate amendments to House bill No. 492, also House bill No. 495.

The House has passed House bill No. 416: Prohibiting corporations from requiring employees to purchase goods at certain stores;

Also, House bill No. 405: Providing for the leasing of rights-of-way for logging purposes;

Also, House bill No. 473: Providing for the selection of jury lists in justice's courts;

Also, House bill No. 490: For the protection of stockmen and liverymen;

Also, House bill No. 477: Empowering county commissioners to make exhibits of products at Western Washington Interstate Fair;

Also, Senate bill No. 245: Relating to premium stamps;

Also, Senate bill No. 207: Relating to the state board of equalization;

Also, House bill 343: Regulating the sale of milk;

Also House bill No. 380: For the protection of game in this state;

Also, House bill No. 414: Amending an act providing for the incorporation of trust companies;

Also, House bill No. 339: Prohibiting live stock running at large;

Also, House bill No. 465: For the relief of Clarke county;

Also, House bill No. 301: Amending an act in relation to the insane of the state;

Also, House bill No. 346: Relating to the charges of telephone systems;

Also, House bill No. 464: Authorizing county commissioners to lay pipes and conduits for conducting water;

Also, House bill No. 388: Relating to the sale of intoxicating liquors;

Also, House bill No. 19, relating to the liability of common carriers for personal injury or death of employees;

Also, Senate Concurrent Resolution No. 20: Permitting the introduction of a new bill providing for the the nomination of candidates for public offices.

The Speaker has signed House bill No. 119: Relating to the issuance of bonds by school districts;

Also, House bill No. 3: Relating to the filing of plats of additions to cities;

Also, House bill No. 217: Defining the weight of a ton of coal;

Also House bill No. 162: Regulating the employment of child labor;

Also, House bill No. 243: Relating to the levying of taxes for school purposes;

Also, House bill No. 223: For the punishment of family desertion;

Also, House bill No. 65: Relating to the control of delinquent children;

Also, House bill No. 256: Relating to the assessment of property of telegraph companies;

Also, House bill No. 201: Creating the office of State Insurance Commissioner;

Also, House bill No. 59: Relating to the creation of drainage districts;

Also, House bill No. 245: Defining the practice of veterinary medicine;

Also, House bill No. 426: Relating to the appointment of a superior judge for the county of Pierce;

Also, House bill No. 306: Relating to the ventilation of coal mines;

Also, House bill No. 229: Amending an act granting rights-of-way to railroad companies;

Also, House bill No. 286: Relating to the overflow of state lands in certain cases;

Also, House bill No. 169: Relating to the incorporation of trust companies;

Also, House bill No. 175: Relating to elections;

Also, House bill No. 254: For the relief of P. C. Hanson;

Also, House bill No. 327: Amending an act relating to electric railroads;

Also, House bill No. 300: Prescribing the terms of sale of timber on state lands;

Also, House bill No. 190: Amending an act providing for the assessment and collection of taxes;

Also, House bill No. 186: Relating to the control of the state's public institutions;

Also, House bill No. 208: Relating to the assessment and taxation of property;

Also, House bill No. 253: Relating to the manner of holding meetings of stockholders of corporations;

Also, House bill No. 70: Relating to the fees of justices of the peace;

Also, House bill No. 293: Relating to the enrollment of the militia;

Also, House bill No. 291: Dedicating to the city of Tacoma, certain state lands;

Also, House Memorial No. 6: Requesting the restoration to the public domain of certain lands.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

The President signed House bills Nos. 65, 256, 201, 59, 245, 426, 306, 229, 286, 169, 175, 254, 327, 300, 190, 186, 208, 253, 70, 293, 291 and House Memorial No. 6.

On motion of Senator Graves, the Senate resolved itself into a committee of the whole to consider Senate bills Nos. 138, 285, 143, 239 and 11.

The bills were considered in the committee of the whole, Senator Boone in the chair, and reported back to the Senate as follows:

Senate bills Nos. 138, 143 and 11, do pass.

Senate bill No. 239 do pass with the following amendments:

Amend section 1, line 1 of the printed bill by inserting the words "at their discretion" after the word "hereby".

Amend line 2, section 2 of the printed bill by inserting after the word "state" the words "out of the state university current fund".

Also in line 6, section 2 of the printed bill insert the words "in said fund" after the word "treasury".

That Senate bill No. 285 be indefinitely postponed.

On motion of Senator Boone, the report of the committee of the whole was adopted.

On motion of Senator Boone, the rules were suspended, the reading had of Senate bills Nos. 138, 143, 11 and 239 had in the committee of the whole was considered the third reading in the Senate.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

The House has passed House Concurrent Resolution No. 22: Granting to committee appointed to investigate land office, permission to introduce bill.

And the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

Unanimous consent was given at this time to take up House Concurrent Resolution No. 22, granting the committee ap-

pointed to investigate the land office permission to introduce a bill.

On motion of Senator Scott, the resolution was adopted by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Condon, Cotterill, Davis, Eidemiller, Graves, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Stevenson, Sumner, Watson, Williams—30.

Those absent or not voting were: Senators Booth, Brown, Gunn, Hunter, Knickerbocker, Metcalf, Pogue, Presby, Rands, Scott, Smith and Veness—12.

On motion of Senator Scott, the rules were suspended and the resolution ordered transmitted to the House immediately.

Senate bill No. 138: An act for the relief of Pierce county, was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Hutson, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Watson, Williams—30.

Those voting nay were: Senator Sumner—1.

Those absent or not voting were: Senators Eidemiller, Gunn, Hunter, Jones, Knickerbocker, Metcalf, Pogue, Presby, Rands, Smith and Veness—11.

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

Senator Watson moved to make House bill No. 232 a special order for 8:00 o'clock this evening.

Senator Sumner moved as a substitute for motion of Senator Watson, that it be made a special order for 10:45 tomorrow morning.

The substitute motion was adopted.

The President signed Senate bills Nos. 190, 194 and 159.

Senate bill No. 143: An act to establish a state fish hatchery, was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, Mc-

Gowan, McGregor, Minkler, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Veness, Williams—30.

Those voting nay were: Senator Watson—1.

Those absent or not voting were: Senators Booth, Graves, Hunter, Metcalf, Nichols, Paulhamus, Pogue, Presby, Rands, Scott and Sumner—11.

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

Senate bill No. 239: An act authorizing the board of regents of the university to cause to fill certain shore lands, etc., was placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Booth, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Scott, Sumner, Veness, Watson, Williams—31.

Those voting nay were: Senators Anderson, Bratt, Hutson, Kline, Rands, Ruth, Smith and Stevenson—8.

Those absent or not voting were: Senators Metcalf, Pauly, Pogue—3.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

The Speaker has signed House bill No. 497: Fixing the official bond of the commissioner of public lands;

Also, House bill No. 468: Providing for the survey of certain proposed state roads;

Also, House bill No. 498: Relating to improvements upon state lands;

Also, House bill No. 499: Relating to the board of state land commissioners;

Also, House bill No. 273: Relating to the registration of voters;

Also, House bill No. 213: Providing for the conveyance to the city of Port Townsend of certain tide lands;

Also, House bill No. 338: Establishing a fish hatchery on Trout lake;

Also, House bill No. 297: Relating to the office of sheep inspector;

Also, House bill No. 234: Authorizing the sale of the Stillaguamish salmon hatchery site.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

A roll call was had on the indefinite postponement of Senate bill No. 11, and the report of the committee adopted by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Smith, Sumner, Veness, Wat-son, Williams—34.

Those absent or not voting were: Senators Hunter, Knicker-bocker, Metcalf, Pogue, Presby, Rands, Scott and Stevenson—8

Unanimous consent was given at this time to take up Senate bill No. 264, out of order.

Senate bill No. 264: An act for the protection of Chinese or Mongolian pheasants, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Piper, Polson, Reed, Rosenhaupt, Ruth, Scott, Sumner, Watson, Will-iams—32.

Those absent or not voting were: Senators Gunn, Jones, Paulhamus, Pogue, Potts, Presby, Rands, Smith, Stevenson, Veness—10.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Brown, Condon, Cotterill, Davis, Eidemiller, Hunter, Hutson, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—33.

Those voting nay were: Senator Graves—1.

Those absent or not voting were: Senators Bratt, Gunn, Jones, Kennedy, Metcalf, Paulhamus, Pogue and Presby—8.

On motion of Senator Booth, the title of the printed bill was amended by adding the words "and declaring an emergency".

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

On motion of Senator Booth, the rules were suspended and Senate bill No. 268 was ordered transmitted to the House immediately.

SPECIAL ORDER.

The hour of 2:15 having arrived House bill No. 13: An act to provide for the formation of banking corporations and the appointment of a state examiner, which was a special order for that time was placed on third reading.

On motion of Senator Boone, the Senate resolved itself into a committee of the whole to consider House bill No. 13.

The President signed House bills Nos. 497, 468, 498, 499, 273, 213, 338, 297 and 234.

Major A. N. Brown, Secretary to the Governor, delivered the following:

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, March 11, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I have this day approved the following bills:

Senate bill No. 144, entitled, "An act authorizing the formation of metropolitan park districts, providing for park officials, fixing their powers and duties, and declaring an emergency."

Senate bill No. 140, entitled, "An act relating to the model training school departments of normal schools, authorized by section 2550 of Ballinger's Annotated Codes and Statutes of Washington, and providing for the apportionment of funds therefor."

ALBERT E. MEAD, *Governor.*

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

The House has passed House bill No. 386: Providing for the extermination of cougar and other animals;

Also, House bill No. 319: Amending an act creating a bureau of labor;

Also, House bill No. 500: Amending an act creating the office of public printer;

Also Senate bill No. 105: For the relief of Andrew Eskkola;

Also, Senate bill No. 142: Relating to the dissolution of drainage districts;

Also Senate bill No. 232: Amending an act creating a state board of tax commissioners;

Also, House bill No. 9, relating to the state soldiers' home;

Also, House bill No. 299: Authorizing boards of county commissioners to convey to incorporated cities and towns lands for park and other purposes;

Also, House bill No. 134: Authorizing city councils to sell surplus water in certain cases;

Also, House bill No. 403: To amend an act for the appointment of a fish commission;

Also, House bill No. 363: Granting additional power to cities of the second, third and fourth class;

Also, House bill No. 494: Making appropriations for certain deficiencies;

Also, Senate bill No. 206: An act for the relief of George W. Rowan, with the following amendment:

Committee amendment: Amend title by striking out the words "a bill for".

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

House bill No. 13 was considered in the committee of the whole, Senator Rosenhaupt in the chair and reported back to the Senate with the recommendation that it do pass with the following amendment:

Make section 30 of the engrossed bill read the same as section 30 of the printed bill.

On motion of Senator Rosenhaupt, the report of the committee of the whole was adopted.

On motion of Senator Rosenhaupt, the reading of the bill had in the committee of the whole was considered the third reading in the Senate and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams

—37.

Those voting nay were: Senators Blair and Presby—2.

Those absent or not voting were: Senators Davis, Graves, Pogue—3.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

The House has passed House bill No. 502: An act relating to the duties of state officers; and the same is herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Presby, the rules were suspended and Senate bill No. 322: An act relating to regulating and providing for the nomination of candidates for public office in the State of Washington, was introduced, read the first and second time by title and ordered made a special order for this evening at 8:15 o'clock p. m.

SPECIAL ORDER.

The hour of 2:30 having arrived House bill No. 5: An act concerning land titles and the simplification of the transfer of real estate, etc., which was a special order for that hour was placed on third reading.

On motion of Senator Nichols, the bill was amended by striking the word "of" after the word payable in line 3, section 10 of the engrossed bill.

Senator Presby moved to indefinitely postpone the bill.

The motion was lost.

On motion of Senator Graves, the word "in" after the word concluded in line 7, section 23 of the printed bill was stricken.

On motion of Senator Nichols, the word "of" in line 4, section 33 after the word "and" was stricken.

On motion of Senator Graves, section 34 of the printed bill was stricken, and all the other sections of the bill thereafter were re-numbered to conform to this amendment.

On motion of Senator Graves, section 36, line 18 of the printed bill beginning with the word "An" strike the remainder of that line and all of line 19 up to and including the word "estate" and insert in lieu thereof the following: "An act relating to the registration and confirmation of title to land."

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

MR. PRESIDENT: OLYMPIA, WASHINGTON, March 11, 1907.

The House has passed House bill No. 191: An act relating to the endowment of the agricultural experiment station;

Also, House bill No. 397: Relating to certification of teachers;

Also, House bill No. 231: An act amending law relating to appropriation of lands.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Graves, the parentheses around the letter "s" were stricken from line 3, section 43 of the printed bill.

On motion of Senator Graves, the comma was stricken after the word "interested" and inserted after the word "in" in line 6, section 43, of the printed bill.

On motion of Senator Graves, the parentheses around the word "of" in line 9, section 43, of the printed bill were stricken.

Senator Hutson was called to the chair.

On motion of Senator Graves, the words "clerk and" were stricken from lines 12 and 13, section 57 of the printed bill.

On motion of Senator Graves, all of section 8 of the printed bill was stricken, beginning with the word "and" after the word "title" in line 8.

On motion of Senator Graves, the words "application to" in line 11, section 59 of the printed bill were stricken, and the words "order of" inserted in lieu thereof.

Senator Graves moved the indefinite postponement of the bill.

A call of the Senate was demanded by Senators Paulhamus, Potts and Gunn, all members being present except Senators Blair, Booth, Davis, McGregor, Metcalf, Piper, Pogue and Williams.

On motion of Senator Paulhamus, further call of the Senate was dispensed with.

A roll call on Senator Graves' motion to indefinitely postpone the bill was demanded by the following: Senators Graves, Boone, Watson, Paulhamus, Nichols, Gunn and Jones, and the motion lost by the following vote:

The President resumed the chair.

Those voting aye were: Senators Boone, Booth, Brown, Condon, Graves, Hutson, Kennedy, Kline, Jones, Minkler, Pauly, Polson, Reed, Stevenson and Watson—15.

Those voting nay were: Senators Allen, Anderson, Blair, Bratt, Cotterill, Eidemiller, Gunn, Hunter, Jones, Knickerbocker, Nichols, Paulhamus, Potts, Rands, Rosenhaupt, Ruth, Scott, Smith, Sumner and Veness—20.

Those absent or not voting were: Senators Davis, McGregor, Metcalf, Piper, Pogue, Presby and Williams—7.

Senator Nichols moved to strike the words "county clerk and" from line 5, section 96 of the printed bill.

Senator Rands moved as a substitute for motion of Senator Nichols, to strike the word "and" in line 5, section 96, and insert in lieu thereof the word "or".

The substitute motion was adopted.

Senator Rands moved to strike all of line 1, and the first two words of line 2, section 98 of the printed bill.

Senator Graves moved as a substitute for the motion of Senator Rands, to strike all of section 98 of the printed bill.

The substitute motion was lost.

The motion of Senator Rands was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Cotterill, Eidemiller, Gunn, Hunter, Jones, Knickerbocker, McGregor, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Rosenhaupt, Ruth, Scott, Smith, Sumner, Veness, Williams—25.

Those voting nay were: Senators Boone, Brown, Condon, Graves, Hutson, Kennedy, Kline, McGowan, Minkler, Presby, Reed, Stevenson and Watson—13.

Those absent or not voting were: Senators Davis, Metcalf, Piper, Pogue—4.

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

On motion of Senator Cotterill, the rules were suspended and the bill ordered transmitted to the House immediately.

REPORT TO COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASHINGTON, March 11, 1907.

Your Committee on Enrolled Bills to whom was referred Senate bill No. 186: An act to amend an act entitled, "An act to provide for the appointment of notaries public";

Also, Senate bill No. 221: An act relating to the filing, etc., of the laws of the state;

Also, Senate bill No. 139: An act creating a state highway board and the office of state highway commissioner;

Also, Senate bill No. 92: An act providing for the manner of sale and distribution of all grain sacks manufactured at the state penitentiary;

Also, Senate bill No. 198: An act relating to railroads and the regulation of railroads;—have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

We concur in this report: R. W. Condon, P. L. Allen, Robt. F. Booth.

The President signed Senate bills Nos. 198, 92, 139, 221 and 186.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASHINGTON, March 11, 1907.

We, your Committee on Cities of the First Class to whom was referred House bill No. 430, entitled, "An act entitled 'An act to preserve from pollution the waters supplied to the inhabitants of cities and towns 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.

JESSE S. JONES, *Chairman*.

We concur in this report: Geo. F. Cotterill, E. M. Williams, Fred Eidemiller.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

Your Conference Committee on House bill No. 192 reports that it has concluded that the Senate will not recede from the Senate amendments in which the House refused to concur, and it therefore recommends that the Senate do not recede from said amendments and that the bill be retransmitted to the House.

WILL G. GRAVES.

C. G. BROWN.

RALPH D. NICHOLS.

On motion of Senator Graves, the report of the committee was adopted.

MOTIONS.

On motion of Senator Ruth, the Senate concurred in House amendments to Senate bill No. 126, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Gunn, Hunter,

Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Booth, Eidemiller, Graves, Metcalf, Piper, Pogue and Presby—7.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

We, your Committee on Education to whom was referred Engrossed House bill No. 262, entitled, "An act to amend sections 22, 24, 27, 28, 40, 51, 71, 88, 117, 120, 121, 137, 139, 141, 144, 145, 165, of the Code of Public Instruction of the State of Washington, the same being chapter one hundred eighteen (House bill No. 472) of the Session Laws of 1897, relating to education," 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.

WALTER J. REED, *Chairman.*

We concur in this report: A. W. Anderson, Geo. A. Kennedy, H. S. McGowan, J. R. Stevenson.

On motion of Senator Reed, the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

We, your Committee on Fisheries to whom was referred House bill No. 276, entitled, "An act to establish a fish hatchery on the Big Quillcene river in Jefferson county," 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.

A. L. WATSON, *Chairman.*

We concur in this report: H. S. McGowan, T. A. Hunter, W. B. Presby, John L. Blair.

On motion of Senator Watson, the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 300, entitled, "An act relating to the public printing," etc., 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:

In line 2, section 1 of the printed bill, after the word "law" insert a comma and the words "by any state officer".

WILL G. GRAVES, *Chairman*.

We concur in this report: T. A. Hunter, E. M. Rands, Charles T. Hutson, Harry Rosenhaupt, H. M. Boone.

On motion of Senator Graves, the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands to whom was referred House bill No. 410, entitled, "An act authorizing the exchange of certain state lands for other lands now owned by the Commercial Trust Co.," 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.

ALEX POLSON, *Chairman*.

We concur in this report: H. S. McGowan, P. L. Allen, R. L. Kline, Will G. Graves, J. A. Veness, George U. Piper.

On motion of Senator Polson, the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

We, your Committee on State, Granted, School and Tide Lands to whom was referred Engrossed House bill No. 409, entitled, "An act relating to the right-of-way for railroads through lands owned by the State of Washington, held for military purposes at American Lake, Pierce county, 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.

ALEX POLSON, *Chairman*.

We concur in this report: H. S. McGowan, P. L. Allen, R. L. Kline, Will G. Graves, J. A. Veness, George U. Piper.

On motion of Senator Polson, the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

We, your Committee on Municipal Corporations to whom was referred Engrossed House bill No. 235, entitled, "An act to provide for the extending and enlarging of the corporate limits of any city, town or village in this state," 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.

S. T. SMITH, *Chairman*.

We concur in this report: T. A. Hunter, C. T. Hutson, Geo. A. Kennedy, J. R. Stevenson.

On motion of Senator Smith, the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 264, entitled, "An act for the protection of Chinese or Mongolian pheasants," etc., have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

WILL G. GRAVES, *Chairman*.

We concur in this report: Ralph D. Nichols, Robt. F. Booth, W. D. Scott, E. M. Rands, T. A. Hunter, Ralph Metcalf, W. B. Presby, Harry Rosenhaupt, Chas. T. Hutson, I. B. Knickerbocker.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 274 entitled, "An act providing that female complaining witnesses giving testimony in actions of rape, etc., shall be corroborated," etc., 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:

In line 1 of the title of the printed bill, after the word "rape" insert the word "and". In lines 1 and 2 of said title strike the words "and abduction".

In line 1, section 1 of the printed bill, after the word "rape" insert the word "or". In line 1 of said section strike the words "or abduction". In line 2 of said section, after the word "raped" insert the word "or". In line 2 of said section strike the words "or abducted";. In lines 4 and 5 of said section strike the words "and the corroboration is not sufficient if it merely shows the commission of the offense or the circumstances thereof."

WILL G. GRAVES, *Chairman*.

We concur in this report: E. M. Rands, Robt. F. Booth, Harry Rosenhaupt, T. A. Hunter, W. B. Presby.

On motion of Senator Graves, the report of the committee was adopted.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred House bill No. 465, entitled, "An act for the relief of Clarke county," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman*.

We concur in this report: J. R. Stevenson, B. D. Minkler, Alex Polson, Geo. A. Kennedy, Fred M. Pauly, George U. Piper.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 9, 1907.

MR. PRESIDENT:

We, your committee appointed respectively by the President of the Senate and Speaker of the House, for conference with reference to the amendments proposed by the Senate to House bill No. 8 and the House having refused to concur in such amendments, beg to report that we have considered the matter and recommend that the amendments made by the Senate to Sec. 1 of said House bill No. 8 by striking out the words "Island and San Juan", in Sec. 1 of said bill and inserting them in Sec. 2 be receded from and that the other amendments made by the Senate by adding the word "Kitsap" to Sec. 1 and the word "Klickitat" to Sec. 2 of said bill and striking out the word "Kitsap" from Sec. 2 and the word "Klickitat" from Sec. 3 of said bill be concurred in.

HARRY ROSENHAUPT, *Chairman*.

We concur: Wm. Shultz, G. W. Morse, J. B. Abrams.

To the Honorable, Senate and House of Representatives of the State of Washington:

We, a minority of your conference committee, appointed to consider House bill No. 8, relating to the dividing of the state into congressional districts, beg leave to report as follows, to-wit:

That we are most emphatically in favor of dividing the state into congressional districts, and do not wish to do anything that will interfere with or prevent such division; that we have been unable to agree upon a bill as amended; that the counties of Jefferson and Clallam have asked to be included in the First District; that such change is satisfactory to us and we therefore report in favor of discharging this conference committee and the appointment of a free conference committee to provide for districting the state as hereby indicated.

E. M. RANDS.

R. L. KLINE.

Senator Kline moved the adoption of the minority report, and that a free conference committee be appointed.

The motion carried.

REPORT TO COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 190, entitled "An act to provide for the improvement of tide lands and adjacent lands in aid of commerce;

Also, Senate bill No. 159: An act relating to escheats;

Also, Senate bill No. 194: An act relating to the organization and powers of corporations not formed for profit;—have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: R. W. Condon, Robt. F. Booth, P. L. Allen, Lincoln Davis.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

In accordance with Joint Rule No. 4, I have the honor to report that Senate bills Nos. 140, 144, 116, were presented to the Governor at 11:15 o'clock a. m., this day.

J. W. LYSONS, *Secretary.*

COMMUNICATION FROM THE GOVERNOR.

OLYMPIA, March 11, 1907.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I have this day approved Senate bill No. 233, entitled, "An act to amend section 7 of an act entitled, 'An act to provide for the establishment and creation of diking districts and the construction and maintenance of a system of dikes, and to provide for the means of payment thereof, and declaring an emergency', approved March 20th, 1895, and relating to diking districts, their formation and organization, the construction and maintenance of a system of dikes including the straightening, deepening and widening of rivers, water courses, and streams, and protecting the banks thereof, enlarging the rights, powers and duties of the commissioners thereof, disposing of the interests of the state in the beds and shores of navigable waters, streams or water courses, and declaring an emergency."

ALBERT E. MEAD, *Governor.*

INTRODUCTION OF BILLS.

House bill No. 231, by Mr. Beebe, entitled, "An act to amend an act entitled, '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.' ”
(Section 7089 of Pierce's Code.)

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 Judiciary.

House bill No. 191, by Mr. Sherfey, entitled, “An act assenting to the terms, conditions and purposes of the grant of money for the more complete endowment and maintenance of agricultural experiment stations.”

The bill was read the first time, and on motion of Senator Nichols the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 397, by Mr. Beebe, entitled, “An act relating to the certification of teachers in cities employing four hundred or more teachers in the public schools thereof.”

The bill was read the first time, and on motion of Senator Cotterill the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 134, by Mr. Coles, entitled, “An act authorizing city councils in cities of the first class to sell surplus water from their water systems to communities lying without the city boundaries, and declaring an emergency.”

The bill was read the first time, and on motion of Senator Jones the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 299, by Mr. Carlyon, entitled, “An act authorizing boards of county commissioners in the several counties of the state, to convey to incorporated cities and towns, within the boundaries of their respective counties, lands belonging to the county, for park, cemetery or other municipal purposes, for such consideration as to them may seem proper.”

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 placed on general file.

House bill No. 319, by Mr. Tonkin, entitled, “An act to amend section 3 of an act entitled, ‘An act creating a bureau of labor, defining its duties, abolishing the office of assistant labor and factory,’ ” 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 Commerce and Manufactures.

House bill No. 363, by Mr. Wade, entitled, "An act granting additional power to cities of the second, third and fourth classes."

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 placed on general file.

House bill No. 386, by the Joint Committee on Game and Game Fish; entitled, "An act to provide for the extermination of cougar, wild-cat, lynx, bear, coyote, coon, skunk and other wild animals."

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 placed on general file.

House bill No. 402, by Mr. Ulsh, entitled, "An act providing for the laying out and construction of a state wagon road and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Bratt the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 494, by Appropriations Committee, substituted for House bill No. 214, entitled, "An act making appropriations for certain deficiencies, the payment of certain judgments, the relief of certain persons, and other purposes."

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

House bill No. 502, by joint committee appointed to investigate the land office, entitled, "An act relative to the deposit of certain moneys."

The bill was read the first time, and on motion of Senator Scott the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 19, by Mr. Gregg, entitled, "An act relating to the liability of common carriers for personal injury or death of employes."

The bill was read the first time, and on motion of Senator Scott the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 301, by Mr. Fancher, entitled, "An act to amend section 16 of an act entitled, 'An act in relation to the insane of the State of Washington and making appropriations for the maintenance thereof.'"

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 and placed on general file.

House bill No. 339, substituted for House bill No. 61, by Mr. Gaches, entitled, "An act to prohibit all live stock from running at large."

The bill was read the first time, and on motion of Senator McGregor the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 343, by Mr. Cloes, entitled, "An act regulating the sale of milk and cream in cities of this state."

The bill was read the first time, and on motion of Senator McGregor the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 9, by Mr. Tibbetts, entitled, "An act to provide for the establishment and maintenance of a branch of the State Soldier's Home."

The bill was read the first time, and on motion of Senator Reed the rules were suspended, the bill was read the second time by title and made a special order for Tuesday morning at 10:30.

House bill No. 346, by Mr. Romaine, entitled, "An act authorizing cities to regulate and control the operations and the compensation and charges of telephone systems."

The bill was read the first time, and on motion of Senator Jones the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 388, by Mr. Bassett, entitled, "An act relating to the sale of intoxicating liquors, fixing a state license fee."

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 placed on general file.

House bill No. 405, by Mr. Troy, entitled, "An act providing for the leasing of rights-of-way over any lands of the State of Washington to any persons or corporations for logging purposes."

The bill was read the first time, and on motion of Senator Polson the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 414, by Mr. Coles, entitled, "An act amending 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 Davis the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 416, by Mr. Taylor, entitled, "An act making it unlawful for any railroad and other transportation companies to require any employee to purchase of any such company or of any particular person, firm or corporation the uniforms required by any such railroad or other transportation companies."

The bill was read the first time, and on motion of Senator Paulhamus the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 464, by Mr. Griffin, entitled, "An act authorizing county commissioners to grant to persons, companies or corporations the right to maintain along and upon any and all of the public highways pipes and conduits for the purpose of conducting water therein."

The bill was read the first time, and on motion of Senator Bratt the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No 465, by Messrs. Ranck and Blackmore, entitled, "An act for the relief of Clarke county, Washington, and making an appropriation."

The bill was read the first time, and on motion of Senator Veness the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 477, by Mr. Miller, entitled, "An act empowering boards of county commissioners to make exhibits of the products of their respective counties at the Western Washington Interstate Fair to be held at Centralia in 1907 and 1908."

The bill was read the first time, and on motion of Senator Veness the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 490, by Mr. McDonald, entitled, "An act to amend an act for the protection of farmers, ranchmen, herders of cattle, tavern keepers, and livery and boarding house stable keepers and other persons, for herding, keeping, pasturing, feeding and caring for stock."

The bill was read the first time, and on motion of Senator McGregor the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 323, substituted by Committee on Privileges and Elections for House bill No. 99, entitled, "An act relating to, regulating and providing for the nomination of candidates for public office in the State of Washington by primary elections and providing penalties for the violation thereof."

The bill was read the first time, and on motion of Senator Presby the rules were suspended, the bill was read the second time by title and placed on general file.

On motion of Senator Condon at 5:15 the Senate adjourned until 8:00 o'clock this evening.

EVENING SESSION.

The Senate was called to order at 8:00 o'clock p. m., by President Coon, pursuant to adjournment.

The Secretary called the roll, all members being present except Senator Pogue, excused.

SPECIAL ORDER.

Senator Presby moved that House bill No. 178, which was a special order, be put over for the time being, together with House bill No. 13, also a special order.

Senator Polson moved as a substitute for motion of Senator Presby, that House bill No. 178 be made a special order for 10:00 o'clock tomorrow morning.

The substitute motion was adopted.

On motion of Senator Stevenson, House bill No. 485, which was a special order, was made a special order for 3:00 o'clock p. m. tomorrow.

On motion of Senator Presby, House bill No. 13 was put over on the calendar, that Senate bill No. 322 might be taken up.

Senate bill No. 322: An act relating to regulating and providing for the nomination of candidates for public office in the State of Washington, etc., which was a special order was taken up and placed on third reading:

Senator Ruth moved to amend section 2 of the printed bill by inserting in line 4 after the word "or" the words "or to the election to offices of any city or town of the third or fourth class".

A roll call was demanded by the following: Senators Nichols, Smith, Sumner, Reed, Ruth, Potts and Metcalf, and the motion lost by the following vote:

Those voting aye were: Senators Allen, Booth, Bratt, Eidemiller, Hutson, Knickerbocker, McGregor, Pauly, Piper, Potts, Rands, Rosenhaupt, Ruth, Scott, Smith, Sumner, Veness and Williams—18.

Those voting nay were: Senators Anderson, Blair, Boone, Brown, Condon, Cotterill, Graves, Gunn, Hunter, Jones, Kennedy, Kline, McGowan, Metcalf, Minkler, Nichols, Paulhamus, Polson, Presby, Reed, Stevenson and Watson—22.

Those absent or not voting were: Senators Davis and Pogue—2.

On motion of Senator Ruth, the words "third or" were stricken from line 4, section 2 of the printed bill.

The honorable speaker of the House of Representatives appeared in the Senate Chamber and was invited to a seat on the rostrum.

Senator Ruth moved to strike all of lines 14 and 15 of section 4 of the printed bill.

A roll call was demanded by the following: Senators Metcalf, Veness, Graves, Gunn, Smith, Sumner, Williams and Booth, and the motion lost by the following vote:

Those voting aye were: Senators Boone, Booth, Bratt, Brown, Eidemiller, Kennedy, Knickerbocker, McGregor, Pauly, Piper, Potts, Rands, Ruth, Smith, Sumner, Veness and Williams—17.

Those voting nay were: Senators Allen, Anderson, Blair, Condon, Cotterill, Graves, Gunn, Hunter, Hutson, Jones, Kline,

McGowan, Metcalf, Minkler, Nichols, Paulhamus, Polson, Presby, Reed, Rosenhaupt, Scott, Stevenson and Watson—23.

Those absent or not voting were: Senators Davis and Pogue—2.

On motion of Senator Stevenson, the words "within a period of ninety days" were stricken from lines 13 and 14 of the printed bill, section 28.

On motion of Senator Cotterill, the word "other" was stricken from line 2, section 32 of the printed bill.

On motion of Senator Allen, the word "direct" before the word "primary" in line 3, section 26 of the printed bill was stricken.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—39.

Those voting nay were: Senator Rands—1.

Those absent or not voting were: Senators Davis and Pogue—2.

When Senator Cotterill's name was called he arose and made the following explanation of his vote, and asked that the same be entered on the Senate journal:

In voting upon this, probably final phase of the direct primary bill at this session, I desire this protest entered upon the record:

The provision in this bill (section 12), which requires on open declaration of party affiliation as the price of participation in a direct primary election is absolutely un-American. It imposes a test which bars the door against the independent voter while leaving it wide open to the "floaters" and other voting chattels marshalled to the polls by their purchasers. This provision places it within the power of the special privilege corporation or interest employing large numbers of men to coerce the votes or compel the absence from the polls of their employees as the price of protecting their means of livelihood. The secret ballot is the American freeman's weapon of advance and bulwark of defence in the cause of liberty. This provision requiring a disclosure of party affiliation violates that fundamental American principle. There are increasing thousands of workingmen who dare not directly reveal their partisanship and will not risk their livelihood and the support of wives and children by betraying their choice of a party which opposes the

special privilege which may be enjoyed by the employing corporation. Such men are barred from participation by this un-American provision which demands a party label publicly displayed.

Under this provision the "machine" will remain supreme on the party throne; the "boss" will still occupy the saddle; the "ward-heelers" will still "herd" their bands of "voting cattle" and deliver them to their purchasers; while independent citizens will be barred from participation by their sense of honor and the presentation of a partisan oath which insults their citizenship. The utterance of President Roosevelt at Harrisburg expresses my sentiments precisely:

"If we had no independent voters, we should always be running the risk of the most degrading kind of despotism—the despotism of the party boss and the party machine."

By section 12 of this bill, the State of Washington decides to disfranchise the independent voter at the direct primary and take the risk of the despotism of the party boss and the party machine.

Against that decision I protest and leave the responsibility to those who insist upon placing party ties above independent citizenship.

Despite this vital defect, this bill is an improvement over existing conditions. It destroys the caucus and convention system. It establishes a non-partisan judiciary. It is a substantial step forward. It is apparently all that can be accomplished by this Legislature in the direction of a direct primary. I have not endangered the bill at this stage of the session by offering any amendment. In the hope that it may prove the stepping-stone to a true direct primary on the American plan I desire to be recorded as voting "aye".

When Senator McGowan's name was called he arose to explain his vote, and stated that he desired to make exactly the same statement as did Senator Cotterill, requesting that the same be entered on the Senate journal.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—40.

Those absent or not voting were: Senators Davis and Pogue—2.

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

On motion of Senator Metcalf, the rules were suspended and the bill ordered transmitted to the House immediately.

Unanimous consent was given at this time to take up Senate bill No. 307 out of order.

Senate bill No. 307: An act to amend section 1364 of Bal-linger's Annotated Codes and Statutes of Washington, relating to election ballots, was placed on third reading.

On motion of Senator Presby, the rules were suspended and the reading previously had of this bill was considered the third reading of the Senate.

Senator Cotterill moved to amend the bill by striking the words "a circle under the party designation and" from line 13, section 1 of the printed bill.

Also in lines 15 and 16, section 1 of the printed bill strike the words "the circle shall be one-half inch in diameter".

The motion was lost.

The bill was placed on final passage and passed by the fol-lowing vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knick-erbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Scott, Smith, Stevenson, Sumner, Watson, Williams—36.

Those absent or not voting were: Senators Davis, Piper, Pogue, Presby, Ruth and Veness—6.

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

On motion of Senator Bratt, House bill No. 17 was made a special order for 10:05 a. m. tomorrow.

The President appointed to serve as Senate conferees on the Free Conference Committee on Senate bill No. 8, Senators Pres-by of Klickitat, Sumner of Snohomish and Kline of Whatcom counties.

On motion of Senator Condon at 10:00 o'clock p. m., the Senate adjourned.

J. W. LYONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.

FIFTY-EIGHTH DAY.

MORNING SESSION.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, March 12, 1907.

The Senate was called to order at 10:00 o'clock a. m., by President Coon, pursuant to adjournment.

The Secretary called the roll, all members being present except Senator Pogue, excused.

On motion of Senator Polson, the reading of yesterday's journal was dispensed with, and it was approved.

RESOLUTIONS.

Senate Concurrent Resolution No. 21, by Senators Blair and Reed:

Be it Resolved, by the Senate, the House concurring, that the ladies of the Women's Relief Corps of the Grand Army of the Republic be permitted to serve a hot lunch in the corridor on the last night of the session.

On motion of Senator Reed, the resolution was adopted on roll call as follows:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Gunn, Hunter, Kennedy, Kline, McGowan, McGregor, Nichols, Paulhamus, Pauly, Piper, Polson, Rands, Reed, Rosenhaupt, Scott, Smith, Sumner, Veness, Watson—28.

Those absent or not voting were: Senators Allen, Davis, Graves, Hutson, Jones, Knickerbocker, Metcalf, Minkler, Pogue, Potts, Presby, Ruth, Stevenson and Williams—14.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 12, 1907.

MR. PRESIDENT:

The House has passed House bill No. 462: Making appropriations for the maintenance of various state institutions and for sundry civil expenses;

Also, House bill, No. 487: Relating to the enumeration of inhabitants of cities of the first class;

Also, House bill No. 210: Relating to revenue and taxation;

Also, House bill No. 455: For the relief of C. W. Saunders;

Also, House bill No. 170: Relating to elections.

The Speaker has signed Senate bill No. 186: To amend an act entitled, "An act to provide for the appointment of notaries public";

Also, Senate bill No. 221: An act relating to the filing, etc., of the laws of the state;

Also, Senate bill No. 139: An act creating a state highway board and the office of state highway commissioner;

Also, Senate bill No. 92: An act providing for the manner of sale and distribution of all grain sacks manufactured at the state penitentiary;

Also, Senate bill No. 198: An act relating to railroads and the regulation of railroads.

The House has concurred in Senate amendments to House bill 176: An act creating the Washington State Reformatory;

Also, House bill No. 366: Relating to the method of sale of state lands.

The Speaker has signed Senate bill No. 190: An act relating to the improvement of tide lands;

Also, Senate bill No. 159: An act relating to escheats;

Also, Senate bill No. 194: Relating to the organization of corporations;

Also, House bill No. 102: Relating to the fees paid to Secretary of State by corporations;

Also, House bill No. 285: Providing for the furnishing of cars to shippers, etc.;

Also, House bill No. 222: Providing for the control of stored waters;

Also, House bill No. 108: Relating to the sale of school property;

Also, House bill No. 64: Requiring the filing with the county clerk of a certificate where a business is conducted under an assumed name;

Also, House bill No. 492: Relating to board of state land commissioners;

Also, House bill No. 242: An act regulating pilots and pilotage;

Also, House bill No. 469: Providing for the improvement of the public highways;

Also, House bill No. 131: Creating a commission to revise the Code of Public Instruction;

Also, House bill No. 309: To regulate the manufacture and sale of cigarettes;

Also, House bill No. 347: For the relief of Skamania county.

The House has passed Senate bill No. 129, entitled, "An act to apportion the State of Washington into three congressional districts," with the following amendments:

Amend section 1, line 1 of the original bill by inserting after the word "of" the following: "Island,;" also by inserting after the word "Kitsap" in line 1 of said section the following: "San Juan,".

Amend by striking from line 2, section 2 of original bill the word "Island,;" also by striking from line 3 of same section the word "San Juan,".

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

The President signed House bill Nos. 102, 285, 222, 108, 64, 492, 242, 469, 131, 309, 347.

SPECIAL ORDER.

The hour of 10:00 o'clock a. m. having arrived, House bill No. 178, which was a special order for that hour was taken up for consideration, and placed on third reading.

Senator Watson was called to the chair.

Unanimous consent was given at this time to suspend the rules and take up the general appropriation bill, being House bill No. 462.

INTRODUCTION OF BILLS.

House bill No. 462 by Joint Appropriations Committee: An act making appropriations for the maintenance of and sundry expenses of the various state institutions, schools and state offices and for the sundry civil expenses of the state government for the fiscal term beginning April 1, 1907, and ending March 31, 1909, was read the first time, and on motion of Senator Presby the rules were suspended, the bill read the second time by title, ordered taken up for consideration immediately and placed on third reading.

The President resumed the chair.

Unanimous consent was given at this time to introduce the report of the committee appointed to investigate the office of the land commissioner.

REPORT OF INVESTIGATING COMMITTEE APPOINTED UNDER SENATE JOINT RESOLUTION NUMBER ELEVEN.

To the Honorable President of the Senate and Speaker of the House of Representatives, Tenth Session of the Washington Legislature:

Your committee appointed pursuant to Senate Joint Resolution No. 11, respectfully submits the following report:

I.

Your committee met on the 16th day of February, 1907, and organized by the election of Senator I. B. Knickerbocker as chairman and G.

F. Brill as stenographer and secretary. Two days later your committee began taking oral testimony and receiving documentary evidence relating to the seven specific inquiries specified in said joint resolution and relating to the conduct of the office of the commissioner of public lands of this state. A large amount of oral testimony has been taken, but the stenographer has as yet been unable to transcribe into type-writing more than about one-third of his stenographic notes of the same.

The attorney general, Honorable John D. Atkinson, has been a constant attendant at the sessions of your committee and has at all times assisted in an effort to make the investigation thorough and complete.

The first inquiry specified in said joint resolution is as follows:

"What are the facts concerning application for timber lands No. 3354, which was an amended or continued application of former application, No. 2580, wherein said former application, a section of the finest timber land of Mason county, was appraised by cruisers Charles Billings and James Israel, directed by former Land Commissioner S. A. Callvert, three years ago, before the present land commissioner entered his office, at a value of about \$24,000, but which E. W. Ross, present land commissioner, had re-cruised by State Cruiser Deering, under new application 3354 at a value of about \$15,000, and which notwithstanding the continuous rise in value of timber lands, was arbitrarily reduced by said Ross to about \$12,000, and for which sum he sold it to one Mark Reed, and the Simpson Logging Company."

Your committee has made a thorough investigation of this inquiry. This inquiry or charge involves a section of timber land situate in Mason county about seven miles distant from Hood's Canal. The evidence shows that on the 11th day of June, 1904, one J. W. Rankin made application to the board of state land commissioners to purchase the timber standing upon this land. Thereafter and during the month of June, 1904, Mr. S. A. Callvert, then commissioner of public lands, caused this timber to be inspected by Cruisers Charles A. Billings and James McD. Israel, who filed a report of their inspection on June 29, 1904. These two cruisers found 5,642,000 feet of first fir, 21,250,000 feet of second fir, 980,000 feet of cedar, 420,000 white pine, and 970,000 feet of Hemlock, and estimated the value of this timber at the sum of \$23,254.50. Mr. Rankin refused to purchase at that sum and forfeited his deposit.

