

# HOUSE JOURNAL

OF THE

THIRD LEGISLATURE

OF THE

# STATE OF WASHINGTON.

BEGUN AND HELD AT

OLYMPIA, THE STATE CAPITAL,

JANUARY 9, 1893.

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ADJOURNED SINE DIE, MARCH 9, 1893.

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J. W. ARRASMITH, SPEAKER.

T. G. NICKLIN, CHIEF CLERK.

OLYMPIA, WASH.:

O. C. WHITE, . . . STATE PRINTER.

1893.



# JOURNAL OF THE HOUSE.

## FIRST DAY.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., Monday, January 9, 1893. }  
12 o'clock M.

Pursuant to law, the House of Representatives of the State of Washington met in regular session in the representatives hall in the state capitol at 12 o'clock noon, and was called to order by T. G. Nicklin, chief clerk of the House at the last session of the state legislature.

On motion of Mr. Wheeler, the proceedings were opened with prayer by Rev. J. S. McCallum, of Olympia, Washington.

The following communication from the secretary of state was read:

STATE OF WASHINGTON, OFFICE OF SECRETARY OF STATE,  
OLYMPIA, January 7, 1893.

*To the House of Representatives, State of Washington:*

GENTLEMEN—I have the honor to transmit herewith a certified list containing the names of all persons elected as members of your honorable body at the last general election, as shown by the returns in my office, and the facts as officially certified to me of the result of the election in the Thirty-third representative district.

Very respectfully, ALLEN WEIR, Secretary of State.

STATE OF WASHINGTON, OFFICE OF SECRETARY OF STATE,  
OLYMPIA, January 7, 1893.

I, Allen Weir, Secretary of State of the State of Washington, hereby certify that the annexed lists contain the names of all persons elected as members of the House of Representatives, State of Washington, at the last general election, as shown by the official returns in my office; and that said returns show a tie in the Thirty-third representative district between Wm. W. Gaskill and J. O. Edwards, leaving one seat vacant.

In witness whereof, I have hereunto attached my signature and the seal of the State of Washington.

[SEAL.]

ALLEN WEIR, Secretary of State.

## LIST OF MEMBERS ANNEXED TO CERTIFICATE OF SECRETARY OF STATE.

Representative district	Name of representatives.	Representative district	Name of representatives.	Representative district	Name of representatives.
1.....	SAMUEL DENN.	19.....	A. B. WEED.	36.....	JOHN LEO.
2.....	G. H. COLLIN.	20.....	D. W. PIERCE.	37.....	P. B. EGBERT.
3.....	G. W. TEMPLE.	21.....	C. J. MOORE.	38.....	F. R. BAKER.
	O. B. NELSON.	22.....	R. T. COWAN.		C. P. KELLER.*
4.....	H. W. GREENBERG.		23.....	E. E. EDMONDS.	39.....
	W. H. LUDDEN.	24.....	EUGENE BROCK.	40.....	WILL R. WHITE.
5.....	F. M. TULL.	25.....	J. J. FOSTER.	41.....	L. C. GILMAN.
	R. B. SPECK.*	26.....	A. S. BUSH.	42.....	R. W. WINCHELL.
C. F. WESTFALL.	27.....		C. M. PIERCE.	43.....	R. C. WASHBURN.
6.....	D. F. ANDERSON.	28.....	D. W. MCMURPHY.	44.....	W. P. MCELWAIN.
	THOS. G. MULKEY.	29.....	A. S. MCKENZIE.	45.....	C. L. WEBB.
7.....	J. W. ARRASMITH.		30.....	T. F. MENTZER.	46.....
	E. H. LETTERMAN.	31.....	N. W. BUSH.	47.....	L. H. WHEELER.
8.....	WM. FARRISH.	32.....	JAS. A. KARR.	48.....	J. H. RINEHART.
9.....	F. W. D. MAYS.	33.....	LEVI G. SHELTON.	49.....	J. S. SALLEE.
10.....	S. W. HAMILL.	34.....	C. H. SCOTT.		E. P. HELLIKER.
11.....	A. CAMERON.	35.....	WM. PAYNE.		C. T. ROSCOE.
12.....	R. MERCHANT.*		36.....	F. B. TURPIN.	
13.....	J. J. DURANT.		W. R. HOOLE.		WALTER CROCKETT.
14.....	R. J. NEERGAARD.	37.....	M. KELLY.		M. P. HURD.
15.....	W. N. MCNEW.			[TIE.]	
	JOHN F. GREEN.	38.....	J. A. SHADLE.		J. E. TUCKER.
16.....	H. F. SMITH.	39.....	STEPHEN JUDSON.		M. ANDERSON.
17.....	JOHN B. SMITH.	40.....	FRANK D. NASH.		A. E. MEAD.
18.....	JOHN H. SMITHSON.	41.....	ALMON WOODWORTH.		ALBERT SHERMAN.
	GEO. W. KLINE.	42.....	W. D. E. ANDERSON.		CHAS. I. ROTH.