On November 2, 1905, Mr. M. E. Reed made application to the board of state land commissioners to purchase the timber situate on this land. Thereupon Mr. E. W. Ross, the present commissioner of public lands, caused this timber to be cruised by Mr. George B. Deering. Mr. Deering reported that there was standing upon this land 19,870,000 feet of second fir, 920,000 feet of cedar, 1,110,000 feet of hemlock and estimated the value of this timber at \$15,106.50. Mr. Deering's report was filed in the office of the commissioner of public lands on December 4, 1905. The board of state land commissioners afterwards appraised this timber at the sum of \$15,106.50. Afterwards and on or about December 22, 1905, Mr. Reed filed with the commissioner of public lands his protest

against the appraisal of this timber at the sum of \$15,106.50, claiming that the appraisal was too high. On December 27, 1905, Mr. Ross and Mr. Nichols, acting as a majority of the board of state land commissioners caused to be entered an order reducing this appraisal to the sum of \$12,000.00. This timber was sold by the county auditor of Mason county, acting on behalf of the state, on February 3, 1906, to the Phoenix Logging Company for which Mr. Reed was acting as agent, for the sum of \$12,000.00. There was no other bidder at such sale. The evidence shows that this timber was surrounded by lands owned by the Phoenix Logging Company; that the Phoenix Logging Company was at the time engaged in logging lands in that vicinity; and would have paid at this sale, if required so to do by competition, the sum of \$15,000.00. The evidence shows that immediately before this timber was cruised by Inspectors Billings and Israel, Mr. Callvert, the then commissioner of public lands, instructed Mr. Billings to report "every stick of merchantable timber found upon said land."

The second inquiry specified in said joint resolution is as follows:

"What were the facts, and why was the 'Pot Hole' oyster land, which was fully worth \$15,000, situated in Mason county, on tide land near lot 4, section 22, township 19, range 3 west, surrendered unceremoniously to parties without compensation."

The "Pot Hole" oyster land consists of about eleven acres adjacent to certain second class tide lands purchased from the State of Washington by John H. Scott, from Land Commissioner Robert Bridges. The State of Washington has claimed the ownership of this "Pot Hole" oyster land as a deep sea oyster bed. Prior to the time when Mr. Ross assumed the duties of the office of commissioner of public lands, and *ex-officio*, the duties of a member of the state oyster board, the other members being the Governor and Fish Commissioner, the state oyster board was threatening to include this "Pot Hole" oyster land in an oyster reserve. Mr. Scott thereupon commenced an action against the State of Washington, to restrain the defendant, its officers, and agents, from granting any license to any person to tong in the said "Pot Hole," or to lease the said "Pot Hole." This action was pending in the superior court of Thurston county when Mr. Ross assumed the duties of his present office. Some time afterwards the state oyster board prepared and caused to be filed a plat of an oyster reserve containing tide lands situate adjacent to the "Pot Hole" oyster land, but this plat did not include the "Pot Hole." Since the filing of this plat Mr. Scott has not pressed his action against the State of Washington, but has taken possession and now has possession of said "Pot Hole." There is no evidence before this committee that the State of Washington has granted or conveyed to Mr. Scott any rights in and to this "Pot Hole" not acquired, if acquired, under his patent to the second class tide lands purchased by him and adjacent to said "Pot Hole."

The third inquiry specified in said joint resolution is as follows:

"What are the cruising, prices and facts, in connection with certain sales of timber lands made by said Ross to the Silver Lake (Cowlitz

county) Logging & Railway Company, in which it is said great favoritism has occurred and in which it is reported said Ross is a leading stockholder."

Your committee has been unable to secure any evidence that the board of state land commissioners, since Mr. Ross assumed the duties of the office of commissioner of public lands, has sold any timber lands or timber to the Silver Lake Logging & Railway Company, or to any company in which Mr. Ross is or was a stockholder, or has or had an interest.

The fourth inquiry specified in said joint resolution is as follows:

"What lands has said Ross sold in Lewis county, and in other sections of the state, which are purchased directly or indirectly, by members of the present legislature, and what were the cruising, prices, and general facts of such sales."

About twenty-six sales of timber and lands—principally tide lands—have been made by the state since Mr. Ross assumed the duties of the office of commissioner of public lands, to persons who are now members of the present Washington State Legislature. Most of these sales, however, were made before the present members of the legislature were elected to office. There is no evidence that any favoritism was shown these purchasers, either by reason of the fact that they were members of the legislature, or on account of their political activities or otherwise.

The fifth inquiry specified in said joint resolution is as follows:

"What leases of lands did said Ross arbitrarily cancel November 9, 1905, and what ones of the same have been reinstated, and by what authority of law have they been re-instated."

The state land commissioners, by order of November 9, 1905, cancelled about thirty-five leases for reason of non-payment of rent. Seven of said leases were re-instated by the land commissioner. One by order of the court (reported in 42 Washington, at page 439). This decision was applicable by reason of the similarity of the circumstances to four other of said cases. The sixth and seventh were re-instated by the land commissioner for the reason that they included valuable improvements, and would necessitate a law suit to determine the state's right to forfeit said leases, on condition the person holding the said leases should immediately surrender the said leases and apply for the purchase of said land, which was done. A full and detailed statement of all facts and circumstances relating to each of said leases is attached hereto, made a part hereof and marked "Exhibit A."

The sixth inquiry specified in said joint resolution is as follows:

"Why have the application of some persons on different matters, for lease and purchase of lands, been attended to immediately, while many other persons have been compelled to wait for many months, regardless of their turn or order of application, and often without reply to their repeated letters of inquiry, nor any reasons being given for the unreasonable delays."

We find that all applications for lease and purchase of land and material are entered in proper books in order of receipt, and receipt

mailed to the applicant ten days thereafter. The examination of lands covered by application has been in many cases delayed. This is in considerable measure made necessary by the requirements of the law that "When in the judgment of the board of appraisers or the commissioner of public lands a sufficient number of applications have been received for the appraisal and sale of any lands belonging to the state." Under this provision the commissioner had delayed examination until the calls for a single county are sufficient to employ an examiner for a number of days.

Prior to January 1, 1907, the applications sent were not properly segregated by counties, which frequently resulted in some of them being overlooked. We find the limit of time very irregular, some applications being on file from eight to ten months without examination, and others attended to within a month or two. We did not find any instances of undue favoritism called to our attention. Several months were lost in the fall of 1906 by the exhaustion of the appropriation. We feel sure that the state would benefit by an increase in the compensation of the inspectors, and probably in their number. Without criticising the quality of work performed by those now in the service, we urge that in the future the office employ only active, energetic men who shall devote their time solely to the duties of their position while in the employ of the state.

Under this head we took up in detail and personally replied to all individual complaints of delay which reached us, and also spent considerable time familiarizing ourselves with the routine of the office. For several years the handling of the correspondence has been by no means as prompt as in the average public or private office. We have suggested several improvements in the office routine and in the handling of unfinished items and the employment of an additional stenographer. Much of the trouble has been occasioned by irregularity in the meetings of the board of state land commissioners and by delays in the office of the land commissioner, and elsewhere in the preparation of papers for their action.

The seventh inquiry specified in said joint resolution is as follows:

"What amount of money of the large sums being received continuously in his office, does the land commissioner have on hand at the present date, and where and when and how has he been depositing it, and how does his methods of handling such money compare with those of his predecessors in office, and with the business methods of other state officers who handle money of the state."

We find that the receipts of the office of the commissioner of public lands vary greatly, but have averaged about three thousand dollars a day during the past six months. During his term of office the present incumbent, following the example of his predecessor, has deposited his receipts in the Capital National Bank of Olympia. The account stands in the name of E. W. Ross, Land Commissioner, and is subject to check by Mr. Ross or by Mr. Bragg, the auditor and cashier. The amount on

deposit March 5, 1907, was \$376,242.51, divided among the various funds as follows:

Current School	\$ 40,665.33
Permanent School	79,649.31
Tide Land	20,344.25
Harbor Area	750.10
Special Deposits	33,521.12
Sales Pending	189,483.73
University Permanent	306.00
University Current	87.61
C. E. P. & R. I. Permanent.....	292.00
C. E. P. & R. I. Current.....	142.96
Scientific Permanent	1,462.75
Scientific Current	427.97
Normal Permanent	7,368.02
Normal Current	863.59
Agricultural College Permanent	69.60
Agricultural College Current	46.52
Escheated	97.37
Capitol	310.08
General Fund—Fees	354.20

It has been the practice of the commissioner to pay the state treasurer the tenth of each month the amounts received during the previous month in all accounts except special deposits and sale pending. The special deposit account includes the payments required by law to accompany applications for sale or lease of state lands, and when the applications are decided the payment is either endorsed on the account due the state or returned to the applicant. The sales pending account includes moneys received for the sale of timber or the first payment for leases or sales of land held awaiting the confirmation of the sale or lease. The cash account of the office is kept in double entry in good shape and with apparent accuracy. The bank book is balanced regularly, the account reconciled, and the balance agrees with the books of the state land commissioner.

A loose leaf ledger account is kept for each parcel of land sold. All postings are from the original entry. The plat books and books of record of leases are reasonably complete, and appear to be brought down to date. Leases and sales are indexed by card indexes carefully kept.

The work of the different inspectors is entered on the application books and a record kept of uninspected applications. The system of book-keeping has been entirely changed since the present commissioner came into office. The entire cash system, the card indexes, the ledger of sales, and the book of unexamined applications are all new and valuable additions.

The special deposits and sales pending accounts have never been segregated or proved. We have recommended that this shall be done at once, and that the accounts should be proved each month in the future. We have also recommended the purchase of a new cash book

with improved entries, conforming with the law requiring daily deposits, and also that receipts for cash items be issued the day of the arrival of the item. We have examined the system of filing and find the papers relating to all the cases properly collected and segregated as a part of the file of the case.

After this committee had entered upon this investigation Mr. W. W. Powers of Seattle, filed with this committee a sworn statement charging irregularities in the appraisal and sale of the west ten acres of the east thirty-five acres of lot 2, in section 36, township 25, north of range 4 east, in King county. This case is numbered 2850 in the files of the state land office. Your committee finds that on the 24th day of January, 1905, one J. I. Croft, being the lessee in possession of said land, filed a written application to purchase this ten acres from the state. Mr. Croft and his son were owners of a mill and certain improvements situate upon said land. The commissioner of public lands afterwards caused this land, together with the improvements, to be inspected by James McIntosh, an inspector then in the employ of the State of Washington. Mr. McIntosh estimated the value of the improvements and mill at the sum of \$5,453.34 and the value of the land, exclusive of improvements, at the sum of \$350 per acre. The board of state land commissioners afterwards appraised said land and improvements at the above sums. Afterwards and on January 11, 1906, Mr. Thomas E. Burke filed with the commissioner of public lands a written protest claiming that the mill and improvements had been appraised at too great a sum. About January 23, 1906, said Croft filed with the commissioner of public lands a protest against the appraisal of said land, exclusive of improvements at the sum of \$350.00 per acre, claiming that said lands were not worth that sum. During the spring of the year 1906, while said two protests were pending, Mr. Ross, in the company of the attorney for said Croft, personally inspected said lands and improvements and interviewed said Croft and his son, said Burke and one E. E. Webster relative thereto. Mr. Ross testified that Mr. Webster stated to him at this time that the sum of \$100.00 per acre was the fair market value of this land.

At this time Mr. Burke signed a written withdrawal of his protest. Said Croft, while his protest was pending, caused to be filed with the commissioner of public lands several affidavits to the effect that this land was not worth the sum of \$350.00 per acre. About May 21, 1906, the board of state land commissioners reduced the appraisal of said lands from \$350.00 per acre to \$100.00 per acre, and caused a notice to be sent to the county auditor of King county, advertising the said lands for sale. On the 30th day of June, 1906, this land and improvements were offered for sale by the deputy county auditor of King county. There were present at the sale, J. I. Croft, E. E. Webster, A. F. Raymond, and W. W. Powers, and R. F. Fox. Immediately upon said lands being offered for sale said J. I. Croft bid the sum of \$6,453.34, the same being the total appraised value of land and improvements. Immediately thereafter A. F. Raymond bid the sum of \$14,453.34. No other

bids having been offered, the deputy county auditor declared the property sold to Mr. Raymond. After the sale was concluded, Mr. Raymond, the purchaser at said sale, failed and neglected to pay to the deputy county auditor the sum of \$5,453.34, the appraised value of the improvements, or the sum of \$900, the same being one-tenth of the sum bid by him for the land exclusive of improvements or any part thereof. On July 6, 1907, the county auditor of King county, reported to the commissioner of public lands that there were two bids for this property: one of \$6,453.34 by J. I. Croft and the other of \$14,453.34 by A. Raymond; that Mr. Raymond made a tender of ten per cent. of his bid, exclusive of improvements stating that he would adjust the improvements with the land commissioner within thirty days, and that he rejected Mr. Raymond's tender and referred the matter to the commissioner of public lands. About this time Mr. Raymond, by letter addressed to the commissioner of public lands and dated July 7, 1906, withdrew his offer of \$14,453.34. Afterwards and on the 21st day of July, 1906, the commissioner of public lands accepted from said Croft the sum of \$1,000, the amount bid by Croft for said land, exclusive of improvements, at said sale, and the board of state land commissioners thereupon caused to be issued to said Croft a patent to said land. This land is situate on the east shore of Lake Washington, nearly opposite to Leschi Park in the city of Seattle, and it was admitted at this investigation that the same was situate within two miles of the corporate limits of the city of Seattle. Mr. Ross stated, however, that he did not know at the time that the corporate limits of the city of Seattle extended to the center of Lake Washington.

A preponderance of the testimony reasonably shows that during the spring of the year 1906, and on June 30th of that year the fair market value of this land was between \$500.00 and \$1,000.00 per acre. After hearing this testimony Mr. Ross stated to your committee that he had been "bunkoed" in this matter.

On July 26, 1906, said J. I. Croft and his wife sold this ten acres to E. E. Webster and R. F. Fox for the sum of \$14,453.34, Mr. Webster purchasing the east half and Mr. Fox the west half, each paying the same sum.

In the course of this investigation your committee has come to the conclusion that the present system of handling the lands belonging to the state and the present laws relating to the same are greatly in need of improvement and with that in view your committee has introduced in the legislature several measures looking to this end, which their limited time enabled them to do, and it is the recommendation of this committee that the board of state land commissioners give their careful attention to improving the present system of handling the state lands.

Ninety per cent. of the lands belonging to the State of Washington still remain unsold.

This committee has investigated the matters referred to it in this joint resolution and other matters pertaining to the land department, as thoroughly as the time allotted to it permitted.

We recommend that the attorney general be instructed to investigate the law and the facts concerning the so-called "Pot Hole" oyster lands on or near lot 4, section 22, township 19 north of range 3 west, in Mason county, and if said oyster lands are found to be below mean low tide, and to rightfully belong to the State of Washington, that he institute an action at law, without delay, to eject one J. H. Scott, now in possession of said lands, and recover said lands fully to the possession of the state.

We further recommend that the attorney general be instructed to investigate the law and the facts fully concerning ten acres of school lands sold by the state to one J. I. Croft, and for which a deed was given by the Governor and state land commissioner on the 21st day of July, 1906, the property being described as follows: The west ten acres of the east thirty-five acres of lot two of section thirty-six, in township twenty-five north of range four east; and if it is possible and feasible in law, to bring an action in the proper court to set aside said deed.

Your committee further recommends that all the stenographic notes of testimony taken in this investigation be typewritten without delay and one copy thereof be filed in the office of the secretary of state and one copy with the attorney general.

Your committee finds nothing in the evidence which criminales the Commissioner of Public Lands or the Board of State Land Commissioners.

Your committee now respectfully requests that it be discharged.

Very respectfully submitted,

I. B. KNICKERBOCKER.

W. D. SCOTT.

HARVEY A. RHODES.

J. D. BASSETT.

EDMUND RICE.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 12, 1907.

MR. PRESIDENT:

The Speaker has signed House bill No. 467: Providing for the establishment of certain state roads;

Also, House bill No. 418: Creating a state university fund, etc.;

Also, House bill No. 366: Relating to the sale or lease of state lands;

The House has passed Senate Joint Memorial No. 6;

Also, Senate Joint Memorial No. 5;

Also, Senate bill No. 293: Requiring railroad companies to equip flat cars with sticks;

Also, Senate bill No. 294: Providing for the protection of employes in factories;

Also, Senate bill No. 235: Relating to the power of counties to construct or aid in the construction of canals;

Also, Senate bill No. 228: Granting to the United States a right-of-way for Lake Washington canal;

Also, Senate Bill No. 254: Relating to the control of libraries.

And the same are herewith transmitted.

The House has indefinitely postponed Senate bill No. 291: Relating to the letting of contracts for public improvements;

Also, Senate bill No. 25: Relating to express companies.

The House has passed Senate bill No. 119: An act classifying counties according to population, fixing salaries, etc., with the following amendments:

Change the word "eighteen" in line 8, section 1, between the words "commissioners" and "hundred" to "fifteen".

Change the word "fifteen" in line 9 following the word "assessor" to "eighteen".

To section 1 of engrossed bill add the words "county surveyor, \$2400."

To section 2 of engrossed bill add the words "county surveyor, \$1900."

To section 3 of engrossed bill add the words "county surveyor, \$1900."

To section 4 of engrossed bill add the words "county surveyor, \$1900."

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Knickerbocker, the report of the committee on Senate Joint Resolution No. 11 was adopted and the committee discharged.

House bill No. 462 was again taken up.

On motion of Senator Veness, the Senate resolved itself into a committee of the whole to consider House bill No. 462.

The bill was considered in the committee of the whole, Senator Allen in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendments:

Change line 5, page 2 of the engrossed bill, total of general expense fund, to read same as line 23 of the printed bill, viz: \$31,900.00 instead of \$31,000.00 as is shown.

Amend line 12, page 4 of the engrossed bill, which is line 88 of the printed bill to read same as printed bill, viz: "Salary of commissioner at \$3,000 per year—\$6,000", instead of "\$2,000 per year—\$4,000" as shown in the engrossed bill.

Amend line 15, page 7 of the engrossed bill, which is line 165 of the printed bill to read as follows: "Salary of superintendent of traveling library \$2,400."

Amend line 18, page 7 of the engrossed bill, which is line 168 of the printed bill to read "Total \$14,100.00."

Insert after line 18, page 8 of the engrossed bill, which is after line 189 of the printed bill, the following: "Salary of dairy, food and drug inspector at \$1200 per year—\$2,400.00" then insert another line to read: "Expenses of dairy, food and drug inspector at \$1000 per year—\$2,000.00."

Change the total in line 21, page 8 of the engrossed bill, which is line 194 of the printed bill to read "\$21,600.00".

Amend line 25, page 8 of the engrossed bill, which is line 198 of the printed bill to read "Salary of extra deputies at \$100 per month—\$7,200.00".

After line 5, page 9 of the engrossed bill, which is after line 205 of the printed bill, insert the following: "Per diem and expenses of horticulture commissioner—\$4,000.00".

Amend line 11, page 9 of the engrossed bill, which is line 211 of the printed bill to read "Total—\$13,650.00".

Add to the items in lines 15, 16, 17, 18 and 19, page 14 of the engrossed bill, which is lines 335, 336, 337, 338 and 339 of the printed bill the following words: "and equipments".

The President signed House bills Nos. 467, 418, 366.

Senator Jones, President pro tem. was called to the chair.

On motion of Senator Allen, the report of the committee of the whole was adopted.

On motion of Senator Booth, the rules were suspended, the reading of House bill No. 462 had in the committee of the whole was considered the third reading in the Senate, the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Graves, Gunn, Hunter, Hutson, Jones, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Verness, and Watson—33.

Those voting nay were: Senators Davis, Eidemiller, Kennedy, Rands, Sumner and Williams—6.

Those absent or not voting were: Senators Metcalf, Pogue and Presby—3.

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

On motion of Senator Veness, the rules were suspended and the bill ordered transmitted to the House immediately.

House bill No. 178 was again taken up.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Davis, Kennedy, Metcalf, Pogue and Presby—5.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Graves, Gunn, Hunter, Hutson, Jones, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—36.

Those absent or not voting were: Senators Davis, Eidemiller, Kennedy, Metcalf, Pogue and Presby—6.

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

On motion of Senator Polson, the rules were suspended and the bill ordered transmitted to the House immediately.

MOTIONS.

On motion of Senator Rosenhaupt, the Senate concurred in House amendments to Senate bill No. 129 by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those absent or not voting were: Senators Davis, Kennedy, Metcalf, Pogue and Knickerbocker—5.

Amended House bill No. 17: An act to provide for the levy and manner of payment of road and bridge taxes, was placed on third reading.

Senator Smith moved to strike section 3 of the printed bill.

The motion was lost.

On motion of Senator Gunn, the words and figures "of chapter 119 of the Session Laws of 1903" were added to section 4 of the printed bill.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Veness, Watson—3.

Those voting nay were: Senators Rands, Smith and Sumner—3.

Those absent or not voting were: Senators Booth, Graves, Metcalf, Nichols, Pogue and Williams—6.

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

On motion of Senator Bratt, the rules were suspended and the bill ordered transmitted to the House immediately.

On motion of Senator Davis, the Senate concurred in House amendments to Senate bill No. 184, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Watson, Williams—37.

Those absent or not voting were: Senators Metcalf, Pogue, Potts, Presby and Veness—5.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 12, 1907.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 192: An act providing for indeterminate sentences.

The House has passed a resolution requiring the return to the House of House bill No. 134.

The House has passed Senate bill No. 322: An act relating to the nomination of candidates for public office, with the following amendments:

After the word "primary" in line 6 of section 3 add the following words:

"*Provided*, That primaries for the nomination of candidates to be voted upon at municipal elections held during 1907 shall be held two weeks prior to the date of said elections."

Amendment to section by Conference Committee Amend section 22 by adding thereto the following: "city committeemen may be elected at municipal elections in the manner provided in this section, as near as may be".

Change the figures "\$100.00" in line 10, section 29, to read "\$25.00."

Amend section 29 by adding thereto the following: "but this section shall not be construed as permitting the payment for any publication prohibited by section 28 of this act."

Amendment to section 38 by Conference Committee. Amend section 38 by striking out the word "first" in line 8 of the printed bill; also by striking out all of section 38 after the word "offices" in line 9 of the printed bill.

Further amend the section by adding a new sentence after the word "offices" in line 9 of the printed bill to read as follows: "Where a vacancy or other cause shall necessitate the election of a judge for a short term and at the same election one or more judges are to be elected for the full term, candidates may announce themselves for either the short or full term and the ballots shall be arranged accordingly."

In line 41, section 24, strike the word "to" between the words "candidate" and "be" and insert in lieu thereof the word "shall".

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House*.

Major A. N. Brown, Secretary to the Governor, delivered the following:

COMMUNICATIONS FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, March 12, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I have this day approved the following bills:

Senate bill No. 92, entitled, "An act providing for the manner of sale and distribution of all grain sacks manufactured at the state penitentiary, and declaring an emergency."

Senate bill No. 116, entitled, "An act regulating commission merchants or persons selling farm, dairy, orchard or garden produce on commission, and providing a penalty for the violation thereof, and

repealing an act entitled, 'An act to regulate the sale of farm, dairy, orchard or garden produce on commission, approved March 21, 1895.'

Senate bill No. 159, entitled, "An act relating to escheats."

Senate bill No. 186, entitled, "An act to amend an act entitled, 'An act to provide for the appointment, qualification and duties of notaries public, certifying their official acts and declaring an emergency to exist,' approved December 21st, 1889."

Senate bill No. 198, entitled, "An act relating to railroads and the regulation of railroads, and amending section 1, of chapter XXXV of Session Laws 1899."

Senate bill No. 221, entitled, "An act relating to the filing, publication and citation of the laws of the state, and declaring an emergency."

Senate bill No. 194, entitled, "An act relating to the organization and powers of corporations other than those formed for the purpose of profit."

ALBERT E. MEAD, *Governor*.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, March 12, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I have the honor to transmit herewith copies of the following documents:

A letter from the President of the United States, dated March 3, 1907, in relation to the national forest reserve policy as it affects the State of Washington;

A letter from Gifford Pinchot, Forester, to the President on the same subject;

A letter from the Governor of Washington to the President, dated February 13, 1907, which elicited the foregoing letters.

Inasmuch as it is indicated in the letters of the President and the Forester that the Secretary of the Department of the Interior, the Commissioner of the General Land Office and the Chief Forester will probably visit the State of Washington to examine into the complaints of the people of this state regarding forest reserves, I would suggest to the Legislature the propriety of creating a Commission consisting of state officers and members of the Legislature to prepare in definite and accurate form the complaints this state has to make against the national administration of the public lands in the State of Washington, so that this matter may be presented properly to the visiting Federal officers and brought to their attention.

Our complaints, as I take it, fall naturally into two classes: First, that the natural development of the state is being retarded by excessive reservation of public lands for forest purposes;

Second, that we are being denied title to the lands—school and other lands—guaranteed to us under the Enabling Act, by the creation of great national reserves.

Respectfully submitted,

ALBERT E. MEAD, *Governor*.

(COPY.)

THE WHITE HOUSE,
WASHINGTON, March 3, 1907.

MY DEAR GOVERNOR MEAD:

I enclose herewith a copy of a letter from Mr. Gifford Pinchot, Chief Forester. I call your especial attention to our experience with the Olympic Reserve. In this a very large elimination was made some years ago in response to a plea that it was more valuable for agricultural than for timber; but as a matter of fact the lands were almost entirely taken up under the timber and stone act, are today largely without settlers, and their extremely valuable timber has passed into the hands of a few timber companies.

I agree entirely as to the admirable quality of our new Commissioner of the General Land Office, Judge Ballinger. During the coming summer I intend to have Secretary Garfield, Commissioner Ballinger and Chief Forester Pinchot go most carefully over the whole forest preserve matter, and so far as practicable, have them visit personally at least certain of the reserves. If it shall appear that any of the reserves we have made, whether recently or of old date, include agricultural land, that land will be restored to entry. But it is surely destructive in the highest degree to the interests of the country and the interests of the State of Washington, to turn over rich timber land to great syndicates who skin it and leave it worthless. We wish to use the forests, but to use them in the way every really civilized people does use them; ~~that~~ is, to preserve them for future generations. In short, we wish to administer the lands so that they will be preserved for the actual homemakers and for the children who are to come after them. I am sure, my dear Governor, that this is also your purpose, and that no man is better able to put it into effective form than your fellow-citizen, Judge Ballinger, of Seattle, whom I have just appointed Commissioner of the General Land Office, and who enters upon his duties tomorrow.

Sincerely yours,

THEODORE ROOSEVELT.

To Albert E. Mead, Governor of Washington, Olympia, Washington.
Enclosure.

(COPY.)

UNITED STATES DEPARTMENT OF AGRICULTURE,
FOREST SERVICE.

WASHINGTON, March 2, 1907.

THE PRESIDENT, THE WHITE HOUSE.

DEAR MR. PRESIDENT—Your letter of February 19 has been received, enclosing a letter from Governor Mead of Washington concerning your forest policy.

Governor Mead is right in saying that lands of higher value for agriculture than for timber should not be withdrawn from settlement and entry; and it is true that much logged-off land in Western Wash-

ington has high agricultural value. It is also true that such land is, in many cases, quickly reforested. If it were proposed to include in reserves such lands as those lying to the west of the base of the Cascade mountains, the Governor's argument would be conclusive; but the reports of our examiners show that the lands in existing or proposed reserves are, with the exception of very small and isolated areas, without value for agriculture. I cannot advise you to release from withdrawal these heavily timbered lands. To do so would certainly lead to their passing into the hands of the great lumber syndicates. On the other hand, many thousands of acres of logged-off private lands in Western Washington are now lying idle, altho they have more value for agriculture than the lands in the reserves. To throw the reserved lands open to settlement would be to promote speculative entries, and would rightfully bring just criticism to the Government.

Just this happened in the Olympic Reserve, where a very large elimination was made some years ago in response to the plea that it was more valuable for agriculture than for timber. The eliminated lands were taken up almost entirely under the timber and stone act. They are today largely without settlers and their extremely valuable timber has passed into the hands of a few lumber companies.

In the past few years unreserved timber to the value of millions of dollars has been burnt up in Western Washington, while the timber lands in the reserves have, in marked contrast, been almost free from fire.

I appreciate to the full that there is opposition to the forest reserve policy in Washington, as there is elsewhere. But little of it, however, comes from actual homeseekers. The history and the present condition of the forests in private control prove conclusively that your policy will in the end insure to the state the permanency of her industries. I assure you, however, that no reserve will be recommended without careful consideration, and that areas found valuable for agriculture will be reported to you for restoration to the public domain. I believe that Governor Mead is entirely right about Mr. Ballinger, the new Commissioner of the General Land Office, and it is already planned that as soon as practicable after the fourth of March, the question of school lands within national forests will be taken up between the Department of the Interior and the Department of Agriculture for the best solution possible under existing laws. The state authorities will be consulted and the state interests thoroly protected.

I have read with interest what Governor Mead says about the history of the Pacific Northwest and the source of the title of the United States to that land, but those facts cannot affect the laws as they exist today. Washington became first a territory and then a state by direct acts of Congress, and the status of the state land grants are fully determined by the laws. The Executive branch of the Government is bound by these laws, but there is certainly no desire to harass the state in securing title to its lands. I am confident that such matters will move more

easily hereafter. None of the administrative officials concerned want to interfere with the rights of the state. On the contrary, they are only anxious to administer the laws in a way to help local interests as much as possible, and above all to protect the homemaker in every possible way.

Very sincerely yours,

GIFFORD PINCHOT. *Forester.*

(COPY.)

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,
OLYMPIA, February 13, 1907.

To the President, Washington, D. C.

SIR—I have the honor to acknowledge receipt of your telegram of the 12th inst., conveying the information that the order withdrawing from entry certain lands in Whatcom county, Washington, was an error, and must not be construed as being chargeable to the administration's forest policy. I was glad indeed to receive your assurance and conveyed it promptly by special message to the Legislature.

The people of the State of Washington, who gave you 75,000 majority in 1904, I believe are heartily in accord with your general policy regarding the preservation of water supplies and forests. Nevertheless, there is a pronounced feeling that at times the authority invested in your officers has been used in a manner to work an injury to the best interests of the whole people of this commonwealth. A glance at a map of the State of Washington issued by the General Land Office in 1905 will show you that there has already been reserved in the State of Washington for forest reserves an area in excess of the total area of the State of Massachusetts. It is true, undoubtedly, that there has been reckless lumbering in the State of Washington, and that great areas have been logged off. I do not think that it can be controverted that at times there has been fraud in securing title to portions of the public domain by certain interests. Nevertheless, I do not think that these cases justify the wholesale withdrawal of large portions of lands which, while heavily timbered, have a distinct actual value for agricultural purposes. Conditions in this state are not the same as they are in other states where reserves are being made. It is a matter of easy observation to the traveler in Western Washington that our logged-off lands, if permitted to lie, reforest in an astonishingly short space of time. Furthermore, it also is true that some of our most valuable agricultural lands in Western Washington are those from which the timber has been removed. Thousands of early settlers and purchasers are now making not only a living but more than a competence from small farms located on lands which have been logged off. In fact, these logged-off lands are among the most productive per acre in the West and when cleared are worth \$100 an acre at a minimum valuation.

These are the facts which cause the people of this state to grow restless under off-repeated orders extending the limits of forest reserves.

In this connection, if you will permit me, I desire to draw your attention to another matter, upon which I already have written to Hon. R. A. Ballinger, the new Commissioner of the General Land Office, upon whose appointment, by the way, I desire to congratulate the administration. The State of Washington never has received in full the lands guaranteed to it by the Enabling Act admitting the state to the Union. Under existing intricate and I believe unjust regulations of the Department of the Interior it has become practically impossible for us to complete the selections to fill these grants. You who are so well informed regarding the history of the Pacific Northwest better than most no doubt will appreciate the fact that this whole region was secured to the territory of the United States not by the expenditure of lives and treasures in the conduct of a war of conquest, nor by treaty stipulation, nor by original acquisition. Our title reads, "by occupation and discovery." In other words, our pioneers came here of their own volition, secured the country to the Federal Government and, failing for a time to receive recognition from that government, erected their own provisional government which was the forerunner of the Territory of Oregon when that political organization finally received recognition at Washington. It might have been assumed that the title to the public lands in this region would lie in the states which it gave to the Union, but as I understand it this was not even proposed. The people were quite willing to surrender all title to the Federal Government and receive in return a very small percentage in the form of grants for the erection and maintenance of state institutions—estates the value of which ultimately will take from the shoulders of the general tax payer the burden of the support of these establishments. Now that we are being harassed in securing title to this small percentage, we feel naturally that we have a grievance.

I write this fully and freely, believing implicitly as I do in your fairness of mind and desire to do justice to all the people of the country.

With very kindest regards, I am

Very truly yours,

ALBERT E. MEAD, *Governor of Washington.*

SPECIAL ORDER.

House bill No. 404: An act to provide for the sale of certain tide lands situated in Jefferson county, was placed on third reading.

On motion of Senator Blair, the Senate resolved itself into a committee of the whole to consider Senate bill No. 404.

The bill was considered in the committee of the whole, Senator Scott in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendments:

Insert a new section to be numbered section 3, the same to read as follows: "Sec. 3. Nothing in this act contained shall change, modify or repeal any existing provisions of the general law relating to the sale and use of tide lands for the culture of oysters or other shell fish, but shall be additional thereto and concurrent therewith, and all sales of tide lands made thereunder for the purpose of the culture of oysters or other shell fish shall be subject to like conditions and reversions prescribed by existing laws for similar lands sold for like purposes."

Make section 3, of both the printed and engrossed bills to be "Sec. 4."

On motion of Senator Scott, the report of the committee of the whole was adopted.

On motion of Senator Scott, the rules were suspended, the reading of House bill No. 404, had in the committee of the whole was considered the third reading of the bill in the Senate, and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Sumner, Veness, Watson—35.

Those voting nay were: Senators Brown and Williams—2.

Those absent or not voting were: Senators Booth, Metcalf, Pogue, Rands and Smith—5.

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

On motion of Senator Condon, the rules were suspended and the bill ordered transmitted to the House immediately.

On motion of Senator Cotterill, House bill No. 134 was ordered returned to the House in accordance with the request of the House.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 12, 1907.

MR. PRESIDENT:

The House has passed House Concurrent Resolution No. 23: Requesting the Governor to return House bill No. 285 to House for correction.

The House has concurred in Senate amendments to House bill No. 462: An act making appropriations for maintenance of various state institutions, etc.

The House has passed House bill No. 417: Relating to mutual fire insurance companies;

Also, House bill No. 390: Amending an act providing for the manner of commencing civil actions.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Presby, the Senate concurred in House amendments to Senate bill No. 322, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-miller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Watson, Williams—38.

Those absent or not voting were: Senators Metcalf, Paulhamus, Pogue and Veness—4.

On motion of Senator Paulhamus, the Senate concurred in House Concurrent Resolution No. 23, requesting the Governor to return House bill No. 285 to the House for correction.

SENATE CONCURRENT RESOLUTION NO. 22 BY SENATOR KLINE.

WHEREAS, The subject of the preservation of immense areas of public lands in the State of Washington by the national government for forest and other reserves is one that directly concerns the people of this state; and

WHEREAS, The federal government already has reserved in this state approximately twelve million acres, of which 8,500,000 acres are for forest reserves, out of a total area in the state of 42,746,880 acres, or has taken from the commonwealth more than 27 per cent. of its total area; and

WHEREAS, Such enormous withdrawals not only retard the legitimate growth and development of the state but also deny to the state the grants of land guaranteed by the act of Congress admitting Washington, and therefore are in evident violation of the compact by which the federal government agreed to give to the state for common school purposes sections 16 and 36 in each township and other lands for other purposes; and

WHEREAS, The officers of the state are being retarded in their efforts to complete the selections of granted lands by officers of the general government; and

WHEREAS, The President of the United States has, in a letter submitted to this Legislature, advised the Governor of this state that it is

the purpose of the Secretary of the Interior, the Commissioner of the General Land Office and the Chief Forester to visit certain forest reserves during the coming summer and to examine into complaints of the character the State of Washington has to make, now, therefore, be it

Resolved by the Senate of the State of Washington, the House concurring, that a committee be formed consisting of the Attorney General, the Commissioner of Public Lands, two members of the Senate to be designated by the President of the Senate, and two members of the House of Representatives to be designated by the Speaker of said House, to serve without compensation and to prepare in accurate and comprehensive form the complaints to be made by the state against the general government in this connection, and to submit them to the visiting federal officials personally or in such manner as may be deemed fit, to the end that a betterment of conditions may result; and be it further

Resolved, That, if the committee provided for herein, find it necessary to incur any legitimate expense that cannot be lawfully borne by any appropriation of this Legislature, the same be reported to the Eleventh Legislature for such action as it may see fit to take.

On motion of Senator Kline, the resolution was adopted.

On motion of Senator Kline, the rules were suspended, and the resolution ordered transmitted to the House immediately.

House bill No. 9: An act providing for the establishment and maintenance of a branch of the state soldiers' home, etc., was placed on third reading.

On motion of Senator Blair, the Senate resolved itself into a committee of the whole to consider House bill No. 9.

The bill was considered in the committee of the whole, Senator Stevenson in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Stevenson, the report of the committee of the whole was adopted.

On motion of Senator Stevenson, the rules were suspended, the reading of House bill No. 9 had in the committee of the whole was considered the third reading in the Senate, the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Watson, Williams—38.

Those absent or not voting were: Senators Allen, Metcalf, Pogue and Veness—4.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 12, 1907.

MR. PRESIDENT:

The House has passed House bill No. 341: An act to establish retaliation and reciprocation between states as regards insurance companies;

Also, House bill No. 392: Amending Code of Civil Procedure;

Also, House bill No. 493: Concerning payment of state normal school warrants.

The House has passed House bill No. 415: An act authorizing the creation of building departments in cities of certain classes;

Also, House bill 394: Amending an act relating to estrays;

Also, House bill No. 141: An act relating to road, bridge and property taxes.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Ruth, House bill No. 373 was now taken up for consideration.

House bill No. 373: An act providing for the protection of the owners of second class tide lands or oyster lands, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson—37.

Those voting nay were: Senator Sumner—1.

Those absent or not voting were: Senators Booth, Metcalf, Pogue and Williams—4.

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

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 12, 1907.

MR. PRESIDENT:

In accordance with Joint Rule No. 4, I have the honor to report that Senate bills Nos. 198, 186, 221, 139, 92, 194, 159, 190 were presented to the Governor at 11:55 o'clock a. m., this day.

J. W. LYSONS, *Secretary.*

Amended House bill No. 232: An act relating to the taking of food fishes, etc., was placed on third reading.

Senator Booth moved to amend section 2 of the printed bill by striking all beginning with the word "that" in line 9 to and including the word "net" in line 17.

The motion was lost.

On motion of Senator Polson, the words and figures "ten dollars (\$10.)" in line 7, section 3 of the printed bill were stricken and the words and figures "fifty dollars (\$50.)" inserted in lieu thereof.

Also the words and figures "one hundred dollars (\$100.)" in line 8, section 3 of the printed bill, and the words and figures "two hundred dollars (\$200.)" inserted in lieu thereof.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—36.

Those voting nay were: Senators Booth, Kennedy and Rands—3.

Those absent or not voting were: Senators, Knickerbocker, and Pogue—3.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Davis, Eidemiller, Gunn, Hunter, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—34.

Those voting nay were: Senators Cotterill, Hutson, Kennedy, Knickerbocker, Piper—5.

Those absent or not voting were: Senators Graves, Jones, and Pogue—3.

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

Senator Davis moved that House bill No. 19 be made a special order for 10:00 o'clock tomorrow.

Senator Boone moved as a substitute for motion of Senator Davis, that the bill be placed at the head of the calendar for tomorrow.

The substitute motion was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 176: An act to establish and maintain a home for the indigent blind, aged and infirm and making an appropriation therefor;

Also, Senate bill No. 286: An act relating to life insurance companies and providing penalties;—have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. W. ANDERSON, *Chairman.*

We concur in this report: Fred M. Pauly, A. S. Ruth.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 12, 1907.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 183: An act for the protection of clams.

LEO O. MEIGS, *Clerk of the House.*

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred House bill No. 494, entitled, "An act making appropriations for certain deficiencies," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman.*

We concur in this report: B. D. Minkler, Fred M. Pauly, Geo. A. Kennedy, R. W. Condon, H. M. Boone, George U. Piper, Bobt. F. Booth.

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 11, 1907.

MR. PRESIDENT:

We, your Committee on Game and Game Fish to whom was referred House bill No. 29, entitled, "An act to amend an act, entitled, 'An act

to amend section 1 of chapter 47 of the laws of 1903, providing for a closed season for trout fishing in the lakes and streams of Chelan county," 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: C. G. Brown, H. M. Boone, H. S. McGowan, E. M. Williams.

SENATE CHAMBER,

OLYMPIA, WASHINGTON. March 11, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred House bill No. 461, entitled, "An act making an appropriation for postage, express and incidental expenses of the state librarian," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. A. VENESS, *Chairman*.

We concur in this report: H. M. Boone, Fred M. Pauly, J. R. Stevenson, Harry Rosenhaupt, Geo. A. Kennedy, George U. Piper.

RESOLUTION BY SENATOR VENESS.

WHEREAS, The employees of the State Senate at this session have proved themselves intelligent, industrious and at all times courteous; and

WHEREAS, They will in all probability be compelled to work throughout the night of Thursday of this week; therefore, be it

Resolved, That the secretary be and is hereby instructed to allow each employee, one extra day's pay.

On motion of Senator Veness, the resolution was adopted.

On motion of Senator Condon, all bills passed by the Senate up to this time were ordered transmitted to the House immediately.

House Concurrent Resolution No. 23, requesting the Governor to return to the House, House bill No. 285 for amendment, was read, and on motion of Senator Paulhamus, the resolution was adopted.

INTRODUCTION OF BILLS.

House bill No. 41, by Mr. Rowe, entitled, "An act amending section 5994 of Ballinger's Annotated Codes and Statutes of Washington, relating to admissibility in evidence of testimony of persons under certain relations."

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 placed on general file.

House bill No. 394, by Mr. McDonald, entitled, "An act to amend section 5 of an act entitled, 'An act in relation to estrays, providing for their detention, registration and sale, and prescribing penalties for its violation,' approved February 16, 1905."

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 placed on general file.

House bill No. 415, by Mr. Hanson, entitled, "An act authorizing and empowering cities of the first class to create and establish a building department and defining its duties and powers."

The bill was read the first time, and on motion of Senator Jones the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 341, by Mr. Bassett, entitled, "An act to establish retaliation and reciprocation between this state and others of the United States as regards insurance companies of such respective states."

The bill was read the first time, and on motion of Senator Hutson the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 392, by Mr. Godman, entitled, "An act amending the code of civil procedure and designating the place for the commencement and trial of civil actions in certain cases."

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 placed on general file.

House bill No. 493, substituted by Appropriations Committee for House bill No. 45, entitled, "An act authorizing the state treasurer to call in and pay the warrants drawn upon the 'State Normal School Fund,' provided for by the Legislature, approved March 7, 1895, and appropriating money for the same."

The bill was read the first time, and on motion of Senator Veness the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 390, by Mr. Godman, entitled, "An act amending section 9 of an act entitled, 'An act to provide for the manner of commencing civil actions in the superior courts, and bringing the same to trial,' approved March 15, 1893."

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 placed on general file.

House bill No. 417, by Mr. Halteman, entitled, "An act to amend an act providing for the incorporation and regulation of mutual fire insurance companies and associations."

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 placed on general file.

House bill No. 500, by Mr. McCoy, entitled, "An act to amend section 3 of an act entitled, 'An act creating the office of public printer.'"

The bill was read the first time, and on motion of Senator Kennedy the rules were suspended, the bill was read the second time by title and placed on general file.

House bill No. 210, by Mr. Kayser, entitled, "An act relating to revenue and taxation."

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 placed on general file.

House bill No. 107, by Mr. McMorran, entitled, "An act to repeal an act amending section 21 of chapter 71 of the laws of 1897, relating to revenue and taxation 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 and placed on general file.

House bill No. 455, by Mr. Tonkin, entitled, "An act for the relief of C. W. Saunders."

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 placed on general file.

House bill No. 487, by Mr. Gregg, entitled, "An act relating to the enumeration of the inhabitants of cities of the first class."

The bill was read the first time, and on motion of Senator Jones the rules were suspended, the bill was read the second time by title and placed on general file.

On motion of Senator Sumner, the Senate concurred in House amendments to Senate bill No. 119 by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Bratt, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Jones, Kennedy, Kline, Knickerbocker, Metcalf, Nichols, Pauly, Piper, Polson, Potts, Rands, Ruth, Sumner, Veness, Watson, Williams—27.

Those absent or not voting were: Senators Boone, Brown, Davis, Hutson, McGowan, McGregor, Minkler, Paulhamus, Pogue, Presby, Reed, Rosenhaupt, Scott, Smith and Stevenson—15.

On motion of Senator Condon at 5:15 p. m. the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

FIFTY-NINTH DAY.

MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, Wednesday, March 13, 1907.

The Senate was called to order at 10:00 o'clock a. m., by President Coon, pursuant to adjournment.

Chaplain LaViolette offered prayer.

The Secretary called the roll, all members being present except Senators Allen, Hunter, Hutson, Kennedy, Knickerbocker, McGowan, McGregor, Piper, Pogue and Polson, all of whom are excused.

On motion of Senator Nichols, the reading of yesterday's journal was dispensed with, and it was approved.

MOTIONS.

On motion of Senator Nichols, the Secretary of the Senate was instructed to not return to the House, House bill No. 134.

SENATE CONCURRENT RESOLUTION. NO. 23.

BY SENATOR DAVIS.

WHEREAS, Our beloved colleague, Dr. J. I. Pogue, has been unable to attend the session owing to severe and long continued illness, and

WHEREAS, The long and faithful service of Dr. Pogue in both houses of the Legislature of this state has endeared him to all his colleagues and has been productive of great good to the people; therefore be it

Resolved, That we extend the hand of friendly greeting to our colleague and with it our warmest wishes for his speedy and complete recovery to health.

On motion of Senator Davis, the resolution was adopted.

SENATE COCURRENT RESOLUTION NO. 18, BY SENATOR RUTH.

WHEREAS, The roll top desks and press tables formerly used in the Senate and House chambers have been replaced with other and more suitable furniture; therefore, be it

Resolved by the Senate, the House concurring, that the following disposition be made of the desks and tables referred to:

That the large solid oak press table, formerly used in the House chamber, valued at \$450, be turned over the board of control for the use of said board;

That the solid oak semi-circular press table, formerly used in the Senate chamber, valued at \$400, be turned over to the state law library;

That three of the solid oak roll top desks, valued at \$160 each, and one standing desk in room 4, be turned over the state tax commission;

That two of the solid oak roll top desks, valued at \$160 each, be turned over to the state railway commission;

That the remaining three roll top desks, valued at \$160 each, be retained for the offices of the President of the Senate and Speaker of the House.

On motion of Senator Ruth, the resolution was adopted.

The following resolution by Senator Piper was read:

Resolved, That during the remaining two days of this session no Senator be permitted to speak more than five minutes or more than once on any question or bill before the Senate, except by unanimous consent.

Senator Ruth moved the indefinite postponement of the resolution.

The motion was adopted.

On motion of Senator Presby, House bill No. 485 was ordered recalled from the committee.

GENERAL FILE.

House bill No. 19: An act relating to liability of common carriers, etc., was read the third time, placed on final passage and failed to pass by the following vote:

A call of the Senate was demanded before the roll was called on House bill No. 19, by Senators Jones, Scott and Booth, all

members being present except Senators Allen, Hunter, Hutson, Kennedy, Knickerbocker, McGregor, Metcalf, Pogue and Polson, all of whom were excused on account of illness.

Those voting aye were: Senators Anderson, Blair, Booth, Brown, Cotterill, Davis, Eidemiller, Gunn, Jones, Kline, Paulhamus, Pauly, Rosenhaupt—13.

Those voting nay were: Senators Boone, Bratt, Condon, Graves, McGowan, Minkler, Nichols, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—19.

Those absent or not voting were: Senators Allen, Hunter, Hutson, Kennedy, Knickerbocker, McGregor, Metcalf, Piper, Pogue, Polson—10.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 12, 1907.

MR. PRESIDENT:

The House has passed Senate bill No. 69: An act relating to the superior courts of Stevens, Ferry, Okanogan, Douglas and Chalan;

Also, Senate bill No. 292: Authorizing cities to lay salt water mains;

Also, Senate bill No. 240. For the validation of certain warrants;

Also Senate bill No. 248: Relating to use of brick manufactured at state penitentiary;

Also, Senate bill No. 276: An act relating to the organization of bonding companies with the following amendment:

Amend section 8 by adding thereto the following: "Such surety company shall pay to such bank examiner a fee of \$50.00 which shall be paid into the general fund, for each such examination: *Provided*, Such surety company shall not be required to pay for more than one examination in any year."

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Graves, House bill No. 191 was taken up out of order.

House bill No. 191: An act assenting to the terms, conditions and purposes of certain grants of money to the agricultural experiment station, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Bratt, Brown, Condon, Eidemiller, Graves, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper,

Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Watson, Williams—28.

Those absent or not voting were: Senators Allen, Booth, Cotterill, Davis, Gunn, Hunter, Hutson, Jones, Knickerbocker, Metcalf, Poguc, Polson, Scott and Veness—14.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Kennedy, Kline, McGowan, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Rands, Reed, Rosenhaupt, Smith, Stevenson, Sumner, Veness, Watson, Williams—30.

Those absent or not voting were: Senators Allen, Hunter, Hutson, Jones, Knickerbocker, Metcalf, McGregor, Poguc, Polson, Presby, Ruth and Scott—12.

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

House bill No. 494: (Substitute for House bill No. 214): An act making appropriations for certain deficiencies of certain judgments, etc., was placed on third reading.

On motion of Senator Booth, the Senate resolved itself into a committee of the whole to consider House bill No. 494.

The bill was considered in the committee of the whole. Senator Smith in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Smith, the report of the committee of the whole was adopted.

On motion of Senator Smith, the rules were suspended, the reading of House bill No. 494 had in the committee of the whole was considered the third reading of the bill in the Senate, and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Eidemiller, Graves, Gunn, Kennedy, Kline, McGowan, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Rands, Reed, Ruth, Scott, Smith, Watson, Williams—26.

Those absent or not voting were: Senators Allen, Cotterill, Davis, Hunter, Hutson, Jones, Knickerbocker, McGregor, Met-

calf, Pogue, Polson, Presby, Rosenhaupt, Stevenson, Sumner and Veness—16.

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

On motion of Senator Graves, the Senate concurred in House amendments to Senate bill No. 276, by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Jones, Kennedy, Kline, Knickerbocker, McGowan, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Reed, Ruth, Scott, Smith, Watson, Williams—30.

Those absent or not voting were: Senators Allen, Gunn, Hunter, Hutson, McGregor, Metcalf, Pogue, Presby, Rosenhaupt, Stevenson, Sumner and Veness—12.

House bill No. 388: An act relating to the sale of intoxicating liquors, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Stevenson, Watson, Williams—32.

Those voting nay were: Senator Cotterill—1.

Those absent or not voting were: Senators Allen, Hunter, Metcalf, Pogue, Polson, Scott, Smith, Sumner and Veness—9.

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

House bill No. 270: An act to provide against the adulteration of foods and drugs, was placed on third reading.

On motion of Senator Paulhamus, the bill was amended as follows: In section 4, page 4, line 6 of the engrossed bill, beginning with the word "provided" strike out all of that proviso down to and including the word "physician".

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly,

Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Williams—35.

Those absent or not voting were: Senators Allen, Hunter, Metcalf, Piper, Pogue, Polson and Watson—7.

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

On motion of Senator Minkler, the rules were suspended and the bill ordered transmitted to the House immediately.

House bill No. 409: An act relating to the acquisition of rights of way for railroads through lands owned by the state, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—32.

Those absent or not voting were: Senators Allen, Blair, Davis, Graves, Gunn, Hunter, Metcalf, Piper, Pogue, Polson—10.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Condon, Cotterill, Eidemiller, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—31.

Those absent or not voting were: Senators Allen, Brown, Davis, Graves, Gunn, Hunter, Metcalf, Piper, Pogue, Polson and Presby—11.

The title of both the engrossed and printed bills were amended by adding the words "and declaring an emergency."

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

House bill No. 410: An act authorizing the exchange of certain state lands for other lands owned by commercial companies, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—34.

Those absent or not voting were: Senators Allen, Blair, Graves, Metcalf, Pogue, Polson, Presby and Rosenhaupt.

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

House bill No. 349: An act providing for the annexation by cities of the first class of contiguous territory, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Hutson, Jones, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson—31.

Those voting nay were: Senator Kennedy—1.

Those absent or not voting were: Senators Allen, Graves, Gunn, Hunter, Metcalf, Pogue, Polson, Presby, Sumner and Williams—10.

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

House bill No. 416: An act making it unlawful for transportation companies to compel employes to purchase uniforms, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Condon, Cotterill, Davis, Eidemiller, Gunn, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Ruth, Scott, Stevenson, Sumner, Veness, Watson, Williams—34.

Those voting nay were: Senator Brown—1.

Those absent or not voting were: Senators Allen, Graves, Hunter, Hutson, Pogue, Rosenhaupt and Smith—7.

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

Senate bill No. 300: An act relating to public printing, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Graves, Gunn, Jones, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Presby, Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—33.

Those absent or not voting were: Senators Allen, Eidemiller, Hunter, Hutson, Knickerbocker, Metcalf, Pogue, Polson and Rosenhaupt—9.

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

House bill No. 456: An act to provide for the filling of private property in cities of the first and second class, was placed on third reading.

Senator Kennedy moved to amend the bill by striking the word "may" in line 14, section 3 of the printed bill, and insert the word "shall".

Also in line 15 strike the words "in their judgment may seem" and insert in lieu thereof the word "are".

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Gunn, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, Minkler, Nichols, Paulhamus, Pauly, Potts, Presby, Reed, Scott, Sumner, Veness, Watson, Williams—28.

Those voting nay were: Senators Rands and Ruth—2.

Those absent or not voting were: Senators Allen, Eidemiller, Graves, Hunter, McGregor, Metcalf, Piper, Pogue, Polson, Rosenhaupt, Smith and Stevenson—12.

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

REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, March 12, 1907.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Senate bill No. 239: An act authorizing the board of regents of the state university to cause to be filled under contract, certain shore lands in Lake Washington and providing for payment for the work,— have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

FRED M. PAULY, *Chairman.*

We concur in this report: A. W. Anderson, A. S. Ruth.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, March 13, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 142: Relating to the dissolution of drainage districts;

Also, Senate bill No. 254: Relating to the control of the traveling library of the State of Washington;

Also, Senate bill No. 87: Amending chapter 118 of the Code of Public Instruction;

Also, Senate bill No. 102: Granting the right of eminent domain to cities of the first, second and third class;

Also, Senate bill No. 297: Creating the office of state commissioner of horticulture;

Also, Senate bill No. 162: Granting rights of way to irrigation districts, etc., and individuals;

Also, Senate bill No. 126: Changing the title of county surveyor to county engineer;

Also, Senate bill No. 107: Granting the power of eminent domain to corporations generating and transmitting electricity;

Also, Senate Joint Memorial No. 6: Relating to lands of Okanogan county;

Also, Senate Joint Memorial No. 5: Relating to lands in Okanogan county;

Also, Senate bill No. 105: For the relief of Andrew Eskkola;

Also, Senate bill No. 235: Granting power to cities of the first class to construct canals.

Have compared same with the engrossed bill and find them correctly enrolled.

Respectfully submitted,

We concur in this report: R. W. Condon, Lincoln Davis, Robt. F. Booth.

The President signed Senate bills Nos. 142, 254, 87, 102, 297, 162, 126, 107, 105, and 235, and Senate Joint Memorial No. 6 and No. 5.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASHINGTON, March 13, 1907.

MR. PRESIDENT:

The House has passed a resolution again requesting the Senate to return to the House, House bill No. 134.

LEO O. MEIGS, *Clerk of the House.*

The following resolution from the House by Mr. Kirkpatrick was read:

WHEREAS, A resolution was passed by this House on March 12th asking the Senate to return House bill No. 134, and

WHEREAS, Said bill has not as yet been returned to this body, and

WHEREAS, There is a motion for reconsideration pending before this House upon said measure, and

WHEREAS, The time is very short within which action can be taken by this House and concurrence obtained by the Senate prior to final adjournment; therefore be it

Resolved, That the Senate be again requested to return said House bill No. 134 to this body.

Senator Cotterill moved that the request of the House be granted and House bill No. 134 returned to that body.

The motion was lost.

On motion of Senator Condon, the Senate took a recess until 2:00 o'clock p. m.

AFTERNOON SESSION.

The Senate was called to order at 2:00 o'clock p. m., by President Coon, pursuant to adjournment.

The Secretary called the roll, all members being present except Senator Pogue, excused.

GENERAL FILE.

House bill No. 502: An act relating to the duties of state officers, etc., was placed on third reading.

On motion of Senator Scott, the following amendments were made:

Strike section 1 of the printed bill and insert in lieu thereof the following:

"Section 1. It shall be the duty of any state officers who received into his possession any moneys or its equivalent, which

may in the due course of business become the property of the state, to request the board of finance to designate some bank or trust company a depository for such money or its equivalent so received by him”.

Strike out all of section 3, and insert in lieu thereof the following:

“Section 3. It shall be the duty of any state officers receiving money or its equivalent, under the provisions of this act, to deposit such money or its equivalent in the depository designated by the state board of finance within five days from the date that same was received by him; any state officers failing to deposit said money or its equivalent as herein required shall become liable to the state for five per cent. of all money or its equivalent not so deposited by him, which five per cent. shall be recovered by the state board of finance by proper suit brought in the name of the State of Washington.”

The bill was read the third time, placed on final passage and failed to pass by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Bratt, Cotterill, Eidemiller, Gunn, Hutson, Jones, Kennedy, Knickerbocker, McGregor, Paulhamus, Rands, Rosenhaupt, Scott, Smith, Sumner—18.

Those voting nay were: Senators: Boone, Booth, Brown, Condon, Graves, Hunter, Kline, Metcalf, Minkler, Pauly, Piper, Potts, Presby, Reed, Ruth, Stevenson, Veness, Watson, Williams—19.

Those absent or not voting were: Senators Davis, McGowan, Nichols, Pogue and Polson—5.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 13, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 293: An act requiring railroads to equip flat cars with stakes;

Also, Senate bill No. 122: An act relating to the taxation of inheritances;

Also, Senate bill No. 228: An act granting to the United States a right-of-way for Lake Washington canal;

Also, Senate bill No. 207: An act relating to the board of equalization, its duties, etc.

Have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: Robt. F. Booth, P. L. Allen, R. W. Condon.

The President signed Senate bills Nos. 293, 122, 228 and 207.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASHINGTON, March 13, 1907.

MR. PRESIDENT:

The Speaker has signed Senate bill No. 152: Relating to the dissolution of drainage districts;

Also, Senate bill No. 254: Relating to the control of the traveling library of the State of Washington;

Also, Senate bill No. 87: Amending chapter 118 of the Code of Public Instruction;

Also, Senate bill No. 102: Granting the right of eminent domain to cities of the first, second and third class;

Also, Senate bill No. 297: Creating the office of state commissioner of horticulture;

Also, Senate bill No. 162: Granting rights-of-way to irrigation districts, etc., and individuals;

Also, Senate bill No. 126: Changing the title of county surveyor to county engineer;

Also, Senate bill No. 107: Granting the power of eminent domain to corporations generating and transmitting electricity;

Also, Senate Joint Memorial No. 6: Relating to lands in Okanogan county;

Also, Senate Joint Memorial No. 5: Relating to lands in Okanogan county;

Also, Senate bill No. 105: For the relief of Andrew Eskkola;

Senate bill No. 235: Granting power to cities of the first class to construct canals.

The Speaker has signed House bill No. 9: For the establishment of a branch of the state soldiers' home;

Also, House bill No. 192: Providing for an indeterminate sentence in certain cases;

Also, House bill No. 183: Amending an act relating to the protection of clams;

Also, House bill No. 495: Amending an act relating to the selection of the state's lands;

Also, House bill No. 176: Creating the Washington state reformatory;

Also, House bill No. 462: Making appropriations for maintenance of various state institutions;

Also House bill No. 127: An act relating to insurance companies.

The House has passed Senate bill No. 309: For the relief of the Standard Furniture Co.;

Also, Senate bill No. 316: Amending an act for the preservation of the forests of the state;

Also, Senate bill No. 268: Relating to the tide and shore lands belonging to the State of Washington;

Also, Senate bill No. 11: Making an appropriation for the expenses of litigation;

Also, Senate bill No. 212: Prescribing the time in which certain actions shall be brought;

Also, Senate bill No. 288: Relating to overcharges;

Also, Senate bill No. 266: Providing for the expenditure of moneys received from forest reserves;

Also, Senate bill No. 187: Amending an act providing for the assessment and collection of taxes;

Also, Senate bill No. 284: Repealing an act for the protection of knot sawyers;

Also, Senate bill No. 271: Relating to admission to the bar;

Also, Senate Concurrent Resolution No. 24: Providing for the disposition of certain furniture formerly used in the Senate and House chambers;

Also, Senate bill No. 111: Relating to exemptions;

Also, House bill No. 202: Relating to compulsory education.

The House has indefinitely postponed Senate bill No. 168.

The House has concurred in Senate amendments to House bills Nos. 17 and 404.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

On motion of Senator Stevenson, House bill No. 485 was now taken up for consideration.

House bill No. 485: An act relating to the improvement of the Columbia and Snake rivers, was placed on third reading.

On motion of Senator Stevenson, the Senate resolved itself into a committee of the whole to consider House bill No. 485.

The bill was considered in the committee of the whole, Senator Anderson in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Anderson, the report of the committee of the whole was adopted.

On motion of Senator Anderson, the rules were suspended, the reading of House bill No. 485 had in the committee of the whole was considered the third reading in the Senate, and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Davis, Graves, Gunn,

Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Presby, Rands, Reed, Scott, Stevenson, Watson—32.

Those voting nay were: Senators Cotterill, Eidemiller, Ruth, Smith, Sumner, Veness and Williams—7.

Those absent or not voting were: Senators Pogue, Polson and Rosenhaupt—3.

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

REPORT OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 13, 1907.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred House bill No. 485, entitled, "An act relating to the improvement of the Columbia and Snake rivers," 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.

J. A. VENESS, *Chairman.*

We concur in this report: R. W. Condon, Harry Rosenhaupt, W. H. Paulhamus, Robt. F. Booth, J. R. Stevenson, Fred M. Pauly, George U. Piper, B. D. Minkler, H. M. Boone.

On motion of Senator Booth, the Secretary of the Senate was instructed to have one thousand copies of Senate bill No. 322 printed, the same to be distributed by the Secretary.

On motion of Senator Jones, the report of the special committee appointed under House Concurrent Resolution No. 14, was introduced and read as follows:

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 7, 1907.

MR. PRESIDENT:

We, your Special Committee appointed under House Concurrent Resolution No. 14, with instructions to report on House bill No. 39, beg leave to report as follows:

We have examined the laws of all of the states in the Union where there are any natural or artificial oyster beds, and in no case have we found any more liberal concessions made to oyster growers than in the State of Washington. We append herewith a brief synopsis of the laws of the various states concerning oyster lands and oyster culture; for the information of this body. We are of the opinion that the present laws of the State of Washington should be so amended as to permit of the use of these lands for the culture of all kinds of shell fish, but do

not feel justified in recommending any further legislation in this matter.

JESSE S. JONES, *Chairman*.

We concur in this report: Geo. F. Cotterill, Charles T. Hutson, Peter McGregor, L. P. Hornberger, Albert H. Beebe, R. D. McRae, E. C. Davis.

OLYMPIA, WASHINGTON.

To The Speaker of the House of Representatives:

The undersigned member of the Joint Committee of the Senate and House, appointed in accordance with Joint Resolution No. 14, to investigate and report on House bill No. 39 in relation to oyster lands titles, recommends that said House bill No. 39 do pass, with the following amendment:

In line 11 after the word "purchased" strike the period and add the following: "whenever evidence satisfactory to the attorney general and the state land commissioner shall be presented showing title to any of such lands to be vested in such applicant and that such lands are in use for oyster culture: *Provided*, That nothing in this act shall be construed to confirm the title in the purchaser, or his grantee of any tide lands, sold from state oyster reserves as oyster lands or otherwise whose deeds or contracts of sale thereto were issued or executed after said reserves had been surveyed under the law of 1903, page 340, Session Laws of 1903."

T. H. BELL.

SYNOPSIS OF THE LAWS OF THE VARIOUS STATES CONCERNING OYSTER LANDS.

CALIFORNIA: This state classes her tide lands for the purposes of sale with her swamp and overflowed lands (Sec. 3443, Political Code). That no such lands shall be sold within the city and county of San Francisco or the city of Oakland or within five miles of the limits thereof or within two miles of the corporate limits of any other incorporated city or town (Sec. 3488 *id.*).

Oyster lands, however, are held by right of discovery and possession, but that no person shall be allowed more than ten acres nor shall such claim be good for a period of over three years. (Session Laws 1866, page 848.) This act applies to natural oyster beds.

CONNECTICUT: State shall have exclusive jurisdiction and control over all shell fisheries. (Sec. 3213, Rev. St. 1902.)

"Said commissioners shall also be empowered in the name and behalf of the state to grant by written instruments for the purpose of planting and cultivating shell fish, perpetual franchises in such undesignated grounds within said area as are not and for ten years have not been natural clam or oyster beds, whenever application in writing is made to them" by citizens of the state. (Sec. 3215 *id.*)

The compensation to the state at the time of granting the franchises shall be one dollar per acre. (Sec. 3717 *id.*)

Thereafter such lands shall be assessed and taxed each year at the rate of 1½ per cent. of the valuation. (Sec. 3227 *id.*)

And if the taxes become delinquent and unpaid for a period of five years, the franchises shall be cancelled and the grants covered in said application shall be again subject to lease. (Sec. 3230 *id.*)

DELAWARE: This state leases the area of navigable waters for oyster culture in lots not less than twenty-five nor more than fifty acres. (Rev. Code of Del., 1893, pages 4-35 and 6.)

FLORIDA: "Any person desiring to plant oysters in the public waters of this state shall apply to the county commissioners of the county in which the water is situated, setting forth his determination to plant oysters in a certain locality, describing the same as near as may be possible, and the said commissioners may grant exclusive rights to such person for such locality, or any portion thereof, with such boundaries as they may deem proper." (Rev. St. 1892.)

GEORGIA: "County commissioners in any county, upon the application of any person for certain territory in any of the navigable waters of this state, and within a distance of one thousand feet from the shore at ordinary mean low tide upon satisfactory proof and hearing had before the county commissioners that said territory had been duly staked off at the line of ordinary mean high water where the least ground is opposite the public marshes of this state and in all other cases at the line of low water, except where the consent of the adjacent land owners is obtained for the staking off of said line of high tide, shall execute a lease for twenty years with the privilege of renewal for thirty years more, etc." (Sec. 1696, Code of Ga., 1895.)

ALABAMA: The owners of land fronting on any bay, river, bayou or creek in this state are granted the right to plant oysters and gather the same in the waters in front of their land to a distance of six hundred yards from the shore; and where the distance from shore to shore is less than twelve hundred yards, the owner of either shore may plant and gather to a line equi-distant between the two shores,..... Nothing in this chapter shall be construed as an abandonment by this state of its right of title to the overflowed lands within such limits. (Sec. 3155, Civil Code 1896.)

LOUISIANA: That all the beds of the rivers, bayous, creeks, lakes, coves and inlets bordering on the Gulf of Mexico and all that part of the Gulf of Mexico within the jurisdiction of this state, shall continue and remain the property of the state of Louisiana and may be used in common by all the citizens of the state for the purpose of fishing and digging and catching oysters and shell fish, etc. (Sec. 1, Act 121, 1896.) "That the rights of the owner or occupant of land on any of the shores of bays, bayous, inlets and lakes shall extend to ordinary low water mark; but it is not intended thereby to deprive them of the privilege of bedding or planting oysters extended to all citizens of the state under the several sections of this act, and subject to the restrictions hereinafter imposed." (Sec. 2, *id.*)

"No person or persons desiring to locate places for the bedding and planting of oysters on the water front of any land owned by the state shall make application to the police jury of the parish in which said

lands are situated, stating the number of acres, a description of the place and where situated, etc. * * * and the police jury shall thereupon lease said described water front for a term not exceeding ten years at a rental of 25c per acre per year" and upon failure to pay the rental the lease shall be cancelled immediately. (Sec. 4, *id.*) *Tide Lands May Be Sold*: "That the public lands donated by Congress to the state of Louisiana designated as sea marsh or prairie, subject to tidal overflow, so as to render them unfit for settlement or cultivation, shall be subject to entry and sale at the rate of 12½c per acre: *Provided*, That satisfactory proof of said fact be filed with the Register of the State Land Office."

MAINE: The riparian owner has control over the tide lands in front of his property and may lease the same for oyster planting. (Sec. 37, chapter 41, page 412, Rev. St. 1903.)

MARYLAND: The owner of any land bordering on any of the navigable waters of this state, the lowest of which extend into and are covered by said waters, shall have the exclusive privilege of using the same for protecting, sowing, bedding or depositing oysters or other shell fish within the lines of own land and any owner of land lying and bordering upon any of the waters of this state shall have power to locate and appropriate in any of the waters adjoining his lands one lot of five acres for the purpose of protecting, preserving, depositing, bedding or sowing oysters or other shell fish; and any male citizen of full age of this state shall have power to locate and appropriate and hold one lot of five acres and no more in any of the waters of this state not located or appropriated. (Sec 39, Art. 72, page 1052, Pub. Gen. Laws.)

MASSACHUSETTS: The mayor and aldermen of a city or selectmen of a town may, by writing under their hands, grant a license for a term not exceeding ten years to any inhabitant thereof to plant, grow and dig oysters at all times of the year, or to plant oyster shells for the purpose of catching oyster seed, upon and in any waters, flats and creeks therein, at any place where there is no natural oyster bed; not, however, impairing the private rights of any person, nor entirely obstructing any navigable waters. (Sec. 104, page 803, Rev. St.)

NEW YORK: Tide lands around and about the city of New York and other towns adjacent thereto may be sold. (Sec. 70, page 2283, Rev. St.) "The commissioner may lease land under water for the cultivation of shell fish to persons who have resided in this state one year or more; or oyster beds of natural growth shall not be leased unless the same have for five years failed to produce natural oysters in sufficient quantities to enable persons engaged in planting and cultivation thereof to earn a livelihood by working of such lands. Before a lease is made notice thereof must be posted for at least three weeks in a conspicuous place in the office of the commission in the office of the town clerk and in the postoffice nearest to the lands applied for. The letting shall be at public auction to the highest bidder for not less than 25c an acre

annually and for not more than fifteen years.. Moneys received from such leases shall be paid forthwith to the state treasurer. The lessee shall immediately mark the grounds leased by stakes, buoys or monuments, which shall be maintained by him, his successors or assigns during the continuance of the lease. Leases shall not be transferable in whole or in part except to persons who might have been original lessees. The commissioners may summarily oust from such lands tenants whose rent is in arrears." (Sec. 158, page 1473, Rev. St.)

"The last section shall not be construed as limiting the power of the commissioners of the land office to grant land under water, but any grant of land actually occupied and in use for the cultivation of shell fish shall be subject to the right of the occupant to occupy and use the same for at least two years. * * * (Sec. 159, *id.*)

NEW JERSEY: "That any person or persons, citizens of this state in using or occupying any grounds lying under tide waters of this state for the planting or cultivation of oysters thereon, said grounds not being natural clam grounds or natural oyster seed beds, and the same shall have been so used and occupied since Jan. 1st, 1888, shall be confirmed in their right to use such grounds for the purpose of planting and cultivating oysters." (Sec. 44, page 813, Gen. St.) "They may sell or otherwise improve such grounds and gather the oysters that may grow thereon, and all oysters on said ground shall be deemed and taken to be their personal property." (Sec. 38, page 812, *id.*) "That nothing in this act contained shall give any person or persons the right or title to any of the said lands as against the state, and the state may at any time alter or repeal this law or the riparian commissioners may make grants the same as if this act had not been passed." (Sec. 42, page 812, *id.*) The state may lease, sell or otherwise dispose of lands under water. (See special riparian rights, page 2784, *id.*)

MISSISSIPPI: "All natural oyster reefs belong to the public and cannot be appropriated exclusively by any person." (Sec. 3084, Ann. Code, 1892.)

"The sole right of planting oysters belongs to the riparian owner and extends only up to the channel and does not include any natural oyster-reef or bed." (Sec. 3094, *id.*)

NORTH CAROLINA: "A natural oyster or clam bed as designated from an artificial oyster or clam bed shall be one not planted by man, and is any shoal, reef or bottom where oysters are to be found growing in sufficient quantities to be valuable to the public." (2371, Rev. 1905.)

"Any inhabitant of this state may make a bed in any of the waters of this state, except that part designated, etc. (here certain places are described) and lay down or plant oysters or clams therein, having first obtained license as hereinafter directed from the superior court clerk of the county wherein such bed may be, and he may stake out the grounds so as to include not exceeding ten acres with good and sufficient stakes extending at least two feet above high water mark, * * * and every person who shall obtain such license shall hold the same and have exclusive privilege thereof to him, his heirs and assigns." (Sec. 2372, *id.*)

This law was passed in 1883 and in 1905 it was amended so that the amount applied for by any one person should not exceed fifty acres. (2377, *id.*)

"Any person who is and has been continually for two years a bona fide resident of the state of North Carolina and over twenty-one years of age may lease or enter not more than fifty acres of any bottom where oysters do not naturally grow and on any ground where there is not a sufficient growth of oysters to justify at the time of leasing the gathering of the same for profit. When any person desires to lease or enter any such ground, he shall advertise the fact at the court house and three other places for four weeks in the county where said bottom desired to be leased is located, and advertise in some newspaper published in said county for four weeks; if there be none published in said county, then in a newspaper published in an adjoining county. Application for such land shall be made to the clerk of the superior court, who shall appoint a man and the applicant shall choose another which two so chosen shall appoint a third man and the three shall constitute a board of arbitration, and the said board of arbitration shall inspect the bottom desired to be leased, and if they find the same subject to lease and so report to the clerk, then it shall be the duty of said clerk to issue a lease as herein provided." * * * Failure to pay the rental for two years shall render the lease null and void. (2377, *id.*)

OREGON: "The natural beds of oysters on the waters of this state shall be free to all citizens thereof who shall have resided in this state one year, and shall have been residents of the county where such beds are located for a period of six months immediately preceding the time of digging such oysters; but artificial plantations of oysters belong to the citizens of this state if distinctly marked out by means which shall not obstruct navigation and not exceeding the extent allowed by local regulations, shall be deemed and protected as private property; and the following portions of Yaquina Bay (here portions of the bay are named) * * *; and the size and dimensions of said oyster beds shall remain as they have been fixed by the local regulations of the Oystermen's Ass'n, not exceeding two acres in any one plantation; and any person holding a claim for the cultivation of oysters shall in all respects comply with the local regulations applicable thereto." (4122 B. & C.'s Code.)

"The state land board is hereby authorized to sell tide lands or tide flats not connected with the shore, and all lands held by the state by virtue of her sovereignty, at such price as shall represent its true value," etc. (3301, *id.*)

It would seem that the last named section would not apply to the land named in the preceding section as in section 4122 and in 4129 the Yaquina Bay and Netarts Bay are designated as containing lands suitable for and are set apart especially for the artificial cultivation of oysters, and therefore are subject to lease.

RHODE ISLAND: "The said commissioners may, unless otherwise by statute prohibited, agree to lease in the name of the state, by public auction or otherwise, to any suitable person being an inhabitant of this

state any piece of land within the state covered by tide water at low tide and not within any harbor line, to be used as a private and several oyster fishery for the planting and cultivation of oysters thereof, upon such terms and conditions as they may deem proper, but for not a longer term than ten years or for a shorter term than five years nor for a rent of less than ten dollars per annum for every acre to be leased." (Sec. 7, Chap. 170, Gen. Laws.)

"Said commissioners may at the request of the lessee for cause shown cancel or modify any lease or they may remit or abate the rent reserved therein if it shall be made to appear to the satisfaction of the commissioners that it would be equitable to do so." (Sec. 11, *id.*)

"Such leases shall be executed by such lessee as well as by said commissioners in two parts, one part thereof to be delivered to such lessee and the other part to be retained by the said commissioners; and shall contain proper covenants for the payment of rent and the performance of the conditions and observance of the restrictions therein set forth, with proper clauses reserving to said commissioners the right to render on behalf of the state and to terminate said lease for breach of any of said covenants." (Sec. 18, *id.*)

SOUTH CAROLINA: "The state shall exercise the exclusive control and jurisdiction over all shell fisheries located in public waters of this state." (Sec. 2323, Vol. 1, Code of Laws, S. C.)

"The board of commissioners of the sinking fund when the conditions precedent to the granting of franchises have been complied with, are hereby authorized and empowered in the name and behalf of the state and the people of South Carolina, to grant, by written deeds, under their hands and seals, perpetual franchises for the purpose of shell fish cultivation in the lands under the public waters in this state, for a consideration of not less than \$1.10 per acre; and the right to use and occupy said grants for said purposes shall remain in said grantee, his legal representatives or successors forever: *Provided*, The said grantee, shall actually plant such lands within two years from date, of grant thereto and use them for no other purpose whatever: *Provided, further*. That no grant shall be issued to any person not a citizen of this state, or who has not resided in this state for twelve months, nor to any corporation any member of which is not a citizen of this state; and no grant shall be issued to any one person or corporation for more than three hundred acres; and when such land shall not be planted within two years, or, having been planted, shall be abandoned, contrary to the intent and purpose of this chapter, they shall immediately revert to the state and may be granted again to any person or corporation." (Sec. 2326, *id.*)

Franchises granted under section 2326 shall be deemed to be personal property. (Sec. 2329, *id.*)

The provisions of this chapter shall not be deemed to limit or otherwise interfere with the power of the board of commissioners of the sinking fund to dispose of vacant marsh lands or lands between high and

low water mark in the tidal waters of this state which they deem to be not adapted to shell fish cultivation. (Sec. 2330, *id.*)

TEXAS: "Oyster beds shall be private and public. All those not designated as private shall be public. All natural oyster beds and oyster reefs in the navigable waters of this state shall be deemed public." (Sec. 2518, L. Sayles' Civ. St.)

"Any person who is a bona fide citizen of the United States and is a resident and tax payer in the state of Texas shall have the right of obtaining a location for planting oysters and making oyster beds within the navigable waters of the state other than those mentioned in article 2518-0, by making written application to the fish and oyster commissioner or his deputy, describing the location desired." (2518 M, *id.*)

The amount any one locater may take is fifty acres.

"When any creek, bayou, lake or cove shall be included within the metes and bounds of any original grant or location in this state, the lawful occupant of such grant or location shall have the exclusive right to use said creek, lake, bayou or cove for gathering, planting or sowing oysters within the metes and bounds of the original grant or patent of said land. Or if said creek, bayou, lake or cove is not included in the survey of said land then the exclusive rights of the riparian owner shall extend to the middle of said creek, bayou, lake or cove; provided said bayou, creek, lake or cove be not more than 200 yards in width, then the riparian owners right shall extend only 100 yards from the shore." (Sec. 2518-0, *id.*)

VIRGINIA: The riparian owner has the exclusive right, with certain limitations. (Sec. 2136, Code 1887.)

"The residue of said water front in excess of what is herein reserved for the riparian owner and the residue of the beds of the bays, rivers and creeks other than natural oyster beds or rocks, may be occupied by any person for the purpose of planting or propagating oysters thereon."

"It shall be the duty of any such person desiring to obtain a location for planting or propagating oysters on any portion of the water fronts and beds aforesaid not located or reserved as hereinbefore provided for owners and occupants of land as aforesaid, to apply to the inspector to have his location ascertained and designated and the same shall be marked with suitable stakes and by other metes and bounds agreed upon between the applicant and the inspector and he shall pay the inspector for his services a fee of one dollar and also an annual rent of 25c for each and every acre assigned to him, payable annually on the first day of October and thereafter, he shall have the exclusive right to the use of such location so designated for the purpose aforesaid as long as he complies with the provisions regarding the payment of 25c per annum for every acre so occupied, subject, however, to the right of revocation by the General Assembly."

On motion of Senator Jones, the majority report of the committee was adopted.

The President signed House bill Nos. 9, 192, 183, 495, 176, 462 and 127.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 13, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 284: An act to repeal an act entitled 'An act for the protection of knot sawyers in shingle mills';

Also, Senate bill No. 212: An act prescribing the time for the collection of special assessments;

Also, Senate bill No. 125: An act amending an act providing for the organization, etc., of municipal corporations;

Also, Senate bill No. 129: An act to apportion the State of Washington into three congressional districts;

Also, Senate bill No. 248: An act authorizing the state board of control to use brick at the state penitentiary;

Also, Senate bill No. 292: An act authorizing cities of the first class to lay salt water mains;

Also, Senate bill No. 232: An act creating a state board of tax commissioners;

Also, Senate bill No. 184: An act amending an act creating the bureau of labor;

Also, Senate bill No. 245: An act relating to premium stamps;

Also, Senate bill No. 119: An act amending an act classifying the counties according to population, fixing the salaries, etc.;

Also, Senate bill No. 69: An act relating to the superior courts in the counties of Stevens, Ferry, et al.;

Also, Senate bill No. 309: An act appropriating funds for the Standard Furniture Company;

Also, Senate bill No. 11: An act appropriating \$2500.00 for litigation involving the boundary line between Washington and Oregon.

Have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: Robt. F. Booth, P. L. Allen, R. W. Condon.

The President signed Senate bills Nos. 284, 212, 125, 129, 248, 292, 232, 184, 245, 119, 69, 309 and 11.

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASHINGTON, March 13, 1907.

In accordance with Joint Rule No. 4, I have the honor to report that Senate bills Nos. 105, 235, 107, 126, 162, 297, 102, 87, 254, 142 were presented to the Governor at 2:55 o'clock p. m., this day.

J. W. LYSONS, *Secretary.*

GENERAL FILE.

House bill No. 465: An act for the relief of Clarke county, was placed on third reading.

On motion of Senator Veness, the Senate resolved itself into a committee of the whole to consider House bill No. 465.

The bill was considered in the committee of the whole, Senator Bratt in the chair, and reported back to the Senate with the recommendation, that it do pass.

On motion of Senator Bratt, the report of the committee of the whole was adopted.

On motion of Senator Bratt, the rules were suspended, the reading of House bill No. 465 had in the committee of the whole was considered the third reading in the Senate, and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Graves, Gunn, Hunter, Hutson, Kennedy, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Presby, Rands, Reed, Ruth, Veness, Watson—29.

Those voting nay were: Senators Eidemiller, Jones, Metcalf, and Williams—4.

Those absent or not voting were: Senators Davis, Knickerbocker, Pogue, Polson, Rosenhaupt, Scott, Smith, Stevenson and Sumner—9.

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

On motion of Senator Davis, House bill No. 328 was indefinitely postponed.

House bill No. 288: An act appropriating \$5,500.00 to purchase a gift for the armored cruiser Washington, was placed on third reading.

On motion of Senator Boone, the Senate resolved itself into a committee of the whole to consider House bill No. 288.

The bill was considered in the committee of the whole, Senator Minkler in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Minkler, the report of the committee of the whole was adopted.

On motion of Senator Minkler, the rules were suspended, the reading of House bill No. 288, had in the committee of the whole

was considered the third reading in the Senate, and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Graves, Hunter, Hutson, Jones, Kline, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Watson, Williams—29.

Those voting nay were: Senator Eidemiller—1.

Those absent or not voting were: Senators Cotterill, Davis, Gunn, Kennedy, Knickerbocker, Metcalf, Pogue, Polson, Potts, Presby, Sumner and Veness—12.

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

Senate bill No. 321: An act making an appropriation for the expenses of the tenth legislature, was placed on third reading.

On motion of Senator Jones, the Senate resolved itself into a committee of the whole to consider Senate bill No. 321.

The bill was considered in the committee of the whole, Senator Brown in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Brown, the report of the committee of the whole was adopted.

On motion of Senator Brown, the rules were suspended, the reading of Senate bill No. 321 had in the committee of the whole was considered the third reading in the Senate and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Cotterill, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Watson, Williams—34.

Those absent or not voting were: Senators Condon, Davis, Eidemiller, Pogue, Polson, Presby, Stevenson and Veness—8.

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

House bill No. 262: An act to amend the code of public instructions, was placed on third reading.

Senator Rosenhaupt moved to indefinitely postpone the bill. The motion was lost.

On motion of Senator Paulhamus, House bill No. 262 was allowed to go over until the evening session.

House bill No. 231: An act to amend an act amending section 4334 of Ballinger's Annotated Codes and Statutes of Washington, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Booth, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Potts, Presby, Rands, Reed, Rosenhaupt, Sumner, Veness, Williams—30.

Those voting nay were: Senators Anderson, Boone, Cotterill, Ruth and Scott—5.

Those absent or not voting were: Senators Gunn, Piper, Pogue, Polson, Smith, Stevenson and Watson—7.

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

House bill No. 263: An act to authorize railway companies to acquire rights-of-way, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Sumner, Williams—32.