\*Mr. Merchant's name was corrected to read *J. Merchant*, Mr. Speck's name *R. D. Speck* and Mr. Keller's name *C. F. Keller*.

The roll of members-elect, as certified by the secretary of state, was called, and all of the members answered to their names except Mr. Rinehart, of King county.

Mr. McMillan nominated Mr. Morrison, of King county, for speaker pro tem. No other nominations were made, and the roll was called.

Mr. Morrison received 75 votes, to wit: Messrs. Anderson of

Whitman, Anderson of Whatcom, Anderson of Pierce, Arrasmith, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Neergaard, Payne, Pierce of Lewis, Pierce of Klickitat, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Okanogan, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, White, Wheeler, Winchell, Woodworth — 75.

Mr. Rinehart was absent and not voting.

Mr. Morrison was declared elected as speaker pro tem.

Messrs. McMillan, White and Judson escorted the speaker pro tem. to the chair.

Mr. Mentzer nominated T. G. Nicklin, of Whatcom county, for chief clerk pro tem.

Mr. Shadle nominated J. B. Nation, of Pierce county, as a clerk pro tem.

Messrs. Nicklin and Nation were elected clerks pro tem.

Justice J. P. Hoyt, of the supreme court, was invited within the bar, and administered the oath of office to the members-elect.

Mr. Mead moved that the House proceed to elect a speaker. The motion carried, and Mr. Mead nominated Mr. Hoole, of Clallam county. Mr. Anderson, of Whitman, seconded the nomination of Mr. Hoole.

Mr. Roscoe nominated Mr. Mentzer, of Thurston county. Messrs. Bush of Chehalis, Pierce of Lewis, and Ludden of Spokane, seconded the nomination of Mr. Mentzer.

Mr. Gilman nominated Mr. Judson, of Pierce. Messrs. Mays, Turpin, Leo and Letterman seconded the nomination of Mr. Judson.

Mr. Baker nominated Mr. Burton, of Snohomish. Mr. Scott seconded the nomination of Mr. Burton.

There being no other nominations, the clerk called the roll.

#### FIRST BALLOT.

Mr. Hoole received 30 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Arrasmith, Brock, Bush of Pacific, Cameron, Farrish, Heliker, Karr, Keller, Kelly, Mead, Meany,

Mentzer, Merchant, Morrison, McElwain, McMillan, McNew, Neergaard, Roth, Sallee, Speck, Tucker, Washburn, Webb, Weed, White, Wheeler, and Winchell.

Mr. Mentzer received 21 votes, to wit: Messrs. Bush of Chehalis, Greenberg, Hoole, Hurd, Judson, Ludden, Moore, McKenzie, McMurphy, Nash, Nelson, Pierce of Lewis, Pierce of Klickitat, Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Westfall, and Woodworth.

Mr. Judson received 17 votes, to wit: Messrs. Anderson of Pierce, Cowan, Crockett, Edmonds, Foster, Gilman, Green, Hamill, Kline, Leo, Letterman, Mays, Mulkey, Payne, Shelton, Smith of Okanogan, and Turpin.

Mr. Burton received 7 votes, to wit: Messrs. Baker, Collin, Denn, Durant, Egbert, Scott, and Smith of Douglas.

Mr. Burton voted for Mr. Baker.

No election.

A committee from the Senate appeared on the floor of the House and announced that the Senate was organized and ready for the transaction of business.

The House resumed balloting for speaker.

#### SECOND BALLOT.

Mr. Hoole received 29 votes, to wit: Messrs. Anderson of Whiteman, Anderson of Whatcom, Arrasmith, Brock, Bush of Pacific, Cameron, Farrish, Heliker, Karr, Keller, Kelly, Mead, Meany, Merchant, Morrison, McElwain, McMillan, McNew, Neergaard, Roth, Sallee, Speck, Tucker, Washburn, Webb, Weed, White, Wheeler, and Winchell.