Those absent or not voting were: Senators Condon, Nichols, Piper, Pogue, Polson, Scott, Smith, Stevenson, Veness and Watson—10.

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

House bill No. 274: An act providing that female complaining witnesses giving testimony shall be corroborated, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Booth, Brown, Condon, Davis, Eidemiller, Hunter, Hutson, Jones, Kennedy, Knickerbocker, McGowan, McGregor, Minkler, Nich-

ols, Paulhamus, Potts, Presby, Ruth, Smith, Sumner, Williams—23.

Those voting nay were: Senators Blari, Boone, Bratt, Cotterill, Kline, Metcalf, Pauly, Rands, Reed, Rosenhaupt, Scott and Veness—12.

Those absent or not voting were: Senators Graves, Gunn, Piper, Pogue, Polson, Stevenson and Watson—7.

A roll call was had and the emergency clause failed to pass by the following vote:

Those voting aye were: Senators Boone, Booth, Brown, Condon, Eidemiller, Hunter, Kennedy, Minkler, Pauly, Potts, Presby, Rands, Ruth, Sumner, Watson and Williams—16.

Those voting nay were: Senators Allen, Anderson, Blair, Bratt, Cotterill, Hutson, Jones, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Reed, Scott, Smith and Stevenson—16.

Those absent or not voting were: Senators Davis, Graves, Gunn, Nichols, Paulhamus, Piper, Pogue, Polson, Rosenhaupt and Veness—10.

The title of the bill was changed by striking the words "and declaring an emergency".

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES.

MR. PRESIDENT:

OLYMPIA, WASHINGTON, March 13, 1907.

The House has passed Senate bill No. 118: An act for the relief of the town of Kalama, with the following amendments:

Amend section 1 as follows: In line two of the engrossed bill strike out the word "Harbor Area Fund in the State Treasury" and insert in lieu thereof "General Fund, not otherwise appropriated";

Also, Senate bill No. 195: Regarding the wearing of fraternal emblems, with the following amendments:

Amend the title by inserting in line 2 of the printed bill, after the word "beneficiary" the word "society".

Amend section 1 of the printed bill by striking out the period at the end of the section and inserting a semi-colon (;) in lieu thereof and adding the following: "Provided, That this section shall not apply to the sisters, daughters, wives or mothers of any member of such secret, beneficiary or fraternal society or order, or wives and daughters of the order of the Grand Army of the Republic or Spanish-American War Veterans."

House has failed to pass Senate bill No. 79.

The House has passed Senate bill No. 296: Relating to the assessment of property for construction of drainage systems;

Also, Senate bill No. 90: Amending an act for the organization of municipal corporations;

Also, Senate bill No. 89: Relating to procedure in condemnation proceedings;

Also, Senate Concurrent Resolution No. 21: Granting Women's Relief Corps certain privileges;

Also, Senate Concurrent Resolution No. 22: Relating to forest reservations in this state;

Also, Senate bill No. 67: For the relief of James O'Laughlin, with the following amendments:

Amend by striking out in section one, line one, the words and figures "one thousand" and inserting in lieu thereof the words and figures "five hundred (\$500.00)."

In section two line two strike out the words and figures "one thousand" and insert the words and figures "five hundred (\$500.00)."

The House has passed Senate bill No. 264: For the protection of Chinese pheasants, with the following amendments:

Amend by adding the following to be numbered section 3:

"Sec. 3. Every person who shall within the county of Okanogan, State of Washington hunt for, pursue, take, kill, injure, destroy or possess any Chinese or Mongolian pheasant or bob-white quail before the 30th day of September, 1912, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00), or by imprisonment in the county jail for not less than 30 days nor more than 6 months, or by both such fine and imprisonment, and each bird so killed or possessed shall count as a separate offense under this act."

Amend by inserting a new section to be known as section 2, to read as follows:

"Sec. 2. It shall be lawful during the month of October of each year to hunt for, take and kill deer on any island of the State of Washington: *Provided*, it shall be unlawful to hunt for or kill any deer on said islands with dog or dogs, and any person knowingly permitting any dog or dogs owned by him to pursue deer on said islands shall be guilty of a misdemeanor and punished by fine of not less than twenty-five dollars or more than one hundred dollars: *Provided, further*. That this section shall not apply to any islands where game preserves have been established."

Amend title by striking the period (.) after the word "thereof" in line 2 and inserting in lieu thereof a comma (,). Also by inserting before the word "and" in said line 2 of the title the following: "permitting the killing of deer on the islands, and prohibiting the killing of Chinese or Mongolian pheasants or bob-white quail in Okanogan county."

Amend by making section 2 read section 4.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House,*

On motion of Senator Rosenhaupt, the Senate resolved itself into a committee of the whole to consider House bills Nos. 257 and 374.

The bills were considered in the committee of the whole, Senator Rosenhaupt in the chair, and reported back to the Senate with the recommendation that they do pass.

On motion of Senator Rosenhaupt, the report of the committee of the whole was adopted.

On motion of Senator Rosenhaupt, the rules were suspended, the reading of House bills Nos. 257 and 374 had in the committee of the whole was considered the third reading in the Senate, and the bills placed on final passage.

A roll call was had and House bill No. 257: An act for the relief of Gunder B. F. Ordal, passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Eidemiller, Graves, Hunter, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Nichols, Paulhamus, Pauly, Potts, Presby, Rosenhaupt, Scott, Smith, Stevenson, Veness, Watson, Williams—30.

Those absent or not voting were: Senators Cotterill, Davis, Gunn, Knickerbocker, Minkler, Piper, Poguc, Polson, Rands, Reed, Ruth and Stevenson—12.

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

A roll call was had and House bill No. 374: An act for the relief of R. Stevenson of Spokane county, etc., passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Gunn, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Potts, Presby, Rands, Reed, Rosenhaupt, Scott, Stevenson, Sumner, Veness—31.

Those absent or not voting were: Senators Davis, Hunter, Jones, Pauly, Piper, Poguc, Polson, Ruth, Smith, Watson and Williams—11.

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

MOTIONS.

On motion of Senator Booth, the Senate concurred in House amendments to Senate bill No. 264 by the following vote:

Those voting aye were: Senators Allen, Anderson, Boone, Booth, Bratt, Brown, Condon, Davis, Eidemiller, Hunter, Hutson, Jones, Kline, McGregor, Minkler, Nichols, Pauly, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Stevenson, Sumner, Veness, Watson, Williams—28.

Those voting nay were: Senators Kennedy and McGowan—2.

Those absent or not voting were: Senators Blair, Cotterill, Graves, Gunn, Knickerbocker, Metcalf, Paulhamus, Piper, Pogue, Polson, Rands and Smith—12.

On motion of Senator Minkler, the Senate concurred in House amendments to Senate bill No. 67 by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Condon, Davis, Eidemiller, Hunter, Hutson, Kline, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Sumner, Williams—26.

Those absent or not voting were: Senators Bratt, Brown, Cotterill, Graves, Gunn, Jones, Kennedy, Knickerbocker, Minkler, Piper, Pogue, Polson, Smith, Stevenson, Veness and Watson—16.

On motion of Senator Watson, the Senate concurred in House amendments to Senate bill No. 118; by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Cotterill, Davis, Eidemiller, Graves, Hunter, Hutson, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Veness, Watson, Williams—30.

Those absent or not voting were: Senators Boone, Brown, Condon, Gunn, Jones, Kennedy, Kline, Knickerbocker, Piper, Pogue, Polson and Sumner—12.

On motion of Senator Watson, the Senate concurred in House amendments to Senate bill No. 206, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Condon, Davis, Eidemiller, Hunter, Hutson, Kennedy, Kline, McGregor, Metcalf, Nichols, Paulhamus, Pauly,

Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Stevenson, Watson, Williams—26.

Those absent or not voting were: Senators Booth, Brown, Cotterill, Graves, Gunn, Jones, Knickerbocker, McGowan, Minkler, Piper, Pogue, Polson, Scott, Smith, Sumner and Veness—16.

On motion of Senator Reed, the Senate concurred in House amendments to Senate bill No. 195, by the following vote:

Those voting aye were: Senators Allen, Anderson, Boone, Booth, Bratt, Condon, Cotterill, Eidemiller, Graves, Gunn, Hunter, Hutson, Kennedy, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Potts, Rands, Reed, Rosenhaupt, Scott, Smith, Stevenson, Watson, Williams—30.

Those absent or not voting were: Senators Blair, Brown, Davis, Jones, Kline, Metcalf, Pogue, Polson, Presby, Ruth, Sumner and Veness—12.

REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 13, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate bill No. 220, entitled, "An act providing for payment by the state or counties or cities of the premium or charge on official bonds," etc., 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:

In line 1 of the title of the printed bill, strike the words "the state or". In line 2 of said title strike the word "state".

In lines 1 and 2, section 1 of the printed bill, strike the words "state clerks". In line 3 of said section strike the word "state".

WILL G. GRAVES, *Chairman*.

We concur in this report: Ralph Metcalf, Charles T. Hutson, Robt. Booth, Harry Rosenhaupt, T. A. Hunter, E. M. Rands.

On motion of Senator Graves, the report of the committee was adopted.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 13, 1907.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred House bill No. 362, entitled, "An act to repeal and repealing sections 160 and 161 of the Penal Code of the State of Washington as codified and annotated by William Lair Hill," etc., 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:

Strike the title of the printed bill and substitute the following: "An act repealing sections 7319 and 7320 of Ballinger's Annotated Codes and Statutes of Washington, relating to the enticement and harboring of seamen."

Strike section 1 of the printed bill and substitute the following: "Section 1. That sections 7319 and 7320 of Ballinger's Annotated Codes and Statutes of Washington be and the same are hereby repealed."

WILL G. GRAVES, *Chairman.*

We concur in this report: Chas. T. Hutson, W. B. Presby, W. D. Scott, Harry Rosenhaupt, E. M. Rands, T. A. Hunter.

INTRODUCTION OF BILLS.

House bill No. 202, by Mr. Bassett, entitled, "An act relating to compulsory education of children between the age of eight and fifteen years," etc.

The bill was read the first time, and on motion of Senator Reed, the rules were suspended, the bill read the second time by title, and ordered placed on general file.

COMMUNICATIONS FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, March 13, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—In the year 1905 it became necessary for the State of Washington to have legal assistance in certain litigation then pending by reason of the fact that the attorney general had given an opinion adverse to the contention about to be urged on behalf of the state. Accordingly, Hon. E. C. Hughes, of Seattle, and Hon. Frank C. Owings, of Olympia, were called upon and they appeared for the defense in the case of the City of Port Townsend vs. C. W. Clausen, State Auditor, et al., and for the relator in the case of the State of Washington ex rel Albert E. Mead as Governor, vs. R. B. Bryan, Sam H. Nichols, E. W. Ross, et al. The attorneys named faithfully and successfully represented the people of the state in this litigation. They have asked no remuneration from the state and received none. Accordingly, without their solicitation or knowledge, I present the matter to your honorable body in testimony of the appreciation by the Governor of the services rendered, and request that this acknowledgment of the efforts of Messrs. Hughes and Owings be entered upon your records.

ALBERT E. MEAD, *Governor.*

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, March 13, 1907.

To the Honorable, The Senate of the State of Washington:

GENTLEMEN—I have under date of March 12, 1907, approved the following Senate bill:

Senate bill No. 139, entitled, "An act creating a state highway board and the office of state highway commissioner, fixing his compensation, prescribing their duties, and providing for the survey, establishment, construction, maintenance and repair of state highways, and providing for the expenditure of moneys appropriated by the state or counties for the survey, establishment, construction, building, maintenance and repair of state highways, and making an appropriation therefor, and repealing sections 1, 2, 3, 4, 5, 6, 7 and 8 of chapter 174, Session Laws 1905, approved March 13, 1905, and declaring an emergency."

ALBERT E. MEAD, *Governor.*

On motion of Senator Condon, the Senate took a recess until 8:00 o'clock this evening.

EVENING SESSION.

The Senate was called to order at 8:00 o'clock p. m., by President Coon, pursuant to adjournment.

The Secretary called the roll, all members being present except Senator Pogue, excused.

GENERAL FILE.

House bill No. 262: An act relating to the public school system of the State of Washington, etc., was placed on third reading.

On motion of Senator Graves, the following amendments were made:

Strike the title and substitute the following:

"An act relating to the public school system of the State of Washington, and amending sections 22, 24, 27, 28, 40, 51, 71, 75, 88, 117, 120, 121, 137, 139, 141, 144, 145, and 165, of chapter CXVIII of the Session Laws of 1897."

In line 1, section 1, of the engrossed bill, strike the words "said code" and substitute therefor the following: "Chapter 118 of the Session Laws of 1897".

In line 1, section 2, of the engrossed bill, strike the words "said code" and substitute in lieu thereof the words "chapter 118 of the Session Laws of 1897".

The same amendment in section 3, line 1.

The same amendment in section 4, line 1.

The same amendment in section 5, line 1.

In section 6, line 1, of the engrossed bill, strike the words "said code of public instruction" and insert in lieu thereof the words "Chapter 118 of the Session Laws of 1897".

In section 7, line 1, of the engrossed bill, strike the words "said code of public instruction".

In section 7½ strike the words "said act" and insert in lieu thereof "Chapter 118 of the Session Laws of 1897".

In section 8, line 1, strike the words "code of public instruction" and insert in lieu thereof "Chapter 118 of the Session Laws of 1897".

In line 1, section 9, of the engrossed bill, strike the words "code of public instruction" and insert in lieu thereof the words "Chapter 118 of the Session Laws of 1897".

In section 10, line 1, of the engrossed bill, strike the words "said code of public instruction" and insert in lieu thereof the words "Chapter 118 of the Session Laws of 1897".

In section 11, line 2, of the engrossed bill, after the figures "137" insert the words "of Chapter 118 of the Session Laws of 1897".

In section 12, line 1 and 2, strike the words "code of public instruction" and insert in lieu thereof "Chapter 118 of the Session Laws of 1897".

In section 13, line 2, strike the words "code of public instruction" and insert in lieu thereof "Chapter 118 of the Session Laws of 1897".

In section 14, line 2, of the engrossed bill, strike the words "code of public instruction" and insert in lieu thereof the words "Chapter 118 of the Session Laws of 1897".

In section 15, line 2, of the engrossed bill, strike the words "the code of public instruction" and insert in lieu thereof the words "Chapter 118 of the Session Laws of 1897".

In section 16, line 2, of the engrossed bill, strike the words "the code of public instruction" and insert in lieu thereof the words "Chapter 118 of the Session Laws of 1897".

On motion of Senator Reed, the bill was amended as follows:

Amend by adding a new section to be numbered section 17.

"Section 17. That section seventy-five of chapter CVIII of the Session Laws of 1897 be amended to read as follows: Sec. 75. Whenever any incorporated city in this state shall have a population of ten thousand or more inhabitants, as shown by

any regular or special census, together with any adjacent or contiguous territory that now is or may be hereafter attached to said city for school purposes, it shall constitute one school district and be known by the name (name of city) school district No. in county, State of Washington, and the board of directors thereof shall constitute a body corporate and possess all the usual powers of corporation for public purposes, and in that name and style may sue and be sued, purchase, hold and sell such personal and real estate, and enter into such obligations as are authorized by law; and the title to all school buildings or other property, real or personal, owned by any school district within the corporate limits of any city shall, upon the organization of a district under the provisions of this act, vest immediately in the new district, and the board of directors by this act provided shall have exclusive control of the same for all the purposes herein contemplated.

“Provided, That whenever additional territory is annexed to said city, including all or a part of one or more school districts, such territory shall not be considered annexed for school purposes until the 30th day of June, next succeeding the date of annexation for municipal purposes, at which time the county superintendent shall declare the territory added to the limits of said city as a part of the school district constituting said city, and shall in the same manner as provided for in the change of territory from one district to another district, make an equitable adjustment of all property, funds and debts, and liabilities between such city district and the old district or districts.

“Provided further, That when a school house is located within the territory annexed for municipal purposes, and yet remains the most accessible school for a part of the old district left outside the newly established city boundary line, the county superintendent may annex all or part of the former district to which said school house belonged, to the district constituting the city.”

Make section 17, section 18.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES.

MR. PRESIDENT:

OLYMPIA, WASHINGTON, March 13, 1907.

The House has passed House bill No. 307: An act amending an act relating to drugs and medicines;

Also, House Concurrent Resolution No. 24: Providing for the presentation of the silver service for the cruiser Washington.

The House has concurred in Senate amendments to House bills Nos. 373, 232, 345, 409 and 274.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

House bill No. 262, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—37.

Those voting nay were: Senator Rands—1.

Those absent or not voting were: Senators Booth, Graves, Metcalf, Pogue—4.

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

Unanimous consent was given at this time to introduce House Concurrent Resolution No. 24 out of order, as follows:

House Concurrent Resolution No. 24, by Mr. Hornberger, of Spokane:

WHEREAS, The gift of a silver service for the cruiser "Washington" which was ordered by the Ninth Legislature has now been completed under the supervision of the Legislative Committee appointed by the Senate and House of Representatives, and,

WHEREAS, It is contemplated to formally present said silver service to the said cruiser in the near future, now be it

Resolved, The Senate concurring that the Hon. N. E. Linsley, a member of the Ninth Legislature, under whose supervision as chairman of the Joint Committee, the said silver service has been designed and manufactured, is hereby requested to be the representative of the state in the presentation of said service.

On motion of Senator Condon, the resolution was adopted.

House bill No. 464: An act authorizing county commissioners to grant the right to lay down, maintain and operate pipes and conduits for certain purposes, was placed on third reading.

On motion of Senator Cotterill, the following amendment was made:

Add to section 1 the following:

“Provided, That no such grant or franchise shall be made for a period exceeding twenty-five years, and in all cases shall contain a provision that in the event the territory covered by the grant shall at any time during the franchise period be included within any incorporated city or town, the authorities of said city or town shall have the right, to be exercised in their discretion, to acquire by purchase or condemnation any or all of such pipes, conduits and water systems at a price to be based upon the reasonable value of same at that time without any additional value for the franchise, or any unexpired period thereof, and upon such acquirement the said grant or franchise shall immediately terminate.”

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Hutson, Jones, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Smith, Sumner, Veness, Watson, Williams—32.

Those voting nay were: Senators Kennedy and Rands—2.

Those absent or not voting were: Senators Booth, Graves, Gunn, Hunter, Minkler, Pogue, Scott and Stevenson—8.

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

House bill No. 134: An act authorizing city councils to sell surplus water, was placed on third reading.

Senator Cotterill offered the following amendment:

Add to section 1 of both the printed and engrossed bill the following:

“Provided, however, That any such sale shall be made only to incorporated cities or towns for public distribution and sale, or to co-operative associations of residents of incorporated communities for distribution without profit, and in no case shall any sale be made to any private water, light or power company, partnership or individual organized for or engaged in the busi-

ness of distributing and selling water, light or power, for the purpose of making profit thereon; and

“Provided further, That nothing in this act contained shall be deemed to validate or authorize any contract or agreement for any such sale heretofore entered into without authority of law.”

The amendment was lost.

Senator Cotterill moved to amend section 2 as follows: “Strike section 2 of the printed bill and substitute therefor section 2. This act shall take effect October 1, 1908.”

The amendment was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Bratt, Brown, Condon, Davis, Eidemiller, Graves, Hunter, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Polson, Presby, Rands, Reed, Ruth, Scott, Stevenson, Sumner, Veness, Watson—25.

Those voting nay were: Senators Allen, Booth, Cotterill, Gunn, Hutson, Kennedy, Kline, Paulhamus, Piper, Potts, Smith and Williams—12.

Those absent or not voting were: Senators Boone, Jones, Pauly, Pogue and Rosenhaupt—5.

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

On motion of Senator Metcalf, House bill No. 260 was indefinitely postponed, by the following vote:

Those voting aye were: Senators Anderson, Condon, Hunter, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Piper, Polson, Potts, Presby, Rands, Reed, Smith, Sumner, Veness, Watson, Williams—20.

Those voting nay were: Senators Allen, Blair, Boone, Brown, Cotterill, Davis, Eidemiller, Graves, Hutson, Jones, Nichols, Pauly, Rosenhaupt, Ruth, Scott and Stevenson—16.

Those absent or not voting were: Senators Boone, Bratt, Gunn, Knickerbocker, Paulhamus and Pogue—6.

On motion of Senator Metcalf, House bill No. 266 was indefinitely postponed by the following vote:

Those voting aye were: Senators Anderson, Blair, Condon, Hunter, Kennedy, Kline, McGowan, McGregor, Metcalf, Mink-

ler, Piper, Polson, Potts, Presby, Rands, Reed, Smith, Stevenson, Sumner, Veness, Watson, Williams—22.

Those voting nay were: Senators Allen, Booth, Cotterill, Davis, Eidemiller, Graves, Hutson, Jones, Nichols, Pauly, Rosenhaupt, Ruth and Scott—13.

Those absent or not voting were: Senators Boone, Bratt, Brown, Gunn, Knickerbocker, Paulhamus and Pogue—7.

The following resolution by Senator Hutson was introduced out of order:

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 one-half of the amount when the printer's receipt for the copy is filed in his office, and the balance when the printer shall certify that the reading of proof on the journal index has been completed and the same found to be correct.

On motion of Senator Hutson, the resolution was adopted.

House bill No. 471: An act relating to public printing in counties, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Booth, Brown, Condon, Cotterill, Eidemiller, Graves, Hunter, Hutson, Jones, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Piper, Polson, Potts, Rands, Reed, Rosenhaupt, Sumner, Veness, Watson—28.

Those voting nay were: Senators Davis and Rands—2.

Those absent or not voting were: Senators Bratt, Gunn, Kennedy, Knickerbocker, Paulhamus, Pogue, Presby, Ruth, Scott, Smith, Stevenson and Williams—12.

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

On motion of Senator Condon at 9:30 p. m., the Senate adjourned.

J. W. LYSONS,
Secretary of the Senate.

CHARLES E. COON,
President of the Senate.

SIXTIETH DAY.

MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, Thursday, March 14, 1907.

The Senate was called to order at 10:00 o'clock a. m., by President Coon, pursuant to adjournment.

The Secretary called the roll, all members being present except Senator Pogue, excused.

On motion of Senator Watson, the reading of yesterday's journal was dispensed with, and it was approved.

On motion of Senator Ruth, all bills in the Senate, and not on the calendar, were indefinitely postponed.

On motion of Senator Condon, the Governor's appointment of Hon. Lee A. Johnson, of Sunnyside, as regent of the State College of Washington, as shown in the Governor's supplemental list of appointments received in the Senate March 8, 1907, was confirmed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Venness, Watson, Williams—41.

Those absent or not voting were: Senator Pogue—1.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES.

OLYMPIA, WASHINGTON, March 14, 1907.

MR. PRESIDENT:

The Speaker has appointed Messrs. Lambert and Hogan as House members of the committee provided for in Senate Concurrent Resolution No. 22.

LEO O. MEIGS, *Clerk of the House.*

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER.

MR. PRESIDENT:

OLYMPIA, WASHINGTON, March 14, 1907.

Your Committee on Enrolled Bills to whom was referred Senate bill No. 268: Relating to tide and shore lands and harbor areas;

Also, Senate bill No. 180: Regulating steam vessels, etc., operated by machinery navigating the waters within the jurisdiction of this state;

Also, Senate bill No. 89: Relating to procedure in condemning lands owned by the state;

Also, Senate bill No. 118: For the relief of the town of Kalama;

Also, Senate bill No. 195: To prevent an unauthorized person from wearing any emblem;

Also, Senate bill No. 316: Creating a board of forest commissioners, providing for a state fire warden, et al.;

Also, Senate bill No. 288: Relating to overcharges on rates or tariffs;

Also, Senate bill No. 271: Relating to admission to the bar;

Also, Senate bill No. 111: Relating to exemptions;

Also, Senate bill No. 296: Relating to the assessment of property for drainage;

Also, Senate bill No. 266: Providing for the distribution of moneys received from forest reserves;

Also, Senate bill No. 206: For the relief of George W. Rowan;

Also, Senate bill No. 90: Relating to the organization, etc., of municipal corporations;

Also, Senate bill No. 276: To provide for the organization of bonding and surety companies;

Also, Senate bill No. 67: An act for the relief of James O'Laughlin. Have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: P. L. Allen, R. W. Condon, Lincoln Davis.

The President signed Senate bills Nos. 268, 180, 89, 118, 195, 316, 288, 271, 31, 296, 266, 206, 90, 276, 67.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 14, 1907.

MR. PRESIDENT:

The Speaker has signed Senate bill No. 293: An act requiring railroads to equip flat cars with stakes;

Also, Senate bill No. 122: An act relating to the taxation of inheritances;

Also, Senate bill No. 228: An act granting to the United States a right-of-way for Lake Washington canal;

Also, Senate bill No. 207: An act relating to the board of equalization, its duties, etc.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

SENATE CHAMBER.

OLYMPIA, WASHINGTON, March 14, 1907.

MR. PRESIDENT:

In accordance with Joint Rule No. 4, I have the honor to report that Senate bills Nos. 207, 228, 122, 293, were presented to the Governor at 10:30 o'clock a. m., this day.

J. W. LYSONS, *Secretary*.

GENERAL FILE.

House bill No. 417: An act to amend sections of an act providing for the incorporation and regulation of mutual life insurance companies, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Polson, Potts, Reed, Rosenhaupt, Scott, Smith, Stevenson, Sumner, Venes, Watson, Williams—34.

Those voting nay were: Senator Ruth—1.

Those absent or not voting were: Senators Anderson, Gunn, Paulhamus, Piper, Pogue, Presby and Rands—7.

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

REPORT OF CONFERENCE COMMITTEE.

SENATE CHAMBER.

OLYMPIA, WASHINGTON, March 13, 1907.

MR. PRESIDENT:

We, your Committee on Conference to whom was referred Senate bill No. 48, entitled, "An act empowering boards of county commissioners to make exhibits of the products of their respective counties at the Alaska-Yukon-Pacific Exposition, in the year 1909," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that the Senate concur in the House amendments.

ROBT. F. BOOTH, *Chairman*.

We concur in this report: Arthur Gunn, E. M. Rands.

On motion of Senator Booth, the Senate concurred in House amendments to Senate bill No. 48, by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Hutson, Jones, Kennedy, Kline, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Piper, Polson, Potts,

Rands, Reed, Ruth, Scott, Smith, Stevenson, Sumner, Williams—33.

Those absent or not voting were: Senators Gunn, Hunter, Knickerbocker, Paulhamus, Pogue, Presby, Rosenhaupt, Veness and Watson—9.

House bill No. 397: An act relating to the certification of certain teachers, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Scott, Smith, Stevenson, Sumner, Veness, Williams—34.

Those voting nay were: Senator Ruth—1.

Those absent or not voting were: Senators Davis, Graves, Gunn, Pauly, Piper, Pogue and Watson—7.

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

House bill No. 337: An act to amend an act establishing a railroad commission, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Condon, Cotterill, Hutson, Jones, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Paulhamus, Pauly, Piper, Polson, Presby, Rands, Rosenhaupt, Ruth, Scott, Stevenson, Watson, Williams—27.

Those voting nay were: Senators Brown, Davis, Hunter, Kennedy, Minkler, Nichols, Potts, Reed, Sumner and Veness—10.

Those absent or not voting were: Senator Eidemiller, Graves, Gunn, Pogue and Smith—5.

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

House bill No. 430: An act to amend an act to preserve from pollution the waters of certain cities and towns, etc., was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eide-

miller, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Rands, Ruth, Scott, Stevenson, Sumner, Veness, Watson, Williams—33.

Those voting nay were: Senator Presby—1.

Those absent or not voting were: Senators Graves, Gunn, Hunter, Hutson, Pogue, Reed, Rosenhaupt and Smith—8.

A roll call was had and the emergency clause passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Hunter, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Graves, Gunn, Jouse, Pogue, Rands, Smith and Stevenson—7.

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

House bill No. 343: An act regulating the sale of milk and cream in cities, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Polson, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Veness, Williams—32.

Those absent or not voting were: Senators Allen, Graves, Gunn, Piper, Pogue, Potts, Presby, Rands, Stevenson and Watson—10.

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

House bill No. 500: An act to amend an act creating the office of public printer, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Eidemiller, Hutson, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Paulhamus, Pauly, Polson, Potts, Presby, Rands,

Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—32.

Those voting nay were: Senator Reed—1.

Those absent or not voting were: Senators Booth, Davis, Graves, Gunn, Hunter, Jones, Nichols, Piper and Pogue—9.

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

RESOLUTIONS.

Resolution by Senator Reed:

Resolved, That the Secretary of the Senate be instructed to have printed a pamphlet showing titles of all bills that have passed both branches of the Legislature and to mail to each Senator three copies thereof, as soon after adjournment as possible.

On motion of Senator Reed, the resolution was adopted.

Resolution by Senator Reed:

Resolved, That for completing, comparing and signing the journal and other records of the Senate after the close of the session, the secretary to the lieutenant governor, the secretary and assistant secretary of the Senate, the docket clerk, the sergeant-at-arms, the minute clerk and assistant minute clerk, the journal clerk and assistant journal clerk, one proof reader and one stenographer be each allowed ten days' extra pay, at the regular per diem.

On motion of Senator Reed, the resolution was adopted.

Resolution by Senator Reed:

Resolved, That for cleaning up the Senate chamber after the close of the session, A. F. Haynes and Robert Taylor be each allowed the sum of fifteen dollars.

On motion of Senator Reed, the resolution was adopted.

GENERAL FILE.

House bill No. 501: An act appropriating the sum of three thousand five hundred dollars for printing, was placed on third reading.

On motion of Senator Condon, the Senate resolved itself into a committee of the whole to consider House bill No. 501.

The bill was considered in the committee of the whole, Senator Condon in the chair, and reported back to the Senate with the recommendation that it do pass.

Senator Condon moved the adoption of the report of the committee of the whole.

The motion was carried.

On motion of Senator Condon, the rules were suspended, the reading of House bill No. 501 had in the committee of the whole was considered the third reading in the Senate, and the bill placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Watson, Williams—35.

Those absent or not voting were: Senators Davis, Graves, Gunn, Hutson, Pogue, Rands and Veness—7.

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

Major A. N. Brown, Secretary to the Governor, delivered the following:

COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT.

OLYMPIA, March 14, 1907.

To the Honorable. The Senate of the State of Washington:

GENTLEMEN—I have under date of March 13, 1907, approved the following bills:

Senate bill No. 87, entitled, "An act to amend the Code of Public Instruction of the State of Washington, the same being chapter CXVIII; approved by the Governor March 19, 1897, by adding two new sections to said code to be known as section 33½ and section 47½, and to amend sections 49, 100 and 112 of said Code of Public Instruction, and repealing all acts and parts of acts in conflict therewith."

Senate bill No. 105, entitled, "An act for the relief of Andrew Eskola and authorizing the commissioner of public lands of the State of Washington to relinquish on behalf of the State of Washington for the benefit of Andrew Eskola, the southwest quarter of section 6 in township 11 north of range eight west of the Willamette meridian."

Senate bill No. 107, entitled, "An act relating to the exercise of the power of eminent domain by corporations generating and transmitting electricity and using and selling the same for light and power."

Senate bill No. 126, entitled, "An act changing the title of county surveyor to county engineer, relating to the election, powers and duties of such officer and repealing sections 490 and 491 of Ballinger's Annotated Codes and Statutes of Washington."

Senate bill No. 142, entitled, "An act relating to the dissolution of drainage districts, and declaring an emergency."

Senate bill No. 162, entitled, "An act granting rights of way to irrigation districts, irrigation companies, associations and individuals over

the lands of the State of Washington, and providing for the appraisal and distribution of the lands included within and used for such rights of way."

Senate bill No. 235, entitled, "An act relating to the power of counties of the first class to construct or aid in the construction of canals, and declaring an emergency."

Senate bill No. 254, entitled, "An act to place the contract and management of the traveling library in the hands of a superintendent to be appointed by the state library commission."

Senate bill No. 297, entitled, "An act creating the office of state commissioner of horticulture, providing for the promotion and protection of the fruit growing and horticultural interests of the State of Washington, and providing penalties for the violation of certain provisions of this act."

Senate bill No. 102, entitled, "An act to enable cities of the first, second and third class and having a population of over fifteen hundred inhabitants 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."

ALBERT E. MEAD, *Governor*.

House bill No. 202: An act relating to the compulsory education of children was placed on third reading.

Senator Ruth moved that the bill be indefinitely postponed.

Senator Sumner moved as a substitute for motion of Senator Ruth, that the bill be passed over temporarily, but still retain its place on the calendar.

The substitute motion was adopted.

House bill No. 276: An act to establish a fish hatchery, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Williams—34.

Those absent or not voting were: Senators Allen, Anderson, Hutson, Jones, Pogue, Presby, Rands and Watson—8.

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

House bill No. 363: An act granting additional powers to cities of the second, third and fourth class, was read the third

time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—40.

Those absent or not voting were: Senators Allen and Pogue—2.

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

House bill No. 202: An act relating to the compulsory education of children, was placed on third reading.

On motion of Senator Condon, the words "and approved" in line 6, section 1 of the engrossed bill, and the word "a" inserted in lieu thereof.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Hunter, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Reed, Rosenhaupt, Smith, Stevenson, Sumner, Veness, Watson, Williams—33.

Those voting nay were: Senators Rands and Ruth—2.

Those absent or not voting were: Senators Allen, Graves, Gunn, Minkler, Pogue, Presby and Scott—7.

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

House bill No. 403: An act to amend an act for the appointment of a fish commissioner, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Hunter, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Sumner, Watson, Williams—31.

Those absent or not voting were: Senators Allen, Eidemiller, Graves, Gunn, Hutson, Nichols, Paulhamus, Pogue, Scott, Stevenson and Veness—11.

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

House bill No. 339: An act to prohibit all live stock from running at large, was placed on third reading.

Senator Paulhamus moved to amend the bill by striking the words "any county of this state" in line 2, section 1 of the printed bill, and insert in lieu thereof the words "counties wherein any lands are under irrigation or where dikes are maintained."

The motion was lost.

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Eidemiller, Graves, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Pauly, Polson, Presby, Rands, Reed, Rosenhaupt, Scott, Smith, Stevenson, Sumner, Veness, Williams—30.

Those voting nay were: Senators Anderson, Nichols, Potts, and Ruth—4.

Those absent or not voting were: Senators Davis, Gunn, Hunter, Hutson, Paulhamus, Piper, Pogue and Watson—8.

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

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 14, 1907.

MR. PRESIDENT:

The Speaker has signed Senate bill No. 268: Relating to tide and shore lands and harbor areas;

Also Senate bill No. 180: Regulating steam vessels, etc., operated by machinery navigating the waters within the jurisdiction of this state;

Also, Senate bill No. 89: Relating to procedure in condemning lands owned by the state;

Also, Senate bill No. 118: For the relief of the town of Kalama;

Also, Senate bill No. 195: To prevent an unauthorized person from wearing any emblem;

Also, Senate bill No. 316: Creating a board of forest commissioners, providing for a state fire warden, et al.;

Also, Senate bill No. 288: Relating to overcharges on rates or tariffs;

Also, Senate bill No. 271: Relating to admission to the bar;

Also, Senate bill No. 111: Relating to exemptions;

Also, Senate bill No. 296: Relating to the assessment of property for drainage;

Also, Senate bill No. 266: Providing for the distribution of moneys received from forest reserves;

Also Senate bill No. 206: For the relief of George W. Rowan;

Also, Senate bill No. 90: Relating to the organization, etc., of municipal corporations;

Also, Senate bill No. 276: To provide for the organization of bonding and surety companies;

Also, Senate bill No. 67: An act for the relief of James O'Laughlin;

Also, Senate bill No. 284: An act to repeal an act entitled an act for the protection of knot sawyers in shingle mills;

Also, Senate bill No. 212: An act prescribing the time for the collection of special assessments;

Also, Senate bill No. 125: An act amending an act providnig for the organization, etc., of municipal corporations;

Also, Senate bill No. 129: An act to apportion the State of Washington into three congressional districts;

Also, Senate bill No. 248: An act authorizing the state board of control to use brick at the state penitentiary;

Also, Senate bill No. 292: An act authorizing cities of the first class to lay salt water mains;

Also, Senate bill No. 232: An act creating a state board of tax commissioners;

Also, Senate bill No. 184: An act amending an act creating the bureau of labor;

Also, Senate bill No. 245: An act relating to premium stamps;

Also, Senate bill No. 119: An act amending an act classifying the counties according to population, fixing the salaries, etc.;

Also, Senate bill No. 69: An act relating to the superior courts in the counties of Stevens, Ferry, et al.;

Also, Senate bill No. 309: An act appropriating funds for the Standard Furniture Company;

Also, Senate bill No. 11: An act appropriating \$2500.00 for litigation involving the boundary line between Washington and Oregon.

The Speaker has signed House bill No. 263: Authorizing railroad companies to construct spur tracks;

Also, House bill No. 485: Relating to the improvement of the Columbia and Snake rivers;

Also, House bill No. 288: Making an appropriation for the purchase of a gift for the cruiser Washington;

Also, House bill No. 456: Providing for the filling of private property in cities of the first class;

Also, House bill No. 494: Making appropriations for certain deficiencies;

Also, House bill No. 416: Making it unlawful for any person, firm or corporation to require any employe to purchase clothing of any particular person;

Also, House bill No. 191: Relating to the maintenance of agricultural experiment stations;

Also, House bill No. 349: Providing for the annexation to cities of the first class of unincorporated territory contiguous thereto;

Also, House bill No. 404: To provide for sale of certain state tide lands;

Also, House bill No. 410: Authorizing the exchange of certain state lands;

Also House bill No. 373: Providing for the protection of owners of second class tide lands;

Also, House bill No. 17: Relating to the formation of road districts;

Also, House bill No. 257: For the relief of Gunder Bj. Ordal;

Also, House bill No. 274: Relating to the testimony of complaining witnesses in actions for rape;

Also, House bill No. 374: For the relief of R. Stevenson;

Also, House bill No. 388: Relating to the sale of intoxicating liquors;

Also, House bill No. 231: Amending an act relating to the appropriation of lands for corporate purposes;

Also, House bill No. 465: For the relief of Clarke county;

Also, House bill No. 345: Creating the office of state oil inspector;

Also, House bill No. 289: An act relating to railroads and express companies;

Also, House bill No. 13: To provide for the formation of banking corporations;

Also, House bill No. 5: Relating to the registration of titles to land;

Also, House bill No. 232: Relating to the taking of food fishes, etc.;

Also, House bill No. 178: Relating to cities of the second class and providing for the government of such cities;

Also, House bill No. 409: Relating to the acquisition of rights of way for railroads through lands owned by the state;

Also, House bill No. 270: To provide against the adulteration of foods;

Also, House bill No. 134: Authorizing city councils to sell surplus water.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

SENATE CHAMBER.

OLYMPIA, WASHINGTON, March 14, 1907.

MR. PRESIDENT:

In accordance with Joint Rule No. 4, I have the honor to report that Senate bills Nos. 268, 180, 89, 118, 195, 316, 288, 271, 111, 266, 206, 90,

276, 67, 212, 125, 129, 248, 292, 232, 184, 245, 119, 69, 309, 11, 284, were presented to the Governor at 2:00 o'clock p. m., this day.

J. W. LYSONS, *Secretary.*

The President signed House bills Nos. 263, 485, 288, 456, 494, 416, 191, 349, 404, 410, 373, 17, 257, 274, 374, 388, 231, 465, 345, 289, 13, 5, 232, 178, 409, 270, 134.

The President signed Senate bills Nos. 284, 212, 125, 129, 248, 292, 232, 184, 245, 119, 69, 309 and 11.

Senator McGregor was called to the chair.

House bill No. 405: An act providing for the leasing of rights of way for logging purposes, was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Veness, Watson, Williams--35.

Those absent or not voting were: Senators Graves, Gunn, Hunter, Paulhamus, Piper, Pogue and Stevenson--7.

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

House bill No. 29: An act to amend an act relating to closed season for trout fishing in Chelan county, was placed on third reading.

On motion of Senator Condon, the following amendments were made:

Amend by striking the words in section 1, lines 8 and 9 of the engrossed bill: "between the first day of February and the thirty-first day of May" and insert in lieu thereof the words "between the first day of April and the tenth day of June."

Amend by inserting in line 11, section 1 of engrossed bill after the word "year" the words "except between the first day of April and the tenth day of June."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Hutson, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Paulhamus,

Pauly, Polson, Presby, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Sumner, Veness, Watson, Williams—35.

Those absent or not voting were: Senators Allen, Gunn, Hunter, Piper, Pogue, Potts and Stevenson—7.

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

House bill No. 170: An act relating to elections, was placed on third reading.

On motion of Senator Scott, the figures and words "4964 of Pierce's Code" in line 1 of the title of the printed bill were stricken and the figures and words "1385 of Ballinger's Annotated Codes and Statutes of Washington" were inserted in lieu thereof.

On motion of Senator Scott, the word "seven" where it first appears in line 2, section 1 of the printed bill was stricken and the word "eight" inserted in lieu thereof.

On motion of Senator Cotterill, the word "seven" where it appears the second time in line 2, section 1 of the printed bill was stricken and the word "eight" inserted in lieu thereof.

On motion of Senator Rands, section 1 was amended by adding the following words "Provided that in precincts outside of incorporated towns and cities the hour of opening of said polls shall be nine o'clock a. m., the hour of closing seven o'clock p. m."

The bill was read the third time, placed on final passage and passed by the following vote:

Those voting aye were: Senators Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Metcalf, Minkler, Nichols, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Scott, Smith, Stevenson, Sumner, Veness, Watson, Williams—33.

Those absent or not voting were: Senators Allen, Anderson, Gunn, Hunter, Hutson, Paulhamus, Piper, Pogue and Presby—9.

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

The President resumed the chair.

On motion of Senator Condon, at 12:00 o'clock noon, the Senate took a recess until 2:30 o'clock p. m.

AFTERNOON SESSION.

The Senate was called to order at 2:30 p. m., by President Coon, pursuant to adjournment.

The Secretary called the roll, all members being present except Senator Pogue, excused.

RESOLUTIONS.

Resolution by Senator Reed:

Resolved, That a committee of three Senators be appointed to examine the books and records, and the journal of the Senate, and report on the same, together with the general condition of the clerical work, before adjournment today.

On motion of Senator Reed, the resolution was adopted.

The President appointed to serve on the committee Senators Reed of Yakima, Allen of King, and Cotterill of King counties.

The President appointed as Senate members of the joint committee, in accordance with the report of the committee appointed to confer with the Oregon Legislature regarding salmon fisheries on the Columbia river, adopted March 8th, 1907, Senators Watson of Cowlitz, Presby of Klickitat, and McGowan of Pacific counties, to report at the next session of the Legislature.

REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 14, 1907.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate bill No. 321: An act appropriating \$5,000.00 for Legislative expenses;

Also, Senate bill No. 294: Relating to the protection of employes in factories;

Also, Senate bill No. 187: Relating to the assessment and collection of taxes;

Also, Senate bill No. 227: Authorizing counties to create an assessment district;

Also, Senate bill No. 240: To enable counties, cities and towns to validate certain warrants;

Also, Senate bill No. 300: Relating to public printing;

Also, Senate bill No. 264: Relating to the closed season for Chinese pheasants;

Also, Senate bill No. 243: An act to provide a limitation for the bringing of actions to set aside or cancel tax deeds;

Also, Senate bill No. 48: Empowering counties to make an exhibit at the Alaska-Yukon-Pacific Exposition;

Also, Senate bill No. 322: Direct primary.

Have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

RALPH METCALF, *Chairman.*

We concur in this report: Robt. F. Booth, R. W. Condon, Lincoln Davis.

The President signed Senate bills Nos. 321, 294, 187, 227, 240, 300, 264, 243, 48.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 14, 1907.

MR. PRESIDENT:

The House has passed a resolution indefinitely postponing all bills not passed by the House at this time.

The House has concurred in Senate amendments to House bills Nos. 464, 29 and 405.

The Speaker has signed House bill No. 403: Amending an act for the appointment of a fish commission;

Also, House bill No. 500: Relating to the office of public printer;

Also, House bill No. 417: Amending an act providing for the incorporation of mutual fire insurance companies;

Also, House bill No. 430: Amending an act to preserve from pollution the water supplied to inhabitants of cities and towns;

Also, House bill No. 363: Granting additional power to cities;

Also, House bill No. 337: Amending an act establishing a railroad commission;

Also, House bill No. 471: Relating to public printing in counties;

Also, House bill No. 501: Making an appropriation for legislative printing;

Also, House bill No. 276: Establishing a fish hatchery on Big Quilcene river.

The House has concurred in Senate amendments to House bills Nos. 262, 202 and 464.

The House has passed Senate bill No. 321: An act making an appropriation for legislative expenses;

Also, Senate bill No. 300: Relating to the public printing;

Also, Senate bill No. 243: Relating to the bringing of actions for cancellation of tax deeds.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

The President signed House bills Nos. 403, 500, 417, 430, 363, 337, 471, 501, 276.

On motion of Senator Condon at 4:20 p. m., the Senate took a recess until 8:00 o'clock p. m.

EVENING SESSION.

The Senate was called to order at 8:00 o'clock p. m., by President Coon, pursuant to adjournment.

The chaplain, Rev. F. A. LaViolette, opened the closing session as follows:

Almighty God, our Father, as we meet in this final session to give attention to the closing up of the affairs that have been committed to us, let us have thy blessing. And before we separate one from the other we would record our thanks for the friendships and blessings that have come to us in our meeting together.

We thank Thee that Thou hast preserved our lives, given us health and strength to serve. In those things that we have done and in that which we may have left undone, that are displeasing to Thee, grant us gracious pardon. Grant, we earnestly beseech Thee, Thine abiding blessing upon all we have done for the good of the people we have endeavored to serve. Let Thy blessing rest in an especial manner upon that one of our number who by sickness has been prevented from serving with us and whose help and fellowship we have been denied.

And now, as we separate one from the other, go with us; be with us in all the private duties of life; help us to serve honorably and faithfully in every work of life and here at the parting of our ways, grant to us the blessing of God our Father, the love of his Son, Jesus Christ, and the blessing of his Holy Spirit to rest and remain with us always. Amen.

The President signed Senate bill No. 322.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,
OLYMPIA, WASHINGTON, March 14, 1907.

MR. PRESIDENT:

The Speaker has signed Senate bill No. 300: Relating to public printing;

Also, Senate bill No. 264: Relating to closed season for Chinese pheasants;

Also, Senate bill No. 243: An act to provide a limitation for the bringing of actions to set aside or cancel tax deeds;

Also, Senate bill No. 321: Appropriating \$5,000.00 for Legislative expenses;

Also, Senate bill No. 294: Relating to the protection of employes in factories;

Also, Senate bill No. 187: Relating to the assessment and collection of taxes;

Also, Senate bill No. 227: Authorizing counties to create an assessment district;

Also, Senate bill No. 240: To enable counties, cities and towns to validate certain warrants.

The House has concurred in Senate amendments to House bill No. 170: Relating to elections.

The Speaker has signed House bill No. 339: To prohibit live stock from running at large;

Also, House bill No. 202: Relating to compulsory education of children;

Also, House bill No. 29: Amending an act providing for a closed season for trout fishing;

Also, House bill No. 405: Providing for the leasing of timber lands;

Also, House bill No. 343: Regulating the sale of milk in cities of this state;

Also, House bill No. 397: Relating to certification of teachers;

Also, House bill No. 262: Relating to the public school system of the state;

Also, House bill No. 464: Authorizing county commissioners to grant rights of way for pipes and conduits for the purpose of conducting water therein;

Also, House bill No. 170: Relating to elections.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 14, 1907.

MR. PRESIDENT:

In accordance with Joint Rule No. 4, I have the honor to report that Senate bill No. 296 was presented to the Governor at 4:35 o'clock p. m., this day.

J. W. LYSONS, *Secretary.*

SENATE CHAMBER,
OLYMPIA, WASHINGTON, March 14, 1907.

MR. PRESIDENT:

In accordance with Joint Rule No. 4, I have the honor to report that Senate bills Nos. 300, 264, 243, 321, 294, 187, 227, 240, 48 were presented to the Governor at 8:24 o'clock p. m., this day.

J. W. LYSONS, *Secretary.*

The President signed House bills Nos. 339, 202, 29, 405, 33, 262, 397, 464, 170.

RESOLUTIONS.

Senate resolution by Senator Condon:

WHEREAS, The following correspondents of the state press have labored to place the proceedings of the Senate in the Tenth Legislature session before the public in a fair, impartial and readable manner, and

WHEREAS, These correspondents have been placed under a serious handicap in the performance of their multitudinous duties and have at all times treated members of the Senate with utmost courtesy and consideration; therefore, be it

Resolved, That the Senate commends the newspapers for the wisdom shown in sending such able correspondents to report the legislative proceedings and extends its sincere thanks to the following correspondents: Portland Oregonian, J. H. Brown; Seattle Post-Intelligencer, E. D. Cowan, Beriah Brown, F. P. Goss, J. B. Myrick, N. A. Fuessle, Robert Kelsey, Geo. Hager; Tacoma Ledger, R. T. Buchanan, Edward Reynolds; Spokesman-Review, Joe Smith; Seattle Times, M. M. Mattison; Tacoma News, W. A. Rupp, John F. Gilbert; Olympian, Roderick Sprague; Recorder, R. DeKovan Brown; Seattle News, Jay Thomas; Spokane Chronicle, Frank W. Middaugh; Walla Walla Union, W. H. Curry; Walla Walla Bulletin, Roy Rudio; Bellingham Herald, Dan McKenna; Seattle Argus, R. W. Boyce; Portland Telegram, Mrs. Geo. Blankenship; Port Townsend Leader, Harvey L. Tibbals; Seattle Star, R. T. Renfro.

On motion of Senator Condon, the resolution was adopted.

Resolution by Senator Ruth:

WHEREAS, Tacoma Aerie No. 3, of the Fraternal Order of Eagles, has kindly loaned to the Senate during this session, a magnificent specimen of the great American eagle; proud emblem of the greatest nation on earth; therefore, be it

Resolved, That the thanks of this Senate be extended to Tacoma Aerie No. 3, for the use of the said eagle, and for the very generous spirit shown by the members of that body in donating to the Senate the use of said bird, and we are proud to be able to say, that, notwithstanding he has been subjected to all kinds of hot air blasts, he has neither batted an eye nor shed a feather.

On motion of Senator Ruth, the resolution was adopted.

Resolution by Senator Presby:

Resolved, That the Secretary of Senate be directed to have the primary election law indexed and have 10,000 copies thereof printed in pamphlet form for distribution.

On motion of Senator Presby, the resolution was adopted.

MESSAGE TO THE SENATE.

HOUSE OF REPRESENTATIVES,

MR. PRESIDENT:

OLYMPIA, WASHINGTON, March 14, 1907.

The Speaker has signed Senate bill No. 322: An act relating to the direct primary.

The House has passed Senate Concurrent Resolution No. 25: Providing for a joint committee to notify the Governor that the Legislature is ready to adjourn.

And the same are herewith transmitted.

LEO O. MEIGS, *Clerk of the House.*

SENATE CHAMBER,

OLYMPIA, WASHINGTON, March 14, 1907.

MR. PRESIDENT:

In accordance with Joint Rule No. 4, I have the honor to report that Senate bill No. 322 was presented to the Governor at 8:35 o'clock p. m., this day.

J. W. LYSONS, *Secretary.*

Senator Allen moved that a committee of two be appointed to ask the House of Representatives if they were ready to adjourn.

The motion was adopted.

The President appointed to serve on the committee Senators Allen of King and Rands of Clarke counties.

On motion of Senator Rands, House bills Nos 341, 299 and 493, which were on the calendar for today, but which had not been acted upon, were indefinitely postponed.

On motion of Senator Jones, the reading of today's journal was dispensed with, and it was approved.

REPORT OF SPECIAL COMMITTEE.

MR. PRESIDENT:

We, your Special Committee appointed to investigate the condition of the Senate records and to make a report and recommendations relating thereto, beg leave to submit the following:

(1) We find that the work on the Senate Journal is progressing satisfactorily. Through a mutual arrangement made by the Secretary of the Senate and the Chief Clerk of the House many of the documents sent simultaneously to both houses will be printed only in the Senate Journal. This will make the Senate Journal about one hundred pages larger than the House Journal, but the work of the journal clerks will be completed within ten days.

(2) We find that the enrolling of all Senate bills was completed before one o'clock today and at that hour every enrolled Senate bill, except one, had been finally completed and was ready for the signa-

tures of the presiding officers of the two houses. The entire enrolling work for the Senate was completed before 2:30 o'clock. The completion of enrolling work at the time referred to established a new record for the Legislature of the State of Washington in this respect.

(3) The Senate docket is found to be posted up fully to March 13th and the work of completing the docket, posting up the record of bills in accordance therewith for filing with the Secretary of State, will be completed within a few days.

(4) The Daily Journal of the Senate has been completed up to today noon adjournment and, so far as we have investigated, is found to be a true and correct record of all the Senate proceedings.

(5) The clerical work of the Senate performed in the foregoing satisfactory manner has at all times been under the direct supervision and control of the secretary, J. W. Lysons, and we desire to say that his strict and careful attention to the business of the Senate and the executive ability he has shown in handling the work has been almost invaluable to the Senate.

(6) , Your committee cannot impress too strongly upon the Senate the importance of selecting proper persons for clerical positions in the future. In order to earn the salaries which are paid by the Senate, every clerk employed should be either a stenographer, a first class penman or a good typewriter operator. If these qualifications were required and strictly adhered to the entire clerical work of the Senate could probably be carried on with twenty clerks.

Respectfully submitted,

WALTER J. REED,
P. L. ALLEN,
GEO. F. COTTERILL,

Members Committee.

On motion of Senator Reed, the report was adopted.

Resolution of Senator Davis:

Resolved, That for the work of compiling and indexing the primary election law and the list of bills passed by the Legislature, the Secretary of the Senate be allowed the sum of fifty dollars.

On motion of Senator Davis, the resolution was adopted.

The committee appointed to notify the House of Representatives that the Senate was ready to adjourn reported that the House had been duly notified.

Senate Concurrent Resolution No. 25 by Senator Davis:

WHEREAS, The time of the tenth session of the Legislature is about to expire and close, and the Legislature adjourn, now therefore be it

Resolved, by the Senate, the House concurring, that the President of the Senate appoint two Senators and the Speaker of the House appoint three Representatives who shall constitute a committee to notify His Excellency, A. E. Mead, Governor, that the Legislature is about to

adjourn, and ask if he have any communications to make to said legislative body.

On motion of Senator Davis, the resolution was adopted.

The President appointed as the Senate members of the committee Senators Davis of Pierce and Graves of Spokane counties.

The President appointed to serve on the committee under Senate Concurrent Resolution No. 22, Senators Kline of Whatcom and Anderson of Stevens counties.

REPORT TO SPECIAL COMMITTEE.

OLYMPIA, WASHINGTON, March 14, 1907.

MR. PRESIDENT:

We, your Special Committee appointed by the Senate and House, pursuant to concurrent resolution No. 25, to wait upon his Excellency, Governor A. E. Mead, and inform him that the Legislature was about to adjourn, and ask him if he had any further communications to make to such body, beg to report:

That we called upon the Governor and informed him that the Legislature was about to adjourn and asked him if he had any communications to make to the Legislature, and he informed us that he had no communication which he wished to make.

Respectfully submitted,

LINCOLN DAVIS.

WILL G. GRAVES.

On motion of Senator Davis,, the report of the committee was adopted.

Resolution by Senator Davis:

WHEREAS, Lieutenant Governor Charles E. Coon has presided over the sessions of this Senate in a fair and impartial manner, and with uniform courtesy toward all members; and

WHEREAS, He has shown such ability as presiding officer that the business of the Senate has been greatly facilitated; therefore, be it

Resolved, That the members of the Senate extend to Lieutenant Governor Coon their hearty thanks for his courtesy and consideration and congratulate the state and the members of the Senate on having chosen as Lieutenant Governor a man of fair and impartial manner and marked ability.

On motion of Senator Condon, seconded by Senator Graves, the resolution was adopted by unanimous vote.

ADDRESS BY LIEUTENANT GOVERNOR COON.

After returning his acknowledgements to the Senators for their support during the session and the forbearance shown to the President in

respect to the rulings which he has made under the sense of duty, the President further said:

Pro Bono Publico, the chair cannot refrain from offering an opinion at this time, in order to secure a safe and consistent manner of transacting business, the rules in effect at this session should be changed by the next Senate. The universal parliamentary rule concerning indefinite postponement has been found necessary and has worked well in every deliberative representative body in the world, so far as known to the chair. A measure which does not meet with the approbation of the majority of a body can be indefinitely postponed and cannot be again taken up during the session. Such a rule is necessary; otherwise it would be in the power of a number of members to seize upon an occasion when those who had opposed the measure were temporarily absent from their seats to again bring it before the body and reverse the action which had been taken. The effect of the change made at the beginning of this session which permits the reconsideration of an indefinitely postponed matter by a bare majority of the Senate has not, it must be apparent to all, been happy.

The President desires to state that while under parliamentary practice a presiding officer elected by the people is not uniformly permitted to select standing committees, still he is of the opinion that the practice heretofore obtaining in the State of Washington has produced beneficial results and he believes should be restored. The Lieutenant Governor feels that he can now say without subjecting himself to a certain criticism had he said it some weeks ago, that he does not believe that it is wise for the Senate to take the appointment of the standing committees into its own hands. The result of the latter course will always be to give the control of the Senate into the hands of a faction comprising a majority of the body. The Lieutenant Governor ought to be trusted to appoint the standing committees in the interests of the state at large, taking into consideration the experience of the members and their qualifications for work. The people may be trusted to elect a Lieutenant Governor who will organize the Senate committees in the interests of the state at large.

The committees of a representative body such as ours are merely sub-divisions of the whole body, appointed for the sole purpose of considering measures brought before the Legislature, and after careful consideration to make recommendations for or against such measures. These committees must be very carefully selected with especial reference to fitness as to their personnel. This, it is believed, can be done more effectually by a presiding officer who takes pains to acquaint himself with the qualifications of the members than by agreement in a mass meeting composed of members, each having and pressing claims for special recognition; claims which are in practice satisfied and acceded to by mutual agreements for reciprocal support. The President desires to say further that many of the committees during this session have, in a majority of instances, absolutely abdicated their functions, in so far

as they have declined to express any opinion whatever concerning the merits of measures referred to them, but have brought them back with a recommendation that they be placed on general file. This is a new practice, and the chair believes, not a good one.

At 10:27 o'clock p. m., on motion of Senator Allen, the Senate adjourned *sine die*.

J. W. LYSONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.

PROPOSED AMENDMENTS TO THE CONSTITUTION.

SENATE BILL NO. 161 BY COMMITTEE ON PUBLIC REVENUE
AND TAXATION.

AN ACT to amend Article VII of the Constitution of the State of Washington relating to the assessment and taxation of property within the state.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1908, there shall be submitted to the qualified electors of the state for their adoption and approval an amendment to Article VII of the Constitution of the State of Washington, by striking from said Article VII all of section 1, 2, 3, and 4, and inserting in lieu thereof the following, to be known as section one: Section 1. *The power of taxation shall never be surrendered, suspended or contracted away. Taxes shall be uniform upon the same class of subjects, and shall be levied and collected for public purposes.* The property of the United States, and of the state, counties, school districts, and other municipal corporations and personal property to the amount of three hundred dollars for each head of a family liable to assesment and taxation under the provisions of the laws of this state of which the individual is the actual and bona fide owner shall be exempt from taxation.

SEC. 2. The Secretary of State shall cause the amendment proposed in section one (1) of this act to be published for three months next preceding the said election therein described in some weekly newspaper in every county where a newspaper is published, throughout the state.

SEC. 3. There shall be printed on all ballots provided for the said election, the words: "For the proposed amendment to Article VII of the Constitution relating to the assessment and taxation of property within the State." "Against the proposed amendment to Article VII of the Constitution relating to the assessment and taxation of property within the State."

Introduced in the Senate, Feb. 6, 1907.

Passed the Senate, Feb. 18, 1907.

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Bratt, Brown, Condon, Cotterill, Davis, Eldemiller, Graves, Gunn, Jones, Kennedy, Kline, Knickerbocker, McGowan, McGregor, Minkler, Nichols, Paulhamus, Pauly, Polson, Potts, Rands, Reed, Rosenhaupt, Ruth, Smith, Sumner and Williams.—Total 31.

Those absent or not voting were: Senators Booth, Hunter, Hutson, Metcalf, Piper, Pogue, Presby, Scott, Stevenson, Veness and Watson.—Total 11.

Introduced in the House, February 25, 1907.

Passed the House, February 27, 1907.

Those voting aye were: Messrs, Abrams, Armstrong, Bassett, Beebe, Bell, Blackmore, Bradsberry, Byerly, Cameron, Carlyon, Cloes, Coles, Congleton, Connell, Croft, Davis, D. J., Davis, E. C., Dickson, Erickson, Fancher, Freudenberg, Fulton, Gaches, Gilbert, E. P., Gilbert, J. B., Glenn, Godman, Govan, Gregg, Griffin, Halteman, Hamilton, Hanson, Henderson, Hogan, Hornberger, Hurshman, Hutchinson, Jackson, H. F., Johnson, Kayser, King, Kirkpatrick, Klovborg, Lambert, Long, Lung, McCoy, McMaster, McRae, Megler, Miller, Morse, Olsen, Peddycord, Quinlan, Ranck, Reeve, Reid, Renick, Romaine, Sayre, Sewall, Sherfey, Shultz, Slayden, Smalley, Stephens, E. M., Stephens, I. N., Taylor, Thompson, D. M., Thompson, W. H., Tibbetts, Tonkin, Troy, Ulsh, Vergowe, Wade, Weir, Whitlow, Mr. Speaker.—Total 80.

Those voting nay were: Mr. Madison.

Those absent or not voting were: Messrs. Beach, Hewitt, Huxtable, Jackson, F. C., McDonald, McMorran, Ramsay, Rhodes, Rice, Sheets, Stevenson, Strobridge, Weber.—Total 13.

HOUSE BILL NO. 97 BY E. M. STEPHENS.

AN ACT providing for the amendment of section 16 of article one (1) of the Constitution of the State of Washington, relating to the exercise of the power of eminent domain.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1908, there shall be submitted to the qualified electors of the state for their adoption and approval an amendment of section sixteen (16) of article one (1) of the Constitution of the State of Washington so that the same shall read, and it is proposed that the same shall read, when so amended, as follows: Section 16. Private property may be taken, under such terms, conditions and limitations as shall be prescribed by the Legislature for drains, flumes, and ditches for agricultural, domestic and sanitary purposes, and for rights of way for the removal of timber or timber products, and the appropriation and use of property for such purposes are hereby declared to be public usage, even though such appropriation and use may inure to the special benefit of some private individual, firm, corporation or association: Provided, however, that this declaration as to public uses shall not be construed to limit the right to appropriate property for other public uses. Private property shall not be taken for private use, except for private ways of necessity. No private property shall be taken or damaged for public or private use without just compensation having been first made, or paid into court for the owner, and no right-of-way shall be appropriated to the use of any corporation other than municipal until full compensation therefor be first made in money, or ascertained and paid into court for the owner, irrespective of any benefit from any improvement proposed by

such corporation, which compensation shall be ascertained by a jury, unless a jury be waived, as in other civil cases in courts of record, in the manner prescribed by law. Whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public shall be a judicial question, and determined as such, without regard to any legislative assertion that the use is public, except as to the uses which are herein declared to be public.

SEC. 2. The Secretary of State shall cause the amendment proposed in section one of this act to be published for three months next preceding the said election therein described in some weekly newspaper in every county where a newspaper is published throughout the state.

SEC. 3. There shall be printed on all ballots provided for the said election the words "For the proposed amendment to section 16 of Article 1 of the Constitution, relating to the exercise of the power of eminent domain;" "Against the proposed amendment to section 16 of Article 1 of the Constitution, relating to the exercise of the power of eminent domain".

Introduced in the House, Jan. 23, 1907.

Passed the House, Feb. 14, 1907.

Those voting aye were: Messrs. Abrams, Armstrong, Bassett, Beech, Beebe, Bell, Bradsberry, Byerly, Cameron, Carlyon, Croft, Davis, D. J., Davis, E. C., Erickson, Fancher, Freudenberg, Fulton, Gilbert, E. P., Gilbert, J. B., Godman, Govan, Gregg, Griffin, Halteman, Hanson, Hewitt, Hogan, Hornberger, Hurshman, Hutchinson, Huxtable, Johnson, Kayser, King, Kirkpatrick, Lambert, Lung, McCoy, McDonald, McMaster, McMorran, McRae, Madison, Miller, Morse, Olsen, Peddycord, Quinlan, Ramsay, Ranck, Reeve, Rhodes, Romaine, Sayre, Sewall, Sherfey, Smalley, Stephens, E. M., Stephens, I. N., Stevenson, Strobridge, Taylor, Thompson, D. M., Thompson, W. H., Tibbetts, Tonkin, Troy, Wade, Weir, Mr. Speaker.—Total 70.

Those voting nay were: Connell, Glen, Hamilton, Henderson, Klovborg, Ulsh, Vergowe, Whitlow.—Total 8.

Those absent or not voting were: Messrs. Blackmore, Cloes, Coles, Congleton, Gaches, Dickson, Jackson, F. C., Jackson, H. F., Long, Megler, Reid, Renick, Rice, Sheets, Shultz, Slayden, Weber.—Total 17.

Introduced in the Senate Feb. 15, 1907.

Passed the Senate Feb. 25, 1907 with amendments.

Those voting aye were: Senators Allen, Anderson, Blair, Boone, Booth, Bratt, Brown, Condon, Cotterill, Davis, Eidemiller, Graves, Gunn, Hutson, Jones, Kennedy, Kline, McGregor, Metcalf, Minkler, Nichols, Paulhamus, Pauly, Piper, Polson, Potts, Presby, Rands, Reed, Rosenhaupt, Ruth, Smith, Stevenson, Sumner, Veness, Watson and Williams.—Total 37.

Those absent or not voting were: Senators Hunter, Knickerbocker, McGowan, Pogue and Scott.—Total 5.

February 27, 1907, House concurred in Senate amendments.

Those voting aye were: Messrs. Abrams, Armstrong, Beach, Beebe, Bell, Blackmore, Bradsberry, Byerly, Cameron, Carlyon, Connell, Croft, Davis, C. J., Davis, E. C., Dickson, Erickson, Fancher, Freudenberg, Fulton, Gaches, Gilbert, E. P., Gilbert, J. B., Glen, Godman, Govan, Gregg, Griffin, Halteman, Hurshman, Hutchinson, Huxtable, Jackson, F. C., Jackson, H. F., Johnson, Kayser, King, Kirkpatrick, Klovborg, Lambert, Long, Lung, McCoy, McDonald, McMaster, McMorrان, McRae, Madison, Megler, Miller, Morse, Olsen, Peddycord, Quinlan, Ramsay, Reeve, Reid, Renick, Rhodes, Sayre, Sewall, Sherfey, Slayden, Smalley, Stephens, E. M., Stephens, I. N., Stevenson, Strobridge, Taylor, Thompson, D. M., Thompson, W. H., Tibbetts, Tonkin, Troy, Ulsh, Vergowe, Weir, Whitlow, Mr. Speaker.—Total 78.

Those voting nay were: Messrs. Hamilton and Henderson.—Total 2.

Those absent or not voting were: Messrs. Cloes, Coles, Congleton, Bassett, Hanson, Hewitt, Hogan, Hornberger, Rice, Romaine, Sheets, Shultz, Wade, Ranck, Weber.—Total 15.

J. W. LYSONS,

Secretary of the Senate.

CHARLES E. COON,

President of the Senate.



APPENDIX

CONTAINING

ROSTER OF THE SENATE—EMPLOYES OF THE
SENATE—STANDING COMMITTEES OF THE
SENATE, ASSIGNMENTS, ETC.

AND

ROSTER OF THE STATE GOVERNMENT

LIST OF MEMBERS OF THE SENATE OF THE STATE OF WASHINGTON FOR THE YEARS 1907-8. WITH POLITICS, OCCUPATION, COUNTIES REPRESENTED AND POST OFFICE ADDRESS OF EACH.

LIEUTENANT-GOVERNOR CHARLES E. COON, Fort Townsend, President of the Senate.

SENATOR JESSE S. JONES, Tacoma, President, *pro tem.*, of the Senate.

J. W. LYNSONS, Seattle, Secretary of the Senate

NAMES.	District...	Counties.	Residence.	Age	Birthplace.	Occupation.	Politics...	Previous Legislative Service.	
								Senate.	House.
Allen, P. L.	83	King	Seattle	33	Wisconsin	Printer and Publisher	Rep		
Anderson, A. W.	2	Stevens	Ady.	36	Illinois	Lumber and Gen. Mer.	Rep		
Blair, John L.	24	Chelan	Friday Harbor	72	New York	Fruit Grower	Rep		
Boone, H. M.*	9	San Juan	Palouse	49	Oregon	Banker	Rep	1905	
Booth, Robert F.	37	Whitman	Seattle	31	Minnesota	Lawyer	Rep		1905
Bratt, E. C.*	5	King	Plaza	48	Indiana	Farmer	Rep	1905	
Brown, Dr. C. G.*	3	Spokane	Spokane	58	Illinois	Physician	Rep	1905	1901
Condon, R. W.*	23	Island	Port Gamble	39	Washington	Lumberman	Rep	1905	
Cotterill, Geo. F.	36	Mason	Seattle	41	England	Civil Engineer	Dem.		
Davis, Lincoln*	28	King	Tacoma	46	Iowa	Real Estate and Ins.	Rep	1901-3-5	
Eidemiller, Fred	27	Pierce	Tacoma	52	Iowa	Real Estate	Rep		1903-5
Graves, Will G.	6	Spokane	Spokane	39	Illinois	Lawyer	Dem.	1903-5	
Gunn, Arthur*	13	Chelan	Wenatchee	40	Kentucky	Real Estate	Dem.	1905	
Hunter, T. A.*	41	Kititas	Blaine	43	Pennsylvania	Lumberman	Rep	1905	1903
Hutson, C. T.*	11	Whitcom	Connell	31	Wisconsin	Lawyer	Rep	1905	
Jones, Jesse S.	29	Franklin	South Tacoma	45	Indiana	Blacksmith	Rep		
Kennedy, Geo. A.*	14	Pierce	Odessa	33	Iowa	Real Estate	Rep	1905	
Kilne, Robert L.	42	Lincoln	Bellingham	48	Pennsylvania	Real Estate and Ins.	Rep		
Knickerbocker, I. B.	30	King	Auburn	42	New York	Lawyer	Rep		
McGowan, Henry S.	19	Pacific	McGowan	40	Washington	Salmon Packer	Dem.		
McGregor, Peter	8	Whitlakum	Hooper	44	Ontario	Farmer and Stock Raisr	Rep		1905
Metcalf, Ralph	26	Whitman	Tacoma	45	Rhode Island	Lumber and Shingle Mfr.	Rep		
Minkler, B. D.	40	Pierce	Lyman	57	Wisconsin	Lumberman	Rep		1889
Nichols, Ralph D.	31	King	Columbia	32	Iowa	Lawyer	Rep		

LIST OF MEMBERS OF THE SENATE—CONCLUDED.

NAMES.	District...	Counties.	Residence.	Age.....	Birthplace.	Occupation.	Politics...	Previous Legislative Service.	
								Senate.	House.
Paulhanus, W. H. †	25	Pierce	Sumner	41	Pennsylvania	Farmer	Rep		
Pauly, Fred M.*	22	Walla Walla	Walla Walla	53	Germany	Merchant	Rep	1905	
Piper, George U.	34	King	Seattle	40	Indiana	Real Estate	Rep		
Pogue, Dr. J. I.*	1	Douglas	Pogue	58	Ohio	Physician and Live-stock Raiser.	Rep	1905	1903
Polson, Alex.	21	Okanogan	Hoquiam	53	Nova Scotia	Lumberman	Rep		
Potts, William G.	35	Chehalis	Seattle	31	Ireland	Hotel Proprietor.	Rep	1903-5	
Presby, Winthrop B.	16	Klickitat	Goldendale	47	New Hampshire	Lawyer	Rep		
Rands, E. M.*	17	Skamania	Vancouver	50	Iowa	Lawyer	Rep	1901-3-5	
Reed, Walter J.*	15	Clark	North Yakima	64	Scotland	Merchant	Rep	1905	
Rosenhaupt, Harry	7	Yakima	Spokane	38	Illinois	Lawyer	Rep		1899-01
Ruth, A. S.*	22	Thurston	Olympia	41	Maine	Civil Engineer	Rep	1901-3-5	
Scott, W. D. †	4	Spokane	Spokane	45	Pennsylvania	Lawyer	Rep		1905
Smith, S. T.	39	Snobomish	Marysville	52	Maine	Banker	Rep	1903-5	1899
Stevenson, John R. †	10	Asotin	Pomeroy	52	Michigan	Merchant	Rep		
Sumner, T. B.*	38	Columbia	Everett	50	Wisconsin	Manufacturer	Rep	1901-3-5	
Veness, J. A.*	20	Garfield	Winlock	58	New Brunswick	Lumberman	Rep	1905	1901-03
Watson, A. L.*	18	Lewis	Kalama	46	Ohio	Capitalist	Rep	1905	1903
Williams, E. M.	32	Cowlitz	Seattle	39	New York	Contractor	Rep		

† Civil war veteran.

* Holdover.

† To fill unexpired term.

SENATE EMPLOYEES—SESSION 1907.

NAME.	Title.	Residence.	Per diem.
J. W. Lyons	Secretary	Olympia	\$6 00
W. T. Laube	Asst. Secretary	Seattle	6 00
William Connor	Sergeant-at-arms	Seattle	5 00
C. W. McKercher	Minute clerk	Seattle	5 00
R. E. McFarland	Docket clerk	Tacoma	5 00
L. J. Irwin	Journal clerk	Friday Harbor	5 00
George Mueller, Jr.	Asst. Journal clerk	Auburn	5 00
Jesse F. Ernst	Enrolling clerk	Seattle	5 00
Royal L. Sweany	Asst. Enrolling clerk	Tacoma	5 00
Geo. B. Kile	Engrossing clerk	Seattle	5 00
Harvey L. Tibbals	Sec. Lieut. Governor	Port Townsend	5 00
W. V. Tanner	Clerk Judiciary committee	Seattle	7 50
Lucius McGuire	Clerk Appropriation committee	Seattle	5 00
Herbert Shaw	Bill clerk	Bellingham	4 00
Jack Quinn	Asst. Bill clerk	Spokane	4 00
J. C. Burns	Postmaster	Oakesdale	4 00
J. F. Brill	Stenographer	Spokane	5 00
E. J. Eisele	Stenographer	Seattle	5 00
Marvin L. Arnold	Committee clerk	Spokane	5 00
A. J. Ahola	Committee clerk	Goldendale	4 50
Ed. Neal	Committee clerk	Mt. Vernon	4 50
O. Woelffen	Committee clerk	Asotin	4 50
J. C. Ferguson	Committee clerk	Woodland	4 00
Charles Barnes	Committee clerk	Winlock	4 50
C. H. Merriam	Committee clerk	Spokane	5 00
Joe Steiner	Committee clerk	North Yakima	4 50
W. M. Dooley	Committee clerk	Hoquiam	4 00
George Lessenger	Committee clerk	Wenatchee	4 00
E. Amadon	Watchman	Tacoma	3 50
P. C. Kaylor	Doorkeeper	Kettle Falls	3 50
Lon Thorp	Asst. Doorkeeper	Tacoma	3 50
A. F. Haynes	Janitor	Seattle	3 50
Robert Taylor	Janitor	Roslyn	3 50
Willie Westover	Page	Tacoma	2 00
Walter Skinner	Page	Olympia	2 00
Leo Cormier	Page	Olympia	2 00

STANDING COMMITTEES OF THE SENATE, 1907.

AGRICULTURE.—Blair, chairman; Reed, Pogue, Bratt, Pauly, Stevenson, McGregor.

APPROPRIATIONS.—Veness, chairman; Sumner, Condon, Booth, Piper, Boone, Paulhamus, Polson, Minkler, Stevenson, Rosenhaupt, Kennedy, Pauly.

BANKS AND BANKING.—Boone, chairman; Smith, Ruth, Paulhamus, Hunter, Condon, Brown, Knickerbocker, Veness.

CITIES OF THE FIRST CLASS.—Jones, chairman; Sumner, Cotterill, Kline, Williams, Rosenhaupt, Eidemiller.

CLAIMS AND AUDITING.—Eidemiller, chairman; Davis, Brown, Rosenhaupt, Piper.

COMMERCE AND MANUFACTURES.—Condon, chairman; Smith, Metcalf, Hunter, Minkler, Eidemiller, Watson.

CONGRESSIONAL DISTRICTS.—Rosenhaupt, chairman; Anderson, Jones, Kline, Reed, Potts, Rands.

CONSTITUTION AND CONSTITUTIONAL REVISION.—Williams, chairman; Watson, Pauly, Jones, Ruth, Metcalf, Presby.

CORPORATIONS OTHER THAN MUNICIPAL.—Davis, chairman; Pauly, Boone, Scott, Condon, Allen, Piper, Metcalf.

COUNTIES AND COUNTY BOUNDARIES.—Anderson, chairman; Reed, Gunn, Boone, McGregor, Eidemiller, Blair.

DAILY AND LIVE STOCK.—McGregor, chairman; Stevenson, Bratt, Boone, Pogue.

DIKES, DRAINS AND DRAINAGE.—Minkler, chairman; Cotterill, Anderson.

EDUCATION.—Reed, chairman; Kennedy, Presby, Knickerbocker, McGowan, Stevenson, Anderson.

EDUCATIONAL INSTITUTIONS.—Nichols, chairman; Gunn, Bratt, Rands, Williams, Kline, McGregor.

ELECTION AND PRIVILEGES.—Presby, chairman; Graves, Metcalf, Jones, Kline,

ENGROSSED BILLS.—Pogue, chairman; Gunn, Ruth, Pauly, Anderson.

ENROLLED BILLS.—Metcalf, chairman; Allen, Condon, Booth, Davis.

FISHERIES.—Watson, chairman; Hunter, Presby, Minkler, Smith, Eidemiller, McGowan, Blair, Williams.

GAME AND GAME FISH.—Potts, chairman; Brown, Boone, Knickerbocker, Polson, McGowan, Williams.

HARBOR AND HARBOR LINES.—Cotterill, chairman; Polson, Condon, Davis, Blair.

HORTICULTURE AND FORESTRY.—Gunn, chairman; Paulhamus, Blair, Presby, Bratt.

INSURANCE.—Hutson, chairman; Veness, Knickerbocker, Davis, Watson, Allen, Eidemiller.

IRRIGATION AND ARID LANDS.—Scott, chairman; Hutson, Cotterill, Reed, Ruth, Gunn, Minkler.

JUDICIARY.—Graves, chairman; Rands, Hutson, Rosenhaupt, Knickerbocker, Nichols, Presby, Scott, Booth, Metcalf, Hunter.

LABOR AND LABOR STATISTICS.—Hunter, chairman; Veness, Jones, Potts, Sumner, Allen, Davis.

MEDICINE, DENTISTRY AND HYGIENE.—Brown, chairman; Pogue, Booth.

MEMORIALS.—McGowan, chairman; Piper, Kennedy.

MILITARY.—Piper, chairman; Reed, Rands, Booth, Rosenhaupt, Blair.

MINES AND MINING.—Kline, chairman; Scott, Ruth, Bratt, Brown, Pogue, Watson, Smith, Williams.

MUNICIPAL CORPORATIONS.—Smith, chairman; Knickerbocker, Nichols, Rosenhaupt, Stevenson, Boone, Hutson, Hunter, Kennedy.

PRINTING.—Kennedy, chairman; Allen, Potts, Gunn, Jones, Piper, Minkler.

PUBLIC BUILDINGS AND GROUNDS.—Ruth, chairman; Rands, Pogue, Bratt, Blair, Rosenhaupt, Minkler.

PUBLIC REVENUE AND TAXATION.—Sumner, chairman; Hutson, Veness, Condon, Rands, Scott, Pauly, Paulhamus, Polson, Cotterill, Kline.

PURCHASES AND SUPPLIES.—Booth, chairman; Scott, Nichols.

RAILROADS AND TRANSPORTATION.—Paulhamus, chairman; Reed, Stevenson, Piper, Graves, Kennedy, Nichols, Hutson, Anderson, Sumner, Hunter, Metcalf, McGregor.

ROADS AND BRIDGES.—Bratt, chairman; Smith, Polson, Kline, Cotterill, McGregor, Paulhamus, Metcalf, Gunn, Anderson, Ruth.

RULES AND JOINT RULES.—Charles E. Coon, president of the senate, chairman; Jones, Graves, Sumner, Booth.

SALARIES AND MILEAGE.—Allen, chairman; Boone, Booth, Condon, Anderson.

SENATE EMPLOYEES OTHER THAN REGULAR.—Stevenson, chairman; Davis, Eide-miller, Nichols, Potts.

STATE CHARITABLE INSTITUTIONS.—Rands, chairman; Brown, Watson, Potts, Metcalf, Nichols, Williams.

STATE GRANTED SCHOOL AND TIDELANDS.—Polson, chairman; Veness, Kline, McGowan, McGregor, Smith, Piper, Graves, Allen.

STATE LIBRARY.—Knickerbocker, chairman; Kennedy, Graves.

STATE PENAL AND REFORMATORY INSTITUTIONS.—Pauly, chairman; Stevenson, Knickerbocker, Potts, Polson, Minkler, Presby.

COMMITTEE ASSIGNMENTS IN SENATE.

ALLEN, P. L.—

Salaries and Mileage (chairman).
Corporations other than Municipal.
Enrolled Bills.
Insurance.
Labor and Labor Statistics.
Printing.
State Granted, School and Tide Lands.

ANDERSON, A. W.—

Counties and County Boundaries (chairman).
Congressional Districts.
Dikes, Drains and Drainage.
Education.
Engrossed Bills.
Railroads and Transportation.
Roads and Bridges.
Salaries and Mileage.

BLAIR, JNO. L.—

Agriculture (chairman).
Counties and County Boundaries.
Fisheries.
Harbor and Harbor Lines.
Horticulture and Forestry.
Military.
Public Buildings and Grounds.

BOONE, H. M.—

Banks and Banking (chairman).
Appropriations.
Corporations other than Municipal.
Counties and County Boundaries.
Dairy and Live Stock.
Game and Game Fish.
Municipal Corporations.
Salaries and Mileage.

BOOTH, ROBERT F.—

Purchase and Supplies (chairman).
Appropriations.
Enrolled Bills.
Judiciary.
Medicine, Dentistry, Surgery and Hygiene.
Military.
Rules and Joint Rules.
Salaries and Mileage.

BRATT, E. C.—

Roads and Bridges (chairman).
Agriculture.
Dairy and Live Stock.
Educational Institutions.
Horticulture and Forestry.
Mines and Mining.
Public Buildings and Grounds.

BROWN, DR. C. G.—

Medicine, Dentistry, Surgery and Hygiene (chairman).
Banks and Banking.
Claims and Auditing.
Game and Game Fish.
Mines and Mining.
State Charitable Institutions.

CONDON, R. W.—

Commerce and Manufactures (chairman).
Appropriations.
Banks and Banking.
Corporations other than Municipal.
Enrolled Bills.
Harbor and Harbor Lines.
Public Revenue and Taxation.
Salaries and Mileage.

COTTERILL, GEO. F.—

Harbor and Harbor Lines (chairman).
Cities of the First Class.
Dikes, Drains and Drainage.
Irrigation and Arid Lands.
Public Revenue and Taxation.
Roads and Bridges.

DAVIS, LINCOLN—

Corporations other than Municipal (chairman).
Claims and Auditing.
Enrolled Bills.
Harbor and Harbor Lines.
Insurance.
Labor and Labor Statistics.
Senate Employes other than Regular.

EIDEMILLER, FRED—

Claims and Auditing (chairman).
Cities of the First Class.
Commerce and Manufactures.
Counties and County Boundaries.
Fisheries.
Insurance.
Senate Employes other than Regular.

GRAVES, WILL G.—

Judiciary (chairman).
Election and Privileges.
Railroads and Transportation.
Rules and Joint Rules.
State Granted, School and Tide Lands.
State Library.

GUNN, ARTHUR—

Horticulture and Forestry (chairman).
Counties and County Boundaries.
Educational Institutions.
Engrossed Bills.
Irrigation and Arid Lands.
Printing.
Roads and Bridges.

HUNTER, T. A.—

Labor and Labor Statistics (chairman).
Banks and Banking.
Commerce and Manufactures.
Fisheries.
Judiciary.
Municipal Corporations.
Railroads and Transportation.

HUTSON, C. T.—

Insurance (chairman).
Irrigation and Arid Lands.
Judiciary.
Municipal Corporations.
Public Revenue and Taxation.
Railroads and Transportation.

JONES, JESSE S.—

Cities of the First Class (chairman).
Congressional Districts.
Constitution and Constitutional Revision.
Election and Privileges.
Labor and Labor Statistics.
Printing.
Rules and Joint Rules.

KENNEDY, GEO. A.—

Printing (chairman).
Appropriations.
Education.
Memorials.
Municipal Corporations.
Railroads and Transportation.
State Library.

KLING, ROBERT L.—

Mines and Mining (chairman).
Cities of the First Class.
Congressional Districts.
Educational Institutions.
Election and Privileges.
Public Revenue and Taxation.
Roads and Bridges.
State Granted, School and Tide Lands.