Mr. Mentzer received 22 votes, to wit: Messrs. Bush of Chehalis, Collin, Greenberg, Hoole, Hurd, Judson, Ludden, Moore, McKenzie, McMurphy, Nash, Nelson, Pierce of Lewis, Pierce of Klickitat, Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Westfall, and Woodworth.

Mr. Judson received 18 votes, to wit: Messrs. Anderson of Pierce, Cowan, Crockett, Edmonds, Foster, Gilman, Green, Hamill, Kline, Leo, Letterman, Mays, Mentzer, Mulkey, Payne, Shelton, Smith of Okanogan, and Turpin.

Mr. Burton received 6 votes, to wit: Messrs. Baker, Dunn, Durant, Egbert, Scott, and Smith of Douglas.

Mr. Burton voted for Mr. Baker.

Mr. Rinehart was absent.

No election.

THIRD BALLOT.

Mr. Hoole received 29 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Arrasmith, Brock, Bush of Pacific, Cameron, Farrish, Heliker, Judson, Karr, Keller, Kelly, Mead, Meany, Merchant, Morrison, McElwain, McMillan, McNew, Neergaard, Roth, Sallee, Tucker, Washburn, Webb, Weed, White, Wheeler, and Winchell.

Mr. Mentzer received 21 votes, to wit: Messrs. Bush of Chehalis, Collin, Greenberg, Hurd, Ludden, Moore, McKenzie, McMurphy, Nash, Nelson, Pierce of Lewis, Pierce of Klickitat, Roscoe, Shadle, Sherman, Smithson, Speck, Temple, Tull, Westfall, and Woodworth.

Mr. Judson received 19 votes, to wit: Messrs. Anderson of Pierce, Cowan, Crockett, Edmonds, Foster, Gilman, Green, Hamill, Hoole, Kline, Leo, Letterman, Mays, Mentzer, Mulkey, Payne, Shelton, Smith of Okanogan, and Turpin.

Mr. Burton received 6 votes, to wit: Messrs. Baker, Denn, Durant, Egbert, Scott, and Smith of Douglas.

Mr. Burton voted for Mr. Baker.

Mr. Rinehart was absent.

No election.

FOURTH BALLOT.

Mr. Hoole received 30 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Arrasmith, Brock, Bush of Pacific, Cameron, Farrish, Heliker, Judson, Karr, Keller, Kelly, Mead, Meany, Merchant, Morrison, McElwain, McMillan, McNew, Neergaard, Roth, Sallee, Speck, Tucker, Washburn, Webb, Weed, White, Wheeler, and Winchell.

Mr. Mentzer received 20 votes, to wit: Messrs. Bush of Chehalis, Collin, Greenberg, Hurd, Ludden, Moore, McKenzie, McMurphy, Nash, Nelson, Pierce of Lewis, Pierce of Klickitat, Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Westfall, and Woodworth.

Mr. Judson received 19 votes, to wit: Messrs. Anderson of Pierce, Cowan, Crockett, Edmonds, Foster, Gilman, Green, Hamill, Hoole, Kline, Leo, Letterman, Mays, Mentzer, Mulkey, Payne, Shelton, Smith of Okanogan, and Turpin.

Mr. Burton received six votes, to wit: Messrs. Baker, Denn, Durant, Egbert, Scott, and Smith of Douglas.

Mr. Burton voted for Mr. Baker.

Mr. Rinehart was absent.

No election.

FIFTH BALLOT.

Mr. Hoole received 28 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Arrasmith, Brock, Bush of Pacific, Cameron, Farrish, Heliker, Karr, Keller, Kelly, Mead, Meany, Merchant, Morrison, McElwain, McMillan, McNew, Neergaard, Roth, Sallee, Tucker, Washburn, Webb, Weed, White, Wheeler, and Winchell.

Mr. Mentzer received 22 votes, to wit: Messrs. Bush of Chehalis, Collin, Greenberg, Hurd, Judson, Ludden, Moore, McKenzie, McMurphy, Nash, Nelson, Pierce of Lewis, Pierce of Klickitat, Roscoe, Shadle, Sherman, Smithson, Speck, Temple, Tull, Westfall, and Woodworth.