KNICKERBOCKER, I. B.—

State Library (chairman).
Banks and Banking.
Education.
Game and Game Fish.
Insurance.
Judiciary.
Municipal Corporations.
State Penal and Reformatory Institutions.

MCGOWAN, HENRY S.—

Memorials (chairman).
Education.
Fisheries.
Game and Game Fish.
Railroads and Transportation.
State Granted, School and Tide Lands.

MCGREGOR, PETER—

Dairy and Live Stock (Chairman).
 Agriculture.
 Counties and County Boundaries.
 Educational Institutions.
 Railroads and Transportation.
 Roads and Bridges.
 State Granted, School and Tide Lands.

METCALF, RALPH—

Enrolled Bills (chairman).
 Commerce and Manufactures.
 Constitution and Constitutional Revision.
 Corporations other than Municipal.
 Election and Privileges.
 Judiciary.
 Railroads and Transportation.
 State Charitable Institutions.

MINKLER, B. D.—

Dikes, Drains and Drainage (chairman).
 Appropriations.
 Commerce and Manufactures.
 Fisheries.
 Irrigation and Arid Lands.
 Printing.
 Public Buildings and Grounds.
 State Penal and Reformatory Institutions.

NICHOLS, RALPH D.—

Educational Institutions (chairman).
 Judiciary.
 Municipal Corporations.
 Purchases and Supplies.
 Railroads and Transportation.
 Senate Employes other than Regular.
 State Charitable Institutions.

PAULHAMUS, W. H.—

Railroads and Transportation (chairman).
 Appropriations.
 Banks and Banking.
 Horticulture and Forestry.
 Public Revenue and Taxation.
 Roads and Bridges.

PAULY, FRED M.—

State Penal and Reformatory Institutions (chairman).
 Agriculture.
 Appropriations.
 Constitution and Constitutional Revision.
 Engrossed Bills.
 Mines and Mining.
 Public Revenue and Taxation.

PIPER, GEORGE T.—

Military (chairman).
 Appropriations.
 Claims and Auditing.
 Corporations other than Municipal.
 Memorials.
 Printing.
 Railroads and Transportation.
 State Granted, School and Tide Lands.

POGUE, DR. J. I.—

Engrossed Bills (chairman).
Agriculture.
Dairy and Live Stock.
Medicine, Dentistry, Surgery and Hygiene.
Mines and Mining.
Public Buildings and Grounds.

POLSON, ALEX—

State Granted, School and Tide Lands (chairman).
Appropriations.
Game and Game Fish.
Harbor and Harbor Lines.
Public Revenue and Taxation.
Roads and Bridges.
State Penal and Reformatory Institutions.

POTTS, W. G.—

Game and Game Fish (chairman).
Congressional Districts.
Labor and Labor Statistics.
Printing.
Senate Employes other than Regular.
State Penal and Reformatory Institutions.
State Charitable Institutions.

PRESBY, W. B.—

Election and Privileges (chairman).
Constitution and Constitutional Revision.
Education.
Fisheries.
Horticulture and Forestry.
Judiciary.
State Penal and Reformatory Institutions.

RANDS, E. M.—

State Charitable Institutions (chairman).
Congressional Districts.
Educational Institutions.
Judiciary.
Military.
Public Buildings and Grounds.
Public Revenue and Taxation.

REED, WALTER J.—

Education (chairman).
Agriculture.
Congressional Districts.
Counties and County Boundaries.
Irrigation and Arid Lands.
Military.
Railroads and Transportation.

ROSENHAUPT, HARRY—

Congressional Districts (chairman)
Appropriations.
Cities of the First Class.
Claims and Auditing.
Judiciary.
Military.
Municipal Corporations.
Public Buildings and Grounds.

RUTH, A. S.—

Public Buildings and Grounds (chairman).
 Banks and Banking.
 Constitution and Constitutional Revision.
 Engrossed Bills.
 Irrigation and Arid Lands.
 Mines and Mining.
 Roads and Bridges.

SCOTT, W. D.—

Irrigation and Arid Lands (chairman).
 Corporations other than Municipal.
 Judiciary.
 Mines and Mining.
 Public Revenue and Taxation.
 Purchases and Supplies.

SMITH, S. T.—

Municipal Corporations (chairman).
 Banks and Banking.
 Commerce and Manufactures.
 Corporations other than Municipal.
 Fisheries.
 Roads and Bridges.
 State Granted, School and Tide Lands.

STEVENSON, J. R.—

Senate Employes other than Regular (chairman).
 Agriculture.
 Appropriations.
 Dairy and Live Stock.
 Education.
 Municipal Corporations.
 Railroads and Transportation.
 State Penal and Reformatory Institutions.

SUMNER, T. B.—

Public Revenue and Taxation (chairman).
 Appropriations.
 Cities of the First Class.
 Labor and Labor Statistics.
 Railroads and Transportation.
 Rules and Joint Rules.

VENESS, J. A.—

Appropriations (chairman).
 Banks and Banking.
 Insurance.
 Labor and Labor Statistics.
 Public Revenue and Taxation.
 State Granted, School and Tide Lands.

WATSON, A. L.—

Fisheries (chairman).
 Commerce and Manufactures.
 Constitution and Constitutional Revision.
 Insurance.
 Mines and Mining.
 State Charitable Institutions.

WILLIAMS, E. M.—

Constitution and Constitutional Revision (chairman).
 Cities of the First Class.
 Educational Institutions.
 Fisheries.
 Game and Game Fish.
 Mines and Mining.
 State Charitable Institutions.

GROUPING OF STANDING COMMITTEES IN THE SENATE.

-
- Judiciary. GROUP 1.
- W. V. TANNER, Clerk.
-
- Appropriations. GROUP 2.
- LUCIUS MCGUIRE, Clerk.
-
- Public Revenue and Taxation; Congressional Districts; State Granted, School and Tide Lands; Salaries and Mileage; Education; Educational Institutions. GROUP 3.
- CHAS. H. MERRIAM, Clerk.
-
- Election and Privileges; Printing; State Library; Fisheries; Dikes, Drains and Drainage; Municipal Corporations; Harbor and Harbor Lines; Senate Employees other than Regular. GROUP 4.
- A. J. AHOLA, Clerk.
-
- Cities of the First Class; Railroads and Transportation; Dairy and Live Stock; Agriculture; Labor and Labor Statistics; Commerce and Manufactures. GROUP 5.
- ED. NEAL, Clerk.
-
- Corporations other than Municipal; Irrigation and Arid Lands; Constitution and Constitutional Revision; Military; State Penal and Reformatory Institutions; State Charitable Institutions. GROUP 6.
- M. L. ARNOLD, Clerk.
-
- Roads and Bridges; Insurance; Memorials; Game and Game Fish; Banks and Banking; Horticulture and Forestry. GROUP 7.
- CHAS. L. BARNES, Clerk.
-
- Medicine, Dentistry, Surgery and Hygiene; Claims and Auditing; Mines and Mining; Counties and County Boundaries; Public Buildings and Grounds. GROUP 8.
- C. WOELFLEN, Clerk.
-
- Rules and Joint Rules; Purchase and Supplies; Secretary to the President. GROUP 9.
- HARVEY L. TIBBALS, Clerk.

SENATE COMMITTEE ROOM ASSIGNMENTS.

<i>Committee</i>	<i>Chairman</i>	<i>Room</i>	<i>Clerk</i>
Agriculture	Blair	13	Ed. Neal
Appropriations	Veness	7	L. McGuire
Banks and Banking	Boone	11	C. L. Barnes
Cities of the First Class	Jones	12	Ed. Neal
Claims and Auditing	Eidemiller	11	C. Woelffen
Commerce and Manufacturers	Condon	} Office of Labor { } Commissioner }	Ed. Neal
Congressional Districts	Rosehaupt	12	C. H. Merriam
Constitution and Constitutional Revision	Williams	11	M. L. Arnold
Corporations other than Municipal Counties and County Boundaries	Davis	13	M. L. Arnold
Dairy and Live Stock	Anderson	12	C. Woelffen
Dikes, Drains and Drainage	McGregor	13	Ed. Neal
Education	Minkler	12	A. J. Ahola
Educational Institutions	Reed	} Office of School { } Superintendent }	C. H. Merriam
Elections and Privileges	Nichols	"	C. H. Merriam
Engrossed Bills	Presby	7	A. J. Ahola
Enrolled Bills	Pogue	10	Geo. B. Kile
Fisheries	Metcalfe	10	} J. F. Ernst { } R. L. Sweany }
Game and Game Fish	Watson	12	A. J. Ahola
Harbor and Harbor Lines	Potts	12	C. L. Barnes
Horticulture and Forestry	Cotterill	6	A. J. Ahola
Insurance	Gunn	13	C. L. Barnes
Irrigation and Arid Lands	Hutson	} Office of Insurance { } Commission }	C. L. Barnes
Judiciary	Scott	2	M. L. Arnold
Labor and Labor Statistics	Graves	3	W. V. Tanner
Medicine, Dentistry, Surgery and Hygiene	Hunter	} Office of Labor { } Commission }	Ed. Neal
Memorials	Brown	11	C. Woelffen
Military	McGowan	13	C. L. Barnes
Mines and Mining	Piper	} Office of Adjutant { } General }	M. L. Arnold
Municipal Corporations	Kline	6	C. Woelffen
Printing	Smith	Law Library	A. J. Ahola
Public Buildings and Grounds	Kennedy .....	.....	A. J. Ahola
Public Revenue and Taxation	Ruth	11	C. Woelffen
Purchase and Supplies	Sumner	2	C. H. Merriam
Railroads and Transportation	Booth	8	H. L. Tibbals
Roads and Bridges	Pauhamus	} Office of } State Auditor }	Ed. Neal
Rules and Joint Rules	Bratt	12	C. L. Barnes
Salaries and Mileage	Coon	8	H. L. Tibbals
Senate Employes other than Regular	Allen	8	C. H. Merriam
State Charitable Institutions	Stevenson	8	A. J. Ahola
State, Granted, School and Tide Lands	Rands	} Office of } Board of Control }	M. L. Arnold
State Library	Polson	2	W. M. Dooley
State Penal and Reformatory Institutions	Knickerbocker	Law Library	A. J. Ahola
	Paully	} Office of } Board of Control }	M. L. Arnold

OFFICE OF STATE TREASURER.

Treasurer of State.....	GEORGE G. MILLS.
Deputy Treasurer.....	JESSE T. MILLS.
Stenographer.....	MISS RUTH SYPPER.

OFFICE OF ATTORNEY GENERAL.

Attorney General.....	JOHN D. ATKINSON.
Assistant Attorney General.....	A. J. FALKNER.
Second Assistant Attorney General.....	ERNEST C. MACDONALD.
Third Assistant Attorney General.....	J. B. ALEXANDER.
Law Clerk.....	RAYMOND G. SHARPE.

OFFICE OF COMMISSIONER OF PUBLIC LANDS.

Commissioner of Public Lands.....	E. W. ROSS.
Assistant Commissioner of Public Lands.....	O. BYSTROM.
Auditor and Cashier.....	C. E. BRAGG.
Secretary of Board.....	MAUD H. TAMBLIN.
Assistant Secretary of Board.....	LESLIE KALER.
Chief Stenographer.....	MAUD H. BALL.
Assistant Stenographers.....	{ ANNA McCREAVEY. ADA BINGHAM.
Leasing Clerk.....	WAVA VAN DERVEERE.
Selection Clerk.....	THOS. GREGGEGAN.
Bookkeeper.....	A. D. SHELDON.
Recording Clerk.....	WILL ROSMOND.
Chief Engineer.....	W. O. CLARK.
Draughtsman.....	E. C. TOWNSEND.
Additional Clerks.....	{ WILLARDIE BLUMQUIST. MINNIE YEAGER.
Emergency Clerk.....	W. F. McDOWELL.
Field Engineer.....	A. BYSTROM.

OFFICE OF SECRETARY OF STATE.

(Department of Insurance.)

Ex-Officio Commissioner of Insurance.....	SAM H. NICHOLS.
Deputy Insurance Commissioner.....	JOHN H. SCHIVELY.
Stenographer.....	IVIE FERGUSON.

DEPARTMENT OF PUBLIC INSTRUCTION.

State Superintendent.....	R. B. BRYAN.
Assistant State Superintendent.....	HENRY B. DEWEY.
Deputy State Superintendent.....	W. W. MONTGOMERY.
Stenographers.....	{ CLARA STELGER. MABELLE ARNOLD.

OFFICE OF ADJUTANT GENERAL.

Adjutant General.....	ORTIS HAMILTON.
Chief Clerk.....	MAY MCINTYRE.
Armorer.....	E. O. FREE.
General Inspector Rifle Practice.....	CAPT. F. T. LIGETT.
Capt. John Kinzie, U. S. Army, retired, detailed by War Department for duty with National Guard of Washington.	

BUREAU OF LABOR.

Commissioner.....	CHAS. F. HUBBARD.
Clerk.....	MISS M. J. DONOVAN.
State Coal Mine Inspector.....	D. C. BOTTING.

OFFICE OF STATE LIBRARIAN.

State Librarian..... J. M. HITT.
 Assistant Librarian..... JOSEPHINE HOLGATE.

STATE TRAVELING LIBRARY.

MRS. LOU GERTRUDE DIVEN..... Superintendent.

BOARD OF CONTROL OF STATE INSTITUTIONS.

Members of Board	}	H. T. JONES, Chm.
		MATT L. PILES.
		JAMES H. DAVIS.
Secretary.....		C. C. ASPINWALL.
Bookkeeper.....		J. H. BROWN.

STATE BOARD OF FINANCE.

State Treasurer, Ex-Officio Chairman G. G. MILLS.
 Governor..... ALBERT E. MEAD.
 State Auditor..... C. W. CLAUSEN.
 Secretary to the Board..... N. D. MELGARD.

OFFICE OF RAILWAY COMMISSIONERS.

H. A. FAIRCHILDChairman.....Bellingham
 JESSE S. JONESTacoma.
 JOHN C. LAWRENCE.....Olympia.
 O. O. CALDERHEAD.....Secretary.....
 C. E. VAN ETTEN.....Stenographer.....

STATE BOARD OF TAX COMMISSIONERS.

T. D. ROCKWELL.....Spokane.
 J. H. EASTERDAY.....Tacoma.
 J. E. FROST.....Ellensburg.
 FRANK C. MORSE.....Secretary.....Tacoma.
 J. MAE DOOLITTLE.....Stenographer.....Olympia.

STATE BOARD OF LAND COMMISSIONERS.

Commissioner of Public Lands..... E. W. ROSS.
 State Fire Warden..... J. R. WELTY.
 And the members of the State Tax Commission.

STATE BOARD OF EQUALIZATION.

State Auditor, Ex-Officio Chairman..... C. W. CLAUSEN.
 Commissioner of Public Lands, Ex-Officio Member..... E. W. ROSS.
 And the members of the State Tax Commission.

FOREST COMMISSION.

R. W. CONDON.....Chairman.....Port Gamble.
 JOSEPH IRVING.....Everett.
 FRANK H. LAMB.....Hoquiam.
 J. A. VENESS.....Winlock.
 E. W. ROSS, Ex-Officio Commissioner of Public Lands.....

OFFICE OF HIGHWAY COMMISSIONERS.

Jos. M. SNOW.....Commissioner.
 C. W. CLAUSENState Auditor, Ex-Officio.
 GEORGE G. MILLS.....State Treasurer, Ex-Officio.

STATE FAIR COMMISSION.

EDWARD REMY.....	North Yakima.....	March 27, 1911.
SAMUEL J. CAMERON.....	North Yakima.....	March 27, 1911.
G. J. HILL.....	North Yakima.....	March 22, 1911.
L. O. JANECK.....	North Yakima.....	March 22, 1909.
JULIUS C. HUBBELL.....	Ellensburg.....	March 27, 1911.

BUREAU OF STATISTICS.

Commissioner, Ex-officio, Secretary of State.....	SAM H. NICHOLS.
Deputy Commissioner.....	GEO. M. ALLEN.

STATE GRAIN COMMISSION.

WM. H. REED.....	Tacoma.....	July 8, 1909.
R. C. McCROSKEY.....	Canfield.....	July 8, 1909.
JOHN W. ARRASMITH.....	Colfax.....	July 8, 1909.

STATE GRAIN INSPECTORS.

JOHN W. ARRASMITH.....	Chief Grain Inspector.....	Tacoma.
S. S. KING.....	Chief Deputy.....	Tacoma.
ALEX. ANDERSON.....	Chief Deputy.....	Seattle.
E. L. PERKINS.....	Chief Deputy.....	Spokane.
J. M. WARD.....	Clerk and Bookkeeper.....	Tacoma.

STATE DAIRY AND FOOD COMMISSIONER.

L. DAVIES.....	Davenport.....	April, 1910
L. W. HANSON.....	Dairy Instructor.....	.....

FISH COMMISSIONER AND GAME WARDEN.

JOHN L. RISELAND.....	Bellingham.....	March, 1910.
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STAFF OF COMMANDER IN CHIEF, N. G. W.

BRIG. GEN. ORTIS HAMILTON.....	Adjutant General and Chief of Staff.
COL. JOHN KINZIE.....	Inspector General.
COL. G. G. DARROW.....	Chief of Engineers
COL. E. K. IRWIN.....	Quartermaster General.
COL. M. P. HURD.....	Judge Advocate General.
COL. ALBERT E. CAGWIN.....	Commissary General.
COL. EMORY P. GILBERT.....	Inspector of Rifle Practice.
COL. J. T. GOSS.....	Paymaster General.
LIEUT. COL. ARTHUR J. WEISBACH.....	Aide-de-Camp.
LIEUT. COL. W. G. POTTS.....	Aide-de-Camp.
LIEUT. COL. J. M. FISH.....	Aide-de-Camp.
LIEUT. COL. D. DAUN EGAN.....	Aide-de-Camp.
MAJOR FRANK M. DALLAM, JR.	} Military Secretary and Assistant Adjutant General.

SECOND REGIMENT OF INFANTRY.

MAJOR F. M. DALLAM, JR.....	Military Sec. and Asst. Adj. Gen.
LIEUT. COL. A. N. BROWN.....	Aide-de-Camp.

PILOT COMMISSIONERS COLUMBIA RIVER AND BAR.

CHAS. E. KERLEE.....	Ilwaco.
CHAS. H. CALLENDER.....	Knapton.
L. D. WILLIAMS.....	Ilwaco.

PILOT COMMISSIONERS STRAITS OF FUCA AND PUGET SOUND.

JAMES DELGARDNO.....	Port Townsend.
N. T. OLIVER.....	Port Townsend.

OFFICERS OF STATE INSTITUTIONS.

UNIVERSITY OF WASHINGTON, LOCATED AT SEATTLE.

BOARD OF REGENTS.

JOHN. P. HARTMAN.....	Seattle.....	1909.
A. P. SAWYER.....	Seattle.....	1908.
D. L. HUNTINGTON.....	Spokane.....	1910.
FRANK D. NASH.....	Tacoma.....	1910.
SAMUEL G. COSGROVE.....	Pomeroy.....	1911.
J. T. RONALD.....	Seattle.....	1908.
JOHN H. POWELL.....	Seattle.....	1911.

STATE NORMAL SCHOOLS.

AT ELLENSBURG.

DR. J. A. MAHAN.....	Ellensburg.....	June 26, 1908.
H. M. BALDWIN.....	Ellensburg.....	June 26, 1910.
J. D. CORNETT.....	North Yakima.....	June 26, 1912.

AT CHENEY.

G. A. FELLOWS.....	Cheney.....	July 29, 1911.
CHAS. P. LUND.....	Spokane.....	July 29, 1908.
HENRY W. COLLINS.....	Rockford.....	July 29, 1912.

AT BELLINGHAM.

JOHN. J. DONOVAN.....	Bellingham.....	June 12, 1911.
J. J. EDENS.....	Bellingham.....	June 12, 1913.
F. F. HANDSCHY.....	Bellingham.....	March 2, 1911.

WASHINGTON STATE COLLEGE.

BOARD OF REGENTS.

DR. J. S. ANDERSON.....	Asotin.....	March 9, 1909.
LEE A. JOHNSON.....	Sunnyside.....	March 9, 1913.
PETER MCGREGOR.....	Hooper.....	March 9, 1913.
FRANK J. BARNARD.....	Seattle.....	March 9, 1909.
J. J. BROWN.....	Spokane.....	March 9, 1911.

STATE BOARD OF EDUCATION.

R. B. BRYAN.....	} Superintendent of Public Instruction, Ex-Officio, Chairman.	
JAMES A. TORMEY.....		Spokane.....	March, 1909.
THOS. A. STIGER.....	Everett.....	March, 1909.
J. W. SHEPHERD.....	Walla Walla.....	March, 1909.
P. A. WILLIAMS.....	Montesano.....	March, 1909.

THE WASHINGTON SOLDIERS' HOME, LOCATED AT ORTING,
PIERCE COUNTY.

WILLIS AMES.....	Superintendent.
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STATE BOARD OF ACCOUNTANCY.

E. G. SHORROCK.....	Seattle.....	June 19, 1910.
H. W. CARROLL.....	Seattle.....	June 19, 1911.
GEO. SHEDDEN.....	Tacoma.....	June 19, 1912.
F. P. GREENE.....	Spokane.....	June 19, 1908.
ALFRED LISTER.....	Tacoma.....	June 19, 1909.

STATE BOARD OF HEALTH AND VITAL STATISTICS.

WILSON JOHNSON.....	Colfax.....	December 30, 1909.
JAMES R. YOKUM.....	Tacoma.....	December 30, 1910.
ELMER E. HEG, Secretary.....	Seattle.....	December 30, 1911.
JOHN M. SEMPLE.....	Spokane.....	December 30, 1907.
S. B. NELSON.....	Pullman.....	December 30, 1908.
P. FRANK.....	North Yakima.....	December 30, 1908.

STATE BOARD OF MEDICAL EXAMINERS.

GEORGE W. OVERMEYER.....	South Bend.....	May 22, 1908.
A. E. STUHT.....	Colfax.....	May 22, 1908.
H. A. WRIGHT.....	Wilbur.....	May 22, 1909.
C. W. SHARPLES.....	Seattle.....	May 22, 1909.
KENNETH TURNER.....	Seattle.....	May 22, 1909.
J. A. DURRENT.....	Snohomish.....	May 22, 1910.
J. B. EAGLESON.....	Seattle.....	May 22, 1910.
CHAS. S. KALB.....	Spokane.....	May 22, 1908.
ELMER D. OLMSTEAD.....	Spokane.....	May 22, 1910.

STATE BOARD OF PHARMACY.

FRED P. OFFERMAN.....	Bellingham.....	June 5, 1910.
L. L. TALLMAN.....	Walla Walla.....	June 5, 1911.
J. W. MCARTHUR.....	Spokane.....	Nov. 11, 1912.
PETER JENSEN.....	Tacoma.....	June 5, 1908.
THOS. W. LOUGH.....	Seattle.....	March 4, 1909.

STATE BOARD OF DENTAL EXAMINERS.

H. D. BRAND.....	Tacoma.....	March 4, 1909.
FRANK R. FISK.....	Spokane.....	March 1, 1908.
W. A. FISHBURN, Secretary.....	Ellensburg.....	March 1, 1909.
E. B. EDGERS.....	Seattle.....	March 4, 1908.
C. S. IRWIN.....	Vancouver.....	March 4, 1908.

SUPERINTENDENTS OF INSANE HOSPITALS.

ARTHUR P. CALHOUN.....	Seattle.....	Western Washington.
JOHN M. SEMPLE.....	Spokane.....	Eastern Washington.

STATE PENITENTIARY.

C. S. REED.....	North Yakima.....	Superintendent.
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STATE TRAINING SCHOOL.

F. S. THOMPSON.....	Chehalis.....	Superintendent.
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STATE SCHOOL FOR DEAF AND BLIND.

THOS. P. CLARK.....	Vancouver.....	Superintendent.
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STATE BOARD EXAMINERS OF BARBERS.

HENRY SCHALER.....	Tacoma.....	June 14, 1908.
CARL KOCH.....	Spokane.....	June 14, 1908.
CHARLES W. WHISLER.....	Seattle.....	June 14, 1908.
THOS. IVEY.....	Spokane.....	June 14, 1910.

STATE HORTICULTURAL COMMISSIONER.

F. A. HUNTLEY.....Tacoma March 31, 1909

COAL MINE INSPECTOR.

DAVID C. BOTTING.....Black Diamond.....June 18, 1909.

INSPECTION OF OILS.

F. A. CLARK.....Everett.....State Inspector.
 H. E. THOMAS.....Seattle.....Deputy Inspector.
 G. H. STRATTON.....Seattle.....Deputy Inspector.
 H. M. ROGERS.....Spokane.....Deputy Inspector.
 C. A. WOELFLEN.....Asotin.....Deputy Inspector.

PUBLIC PRINTER.

C. W. GORHAM.....Snohomish.....



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BILLS, RESOLUTIONS, MEMORIALS, ETC.

AND

PERSONAL AND GENERAL INDEX.

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53. Senator GRAVES: An act relating to practice and proceedings in the trial of action, and amending section 1 of chapter 81 of the Session Laws of 1903.....	132	187	217						

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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.....
65. Senator JONES: An act authorizing and empowering cities of the first class to include within local improvement districts lands in school sections, the title of which remains in the State of Washington, and to assess such land for the cost of local improvements, etc.	150	253	305 } 460 }	662 } 750 } 760 }	305 } 460 }	647	750	752	763
66. Senator JONES: An act authorizing cities of the first class to provide for the filling and closing of cess-pools and for the removing of garbage, debris, grass, weeds and brush on property in such cities, and the levying and collecting of taxes or assessments on such property for the payment of the cost thereof.....	150	422	460	865 } 875 }	460	813	866	874	889
67. Senator MINKLER: An act for the relief of James O'Laughlin, for the services rendered as a licensed auctioneer in the matter of the sale of certain school lands in Skagit county, for the year 1891, and making an appropriation therefor.....	151	680	787	986 } 997 } 1008 }	738	984	997	1006	.....
68. Senator BLAIR: An act amending section 21, of the Code of Public Instruction, and same being chapter 164 of the Session Laws of 1903, approved March 14, 1903.....	151	411	478	481 } 485 } 464 } 695 } 742 }	479	637	702	736	747
69. Senator ANDERSON: An act creating two judicial districts out of the counties of Ferry, Okanogan, Douglas and Chelan, and providing judges therefor, and declaring an emergency.....	151	854	864	827 } 865 } 896 } 979 } 1008 }	864	960	979	1006	.....
70. Senator HUNTER: An act to amend section 1 of an act entitled "An act to amend an act entitled 'An act providing liens upon saw logs, spars, piles or other timber, and upon lumber and shingles, etc.', approved March 15, 1893," approved March 13, 1895.....	151	198							

71. Senator BOOTH: An act relating to contracts and providing that certain contracts shall be void unless in writing.....	151	193	{ 304 } { 366 }	{ 270 } { 305 } { 321 } { 322 } { 444 } { 636 }	{ 804 } { 396 }	.....	.....	.....
72. Senator DAVIS: An act to amend section 42 of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March 15, 1897.....	152	{ 226 } { 838 }	863	896	863	.....	.....	.....
73. Senator ROSENHAUPT: An act to provide for the appointment of a permanent commission to investigate the condition of the blind of the State of Washington, and to report thereon and to make appropriations to meet the expenses of such commission.....	168	{ 223 } { 268 }	268	268	268	.....	.....	.....
74. Senator PULSON: An act to amend section two of an act of the Legislature of the State of Washington, approved March 9th, 1905, entitled "An act creating a fund to be known as the Public Highway Fund," etc.....	171	188	245	{ 245 } { 439 } { 491 }	245	389	426	444
75. Senator RUTH: An act authorizing and directing the Commissioner of Public Lands to certify certain tide lands to the Governor for deed and authorizing and directing the Governor to execute and the Secretary of State to attest a deed conveying to the city of Olympia certain tide lands for use as, and in connection with its public park, and for no other purposes.....	171	250	305	440	305	389	430	445
76. Senator RUTH: An act providing for the purchase of site, construction and furnishing of a residence for the Governor of the State of Washington, appropriating the sum of \$35,000 therefor.....	171	211	292	{ 267 } { 619 }	293	569	591	643
77. Senator WATSON: An act to establish a state fish hatchery on the Lewis river, or some of its tributaries, in Cowlitz county, in the State of Washington.....	171	210	290	{ 267 } { 302 } { 537 }	290	532	552	591
78. Senator BLAIR: An act to regulate the employment of legislative lobby counsel and agents and to provide for the return of legislative expenses.....	171	494	360	491	{ 360 } { 513 }	.....	.....	.....
79. Senator COTTELL: An act amending sections 1336 and 1337 of Ballinger's Annotated Codes and Statutes of Washington, relating to inspectors, judges, clerks and challengers at elections.....	172	560	582	{ 191 } { 683 }	582	983	.....	.....
80. Senator SCOTT: An act providing for four judges of the superior court of the State of Washington, in and for Spokane county, and fixing the term of office of the additional judge appointed, etc.....	172	.....	.....	.....	.....	.....	.....	.....

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.....
81. Senator COTTELL: An act to prohibit the making or publishing of false or exaggerated statements or publications of or concerning the affairs, pecuniary conditions, etc.....	172	{ 194 } { 855 }		{ 244 } { 275 }					591
82. Senator BOOTH: An act relating to and requiring the publication by railway companies of schedules showing the time of arrival and departure of trains, and providing a penalty for the violation thereof.....	172	517	529		{ 680 } { 555 }				568
83. Senator NICHOLS: An act to establish a bureau of publicity, statistics and immigration, making an appropriation therefor, repealing chapter 85, Laws 1895, and declaring an emergency.....	172	421							562
84. Senator VENESS: An act providing for the completion of a state road in Yakima and Lewis counties, and making an appropriation therefor.....	175	852							582
85. Senator RUTH: An act to amend section twenty-eight (28) 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, etc.; and declaring an emergency," approved March 10th, 1897, and declaring an emergency.....	175	576							582
86. Senator McCREGOR: An act to amend section 3 of an act entitled "An act in relation to estrays, providing for their detention, regulation and sale, and prescribing penalties for its violation," approved February 16, 1903.....	176	224							{ 269 } { 562 }

87.	Senator REED: An act to amend the Code of Public Instruction of the State of Washington, the same being chapter 118; approved by the Governor March 19, 1897, by adding two new sections to said code, to be known as section 33½ and section 47½, and to amend sections 49, 100 and 112 of said Code of Public Instruction, and repealing all acts and parts of acts in conflict herewith.....	176	412	{ 430 } { 596 }	{ 431 } { 447 } { 966 } { 979 }	430	635	966	969	1002
88.	Senator HUYSTER: An act to amend section 1 of an act entitled, "An act to regulate the employment of child labor and to prohibit the employment of females under the age of eighteen years as public messengers and fixing a penalty for the violation thereof," approved March 16, 1903.....	176								
89.	Senator SCOTT: An act prescribing the mode of procedure in condemnation proceedings to appropriate lands owned by the State, or in which it has an interest, and declaring an emergency.....	182	559	630	{ 590 } { 997 } { 1007 }	630	984	997	1005	
90.	Senator STEVENSON: An act amending section 715 of Ballinger's Codes and Statutes of Washington, and relating to the organization, classification, incorporation and government of municipal corporations, and declaring an emergency.....	183	273	330	{ 902 } { 997 } { 1007 }	330	984	997	1006	
91.	Senator STEVENSON: An act to amend section 5 of an act entitled, "An act in relation to the powers of courts and judicial officers," and being section 4699, volume 2, of Ballinger's Codes and Statutes of Washington, and declaring an emergency.....	183	273							
92.	Senator Pressley: An act providing for the manner of sale and distribution of all grain sacks manufactured at the state penitentiary.....	183	223	295	{ 802 } { 891 } { 913 } { 952 }	296	847	889	929	943
93.	Senator GRAVES: An act relating to railroad passenger rates within the State of Washington, amending section one, of chapter 113, of the Session Laws of 1905.....	183	466							
94.	Senator BOONE: An act for the improvement of the State College of Washington, and making appropriations therefor.....	183								
95.	Senator POLSON: An act providing for the survey and establishment of a public highway from Montesano in Chehalis county to Port Angeles in Clallam county, and making an appropriation therefor.....	183	876	890	891	851				
96.	Senator BOONE: An act providing for co-operative agricultural investigations by the state agricultural experiment station, and making appropriations therefor.....	189								

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.....	Votes on final passage.....	Report from House.....	Signed by President of Senate...	Signed by Speaker of House.....	Approved and signed by the Governor.....
97. JUDICIARY COMMITTEE: An act relating to the salaries of the Judges of the supreme and superior courts.....	189		214	{ 215 } { 537 } { 569 } { 582 } { 596 } { 631 } { 689 } { 650 } { 694 } { 742 }	217	535	702	736	746
98. Senator PIPER: An act relating to the special Alaska-Yukon-Pacific exposition fund, making certain warrants to be drawn upon it preferential, and transferring any residue thereof into the general fund of the state treasury.....	189		203	{ 191 } { 248 } { 275 } { 302 }	203	247	276	291	301
99. Senator PIPER: An act to provide for an exhibit of the resources, products and advantages of the State of Washington and the erection of a state building, or buildings at the World's Fair of Alaska-Yukon-Pacific Exposition, to be held at Seattle, Washington, in 1909, making an appropriation to pay the cost of such exhibit and state building or buildings out of a special fund to be created, and declaring an emergency.....	189	{ 195 } { 203 }	204	{ 191 } { 246 } { 275 } { 302 }	204	246	276	291	301
100. Senator PIPER: An act appropriating six hundred thousand dollars for the erection of buildings for the University of Washington, and providing for the use thereof by the Alaska-Yukon-Pacific Exposition, and declaring an emergency.....	190	{ 196 } { 203 }	204	{ 191 } { 246 } { 275 } { 302 }	204	246	276	291	301
101. Senator PIPER: An act to provide for the establishment of harbor lines, survey, platting and appraisal of shore lands of the first class of lakes, Washington and Union, in King county, Washington, the sale and disposition of said shore lands, the creating of the Alaska-Yukon-Pacific Exposition fund, and declaring an emergency.....	190	197	205	{ 191 } { 248 } { 275 } { 302 }	206	247	276	291	301

102.	Senator BOOYTT: An act to enable cities of the first, second and third class to exercise the right of eminent domain for the taking and damaging of land and property for public purposes, etc., and declaring an emergency.....	190	589	588	{ 621 } { 787 } { 966 } { 979 }	588	785	966	969	1003
103.	Senator CORFERRILL: An act validating municipal indebtedness and bonds therefor, which have been or shall hereafter be voted by three-fifths of the qualified voters of any city or town voting at any election submitting such proposition to said voters, notwithstanding any irregularities in the passage of the ordinance submitting such proposition, and declaring an emergency.....	190	394							
104.	Senator RANOS: An act relating to the nomination of state officers, including senators and representatives in congress.....	190	692							
105.	Senator MCGOWAN, by request: An act for the relief of Andrew Eskkola, and authorizing the Commissioner of Public Lands of the State of Washington to relinquish on behalf of the State of Washington, for the benefit of Andrew Eskkola, the southwest quarter of section six, township eleven, north of range eight west of the Willamette meridian.....	191	550	641	{ 554 } { 966 } { 979 }	641	969	966	969	1002
106.	Senator POLSON: An act relating to revenue and taxation, and amending section 1657 of Ballinger's Annotated Codes and Statutes of Washington.....	191	272	836						
107.	Senator STEVENSON: An act relating to the exercise of the powers of eminent domain by corporations generating and transmitting electricity and using and selling the same for light and power....	198	335	394	{ 444 } { 886 } { 935 } { 966 }	394	884	966	969	1002
108.	Senator JONES: An act to repeal and repealing sections 160 and 161 of the Penal Code of the State of Washington as codified and annotated by William Lair Hill, the same being sections 7319 and 7320, respectively, of Ballinger's Codes and Statutes of Washington.	198	274		{ 302 } { 734 }					
109.	Senator ANDERSON: An act to provide for the formation of banking corporations and to regulate the business of banking, and securing the state supervision thereof; creating a banking board, defining its duties, and making an appropriation therefor.....	198								
110.	Senator GRAVES: An act to provide against the adulteration of foods, drinks and drugs, and fraud in the sale thereof; creating a State Board of Food Commissioners, 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.....	198	300	369	{ 331 } { 410 } { 427 }	369				

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.....
111. Senator GRAVES: An act amending section 565 of Pierce's Washington Code relating to exemption of wages, the same being section 1 of an act entitled "An act amending section 5412 of Ballinger's Annotated Codes and Statutes of Washington, relating to exemption of wages," approved March 18, 1901.....	198	561	633	590 } 987 } 1007 }	663	970	*997	1006	.....
112. Senator STEVENSON: An act to provide for annexing certain territory to a neighboring county to which it is contiguous, and repealing all acts in conflict herewith.....	199	546	.....	.....	.....	.....	.....	.....	.....
113. Senator KLINE: An act relating to coroners, and prescribing their qualifications.....	199	324	488	440 } 453 } 485 } 581 }	.....	.....	.....	.....	.....
114. Senator PIRER: An act relating to the tax paid by law under Pierce's Code 5651, Ballinger's Code 2837, by fire insurance companies upon net premiums received in excess of losses, and providing for the appropriation and expenditure of a part thereof; for the relief of sick, injured and disabled members of any fire department in such town, city, village or other municipal corporation, and their widows and orphans; etc.....	199	457	.....	.....	.....	.....	.....	.....	.....
115. Senator PIRER: An act relating to sale and conveyances by corporations in cases where property or assets sold or conveyed constitute substantially all of the property or assets of the vendor corporation, etc.....	199	324	368	363 } 562 }	368	.....	.....	.....	.....
116. COMMITTEE ON AGRICULTURE: An act regulating commission merchants or persons selling farm, dairy, orchard or garden produce on commission, repealing an act entitled "An act to regulate the sale of farm, dairy, orchard or garden produce on commission," approved March 21, 1895.....	199	.....	306 } 260 }	348 } 369 } 660 } 888 } 318 }	.....	636	889	899	948

* Reference to S. B. 31.

117.	Senator SUMNER: An act to amend section two (2) and three (3) of article 7 of the Constitution of the State of Washington, relating to the assessment and taxation of property within this State	199						
118.	Senator WATSON: An act making an appropriation for the relief of the town of Kalama for money advanced to defray the cost of surveying, platting and appraising the tide and shore lands and establishing harbor lines in front of said town	200	{ 373 } 403	404	{ 403 } 444 } 986 } 997 } 1007	404	988	987 1005
119.	Senator SUMNER: An act fixing the salaries of the county commissioners in counties of the fifth class, and amending section 5 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., etc., approved March 20, 1895,'"	200	378	462	{ 428 } 444 } 464 } 957 } 979 } 1008	{ 462 } 479 }	989	979 1006
120.	Senator SCOTT, by request: An act providing for the control, regulation, distribution and measurement of stored waters and flowing waters; providing for the appointment of a commissioner and assistants for said purposes; fixing their compensation and tenure of office; providing a penalty for violation of this act, and declaring an emergency	200	335					
121.	Senator VENABLE: 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 appraisalment and disposition of the lands included within and used for such rights-of-way, and declaring an emergency," approved March 18, 1901	200	686					
122.	Senator KNICKERBOCKER: An act relating to the taxation of inheritance and amending sections 1, 2, 4, 7, 9, 10, 12, 14, 17 and 18, and repealing section 5, of an act entitled, "An act relating to the taxation of inheritances and providing for the disposition of the same," (approved March 6, 1901, and amending sections 1 and 2 of an act amending sections 13 and 15 thereof, approved March 9, 1905)	200	353	485	{ 444 } 968 } 998 }	485	818	969 997
123.	Senator McGREGOR: An act to require promissory notes and other evidence of indebtedness taken or given for any registered stallion, jack or bull, etc., etc.	201						
124.	Senator BOONE: An act fixing the maximum charge for carrying passengers over any railroad in the State of Washington, etc., etc.	201	{ 517 } 774		{ 811 } 847 } 849 }			

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time and referred.	Report from 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 COTTEWELL: An act to amend an act 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,' approved March 27, 1890," approved March 16, 1903.	201	423	459	{ 552 } { 979 } { 1008 }	459	*649	979	1006	1002
126. Senator RUTH: An act relating to county engineers.	201	381	436	{ 444 } { 864 } { 902 } { 913 } { 966 } { 979 }	436	882	966	1002	
127. Senator REYN: An act to promote the interest of apiculture in the State of Washington, to provide for the appointment of a state commissioner of apiculture.	212								
128. COMMITTEE ON APPROPRIATIONS: An act making appropriation for the maintenance of the office of the Commissioner of Public Lands and for the payment of salaries of certain officers employed in said office and for the payment of sundry expenses of said office.	213	269	269	{ 291 } { 351 }	269	327	354	361	364
129. Senator ROSENHAUPT: An act to apportion the State of Washington into three congressional districts.	213	381	428	{ 492 } { 941 } { 979 }	428	929	979	1006	
130. Senator COTTEWELL: An act concerning the alteration, vacation or replatting of cemetery plats in incorporated cities or towns.	213			{ 1006 }					
131. COMMITTEE ON MEDICINE, SURGERY AND HYGIENE: An act to regulate the practice of osteopathy in the State of Washington, to license osteopathic physicians and to punish all persons violating the provisions of this act.	213	{ 336 } { 333 }	528	{ 391 } { 427 }	528				

*Reference to H. B. 125.