Mr. Judson received 17 votes, to wit: Messrs. Anderson of Pierce, Cowan, Crockett, Edmonds, Foster, Gilman, Green, Hamill, Kline, Leo, Letterman, Mays, Mulkey, Payne, Shelton, Smith of Okanogan, and Turpin.

Mr. Burton received 8 votes, to wit: Messrs. Baker, Denn, Durant, Egbert, Hoole, Mentzer, Scott, and Smith of Douglas.

Mr. Burton voted for Mr. Baker.

No election.

SIXTH BALLOT.

Mr. Hoole received 27 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Arrasmith, Brock, Bush of Pacific, Cameron, Farrish, Heliker, Keller, Kelly, Mead, Meany, Merchant, Morrison, McElwain, McMillan, McNew, Neergaard, Roth, Sallee, Tucker, Washburn, Webb, Weed, White, Wheeler, and Winchell.

Mr. Mentzer received 23 votes, to wit: Messrs. Bush of Chehalis, Collin, Greenberg, Hurd, Judson, Karr, Ludden, Moore, McKenzie, McMurphy, Nash, Nelson, Pierce of Lewis, Pierce of Klickitat, Roscoe, Shadle, Sherman, Smithson, Speck, Temple, Tull, Westfall, and Woodworth.

Mr. Judson received 17 votes, to wit: Messrs. Anderson of Pierce, Cowan, Crockett, Edmonds, Foster, Gilman, Green, Hamill, Kline, Leo, Letterman, Mays, Mulkey, Payne, Shelton, Smith of Okanogan, and Turpin.

Mr. Burton received 8 votes, to wit: Messrs. Baker, Denn, Durant, Egbert, Hoole, Mentzer, Scott, and Smith of Douglas.



Mr. Burton voted for Mr. Baker.

No election.

SEVENTH BALLOT.

Mr. Hoole received 27 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Arrasmith, Brock, Bush of Pacific, Cameron, Farrish, Heliker, Keller, Kelly, Mead, Meany, Merchant, Morrison, McElwain, McMillan, McNew, Neergaard, Roth, Sallee, Tucker, Washburn, Webb, Weed, White, Wheeler, and Winchell.

Mr. Mentzer received 23 votes, to wit: Messrs. Bush of Chehalis, Collin, Greenberg, Hurd, Judson, Karr, Ludden, Moore, McKenzie, McMurphy, Nash, Nelson, Pierce of Lewis, Pierce of Klickitat, Roscoe, Shadle, Sherman, Smithson, Speck, Temple, Tull, Westfall, and Woodworth.

Mr. Judson received 18 votes, to wit: Messrs. Anderson of Pierce, Cowan, Crockett, Edmonds, Foster, Gilman, Green, Hamill, Kline, Leo, Letterman, Mays, Mentzer, Mulkey, Payne, Shelton, Smith of Okanogan, and Turpin.

Mr. Burton received 7 votes, to wit: Messrs. Baker, Denn, Durrant, Egbert, Hoole, Scott, and Smith of Douglas.

Mr. Burton voted for Mr. Baker.

No election.

EIGHTH BALLOT.

Mr. Hoole received 27 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Arrasmith, Brock, Bush of Pacific, Cameron, Farrish, Heliker, Keller, Kelly, Mead, Meany, Merchant, Morrison, McElwain, McMillan, McNew, Neergaard, Roth, Sallee, Tucker, Washburn, Webb, Weed, White, Wheeler, and Winchell.

Mr. Mentzer received 23 votes, to wit: Messrs. Bush of Chehalis, Collin, Greenberg, Hurd, Judson, Karr, Ludden, Moore, McKenzie, McMurphy, Nash, Nelson, Pierce of Lewis, Pierce of Klickitat, Roscoe, Shadle, Sherman, Smithson, Speck, Temple, Tull, Westfall, and Woodworth.

Mr. Judson received 17 votes, to wit: Messrs. Anderson of Pierce, Cowan, Crockett, Edmonds, Foster, Gilman, Green, Hamill, Kline, Leo, Letterman, Mays, Mulkey, Payne, Shelton, Smith of Okanogan, and Turpin.

Mr. Burton received 8 votes, to wit: Messrs. Baker, Denn, Durrant, Egbert, Hoole, Mentzer, Scott, and Smith of Douglas.

Mr. Burton voted for Mr. Baker.

No election.

## NINTH BALLOT.

Mr. Hoole received 27 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Arrasmith, Brock, Bush of Pacific, Cameron, Farrish, Heliker, Keller, Kelly, Mead, Meany, Merchant, Morrison, McElwain, McMillan, McNew, Neergaard, Roth, Sallee, Tucker, Washburn, Webb, Weed, White, Wheeler, and Winchell.

Mr. Mentzer received 23 votes, to wit: Messrs. Bush of Chehalis, Collin, Greenberg, Hurd, Judson, Karr, Ludden, Moore, McKenzie, McMurphy, Nash, Nelson, Pierce of Lewis, Pierce of Klickitat, Roscoe, Shadle, Sherman, Smithson, Speck, Temple, Tull, Westfall, and Woodworth.

Mr. Judson received 17 votes, to wit: Messrs. Anderson of Pierce, Cowan, Crockett, Edmonds, Foster, Gilman, Green, Hamill, Kline, Leo, Letterman, Mays, Mulkey, Payne, Shelton, Smith of Okanogan, and Turpin.

Mr. Burton received 8 votes, to wit: Messrs. Baker, Denn, Durant, Egbert, Hoole, Mentzer, Scott, and Smith of Douglas.

Mr. Burton voted for Mr. Baker.

No election.

## TENTH BALLOT.

Mr. Hoole received 27 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Arrasmith, Brock, Bush of Pacific, Cameron, Farrish, Heliker, Keller, Kelly, Mead, Meany, Merchant, Morrison, McElwain, McMillan, McNew, Neergaard, Roth, Sallee, Tucker, Washburn, Webb, Weed, White, Wheeler, and Winchell.

Mr. Mentzer received 23 votes, to wit: Messrs. Bush of Chehalis, Collin, Greenberg, Hurd, Judson, Karr, Ludden, Moore, McKenzie, McMurphy, Nash, Nelson, Pierce of Lewis, Pierce of Klickitat, Roscoe, Shadle, Sherman, Smithson, Speck, Temple, Tull, Westfall, and Woodworth.

Mr. Judson received 17 votes, to wit: Messrs. Anderson of Pierce, Cowan, Crockett, Edmonds, Foster, Gilman, Green, Hamill, Kline, Leo, Letterman, Mays, Mulkey, Payne, Shelton, Smith of Okanogan, and Turpin.

Mr. Burton received 8 votes, to wit: Messrs. Baker, Denn, Durant, Egbert, Hoole, Mentzer, Scott, and Smith of Douglas.

Mr. Burton voted for Mr. Baker.

No election.

## ELEVENTH BALLOT.

Mr. Hoole received 27 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Arrasmith, Brock, Bush of Pacific, Cameron, Farrish, Heliker, Keller, Kelly, Mead, Meany, Merchant, Morrison, McElwain, McMillan, McNew, Neergaard, Roth, Sallee, Tucker, Washburn, Webb, Weed, White, Wheeler, and Winchell.

Mr. Mentzer received 23 votes, to wit: Messrs. Bush of Chehalis, Collin, Greenberg, Hurd, Judson, Karr, Ludden, Moore, McKenzie, McMurphy, Nash, Nelson, Pierce of Lewis, Pierce of Klickitat, Roscoe, Shadle, Sherman, Smithson, Speck, Temple, Tull, Westfall and Woodworth.

Mr. Judson received 17 votes, to wit: Messrs. Anderson of Pierce, Cowan, Crockett, Edmonds, Foster, Gilman, Green, Hamill, Kline, Leo, Letterman, Mays, Mulkey, Payne, Shelton, Smith of Okanogan, and Turpin.

Mr. Burton received 8 votes, to wit: Messrs. Baker, Denn, Durant, Egbert, Hoole, Mentzer, Scott, and Smith of Douglas.

Mr. Burton voted for Mr. Baker.

No election.

## TWELFTH BALLOT.

Mr. Hoole received 26 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Arrasmith, Brock, Bush of Pacific, Cameron, Farrish, Heliker, Keller, Kelly, Mead, Meany, Merchant, Morrison, McElwain, McMillan, McNew, Neergaard, Roth, Sallee, Tucker, Washburn, Webb, White, Wheeler, and Winchell.