132.	Senator ANDERSON: An act amending section 38 of 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.....	213	333	392	{ 694 / 742 }	392	685	702	737	747
133.	Senator SCOTT: An act to amend section 111 of the Code of Public Instruction, approved March 19, 1897, as amended by a certain act approved March 19, 1897, approved March 19, 1901, relating to the levying of taxes for school purposes.....	213	335							
134.	Senator SCOTT: An act to amend section 17 of chapter 71 of the Laws of 1897, said act being "An act to provide for the assessment and collection of taxes in the State of Washington,".....	214		329		329	529			
135.	Senator KNICKERBOCKER: An act relating to diking districts, their formation and organization, the construction and maintenance of a system of dikes including the straightening, deepening and widening of rivers, water courses, and streams, and protecting the banks thereof, etc.....	239	333		{ 365 / 452 }					
136.	Senator KNICKERBOCKER, PAULHAM'S and NICHOLS: An act authorizing the levy of a tax for the purpose of improving rivers and streams and providing for the expenditure of the same.....	239	333	473	{ 694 / 742 }	474	685	702	736	747
137.	Senator ALLEN: An act amending chapter 158 of the Laws of 1905, relating to the acceptance of gifts, bonuses or commissions by agents, employees, or officers, making same a misdemeanor and fixing the penalty therefor.....	239	380	436	444	436				
138.	Senator JONES: An act for the relief of Pierce county, Washington, and making an appropriation therefor.....	239	377	904	904	905				
139.	Senator REEP: An act creating a State Highway Board and the office of State Highway Commissioner, fixing his compensation, prescribing their duties, etc.....	239	548	644	{ 552 / 684 / 830 / 913 / 952 }	644	812	913	929	989
140.	Senator GUNN: An act relating to the model training school departments of normal schools, authorized by section 2550 of Ballinger's Annotated Codes and Statutes of Washington, and providing for the apportionment of funds therefor.....	240	330	396	{ 444 / 868 / 918 }	396	813	889	899	908
141.	Senator VENESS: An act providing for the employment of convicts on state roads.....	240	373	397	{ 444 / 865 / 875 }	397	813	866	874	889

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.
142. Senator ANDERSON: An act providing for the dissolution of drainage districts organized under the laws of the State of Washington, and declaring an emergency.	240	{ 464 } { 576 }	660	{ 684 } { 714 } { 966 } { 973 }	669	909	966	*969	1002
143. Senator COPPOX: An act to establish and maintain a state fish hatchery in the State of Washington west of the Cascade range for the purpose of propagating, maintaining and distributing trout and other game fish and making an appropriation therefor.	240	851	904	904	905				
144. Senator JONES: An act authorizing the formation of metropolitan park districts, providing for park officials, fixing their powers and duties, and declaring an emergency.	240	338	388	{ 660 } { 888 } { 918 }	389	648	889	899	908
145. Senator METCALF: An act providing for a system of checking the accounts of various county officers, and amending section 1597 of Ballinger's Annotated Codes and Statutes of the State of Washington, being section 4040 of Pierce's Washington Code, and repealing all acts or parts or acts in conflict herewith.	240	373	401	{ 694 } { 742 }	402	685	702	736	747
146. Senator METCALF: An act to provide for the examination, auditing and supervision of the affairs, records, books and accounts of state and county officers, state boards, state institutions, state employees, banks and banking corporations, trust companies and building and loan societies; providing for the appointment of a state examiner, defining his duties, fixing his compensation and making an appropriation.	241								
147. Senator CORREKILL: An act to amend sections 320, 321, 322, 323, 324, 325, 327, 328 and 331 of Ballinger's Annotated Codes and Statutes of Washington, relating to county commissioners.	241	546	579	580					

* Reference to S. B. 152.

148.	Senator JONES: An act granting additional authority to cities of the first class to authorize the location, construction and operation of railroads in, along, over or across any highway, street, alley or public place, and to prescribe the duration and condition of such use, notwithstanding any charter provisions limiting the term of franchise, or concerning the acquisition by any such city of the property of companies holding any franchise, privileges, license, grant or authority, and declaring an emergency.....	264	337	387	536 } 568 }	387	535	568	581	591
149.	Senator JONES: An act amending section 8395 of Pierce's Washington Code, relating to exemptions from taxation.....	265	837							
150.	Senator BOONE: An act to amend the Code of Public Instruction, the same being chapter CXVIII, approved by the Governor March 19, 1897, by amending section 208 of said Code of Public Instruction, and repealing all acts and parts of acts in conflict herewith.....	265	538	566	590	566				
151.	Senator BOONE: An act to prevent and suppress monopolies and trusts, and providing for the punishment of violations of the provisions thereof.....	265								
152.	Senator PIPER: An act to prohibit unauthorized performances or representations of certain dramatic and musical compositions.....	265	379	398	431 } 438 } 469 } 525 }	398				
153.	Senator WILLIAMS: 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, as amended by an act approved March 4, 1903.....	265	598							
154.	Senator SCOTT: An act to amend section four of "An act relating to the organization, powers and duties of the supreme court, and declaring an emergency to exist," approved December 23, 1889, and to provide for sessions of the supreme court in the city of Spokane, for the expenses incident thereto, and declaring an emergency.....	266	623		792 } 844 }	792				
155.	Senator BOOTH: An act to authorize civil actions for the recovery of damages from newspaper publications negligently made; defining the character of such damages, and requiring every newspaper published in this state to print, in a conspicuous place in each issue, the name of the owners, proprietors or publishers, and the managing editors of the same; and making a violation of this act a misdemeanor, and fixing a penalty therefor.....	269	544		565 } 735 }					
156.	Senator PRESSBY: An act relating to the superior courts of Skamania, Klickitat and Benton counties, and providing for the appointment and subsequent election of a judge therein.....	269	679	734	680 } 684 }	734				734

165.	Senator SCOTT: An act appropriating the sum of \$6,500.00 to purchase a gift to be presented to the battleship "Washington," and to pay the incidental expenses in connection with the purchase and presentation of the same.....	316							
166.	Senator KRINN: An act to amend section 222 of the Code of Public Instruction of the State of Washington, relating to state normal schools, and to repeal all existing acts and parts of acts in conflict herewith, etc.....	316	450	475	{ 529 } { 597 } { 640 }	475			
167.	Senator POLSON: An act to create the county of Grays Harbor, subject to the requirements of the state constitution and statutes in respect to the establishment of new counties, and declaring an emergency	317	423		{ 458 } { 514 } { 580 }				
168.	Senator WATSON: An act creating a state road in Cowlitz and Skamania counties, and making an appropriation therefor.....	317	{ 545 } { 765 }	823	{ 824 } { 960 }	823			
169.	Senator METCALF: An act providing for the furnishing of cars to shippers, and prescribing the time of loading, transporting and unloading the same and providing charges and penalties for delay and for the violation of this act, etc.....	317							
170.	Senator JONES: An act to amend section 1 of an act 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, approved March 16, 1897, being section 7542 of Pierce's Code," approved March 12, 1903, being chapter 66 of the Session Laws of 1903.....	317	{ 415 } { 545 } { 589 }		565				
171.	Senator KENNEDY: An act providing for and giving and granting the right, privilege and authority to perpetually back water upon, overflow and inundate with water, lands belonging to the State of Washington, in the erection, construction, maintenance or operation of water power plants, reservoirs, or works for impounding water, for power purposes, irrigation, mining, or other public use, and declaring an emergency.....	320							
172.	Senator KNICKERBOCKER: An act providing for the appointment of special deputy sheriffs and defining their powers and duties.....	328	453	479	{ 464 } { 480 } { 601 } { 534 } { 818 }	{ 479 } { 571 }			
173.	Senator KNICKERBOCKER: An act to regulate the business of detectives and detective agencies in the State of Washington.....	328							

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.....
174. Senators KNICKENBOCKER and NICHOLS: An act to amend section one (1) of an act entitled "An act for the protection of persons working in coal mines," approved March 6, 1897, and declaring an emergency.....	328	412	426	{ 660 690 750 760 }	426	649	750	752	760
175. Senator GUNN: An act providing for the purchase of the highway bridge across the Columbia river at Wenatchee, Washington, by the State of Washington, from the Washington Bridge Company, providing for the time and method of payment therefor and the manner of future maintenance and supervision thereof, and making an appropriation for said purchase.....	328	878	901	{ 891 896 }	901				
176. Senator REED: An act to establish and maintain a home for the indigent blind, aged and infirm, and making an appropriation therefor, and declaring an emergency.....	344	799	897	954	899				
177. Senator MINKLER: An act amending section 1 of chapter 127 of the Laws of 1905, being an act entitled "Amending act of 1901 relating to assessments of state, school and granted lands for drainage purposes," etc., approved March 8, 1901, same being section 4594 of Pierce's Washington Code, approved March 9, 1905, and repealing section 2 thereof and declaring an emergency.....	344	{ 394 454 }	476	{ 454 496 865 875 }	476	813	866	874	888
178. Senator MINKLER: An act relating to the payment by the state of assessments made on state, school or granted lands for the construction and maintenance of dikes and drains benefitting such land, and repealing section 2 of chapter 127 of Laws of 1905, being an act entitled, "Amending act of 1901 relating to assessment of state, school and granted lands for drainage purposes," approved March 8, 1901, same being section 4594 of Pierce's Washington Code, approved March 9, 1905, and making an appropriation therefor and declaring an emergency.....	344	393	477	{ 453 496 750 760 }	477	635	750	752	763

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.....
187.	Senator BLAIR: 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, and declaring an emergency.....	355	681	757	{ 1010 } { 1013 }	757	970	1011	1013	.....
188.	Senator KLINE, by request: An act creating the office of state mining commissioner and deputy state mining commissioner, defining their duties, fixing their compensation, etc.....	355	.....	.....	.....	.....	.....	.....	.....	.....
189.	COMMITTEE ON STATE PENAL AND REFORMATORY INSTITUTIONS: An act empowering the State Board of Control to employ an agent to represent said board in the purchase of jute.....	355	.....	401	.....	401	.....	.....	.....	.....
190.	Senator METCALF: An act to provide for the improvement of tide lands and adjacent lands in aid of commerce and navigation, providing public facilities for shippers and others, creating a commission therefor, declaring certain laws relating thereto, granting the power of eminent domain.....	355	767	814	{ 804 } { 918 } { 952 }	815	882	905	929	.....
191.	Senator GRAVES: An act relating to the salaries of bailiffs of the superior courts and amending section 1558 of Ballinger's Annotated Codes and Statutes of Washington.....	356	454	479	.....	479	813	.....	.....	.....
192.	Senator GRAVES: An act prohibiting the publication in newspapers or other papers of offensive, improper and obscene matter and providing for prosecution and penalties therefor.....	356	560	{ 704 } { 874 }	{ 590 } { 596 } { 610 } { 662 } { 705 } { 792 }	{ 705 } { 875 }	.....	.....	.....	.....
193.	Senator PIPER: An act authorizing the common council of cities of the first class to nominate and elect municipal officers whenever the mayor of such city shall neglect to make nominations or the nominations made by him shall not be confirmed, etc.....	356	422	504	{ 513 } { 524 } { 813 }	504	.....	.....	.....	.....

194. Senator COXDON: An act relating to the organization and powers of corporations other than those formed for the purpose of profit.	356	424	458	459	817	905	929	944
195. Senator REED: An act to prevent unauthorized persons from using or wearing any emblem, badge, button, token, or insignia of any fraternal, secret or beneficiary order of the Grand Army of the Republic, and amending section 7440 of Ballinger's Annotated Codes and Statutes of Washington. *.	356	578	651	651	983	997	1005	.....
196. Senator STEVENSON: An act to provide for dividing all incorporated towns of the fourth class in the State of Washington into wards, and requiring councilmen to be elected to be residents of such wards	357	515	586	586	.....	.....	.....	.....
197. Senator JONES: An act limiting the hours of labor in coal mines, smelters, metal foundries and boiler shops.	382	.....	.....	.....	.....	.....	.....	.....
198. Senator JONES: An act to amend section 1 of an act entitled "An act requiring persons, railroad companies or corporations to so adjust, fill, block and securely guard the frogs, switches and guard rails on their roads as to protect and prevent injury to employees and other persons, and providing a penalty for the violation thereof," approved March 6, 1899.	382	516	532	533	811	913	929	944
199. Senator WILLIAMS: An act authorizing cities owning and operating municipal water works or electric lighting plants to fix, regulate and control the use and price of water supplied and light furnished by said works or plants; to enforce the collection of water rents and lighting charges, creating a lien therefor and providing for the enforcement thereof.	382	660	756	757	.....	.....	.....	.....
200. Senator BROWN: An act providing for the compensation of witnesses called to testify concerning matters involving scientific or technical knowledge in actions or proceedings before courts, magistrates and coroners.	388	451	481	481	.....	.....	.....	.....
201. Senator COTTELL: An act relating to the sale of the public lands of the state giving cities and towns power to buy public lands for water-sheds, and amending sections 2142 of Ballinger's Code.	388	659	739	740	740	744	.....	.....
202. Senator RANDS: An act relating to the location and construction of railroads over and across streets, alleys and public places in cities, and relating to the construction of wharfs, docks, factories, manufacturing plants and terminals upon public property in cities of the State of Washington.	383	463	501	501	501	562	562	562
			606	606	606	642	642	642
			738	738	738	758	758	758
			607	607	607	607	607	607

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212.	COMMITTEE ON CITIES OF THE FIRST CLASS: An act prescribing the time within which actions shall be brought for the collection of special assessments for local improvements.....	425	624	663	{ 679 } { 1008 }	663	970	979	1006
213.	JUDICIARY COMMITTEE: An act amending section 3 of an act entitled, "An act providing for and regulating the selection of jurors in the Superior Court of the State, and providing for the appointment of jury commissioners," etc.....	425	.....	502	{ 552 } { 694 } { 742 }	502	635	702	736	747
214.	JUDICIARY COMMITTEE: An act providing for the purchase and maintenance of law libraries for the Superior Courts and for the creation of a fund therefor by the taxation of costs.....	425	.....	503	636	503	.....	.....	.....	.....
215.	JUDICIARY COMMITTEE: An act relating to the vacation, modification and revision of orders or judgments.....	425	.....	503	.....	503	.....	.....	.....	.....
216.	JUDICIARY COMMITTEE: An act relating to the joinder of causes of action and amending section 4942 of Ballinger's Annotated Codes and Statutes of Washington.....	425	.....	504	{ 865 } { 875 }	504	813	866	874	889
217.	JOINT COMMITTEE ON GAME AND GAME FISH: An act creating a state game, game fish and forest commission, defining their duties and making an appropriation.....	426	.....	.....	514	.....	.....	.....	.....	.....
218.	JUDICIARY COMMITTEE: An act to amend sections two (2), seven (7) and eight (8) of chapter LXXXV, Laws of 1895, entitled, "An act to establish a bureau of statistics, labor, agriculture, and immigration, and making an appropriation therefor,".....	426	800	{ 524 } { 810 }	{ 524 } { 563 } { 574 } { 859 }	{ 525 } { 810 }	.....	.....	.....	.....
219.	Senator VENESS: An act to establish a Western Washington Interstate Fair, and making an appropriation therefor.....	439	800	{ 811 } { 848 }	811	848	.....	.....	.....	.....
220.	Senator MERCALF: An act providing for the payment of premium on official bonds of state, county or city clerks.....	439	987	.....	.....	.....	.....	.....	.....	.....
221.	JUDICIARY COMMITTEE: An act relating to the filing, publication and citation of the laws of the state.....	447	.....	584	{ 851 } { 913 } { 952 }	584	812	913	929	944
222.	Senator ANDERSON: An act amending section 3 and repealing sections 4, 5 and 6 of an act entitled "An act relative to the qualifications and compensation of county commissioners," approved March 9, 1893.....	447	838	863	.....	863	.....	.....	.....	.....
223.	Senator MCGREGOR: An act providing for the amendment of section 3 of article 11 of the Constitution of the State of Washington, relating to county, city and township organization.....	447	590	648	746	648	848	.....	.....	.....

230.	JOINT COMMITTEE ON GAME AND GAME FISH: An act to provide for the extermination of cougar, wild cat, lynx, bear, coyote, coon, skunk and other wild animals that prey upon game animals and game birds, for the payment of bounties for such extermination, providing penalties and making an appropriation therefor.....	449							
231.	Senator FIFER: An act providing for the amendment of section 21 of article 1 of the Constitution of the State of Washington, relating to trials by jury.....	469	627		{ 668 } { 768 }				
232.	Senator SUMNER: An act to amend sections 2 and 6 of an act entitled "An act creating a State Board of Tax Commissioners, defining its powers and duties," approved March 9, 1905, adding a section and declaring an emergency.....	469	767		{ 979 } { 1008 }	821	969	979	1006
233.	JUDICIARY COMMITTEE: An act to amend section 7 of an act entitled "An act to provide for the establishment and creation of diking districts and the construction and maintenance of a system of dikes and to provide the means of payment thereof, etc.".....	469	452	473	{ 452 } { 590 } { 662 } { 823 } { 825 } { 895 }	473	686	825	833
234.	JUDICIARY COMMITTEE: An act relating to the organization of five department relief associations, making provisions for the maintenance thereof and prescribing a penalty.....	470	653	{ 747 } { 759 }	747	759			
235.	Senator CORTWELL: An act authorizing counties to construct or aid the United States in constructing canals connecting bodies of water within such counties, declaring such construction or aid to be a county purpose and authorizing counties to incur indebtedness for such purpose to amount not exceeding five hundred thousand dollars and to issue negotiable bonds therefor in the manner and form provided in section 7621 to 7626, inclusive, of Pierce's Code and declaring an emergency.....	470	743	815	{ 758 } { 906 } { 973 }	815	938	966	969
236.	Senator KNICKERBOCKER: An act permitting the deposit with the State treasurer of a special guarantee fund by corporations engaged in the business of issuing certificates of title of policies of title, insurance or other guarantees to real estate within the State of Washington and regulating the method whereby said guarantee fund may be made available and providing for the certification of such corporation.....	470	776						
237.	Senator BOOTH: An act relating to the arid lands, pertaining to the endowment of the University of the State of Washington and authorizing an exchange of part of said arid lands for water to irrigate the part retained and to provide revenue for said university.....	470	685						

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
238. Senator JONES: An act declaring certain acts of officers or agents of a corporation and certain acts of persons pretending to be such officers or agents of a corporation to be a crime and prescribing the punishment therefor, and repealing an act entitled, "An act to protect stockholders and persons dealing with corporations in this state," approved March 14, 1903.	492	852	904	904 } 966 }	906				
239. Senator COTTELL: An act authorizing the Board of Regents of the State University to cause to be filled under contract, certain shore lands in Lake Washington and providing for payment for the work	492	628	666 } 670 }	666 } 684 } 1010 } 1013 }	670	960	1011	1013	
240. Senator SUMNER: An act to enable counties, cities and towns to validate certain warrants and other obligations and evidences of indebtedness on the part of such counties, cities and towns, issued by the corporate authorities thereof in excess of their legal authority, and declaring an emergency	492	654 } 776 }	862	666 } 673 } 896 }	862				
241. Senator REED: An act to amend section 5 of the Code of Public Instruction of the State of Washington, said code being chapter 118 of the Session Laws of 1897, approved March 19, 1897	492	558	581	1011	581	813			
242. Senator ROSENHART: An act relating to lotteries, prohibiting the maintenance thereof, prescribing a penalty and amending section 7459 of Ballinger's Annotated Codes and Statutes of Washington	493	658		859 } 1013 }		1011	1011	1012	
243. Senator ANDERSON: An act to provide for a limitation for the bringing of actions to set aside or cancel tax deeds, or for the recovery of lands sold for delinquent taxes	496					1011	1011	1012	

244.	Senator ROSENHAUPT: An act prohibiting the killing of certain birds	496	621	{ 664 } { 761 }	704	{ 664 } { 761 }	.....
245.	Senator SCOTT: An act relating to premium stamps, commonly called trading stamps, cash discount stamps, ticket or rebate check ticket, coupon or other similar device, and to provide a penalty for any violation of this act	496	679	738	{ 739 } { 979 } { 1008 }	902	797 1006
246.	COMMITTEE ON EDUCATIONAL INSTITUTIONS: An act preventing the sale of lands set apart for the use, support, establishment, maintenance and endowment of the State Agricultural College and School of Science, now known as the State College of Washington, or of any of the several normal schools, without the consent of the Board of Regents, or Board of Trustees of said college or schools	496	.....	642	{ 642 } { 745 }	.....	642
247.	Senator RANDS: An act empowering boards of county commissioners to levy a special tax and appropriate money for the purpose of advertising the counties' resources and to aid in publicity work	497	628	.....	.....	.....	.....
248.	Senator PAULY: An act authorizing the State Board of Control to use brick manufactured at the state penitentiary for the construction of buildings at the state penitentiary	497	589	642	{ 979 } { 1008 }	960	979 1006
249.	Senators KNICKERBOCKER, PATELHAMUS and NICHOLS: An act appropriating one hundred thousand dollars for the improvement of the Puyallup and Stuck rivers, in Pierce county, Washington, providing for the appointment of a commission to expend the same, conferring upon such commission the power of eminent domain and declaring an emergency	497	889	870	.....	.....	870
250.	Senator REEP: An act to provide for the erection of screens or grills at the head of irrigation flumes, ditches or canals on streams where state fish hatcheries are located for the purpose of preventing mountain trout or other food fishes from entering said flumes, ditches or canals, and providing a penalty for the violation thereof	522	621	.....	{ 666 } { 768 }	.....	.....
251.	Senator SCUMNER: An act relating to assessment and taxation, and declaring an emergency	522	598	.....	.....	.....	.....
252.	Senator BOORH: An act providing for the amendment of article IV of the Constitution of the State of Washington relating to the election and term of office of judges of the Supreme Court and Superior Courts of the state	523	687	.....	.....	.....	666

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.....
253.	Senator PIPER: An act authorizing the State Harbor Line Commission or the Board of State Land Commissioners in surveying and platting harbor lines and in surveying, platting and appraising tide and shore lands of the first class, to file in manner now provided by law plats and maps of such surveys and appraisements in sections or parts of the whole and to extend the harbor lines and the surveying and platting of tide and shore lands of the first class from time to time, according to the convenience of and as deemed advisable by the State Harbor Line Commission or the Board of State Land Commissioners, and declaring an emergency..	523	778	614	615					
254.	Senator KNICKERBOCKER: An act to place the control and management of the traveling library in the hands of a superintendent to be appointed by the State Library Commission.....	523	766		{ 966 } { 979 }	822	939	966	999	1003
255.	Senator PAULHAMUS: An act to require railroad companies doing business in the State of Washington to have a general officer of such road with the rank and title of vice-president in some city in the state and requiring certain duties to be performed by him..	523	773	818	859	813				
256.	Senators VEXESS and WATSON: An act appropriating one hundred and twenty thousand dollars for the improvement of the Cowlitz and Lewis rivers, providing for the appointment of a commission to expend the same, and conferring upon such commission the power of eminent domain.....	524	878	889	{ 890 } { 896 }	890				
257.	Senator COTTRELL: An act providing for an advisory popular vote of the qualified electors of the State of Washington prior to the election of United States senators.....	524	692							
258.	Senator ROSENHAUPT: An act relating to costs in civil actions and amending chapter 16 of the Laws of 1905.....	527	658	744		744				

259.	Senator ROSENHAULT: An act fixing the salaries of county officers in counties of the first class.....	527	659	787	859	787		
260.	Senator KANDS: An act for the relief of Clark county, Washington, making an appropriation therefor.....	527						
261.	Senator GUNN: An act relating to a legislative reference library.....	527	690					
262.	Senator GUNN: An act to provide for the licensing of peddlers and prescribing penalties for failure to comply with the provisions of this act and to repeal all acts or parts of acts in conflict herewith, and declaring an emergency.....	527						
263.	JOINT COMMITTEE ON EDUCATION: An act to provide for the granting of temporary certificates by county superintendents, and repealing all laws and parts of laws in conflict with the provisions of this act.....	528	654	666		666		
264.	Senator BOOTH: An act for the protection of Chinese or Mongolian pheasants, defining the closed season and fixing penalties for the violation thereof.....	528	916	907	{ 986, 1011 1013 }	907	984	1011 1012
265.	Senator BLAIR: An act to provide a penalty for the failure of corporations to file lists of officers with the county auditors in the county of their principal place of business, as required by an act of March 20, 1895, being sections 4279 and 4260 of Ballinger's Annotated Codes and Statutes of Washington; and also to require such lists to be filed in the office of the Secretary of State in the same manner and under the same penalties as are herein prescribed.	551	689	871		871		
266.	COMMITTEE ON APPROPRIATIONS: An act providing for the distribution and expenditure of moneys received from forest reserves.	551		649	{ 824 997 1007 }	649	970	997 1006
267.	Senator CORRELL: An act amending sections 15 and 18 of chapter 146 of the Laws of 1901 of the State of Washington, being an act for the more effectual prevention of cruelty to animals, approved March 18, 1901, and extending the provisions of said chapter, as amended, relative to the making of complaints and arrests, the conduct of prosecutions and the collection and disposition of fines to all cases of arrests and prosecutions under the provisions of chapter 27 of the Laws of 1893 of the State of Washington, being an act for the prevention of cruelty to children, animals, fowls and birds, approved February 23, 1893.....	551						

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.....
268. Senator PIPER: An act relating to the tide and shore lands of the first class and harbor areas belonging to the State of Washington, and empowering the harbor line commission to establish, lengthen, extend and lease harbor areas and to file plats and appraisements of tide and shore lands of the first class in sections as said commission shall deem expedient, and to sell the same.....	552		872	908 } 990 } 1007 }	872	970	997	1005	
269. Senator FALGHAMT'S: An act to authorize and require the State of Washington to accept and collect grants, devise, bequests, gifts and donations to said state, and to appropriate use, and dispose of the same as the legislature may direct, and providing that whenever a public purpose for which such grant, devise, bequest, gift, or donation, shall be expressed in writing by the grantor, deviser or donor, the legislature shall carry out such desire as far as may be done consistent with the constitution.....	552	690							
270. Senator POLSON: An act requiring that the formula of all patent medicines be included in advertisements thereof, and providing a penalty for violations thereof.....	552	693	762	858	762				
271. Senator FALGHAMT'S: An act to amend section 5 of an act 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,' 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," approved March 20, 1903.....	573	687	761	744 } 997 } 1007 }	761	970	997	1006	

272.	Senator PAULHAMUS: An act to amend section 4 of an act entitled "An act regulating automobiles or motor vehicles on public roads, highways, park or parkways, streets or avenues, within the State of Washington," approved March 11, 1905.....	574	798	818	819		
273.	Senator PAULHAMUS: An act relating to the fees for issuing deed or patent of land.....	574	834	871			
274.	Senator PAULHAMUS: An act relating to the business of making and furnishing to purchasers abstracts of title to real estate.....	574	689				
275.	Senator VENESS: An act providing for burning timber and brush cut on the right-of-way of wagon roads or steam, electric or other railroads for the purpose of clearing said right-of-way, providing a penalty for the violation thereof and declaring an emergency....	574	779	817	858	817	
276.	JUDICIARY COMMITTEE: An act to provide for the organization of bonding and surety companies and to regulate their management.....	591		744	858 962 997 1006	960	987 1006
277.	Senator COTTERILL: An act to protect trade and commerce against unlawful restraints and monopolies, and against collusion in the letting of contracts for public and private work, providing penalties and forfeitures for any violation of its provisions, authorizing certain courts to grant writs of injunction and prohibition, forbidding the violation of its provisions, defining the duties of the prosecuting attorney and the attorney general of this state in reference thereto, providing for the payment of necessary costs and expenses of the prosecution of cases under the provisions of this act, and making an appropriation therefor.....	591		873	873		
278.	Senator ROSENHAUPT: An act to prevent the exposing of poisons, to protect persons and domestic animals from being poisoned, and providing a penalty for the violation thereof.....	592	680 } 777 }	735 } 816 }	736 } 858 }	816	
279.	Senator COTTERILL: An act relating to the form, canvass and count of ballots received by the election board at any election or primary election held under the laws of the state.....	592					
280.	Senator ALLEN: An act relating to the collection of special assessments, taxes or claims in cities and towns.....	592					
281.	Senator PRESBY: An act relating to the collection of inheritance taxes.....	592	777	816		816	
282.	Senator RAYDS: An act repealing chapter 161 of the Laws of 1905 relating to the inspection of petrolcum and its products.....	593	834				874

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.....
283.	Senator REED: An act providing for the sterilization of feeble-minded, epileptic, and insane persons, and prisoners in the penitentiary.....	593	895							
284.	COMMITTEE ON COMMERCE AND MANUFACTURE: An act to repeal an act entitled "An act for the purpose of protecting knot sawyers in shingle mills, and requiring owners and operators of shingle mills to protect knot saws with metallic saw guards imposing penalties for failure so to do, and declaring the law of negligence in cases where any person is injured by any knot saw not protected by metallic saw guard".....	593		763	{ 979 } { 1008 }	763	970	979	1007	
285.	Senator REED: An act authorizing the purchase of the picture of our martyred president, Abraham Lincoln, by Cogswell, now hanging in the rotunda of the capitol building, Olympia, Washington, and making an appropriation therefor.....	593	851	904	904					
286.	Senator HURTON: An act relating to life insurance companies and providing penalties.....	600	877	899	954	899				
287.	Senator HURTON: An act relating to actions for divorce or annulment of marriage, and amending section 5713 of Ballinger's Annotated Codes and Statutes of Washington.....	600	691	761	997	761				
288.	Senator NICHOLS: An act relating to overcharge on prices, rates or tariffs which by law are required to be published, and providing for interest thereon.....	600		873	{ 896 } { 1007 }	873	970	997	1006	
289.	Senator HURTON: An act to amend section 8 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.....	600	{ 779 } { 838 }	869		869				

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.....
298. Senator REED: An act amending section 139 of the Code of Public Instruction relating to granting of state certificates.....	680	765		876					
299. COMMITTEE ON DAIRY AND LIVE STOCK: An act relating to the sales of stations, jacks, or bulls, and providing penalties for the violation thereof.....	680		824		824				
300. COMMITTEE ON PRINTING: An act relating to the public printing and the compensation therefor and amending chapter 168 of the Laws of 1905 by adding section 6½.....	655	914	965	824 } 1010 } 1018 }	965	1011	1011	1012	
301. Senator BROWN: An act to establish and maintain a state fish hatchery for the purpose of propagating, maintaining and distributing trout and other game fish and making an appropriation therefor.....	655								
302. Senator STEVENSON: An act relating to instruction in public schools in any city in the sign language used by the deaf.....	660	765							
303. Senator PRESBY: An act relating to prosecutions for misdemeanor and malfeasance in office.....	681								
304. COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL: An act to regulate the sale, lease, assignment, transfer or conveyance of the business, franchises and property of a corporation.....	681	698							
305. COMMITTEE ON APPROPRIATIONS: An act amending section 225 of Ballinger's Annotated Codes and Statutes of Washington, relating to the salary of the reporter of the Supreme Court.....	681		759		759				
306. JUDICIARY COMMITTEE: An act amending section seven of an act entitled "An act providing for the assessment and collection of taxes of cities of the first class, and specifying the duties of certain county officers in regard thereto, and declaring an emergency," approved March 3, 1895, and declaring an emergency.....	698		819						

307.	COMMITTEE ON ELECTIONS AND PRIVILEGES: An act to amend section 1364 of Ballinger's Annotated Codes and Statutes of Washington, relating to election ballots.....	698	{ 820 } { 927 }	927	{ 820 } { 927 }	
308.	Senator MCGREGOR: An act relating to the prevention of disease in sheep, and prescribing penalties for the violation of its provisions.....	698				
309.	Senator BOONE: An act appropriating funds for the relief of the Standard Furniture Co. of Seattle, Washington.....	699	851	979	979	1006
310.	Senator BRANT: An act authorizing city councils in cities of the first class to sell surplus water from their water systems to communities lying without the city boundaries, and declaring an emergency.....	699			{ 979 } { 1006 }	
311.	Senator STEVENSON: An act relating to buildings, improvements, and repairs at various state institutions, making appropriations therefor, and providing for a special tax.....	699				
312.	JOINT COMMITTEE APPOINTED UNDER SENATE JOINT RESOLUTION No. 11: An act amending sections 2134, 2135, 2146 and 2179 of Ballinger's Annotated Codes and Statutes of Washington, and sections 2141, 2142, 2143, 2183 and 2192 of volume three (Supplement) of Ballinger's Annotated Codes and Statutes of Washington, relating to the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and to the confirmation and completion of the several grants to the state by the United States; the creation of a board of appraisers and a board of harbor line commissioners, as required by articles 15 and 16 of the state constitution, to be generally known as the board of state land commissioners; and the defining of their duties.....	699			{ 708 } { 816 } { 864 } { 866 }	
313.	COMMITTEE APPOINTED UNDER SENATE JOINT RESOLUTION No. 11: An act to amend section 2130 of Ballinger's Annotated Codes and Statutes of Washington, relating to the creation of 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, and defining its duties, and declaring when such amendment shall take effect.....	700			{ 708 } { 816 } { 864 } { 866 }	

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.....
314. JOINT COMMITTEE APPOINTED UNDER SENATE JOINT RESOLUTION No. 11: An act relating to improvements made on state lands, defining the duty of the board of state land commissioners in appraising the same and declaring an emergency.....	700			708 816 864 866					
315. JOINT COMMITTEE APPOINTED UNDER SENATE JOINT RESOLUTION No. 11: An act to amend section 6 of an act entitled "An act creating 'The State Land Commission,' to define the duties and provide for assistance for, and fix the compensation of the commissioner of public lands, and declaring an emergency," approved March 27, 1890, and providing for the giving of a good and sufficient bond by the commissioner of public lands, and by the auditor and cashier of the office of commissioner of public lands, and declaring an emergency.....	700			708 816 864 866					
316. JOINT COMMITTEE APPOINTED UNDER SENATE JOINT RESOLUTION No. 11: An act to amend section 3 of an act entitled "An act to provide for the preservation of the forests of this state, for the prevention, control and suppression of forest fires, to create a state board of forest commissioners, providing for a state fire warden and forester, deputy fire wardens, forest rangers, defining their duties and powers, making an appropriation therefor, and providing punishments for the violation thereof, and repealing an act entitled "An act to protect from fire forests and other property within the State of Washington, and creating forest fire wardens, deputies, patrolmen and defining the duties and providing penalties, and declaring an emergency" approved March 16, 1903," approved March 11, 1905.....	700		869	708 816 864 869 987 1007	869	970	987	1005	
317. Senator MCGOWAN: An act to amend section 513 of Ballinger's Annotated Codes and Statutes of Washington, relating to the duties of sheriffs, providing a penalty for the neglect thereof, and providing for the recovery by private parties for damages resulting from such neglect.....	701	857							

318.	Senator ALLEN: An act relating to the sale or disposal of spirituous, vinous, malt, or other intoxicating liquors and providing a punishment for the violation thereof.....	701							
319.	Senator COTTERILL: An act relating to the crime of indecent and obscene exposure and providing a punishment therefor.....	701	857						
320.	JOINT COMMITTEE APPOINTED UNDER SENATE CONCURRENT RESOLUTION No. 11: An act relating to the board of state land commissioners	701				{ 703 816 864 866 }			
321.	COMMITTEE ON APPROPRIATIONS: An act making an appropriation for expenses of the Tenth Legislature.....	898		981	981	{ 882 1010 1018 }	981	1011	1013
322.	FREE CONFERENCE COMMITTEE: An act providing for the nomination of candidates by direct primary elections.....	924		924	924	{ 885 902 910 924 950 971 1011 1014 1015 }	925	948	1012 1015

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time and referred.....	Report of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House.....	Signed by President of Senate.....
1. Mr. REID: An act appropriating the sum of ninety thousand dollars from the revolving fund for the purchase of jute and operations of the jute mill at the State Penitentiary.....	58	64	64	64	64		72	78
3. Mr. BEBEE: An act regulating the approval and filing of public record of real estate plats or additions to cities of the first and second class and other cities and towns with special charters having sufficient population to authorize them to reincorporate under the laws of the State of Washington as cities of the first or second class and prescribing public grounds therein.....	169	595	625	675	675	813	908	904
4. Mr. BEBEE: An act to provide for the punishment of parents or persons responsible for, or contributing to, the delinquency of children of the age of 17 years or under.....	179	184	251	319	319		361	361
5. Mr. HUTCHINSON: An act concerning land titles, for the certification of land titles, and the simplification of the transfer of real estate.....	665	*681	776	910	512	874	1007	1008
6. Mr. DICKSON: An act prohibiting the owners or those in charge of any canal or ditch in localities where irrigation from ditches is practised, from suffering noxious weeds or other growths to go to seed on the banks thereof.....	247	266	334				585	552
8. Mr. GREGG: An act to apportion the State of Washington into three congressional districts.....	427	437	519	572	572	665 } 820 } 617 }		
9. 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.....	909	921		951	951		969	979

13. Mr. PEPPYCORD: An act to provide for the formation of banking corporations and to regulate the business of banking and securing state supervision thereof; for the appointment of a state examiner, defining his duties, fixing his compensation and making an appropriation therefor	599	604	839	908	909	{ 840 886 928 924 }	1007	1008
14. Mr. FREUDENBERG: An act to amend section 1 of an act entitled "An act amending 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, 1903", and declaring an emergency	219	242	{ 314 515 }	572	572	655	749	749
17. Mr. FANCHER: An act providing for the levy and manner of payment of road, bridge, poll and property taxes, and the manner of expenditure thereof, and providing for division of counties into road districts and the appointment of road overseers thereof, and repealing all acts and parts of acts in conflict herewith	665	†682	809	942	942	{ 894 927 942 970 }	1007	1008
19. Mr. GRIGG: An act relating to the liability of common carriers for personal injury or death of employes, prescribing who may maintain an action in the event of the death of an employe and establishing the rule by which damages shall be awarded and making the jury sole judge of all questions of negligence and contributory negligence, and providing that employes' or other insurance shall constitute no bar to an action for personal injuries or death of employe	902	920	959	959	959	954	.....	.....
20. Mr. SMALLEY: An act providing for a Superior Court judge for the counties of Chelan, Douglas and Okanogan jointly, and providing for a Superior Court judge for the counties of Stevens and Ferry jointly, and declaring an emergency	599	601	776	.....	.....	{ 827 830 }	.....	.....
27. Mr. KING: An act amending section 1 of an act entitled, "An act to provide for the payment of wages of labor in lawuit money of the United States and to punish violators of the same," approved February 2, 1888, being section 3305 of Ballinger's Annotated Codes and Statutes of the State of Washington	968	385	.....	.....	.....	.....	.....	.....
29. Mr. KING: An act to amend an act entitled, "An act to amend section one (1) of chapter forty-seven (47) of the Laws of 1903, providing for a closed season for trout fishing in the lakes and streams of Chelan county. Same being chapter fifty-four (54) (H. B. No. 110) of the Session Laws of 1906	848	879	954	1008	1008	1011	1013	1014
31. Mr. RHODES: An act regulating the hours of service of employes in train service upon railroads, and providing a penalty	192	201	{ 278 314 }	331	331	.....	481	487

* Represents H. B. 205. † Represents H. B. 117.

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 of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House.....	Signed by President of Senate.....
35. MR. GACHES: An act relating to the judicial departments of cities of the third class, defining the qualifications of the police justices appointed therein, providing the rules relative to practice therein, and declaring an emergency.....	301	303	{ 413 } { 687 }	*793	*793	.....	.....	.....
38. MR. KAYSER: An act providing for the collection of taxes upon personal property about to be or in danger of being removed from the limits of the state.....	430	437	465	498	498	.....	525	525
40. MR. HOGAN: An act relating to the assessment and collection of taxes in municipal corporations of the second, third and fourth classes, and amending sections 1810 and 1814 of Ballinger's Annotated Codes and Statutes of Washington, and declaring an emergency.....	247	267	413	432	432	582	563	564
43. MR. CARLSON: An act providing for the investment of the permanent school funds the permanent funds of the normal schools, State University, Scientific School, Agricultural College, charitable, educational, penal and reformatory institutions of the State of Washington.....	179	184	221	298	294	{ 270 } { 295 }	361	361
44. MR. FANCHER: An act for protection against the spread of Canada thistles, Russian thistles and tumbling Mustard (Symbrium Altissimum, L.), and for the destruction of the same, and for the payment of costs for destroying same and prescribing the punishment for the violation of this act.....	460	472	520	585	586	{ 572 } { 698 }	820	820
46. MR. TIBBETTS: An act to amend an act creating a fund to be known as the Public Highway Fund, and making provisions for an annual levy to produce revenue therein for the construction and repair of highways and bridges.....	219	242	325	.....	.....	{ 245 } { 325 }	.....	.....
51. MR. BASSETT: An act to amend an act authorizing the establishment of public libraries in cities.....	460	472	.....	614	614	698	820	820

* Reference to S. B. 35.

50.	Mr. GACHES: An act amending an act to amend sections 3, 9 and 24 of 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".....	599	602	685	792	792	903	904
62.	Mr. HANSON: An act making it unlawful for any person to entice any female person under the age of eighteen years from her home, declaring the same to be a felony and prescribing the penalty therefor.....	327	329	353	387	.....	535	552
64.	Mr. HANSON: An act providing that when any business, other than a corporation or limited partnership, is conducted under an assumed name, a certificate showing the real parties in interest shall be filed with the county clerk, and fixing a penalty.....	599	602	838	862	.....	929	990
65.	Mr. HANSON: An act to amend chapter XVIII of Session Laws of 1905, entitled "An act to provide for the apprehension, trial, treatment and control of delinquent children under the age of seventeen years," and adding thereto the following sections to be numbered sections 14, 15 and 16.....	327	329	414	432 612 802	612 802	903	904
68.	Mr. BEEBE: An act for the relief of Charles E. Shepard.....	358	359	375	403	408	478	480
70.	Mr. GILBERT: An act to amend section 1 of an act entitled "An act fixing the fees and compensation of justices of the peace, and declaring an emergency," approved March 9, 1893.....	599	601	623	672	672	903	904
71.	Mr. CARLSON: An act to provide for the payment of all state moneys into the general fund, except those received from taxes levied for specific purposes and excepting the permanent and irreducible funds and the moneys derived therefrom; and providing for the payment of certain salaries and expenses from the general fund.....	192	202	221	270	270	318	320
73.	Mr. HALTEMAN: An act authorizing counties which have acquired or which may hereafter acquire mining claims or properties for taxes, to lease the same with or without an option to purchase, declaring an emergency and repealing all acts or parts of acts inconsistent or in conflict with this act.....	247	267	413	434	484	568	564
74.	Mr. BASSETT: An act providing a method for the assessment and collection of an excise or privilege tax from express companies doing business in this state.....	209	214	325	348	533	478	480
76.	Mr. KAYSER: An act regulating the keeping and deposit of municipal funds.....	274	290	325	348	403 430	478	480

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 of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House.....	Signed by President of Senate...
78.	Mr. BASSETT: An act providing a method for the assessment and collection of an excise or privilege tax on private car companies doing business in this state.....	274	290	356	*360	380	491	535	552
79.	Mr. SMALLEY: An act appropriating funds for the relief of Newton Thomas as sheriff of Okanogan county.....	192	202	210	243	244	244	274	276
81.	Mr. DICKSON: An act amending sections 6429, 6434, 6435, and 6437 of Ballinger's Annotated Codes and Statutes of Washington, relating to the duties of guardians and the handling and sale of the property of resident insane persons.....	327	329	352	387	387	.....	585	552
90.	Mr. DAVIS: An act regulating the keeping and deposit of public funds in banks by the several county treasurers of this state.....	220	241	{ 250 } { 518 }	{ 319 } { 567 }	568	{ 330 } { 348 } { 582 }	665	665
91.	Mr. SHEERS: An act relating to the prevention of pollution of public water supplies used for domestic purposes; authorizing the adoption and promulgation by the State Board of Health of orders, rules and regulations for such purposes; providing for appeals to the Superior Court from any orders of said board and giving jurisdiction in equity to the Superior Court to enforce orders, rules and regulations of said board; authorizing the establishment and maintenance of an experimental station, and providing penalties.....	427	438	544	.....	.....	606	.....	.....
92.	Mr. SHEERS: An act to amend sections 1, 3, 4, 7 and 8 of an act entitled "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," approved March 12, 1903, and adding section 1½ to said act.....	359	.....	545	606	606	698	820	820

* Reference to S. B. 78.

93.	Mr. SHEETS: An act to provide a system of registration of births and deaths and the method of reporting births and deaths, and for the issuance of permits for the burial, removal or transportation of bodies of deceased persons and fixing the penalty for the violation, and repealing all laws inconsistent with this act.....	427	438	547	608	608	665	820	820
97.	Mr. E. M. STEPHENS: An act providing for the amendment of section 16 of article 1 of the Constitution of the State of Washington, relating to the exercise of the powers of eminent domain....	427	438	515	566	567	609	749	749
102.	Mr. LAMBERT: An act fixing the fees to be paid to the Secretary of State by corporations doing business in this state, providing penalties for failure to pay the same and repealing all acts and parts of acts in conflict herewith.....	478	493	629	794	795	848	929	980
103.	Mr. DAVIS: An act for the relief of A. A. Lytle, sheriff of Douglas county.....	247	266	375	403	407	403	478	480
105.	Mr. ABRAMS: An act to amend section 1, of an act entitled "An act to amend an act entitled 'An act providing liens upon saw logs, spars, piles or other timber, and upon lumber and shingles and concerning the remedy to secure and obtain such liens and the benefit thereof, and the manner and procedure of obtaining the same, approved March 16, 1893,' approved March 19, 1893.".....	219	241	251	267	267	.....	318	320
108.	Mr. THOMPSON: An act relating to the sale of school property in cities having a population of ten thousand or over, and amending section 95 of chapter 118 of the laws of 1897.....	635	656	691	792	792	.....	292	930
112.	Mr. DAVIS: An act to enable counties, cities and towns to validate certain warrants and other obligations and evidences of indebtedness on the part of such counties, cities and towns issued by the corporate authorities thereof in excess of their legal authority, and declaring an emergency.....	358	359	377	.....	.....	.....	.....	.....
116.	Mr. RAMSAY: An act authorizing the county commissioners of any county to acquire and operate quarries of suitable road building rock and ground containing deposits of suitable road building gravel, and to purchase rock-crushing machinery and appliances, and declaring an emergency.....	219	241	325	362	362	.....	431	437
118.	Mr. MADISON: An act for the relief of the town of Kent, and making an appropriation therefor.....	247	266	376	403	408	403	478	480
119.	Mr. HAMILTON: An act to amend sections 117, 119 and 121 of the Code of Public Instruction of the State of Washington and repealing all laws and parts of laws in conflict with the provisions of this act.....	327	328	624	676	676	813	908	.....

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 of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House.....	Signed by President of Senate...
127. Mr. D. M. THOMPSON: An act to amend section 3, of an act entitled, "An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 1, 6, 7 of an act entitled 'An act to regulate and control insurance companies, corporations and associations in this state, and to amend sections 11, 26, 29, 33 and 34 of "An act to regulate and license insurance in this state, to repeal existing laws in relation thereto, and declaring an emergency," approved March 13, 1895," approved March 13, 1897," approved March 13, 1899.....	635	656	767	825	825	{ 806 } { 881 }	969	979
128. Mr. FANCHER: An act relating to the duty of county commissioners in regard to prisoners in county jails.....	427	438	455	480	480	545	564	564
129. Mr. BASSETT: An act relating to the liability of a bank to a depositor in case of forgery.....	318	337	.....	386	386	.....	478	480
130. Mr. BASSETT: An act relating to joint accounts.....	427	438	546	609	610	698	820	820
131. Mr. BASSETT: An act creating a commission to revise and recodify the Code of Public Instruction of the State of Washington, defining its powers and duties, and making an appropriation for the payment of its actual and necessary expenses.....	327	329	{ 336 } { 550 }	754	754	{ 386 } { 672 } { 703 } { 881 }	929	930
132. Mr. MILLER: An act appropriating the sum of six thousand dollars, or so much thereof as may be necessary to pay for such printing as may be ordered by the Tenth Legislature or either branch thereof.....	247	266	375	403	406	403	478	480
133. Mr. COLES: An act authorizing cities and towns owning any street railway line or plant to sell and convey the same, and ratifying and validating all such sales and conveyances heretofore made, and declaring an emergency.....	247	266	{ 466 } { 753 }	499	500	{ 564 } { 621 } { 637 } { 639 } { 703 }	849	850

134.	Mr. CORES: An act authorizing city councils in cities of the first class to sell surplus water from their water systems to communities lying without the city boundaries, and declaring an emergency.	909	919	993	994	{ 943 } { 949 } { 958 } { 957 }	1007	1008
136.	Mr. KIRKPATRICK: An act to amend section 1 of an act entitled, "An act to regulate and limit the hours of employment of females in any mechanical or mercantile establishment, laundry, hotel and restaurant; to provide for its enforcement and a penalty for its violation," approved March 11, 1901.	327	329					
138.	Mr. OLSEN: An act to prevent the accumulation of saw-logs, wood and timber in the intakes of ditches, canals, flumes and other aqueducts used for irrigation, mining, manufacturing, or other beneficial purposes and for furnishing power to towns, cities or corporations for operating lighting, or power plants, or municipal purposes, and providing a penalty for the violation thereof, and declaring an emergency.	368	385	691		803		
141.	Mr. ABRAMS: An act amending section 15 of an act providing for the levy, collection and manner of payment of road, poll and property taxes, the manner of expenditure thereof, to provide for elections to adopt the system herein provided, and to repeal all laws inconsistent herewith, approved March 18, 1901, same being section 7011 of Pierce's Washington Code.	952	955					
145.	COMMITTEE ON DAIRY AND LIVE STOCK: An act to repeal an act entitled "An act to prevent the spread of contagious or infectious diseases among cattle, horses, and other domestic animals, and prescribing penalties for violations of the provisions thereof," being chapter 143, of Session Laws of 1895.	368	384	{ 421 } { 579 }	652		749	749
147.	Mr. RANCK: An act providing for the amendment of section 1 of article 2 of the Constitution of the State of Washington, relating to the Legislative Department of the State of Washington, and of the political subdivisions thereof, and providing for the submission of laws and other measures to a vote of the people.	665	682		801	801		
152.	Mr. DICKSON: An act to provide for the assessment of the operating property of railroads.	368	384	465	498	545	665	665
157.	Mr. CARLSON: An act providing for the repair, construction and beautifying of certain parts of the Capitol building and grounds, and providing an appropriation therefor.	358	359	374	403	408	585	552
159.	Mr. MEGLER: An act for certain deficiencies in maintenance of the state capitol building and preparing same for convening of the tenth legislature.	318	320	373	403	403	487	437

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 of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House.....	Signed by President of Senate...
160. Mr. MEGLER: An act making an appropriation for the payment of the publication of the notices required to be given by sections 2 of chapters 65 and 67 of the Laws of 1903.....	318	320	375	403	407	403	437	497
161. Mr. HANSON: An act making it the duty of county clerks and assessors to report to the prosecuting attorneys and to the Attorney General all material information relative to the administration of the estates of persons dying intestate and without known heirs, and providing means for the enforcement thereof.....	369	388						
162. Mr. HANSON: An act to regulate the employment of child labor, and to prohibit the employment of persons under the age of nineteen years as public messengers, and fixing a penalty for the violation thereof, and repealing an act entitled "An act to regulate the employment of child labor and to prohibit the employment of females under the age of eighteen years as public messengers and fixing a penalty for the violation thereof," approved March 16, 1903.....	274	290	629	676	677	813	903	904
165. Mr. BASSETT: An act defining the crime of burglary with explosives and fixing punishment therefor.....	665	682	805					
166. COMMITTEE ON REVENUE AND TAXATION: An act relative to the finances of the State of Washington and providing the time when and manner in which moneys shall be paid into the state treasury, and declaring an emergency.....	357	359	518	605	605		749	749
169. Mr. SROBRINC: An act relating to the incorporation of trust companies, defining their powers and duties, and amending chapter 176 of the Session Laws of 1903.....	746	770	773	831	831		903	904
170. Mr. HUXTABLE: An act relating to elections and amending section 4964 of Pierce's Code.....	929	*957		1009 } 1013 }	1009		1013	1014

* Reference to H. B. 107.

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 of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House.....	Signed by President of Senate...
191. Mr. SHERREY: An act assenting to the terms, conditions and purposes of the grant of money for the more complete endowment and maintenance of agricultural experiment stations provided for under an act of Congress approved March 16, 1906, and declaring an emergency.....	911	919		960	960		1007	1008
192. Mr. GODMAN: An act to provide for the indeterminate sentence of persons convicted of certain felonies, for the termination of such sentence and the release of such persons, defining the duties of the Board of Control and Warden of the Penitentiary in relation thereto, and repealing all acts and parts of acts in conflict herewith.....	478	{ 357 } { 493 }	{ 542 } { 913 }	612	612	{ 698 } { 704 } { 912 }	969	979
195. Mr. HANSON: An act in relation to the fees of State and County officers, witnesses and jurors, and repealing an act entitled "An act in relation to the fees of State and County officers, witnesses and jurors, and repealing an act entitled 'An act in relation to the fees of State and County officers, witnesses and jurors, and amending section 2086 of the Code of Washington of 1881', same being approved March 15, 1893," approved March 16, 1903, and declaring an emergency.....	368	384	452	490	490		674	674
201. Mr. SUGRIVANCE: An act creating the office of Insurance Commissioner, authorizing the appointment of a Deputy Insurance Commissioner and fixing salaries.....	683	703	799	881	881	881	903	904
202. Mr. BASSETT: An act relating to the compulsory education of children between the ages of eight and fifteen years in the State of Washington providing penalties for the violation of this act and repealing all laws and parts of laws in conflict with the provisions of this act.....	970	988		1003	1004	{ 1003 } { 1004 }	1013	1014
204. Mr. BLACKMORE: An act regulating the use of county bridges by traction engines.....	427	438	618					

208.	MR. LAMBERT: An act relating to revenue and taxation.....	599	603	628	673	673	813	903	904
210.	MR. KAYSER: An act relating to revenue and taxation and amending section 1 of an act entitled "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 15, 1897".....	929	957						
213.	MR. TROY: An act authorizing and directing the Commissioner of Public Lands to certify certain tide lands to the Governor for deed and authorizing and directing the Governor to execute and the Secretary of State to attest a deed conveying to the city of Port Townsend certain tide lands for use as, and in connection with its public park, and for no other purposes.....	734	*742	778	826			906	908
217.	MR. HUTCHINSON: An act defining the weight of a ton of coal and making it a misdemeanor to sell less for a ton, and providing a penalty for the violation thereof.....	599	602	623	795	677 } 795 }	795	903	904
218.	MR. E. C. DAVIS: An act to amend an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington," approved March, 1897.....	665	682	855					
222.	MR. JOHNSON: An act providing for the control, regulation, distribution and measurement of stored waters and flowing waters; providing for the appointment of a commissioner and assistants for said purposes; fixing their compensation and tenure of office; providing a penalty for violation of this act and declaring an emergency.....	635	656	766	806			929	930
223.	MR. BEEBE: An act to prevent and punish family desertion or non-support and to provide for support bonds and for suspension of trial and sentence.....	599	603	622	677		813	903	904
225.	COMMITTEE ON APPROPRIATIONS: An act appropriating funds for the relief of the Smith Premier Typewriter Company, of Seattle, Washington.....	358	360	374	403	404	408	478	480
227.	COMMITTEE ON APPROPRIATIONS: An act appropriating funds for the relief of Mrs. George E. Blankenship, Mrs. George H. Funk, and Miss Clara E. McKenzie for services as markers of teachers' manuscripts in the office of the Superintendent of Public Instruction.....	358	359	376	403	408	403	478	480

*Reference to H. B. 813.

consideration for which it was given, and prescribing the penalty for the violation thereof.....	581	584					
242. Mr. TIBBITS: An act governing and regulating pilots and pilotage on the waters of Puget Sound, its inlets, bays and harbors, regulating the appointment, qualifications and licensing of pilots and prescribing their duties, providing for the creation of a board of pilot commissioners and for the appointment, qualification, duties and powers of such board, authorizing the making of pilotage regulations and prescribing punishments for the violation thereof, prohibiting piloting by unlicensed persons and the employment of unlicensed persons as pilots, defining offenses under this act, and prescribing penalties for the same.....	734	740	768	803	803	929	930
243. Mr. RHODES: An act to amend section 111 of the Code of Public Instruction, approved March 19, 1897, as amended by 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 1, 6, 7, 10, 22, 27, 37, 38, 39, 40, 71, 103, 106, 107, 108, 111, 112, 140, 156, and 177 of said act, approved March 19th, 1897," approved March 19, 1901, relating to the levying of taxes for school purposes.....	460	471	558 } 654 }	668	668	813	904
245. Mr. McDONALD: An act to define the practice of veterinary medicine, surgery and dentistry in the State of Washington; to regulate the same and to provide penalties for a violation thereof.....	478	494	551	610	611	698	904
247. Mr. GRIFFIN: An act amending section 10 of an act entitled "An act to provide for the appointment, qualification and duties of notaries public, certifying their official acts and declaring an emergency to exist," approved December 21st, 1880.....	459	471	544				
248. Mr. GRIFFIN: An act amending section 1 of an act 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 of 1881.' .."	460	471	562				
251. Mr. ULSH: An act providing for the employment of convicts on state roads.....	599	602					
252. Mr. E. M. STEPHENS: An act to amend section 2 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.....	427	*437	468	500	500	665	665

* Reference to H. B. 52. † Reference to H. B. 222.

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 of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House.....	Signed by President of Senate....
253. MR. LAIBERT: An act relating to the place of holding meetings of stockholders and trustees of corporations of this state.....	460	472	547	669	669	.....	903	904
254. MR. HUTCHINSON, by request: An act for the relief of P. Hanson, Spokane county, State of Washington, and making an appropriation therefor.....	746	771	798	829	829	.....	903	904
256. MR. RHODES: An act to provide for the assessment of the property of telegraph companies.....	599	603	627	674	674	.....	903	904
257. MR. BEACH: An act providing for the relief of Gunder B. J. Ordal, and making an appropriation.....	746	772	876	985	985	826 } 985 }	1007	1008
260. MR. HALTEMAN: An act amending section 4828 of Ballinger's Annotated Codes and Statutes of Washington, in relation of recovery of damages for the death of a person caused by the wrongful act or neglect of another.....	569	595	686	.....	.....	994	.....	.....
262. MR. BASSETT: An act to amend sections 22, 24, 27, 28, 40, 51, 71, 137, 139, 141, 144, 145, and 165 of the Code of Public Instruction of the State of Washington, the same being chapter CXVIII. (H. B. No. 472) of the Session Laws of 1897, and repealing all laws and parts of laws in conflict with the provisions of this act.....	882	892	914	981 } 989 }	982	982 } 1011 }	1013	1014
263. MR. MCCOY: An act to authorize railway companies to construct, maintain and operate spur tracks and to require right-of-way therefor.....	746	770	857	982	982	.....	1006	1008
266. MR. HALTEMAN: An act amending section 4838 of Ballinger's Annotated Codes and Statutes of Washington, in relation to survival of actions for personal injury to any person, occasioning his death.....	569	595	689	.....	.....	.....	.....	.....

270.	Mr. GACHES: An act to provide against the adulteration of foods, drinks and drugs, 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 and repealing chapter XCIV of the Laws of 1901 as amended by chapter 51 of Laws of 1905, being 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.	848	879	962	962	963	1007	1008
272.	Mr. HOGAN: An act validating defective acknowledgements of deeds and other instruments.	599	608	622				
273.	Mr. SLAYDEN: An act relating to the registration of voters and amending sections 1 and 2 of an act entitled "An act amending sections 1451 and 1453 of Ballinger's Codes and Statutes of Washington, relating to the registration of voters," approved March 12, 1903.	569	*595	678	796		906	908
274.	Mr. BRADSHERRAX: An act providing that female complaining witnesses giving testimony in actions of rape, seduction, and abduction, shall be corroborated, and declaring an emergency.	882	892	916	982	992	1007	1008
276.	Mr. SEWALL: An act to establish a fish hatchery on the Big Quilcene river in Jefferson county, and making an appropriation therefor.	882	892	914	1003		1011	1012
278.	Mr. GACHES: An act authorizing and empowering cities and towns to construct and maintain dikes and embankments to protect such cities or towns or any part thereof, from overflow, and to pay the cost and expenses thereof out of its current expense fund, or by a special assessment upon the property benefited, or by both.	460	471	521	570	582	749	749
282.	Messrs. HOGAN, WADE and HEWITT: An act to create the county of Grays Harbor, subject to the requirements of the State Constitution and Statutes in respect to the establishment of new counties, and declaring an emergency.	478	494	580	581	514 } 536 }	563	564

* Reference to H. B. 173.

TITLE AND HISTORY OF SENATE BILLS—CONTINUED.

	Received from House.....	Read first and second time and referred.....	Report of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House.....	Signed by President of Senate...
	882	892						
	581	594	788	794	794	794 848 949 950 953	929	980
	635	656	684	802	802	847	903	904
	569	595	853	980	981		1006	1008

NUMBER, AUTHOR AND TITLE.

- 283. Mr. STADEN: An act authorizing Boards of County Commissioners to establish game preserves within the county, fix by proclamation the boundaries thereof, prohibit the hunting, chasing, snaring, trapping or killing of game therein, and prescribing a penalty for the violation thereof.....
- 285. Mr. TAYLOR: An act providing for the furnishing of cars to shippers and prescribing the time of loading, transporting and unloading the same and providing charges and penalties for delay and for the violation of this act and authorizing the Railroad Commission of Washington prescribe additional rules and to enforce the same and the provisions of this act.....
- 286. Mr. RICE: An act providing for and giving and granting the right, privilege and authority to perpetually back water upon, overflow and inundate with water, lands belonging to the State of Washington in the erection, construction, maintenance or operation of water power plants, reservoirs, or works for impounding water, for power purposes, irrigation, mining, or other public use, and declaring an emergency.....
- 288. Mr. HORNBERGER: An act appropriating the sum of \$6,500.00 to purchase a gift to be presented to the battleship "Washington".....
- 289. Mr. DICKSON: An act to amend sections 2, 3, 4, 6, 12, 13, 15, 20, and 22 of an act entitled "An act to establish a railroad commission for the State of Washington, whereby discrimination and extortion in railroad and express charges may be prevented and reasonable and just freight and passenger service and tariff may be corrected and established; to authorize the commission to make all necessary rules and regulations for its government and the carrying into effect the provisions of this act; to give to said commission the power to regulate the sale of railroad tickets, and to cor-

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 of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House.....	Signed by President of Senate.....
301. Mr. FANCHER: An act to amend section 16 of an act entitled "An act in relation to the insane of the State of Washington and making appropriations for the maintenance thereof, and declaring an emergency," approved March 13, 1890.....	902	921						
306. Mr. TOKKIN: An act to amend sections 4 and 16 of an act entitled "An act relating to the proper ventilation and safety of coal mines, and prescribing the manner of appointment of inspectors," approved March 5, 1891, and providing for reports relative to the transferring of coal mines, and prescribing a penalty for the violation of the provisions thereof.....	635	655	768	807	807		903	904
307. Mr. ROMAINE: An act to amend sections 4, 5, 6, 10, 12, 13, 15 and 17 of "An act relating to drugs and medicines, the licensing of persons to compound, dispense, buy and sell the same in the State of Washington, placing restrictions on the sale of wines, malt and spirituous liquors, defining crimes and misdemeanors and prescribing penalties in cases of violations of the provisions of this act, repealing chapter 153 of the Session Laws of 1891 of Washington, (Substituted for H. B. 150.) COMMITTEE ON PUBLIC MORALS: An act to regulate and in certain cases to prohibit the manufacture, sale, keeping for sale, owning, or giving away cigarettes, cigarette paper, cigarette wrappers and other substitutes for the same, providing penalties for the violation thereof, and repealing all laws in conflict therewith.....	991							
309. Mr. TOKKIN: An act to amend section 3 of an act entitled "An act creating a bureau of labor, defining its duties, abolishing the office of assistant labor and factory, mill and railway inspector, repealing chapter 29 of the Laws of 1897; making an appropriation and declaring an emergency".....	*592	552	770	887	807	{ 613 } { 633 } { 810 } { 847 }	929	930
	908	919						

*Reference to S. B. 308.

320.	COMMITTEE ON APPROPRIATIONS: An act appropriating the sum of forty-two thousand, one hundred and forty-two dollars and seventy-five hundredths of a dollar (\$42,142.75) to complete contracts now in force on state roads.....	460	472	550	613	614	749	749
321.	Mr. FREDENBERG: An act defining the crime of assault and battery and providing punishment therefor.....	599	601	622				
323.	Substituted by COMMITTEE ON PRIVILEGES AND ELECTIONS for H. B. 99: An act relating to, regulating and providing for the nomination of candidates for public office in the State of Washington by primary elections and providing penalties for the violation thereof.....	569	{ 596 } { 928 }				{ 826 } { 882 }	
327.	Mr. CAMERON: An act to amend section 1 of an act entitled "An act relating to electric railroads, street and other electric railroads 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.".....	569	594	775	827	827	881	904
328.	Mr. REID: An act relative to the examination of the books, accounts and methods of business used and employed in the various state offices.....	599	*603	688	788		{ 793 } { 801 } { 882 }	
335.	Mr. PEDDYCORD: An act to promote the safety of employes and travelers upon railroads by requiring and compelling all railroads operating in this state to provide all cars with automatic couplers, air brakes and hand brakes, and automatic power brakes on all railroad cars, tenders and engines operating in this state, to prohibit the use of any defective cars or engines, to prohibit the running of trains over defective tracks, bridges or other structures, directing and requiring railroads operating in this state to report all accidents to the Railroad Commission of Washington,.....	785	797	854				
336.	Mr. ABRAMS: An act relating to the selection of jurors in superior courts of the state and declaring an emergency.....	746	771					
337.	Mr. TROY: An act to amend section 23 of an act to establish a railroad commission for the State of Washington, whereby discrimination and extortion in railroad and express charges may be prevented and reasonable and just freight and passenger service and tariff may be corrected and established; to authorize the commission to make all necessary rules and regulations for its government, and the carrying into effect the provisions of this act.....	697	702	773	{ 828 } { 969 }	{ 829 } { 999 }	{ 832 } { 847 }	{ 920 } { 1011 } { 1012 }

*Reference to H. B. 223.

340.	Mr. ROMAINE: An act authorizing cities to regulate and control the operations and the compensation and charges of telephone systems	921						
347.	Mr. STEVENSON: An act for the relief of Skamania county, and making an appropriation,	797	876	890	890	890		
349.	Mr. COLES: An act providing for the annexation to cities of the first class, unincorporated territory contiguous thereto and declaring an emergency	882		964	964	1007	1008	
357.	Mr. H. F. JACKSON: An act authorizing city officials in cities of the first class to close their offices Saturdays at 1 o'clock in the afternoon	770	784					
362.	Mr. ABRAMS: An act to repeal and repealing sections 160 and 161 of the Penal Code of the State of Washington as confined and annotated by William Lair Hill, the same being sections 7319 and 7320, respectively, of Ballinger's Codes and Statutes of Washington.	697	987					
363.	Mr. WADE: An act granting additional power to cities of the second, third and fourth classes, giving such municipalities power to exact bonds from persons or corporations obtaining franchises, and providing for the appointment and confirmation of boards of park commissioners by the mayor and council, and authorizing the levy of a tax for park purposes, and giving city councils the power to annex territory for park or other municipal purposes and providing for the selection of the mayor in the case of a vacancy.	909		1003	1004	1011	1012	
366.	Mr. McCOR: An act amending section 8174 of Pierce's Washington Code, relating to the time, method and place of sales of state, school and granted lands, materials thereon and leases thereof, and regulating the manner in which other public lands and leases shall be sold	785	857	887	887	929	988	240
373.	Mr. GOVAN: An act providing for the protection of owner or lessees of second class tide lands, on which they are propagating and cultivating clams, and declaring the taking of clams from such lands by other persons without permission, a misdemeanor and providing a penalty therefor	784	741	854	952	952	1007	1008
374.	Mr. COSGLETON: An act for the relief of R. Stevenson, of Spokane county, State of Washington, and making an appropriation therefor.	746	771	876	985	985	1007	1008

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 of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House.....	Signed by President of Senate...
380. JOINT COMMITTEE ON GAME AND GAME FISH: An act for the preservation, propagation, protection, taking, use and transportation of game animals, game birds and game fish, and certain harmless birds and animals, and fixing penalties for the violation thereof.	902							
386. JOINT COMMITTEE ON GAME AND GAME FISH: An act to provide for the extermination of cougar, wild-cat, lynx, bear, coyote, coon, skunk and other wild animals that prey upon game animals and game birds, for the payment of bounties for such extermination, providing penalties and making an appropriation therefor.....	908	920						
388. Mr. BASSSETT: An act relating to the sale of intoxicating liquors, fixing a state license fee, and providing a punishment for the violation thereof.....	902	921		962	962		1007	1008
390. Mr. GODMAN: An act amending section 9 of an act entitled "An act to provide for the manner of commencing civil actions in the superior courts, and bringing the same to trial," approved March 15, 1893.....	950	956						
392. Mr. GODMAN: An act amending the Code of Civil Procedure and designating the place for the commencement and trial of civil actions in certain cases.....	952	956						
394. Mr. McDONALD: An act to amend section 5 of an act entitled "An act in relation to estrays, providing for their detention, registration and sale, and prescribing penalties for its violation," approved February 16, 1905.....	952	956						
397. Mr. BEERE: An act relating to the certification of teachers in cities employing four hundred or more teachers in the public schools thereof.....	911	919		999	999		1018	1014

403.	Mr. ROMAINE: An act to amend section 5 of "An act to authorize the Fish Commissioner to make research for the purpose of enforcing the fish laws of the State of Washington," approved March 9, 1893, being section 5237 of Pierce's Washington Code.	909	*920	1004	1004	1011	1012
404.	Mr. TROY: An act to provide for the sale of certain state tide lands situate in Jefferson county, and to provide for the survey, appraisement and classification, price and manner of sale thereof, and making an appropriation therefor, and providing for the disposition of the proceeds of said sale.	785	797	853	948	949	1008
405.	Mr. TROY: An act providing for the leasing of rights-of-way over any lands of the State of Washington to any persons or corporations for logging purposes and the removal of any timber, and providing for the leasing of any harbor areas and lands of the State of Washington to any persons or corporations for booming purposes, and declaring an emergency.	902	921	1008	1008	1011	1014
409.	Mr. E. P. GILBERT: An act relating to the acquisition of right-of-way for railroads through lands owned by the State of Washington, held for military purposes at American Lake, Pierce county, Washington.	882	893	915	963	992	1008
410.	Mr. E. P. GILBERT: An act authorizing the exchange of certain state lands for other lands now owned by the Commercial Trust Company.	882	893	915	963	1007	1008
413.	JOINT COMMITTEE ON JUDICIARY: An act relating to the superior courts of the counties of Whatcom, Yakima, Kittitas, Benton, Franklin, Adams, Lincoln and Spokane, the election and appointment of judges therein, and declaring an emergency.	638	656	662	663	663	789
414.	Mr. COLLES: An act amending an act providing for the incorporation of trust companies and defining their powers and duties.	902	922				
415.	Mr. HANSON: An act authorizing and empowering cities of the first class to create and establish a building department and defining its duties and powers.	952	956				
416.	Mr. TAYLOR: An act making it unlawful for any railroad and other transportation companies doing business in the State of Washington to require any employee to purchase of any such company or of any particular person, firm or corporation, or at any particular place or places, the uniforms or other clothing or apparel required by any such railroad or other transportation companies to be used by such employees.	902	922	964	964	1007	1008

* Reference to H. B. 402. + Reference to S. B. 413.

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 of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House.....	Signed by President of Senate...
417. MR. HALTSMAN: An act to amend sections 2, 3, 7 and 10 of chapter 97 of the Session Laws of 1903 of the State of Washington, approved March 14, 1903, being "An act providing for the incorporation and regulation of mutual fire insurance companies and associations," amended by chapter 71 of the Session Laws of 1905.	950	957	.....	998	998	.....	1011	1012
418. MR. McMASTER: Any act creating a State University Permanent Fund, a State University Current Fund, and repealing section 16 of an act approved March 27, 1890, entitled, "An act in relation to the establishment and government of the University of the State of Washington".....	746	771	856	900	900	891	998	940
420. MR. SLAYDEN: An act providing for the appointment of one additional judge of the superior court of the State of Washington in and for the county of Pierce, fixing the term of office of the judge appointed and providing for the election of four judges of said superior court at the general state election in November, 1908, and every four years thereafter, and declaring an emergency.....	599	602	688	803	808	.....	908	904
430. COMMITTEE ON MEDICINE, SURGERY, DENTISTRY AND HYGIENE: An act to amend an act entitled, "An act to preserve from pollution the water supplied to the inhabitants of cities and towns in the State of Washington; to declare what are nuisances in the vicinity of the source of such water supply; providing for the abatement thereof, and for the punishment of the violations of this act, approved March 13, 1899," and declaring an emergency.....	785	797	913	999	999	.....	1011	1012
455. MR. TONKIN: An act for the relief of C. W. Saunders.....	929	957	.....	.....	.....	.....	.....	.....
456. COMMITTEE ON MUNICIPAL CORPORATIONS OF THE FIRST CLASS: An act to provide for the filling of private property in cities of the first class, where necessary as a sanitary measure.....	882	893	.....	965	965	.....	1006	1008

461.	APPROPRIATIONS COMMITTEE: An act making an appropriation for postage, express and incidental expense of the State Library...	746	771	{ 858 } { 955 }	980	940	{ 980 } { 989 } { 941 } { 950 }	969	979
462.	APPROPRIATIONS COMMITTEE: An act making appropriations for the maintenance of the sundry expenses at the various state institutions, schools and state offices, and for the sundry civil expenses of the state government for the fiscal term beginning April 1, 1907, and ending March 31, 1909.	928			980	940			
464.	MR. GRIFFIN: An act authorizing county commissioners to grant to persons, companies or corporations the right to lay down, maintain and operate in, along and upon any and all of the public highways within their respective counties in the State of Washington, pipes and conduits for the purpose of conducting water therein, and declaring an emergency.	902	922		982	998	1011	1018	1014
465.	Messrs. RANCK and BLACKMORE: An act for the relief of Clarke county, Washington, and making an appropriation.	902	922	917	980	980		1007	1008
467.	COMMITTEE ON ROADS AND BRIDGES: An act providing for the establishment, construction and maintenance of state roads and making appropriations for state roads heretofore established.	784	741	764	805	805	{ 805 } { 847 }	988	940
468.	COMMITTEE ON ROADS AND BRIDGES: An act providing for the survey of certain proposed state roads, by the State Highway Commissioner, and a report on the feasibility of the same, and making an appropriation therefor.	784	741	766	805	805		906	908
469.	COMMITTEE ON ROADS AND BRIDGES: An act to provide for the improvement of the public highways, providing for the payment of cost thereof in part out of the public highway fund of this state, and in part out of the general road and bridge fund, district road fund and property benefited, and making an appropriation therefor.	784	741	766	805	805	805	929	930
471.	MR. DRICKSON: An act amending section 371 of Ballinger's Annotated Codes and Statutes of Washington, relating to public printing in counties.	746	772	875	995	995		1011	1012
473.	MR. JOHNSON: An act providing for the selection of jury lists and juries in Justice's courts in precincts other than those located in cities of the first and second classes.	902							

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 of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House.....	Signed by President of Senate.....
477. Mr. MILLER: An act empowering boards of county commissioners to make exhibits of the products of their respective counties at the Western Washington Interstate Fair to be held at Centralia in the months of September, 1907 and 1908, and to appropriate money from the county current expense fund to meet the expenses of exhibits	902	922						
485. JOINT APPROPRIATIONS COMMITTEE: An act relating to the improvement of the Columbia and Snake rivers and making an appropriation	828	843	971	970	970	886 } 923 } 959 }	1006	1908
487. Mr. GREGG: An act relating to the enumeration of the inhabitants of cities of the first class.....	929	957						
490. Mr. McDONALD: An act to amend section 1 of an act entitled, "An act for the protection of farmers, ranchmen, herders of cattle, tavern keepers, and livery and boarding house stable keepers and other persons, for herding, keeping, pasturing, feeding and caring for stock, and declaring an emergency," approved March 4, 1891, and relating to the protection of persons supplying provisions, fodder or feed for the sustenance of stock.....	903	923						
492. JOINT COMMITTEE APPOINTED TO INVESTIGATE THE OFFICE OF STATE LAND COMMISSIONER: An act relating to Board of State Land Commissioners and amending section 2130 of Ballinger's Annotated Codes and Statutes of Washington, relating to the creation of 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, and defining its duties, and declaring an emergency.....	828	844		867	867	866 } 869 } 902 }	929	950

493.	(Substituted by APPROPRIATIONS COMMITTEE for H. B. 45.) An act authorizing the State Treasurer to call in and pay the warrants drawn upon the "State Normal School Fund," provided for by the Legislature, approved March 7, 1895, and appropriating money for the same	952	956	954	961	961	1015	1007	1008
494.	APPROPRIATIONS COMMITTEE (Substituted for H. B. 214) : An act making appropriations for certain deficiencies, the payment of certain judgments, the relief of certain persons, and other purposes.....	909	920						
495.	JOINT COMMITTEE APPOINTED TO INVESTIGATE THE LAND OFFICE: An act amending sections 2134, 2135, 2146 and 2179 of Ballinger's Annotated Codes and Statutes of Washington, and sections 2141, 2142, 2145, 2183 and 2192 of volume three (supplement) of Ballinger's Annotated Codes and Statutes of Washington, relating to the selection, survey, management, reclamation, lease and disposition of the state's granted, school, tide, oyster and other lands, harbor areas, and to the confirmation and completion of the several grants to the state by the United States	862	865	866	866	866	{ 866 } { 869 } { 802 }	969	976
496.	JOINT COMMITTEE APPOINTED TO INVESTIGATE THE LAND OFFICE: An act to repeal an act entitled "An act prescribing the ways in which waterways for the uses of navigation may be excavated by private contract, providing for liens upon tide and shore lands belonging to the state, granting rights-of-way across lands belonging to the state," approved March 9, 1893.....	828	843				869		
497.	JOINT COMMITTEE APPOINTED TO INVESTIGATE THE LAND OFFICE: An act to amend section 6 of an act entitled "An act creating 'The State Land Commission,' to define the duties and provide for assistance for, and fix the compensation of the Commissioner of Public Lands, and declaring an emergency," approved March 27, 1890, and providing for the giving of a good and sufficient bond by the Commissioner of Public Lands, and by the auditor and cashier of the office of Commissioner of Public Lands, and declaring an emergency	828	843	868	868	868	{ 866 } { 869 }	906	608
498.	JOINT COMMITTEE APPOINTED TO INVESTIGATE THE LAND OFFICE: An act relating to improvements made on state lands, defining the duty of the Board of State Land Commissioners in appraising the same and declaring an emergency.....	828	843	867	867	867	866	908	908
499.	JOINT COMMITTEE APPOINTED TO INVESTIGATE THE LAND OFFICE: An act relating to the Board of State Land Commissioners.....	828	843	869	869	869	{ 866 } { 869 }	906	908

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 of committee.....	Third reading and amendments.	Vote on final passage.....	Other action on bill.....	Signed by Speaker of House.....	Signed by President of Senate....
500. Mr. MCCOY: An act to amend section 3 of an act entitled "An act creating the office of Public Printer; providing for the appointment thereof and qualifications of said officer; providing for the public printing and binding, fixing the compensation thereof, and declaring an emergency," approved March 11, 1903.....	908	957		1000	1000		1011	1012
501. Mr. MILLER: An act appropriating the sum of three thousand five hundred dollars, or so much thereof as may be necessary to pay for printing ordered, or which may be ordered by the Tenth Legislature or either branch thereof.....	882	893		1001	1002	894	1011	1012
502. JOINT COMMITTEE APPOINTED TO INVESTIGATE THE LAND OFFICE: An act relating to the duties of state officers and providing a manner in which said state officers shall deposit money or its equivalent in their possession belonging to the State or which may in its course of business become the property of the State, and providing a penalty.....	910	920		967	968			

HISTORY OF SENATE JOINT MEMORIALS.

NUMBER, AUTHOR AND SUBJECT.	Read first 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.
1. SENATOR STEVENSON: Memorializing the Congress of the United States, relating to the improvement of the Columbia and Snake rivers.....	134	194			206			568
2. SENATOR BLAIR: Memorializing the Congress of Commerce and Labor of the United States in relation to the establishment of lights and fog-horns, etc., on the waters of Puget Sound and Straits of San Juan archipelago.....	318				562	532	562	568
3. SENATOR VENESS: Memorializing the Congress of the United States in relation to navigation of the Cowlitz river and its tributaries, etc., etc.....	318	770						
4. SENATOR MCGREGOR: Memorializing the Congress of the United States in relation to an appropriation for the release of Martin Meulin and others for losses sustained in the Nez Perce Indian war in 1877, etc.....	600							
5. SENATOR GUNN: Memorializing the President of the United States and the Secretary of the Interior in regard to certain townships of land within the Reclamation Act of 1902, etc.....	702		886	886	938 } 966 }	938 } 966 }	966	969
6. SENATOR GUNN: Memorializing Congress for the plating, opening and sale of the surplus or unallotted lands of the diminished Colville Indian Reservation....	859		860	860	938 } 966 }	938 } 966 }	966	969

HISTORY OF HOUSE JOINT MEMORIALS IN THE SENATE.

NUMBER, AUTHOR AND SUBJECT.	Received from House	Read first and second time and referred	Report from committee	Third reading and amendments.	Vote on final passage	Signed by Speaker of house	Signed by President of Senate
1. MR. WEBER: Memorializing the Congress of the United States in relation to the improvement of the Columbia and Snake Rivers.	192	202	202	202	203	318	320
2. MR. GACHES: Memorializing the Congress of the United States in relation to the lease and sale of lands in the Swinomish Indian reservation in the State of Washington.	318	330	377	410	410	478	480
3. MR. SMALLLEY: Memorializing the Congress of the United States relative to the construction of highways in the forest reserves in this state.	220	242	377	410	410	478	480
4. MR. GOVAN: Memorializing the Congress of the United States in relation to the opening of Makah Bay Indian reservation.	368	385	450	475	476	563	564
5. MR. SMALLLEY: Memorializing the President and the Congress of the United States in relation of location of lands by script location.	358	357	449	476	476	665	665
6. MESSRS. SMALLLEY and HALTEMAN: Memorializing the President and Congress of the United States in relation to the entry of agricultural lands within forest reserves.	635	657	698	804	804	904	904

SENATE CONCURRENT RESOLUTIONS.

NUMBER, AUTHOR AND SUBJECT.

Presented in Senate.....	Report of Committee.....	Action in Senate.....	Message from House.....	Other action in Senate.....
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1. Senator KLING: That a joint committee of two members on the part of the Senate and three members on the part of the House be appointed to notify the Governor that the Legislature is in session and ready to receive any communication he may have to make.....
2. Senators STEVENSON and PAULHAMUS: Relating to the death of Senators Russell and Stewart, fixing date for memorial services and appointing a committee to arrange for same, two members from the Senate and three from the House, and instructing Secretary of the Senate to transmit a copy of the resolution to the families of deceased Senators.....
3. Senator POLSON: Providing for a forty-day session of the Legislature.....
4. Senator KLING: Providing for a joint session of the Legislature to hear the Governor's message.....
5. Senator DAVIS: In relation to publishing a private legislative manual.....
6. Senators STEVENSON, PAULY and HUTSON: Relating to joint action by the States of Washington, Oregon and Idaho for improving the Columbia and Snake Rivers.....
7. Senators STEVENSON and PAULHAMUS: Changing date of memorial services from January 18 to January 23, and changing place from the Senate chamber to the House chambers for Senators Russell and Stewart.....
8. Senator BOONE: Relating to reciprocal demurrage.....
9. Senator KLING: Extending invitation to Mr. S. C. Lancaster of the National Good Roads Association to address Legislature Tuesday evening, February 4, 1907.....
10. Senator PAULY: Calling upon the heads of the institutions of higher education in the State of Washington to furnish the appropriations committee of the Legislature with an itemized list of their expenditures.....
11. Senator KNICKERBOCKER: Providing for the appointment of a joint committee to investigate the office of the Commissioner of Public Lands.....
12. Senator PIPEK: Providing for the purchase of a flag for use on the capitol building.....

SENATE CONCURRENT RESOLUTIONS.—CONTINUED.

	NUMBER, AUTHOR AND SUBJECT.	Presented in Senate	Report of Committee	Action in Senate	Message from House	Other action in Senate
13	COMMITTEE ON RULES: Requiring the secretary of the Senate and the chief clerk of the House to transmit copies of certain amendments with bills passed.	371		371		
14	COMMITTEE ON ELECTIONS AND PRIVILEGES: Relative to the appointing of a committee consisting of the Governor, Secretary of State and the State Auditor to examine the advisability of procuring voting machines for elections.	416		416		
15	Senator PAULHAMUS: Providing for the Tax Commission to bring a test case against certain insurance companies.	446		446		
16	COMMITTEE ON RULES: Relative to the withdrawal of H. B. 74 and 78 from the hands of the Committee on Enrolled Bills in the House.	491		491	532	
17	Senator CONDON: Providing for the adjournment of the legislature from Thursday, February 21, to Monday, February 25.	526		526	532	536
18	Senators KNICKERBOCKER and SCOTT: Extending the time of the investigating committee of the office of the Commissioner of Public Lands to March 11, 1907.	671		671	697	
19	COMMITTEE ON APPROPRIATIONS: Relating to the introduction of Senate Bill 321 by Senate Committee on Appropriations and Senate Bill 322 by the Joint Committee on Appropriations, being the Omnibus Appropriation Bills.	880		880	882	
20	Senator PRESSBY: Relative to the free conference committee of the House and Senate, being committee to introduce a new bill in the Senate in place of House bill 323 and Senate Bill 32.	895		895	902	
21	Senators BLAIR and REED: Relative to the ladies of the Grand Army of the Republic and Women's Relief Corps serving luncheon in the corridor on the last night of the session.	928		928	984	951
22	Senator KLINE: Providing for an investigation of forest reserves in this state.	950		950	984	996
23	Senator DAVIS: Relative to the absence of Senator Pogue from this session of the Legislature on account of illness.	958		959		1017
24	Senator RUTH: Relative to the disposition of certain furniture owned by the State of Washington, and used by former Legislatures. (Noted as No. 18 — error).	959		959	970	
25	Senator DAVIS: Relative to the appointment of a committee to wait upon the Governor to notify him that the Legislature has completed their work and are ready to adjourn.	1,016		1,017	1,015	1,017

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4. Mr. MEGLER: Providing for the purchase of twelve copies of Pierce's Code for the use of the legislature.....	135	149	149
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