Mr. Mentzer received 24 votes, to wit: Messrs. Bush of Chehalis, Collin, Greenberg, Hurd, Judson, Karr, Ludden, Moore, McKenzie, McMurphy, Nash, Nelson, Pierce of Lewis, Pierce of Klickitat, Roscoe, Shadle, Sherman, Smithson, Speck, Temple, Tull, Weed, Westfall, and Woodworth.

Mr. Judson received 16 votes, to wit: Messrs. Anderson of Pierce, Cowan, Crockett, Edmonds, Foster, Gilman, Green, Hamill, Kline, Leo, Letterman, Mays, Mulkey, Payne, Shelton, and Turpin.

Mr. Burton received 8 votes, to wit: Messrs. Baker, Denn, Durant, Egbert, Hoole, Mentzer, Scott, and Smith of Douglas.

Mr. Burton voted for Mr. Baker.

No election.

## THIRTEENTH BALLOT.

Mr. Hoole received 27 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Arrasmith, Brock, Bush of Pacific,

Cameron, Farrish, Heliker, Judson, Keller, Kelly, Mead, Meany, Merchant, Morrison, McElwain, McMillan, McNew, Neergaard, Roth, Sallee, Tucker, Washburn, Webb, White, Wheeler, and Winchell.

Mr. Mentzer received 23 votes, to wit: Messrs. Bush of Chehalis, Collin, Greenberg, Hurd, Karr, Ludden, Moore, McKenzie, McMurphy, Nash, Nelson, Pierce of Lewis, Pierce of Klickitat, Roscoe, Shadle, Sherman, Smithson, Speck, Temple, Tull, Weed, Westfall, and Woodworth.

Mr. Judson received 18 votes, to wit: Messrs. Anderson of Pierce, Cowan, Crockett, Edmonds, Foster, Gilman, Green, Hamill, Hoole, Kline, Leo, Letterman, Mays, Mulkey, Payne, Shelton, Smith of Okanogan, and Turpin.

Mr. Burton received 7 votes, to wit: Messrs. Baker, Denn, Durant, Egbert, Mentzer, Scott, and Smith of Douglas.

Mr. Burton voted for Mr. Baker.

No election.

#### FOURTEENTH BALLOT.

Mr. Hoole received 27 votes, to wit: Messrs. Anderson of Whiteman, Anderson of Whatcom, Arrasmith, Brock, Bush of Pacific, Cameron, Farrish, Heliker, Karr, Keller, Kelly, Mead, Meany, Merchant, Morrison, McElwain, McMillan, McNew, Neergaard, Roth, Sallee, Tucker, Washburn, Webb, White, Wheeler, and Winchell.

Mr. Mentzer received 22 votes, to wit: Messrs. Bush of Chehalis, Collin, Greenberg, Hurd, Ludden, Moore, McKenzie, McMurphy, Nash, Nelson, Pierce of Lewis, Pierce of Klickitat, Roscoe, Shadle, Sherman, Smithson, Speck, Temple, Tull, Weed, Westfall, and Woodworth.

Mr. Judson received 18 votes, to wit: Messrs. Anderson of Pierce, Cowan, Crockett, Edmonds, Foster, Gilman, Green, Hamill, Kline, Leo, Letterman, Mays, Mentzer, Mulkey, Payne, Shelton, Smith of Okanogan, and Turpin.

Mr. Burton received 6 votes, to wit: Messrs. Baker, Denn, Durant, Egbert, Scott, and Smith of Douglas.

Mr. Burton voted for Mr. Baker.

Messrs. Hoole and Judson voted for Mr. Arrasmith.

No election.

## FIFTEENTH BALLOT.

Mr. Hoole's name as a candidate for speaker was withdrawn.

Mr. Judson's name as a candidate for speaker was withdrawn.

Mr. Mentzer received 22 votes, to wit: Messrs. Bush of Pacific, Bush of Chehalis, Collin, Greenberg, Hurd, Karr, Ludden, McKenzie, McMurphy, Nash, Nelson, Pierce of Lewis, Pierce of Klickitat, Roscoe, Shadle, Sherman, Smithson, Speck, Temple, Tull, Westfall, and Woodworth.

Mr. Arrasmith received 45 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Anderson of Pierce, Brock, Cameron, Cowan, Crockett, Edmonds, Farrish, Foster, Gilman, Green, Hamill, Heliker, Hoole, Judson, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Merchant, Moore, Morrison, Mulkey, McElwain, McMillan, McNew, Neergaard, Payne, Roth, Sallee, Shelton, Smith of Okanogan, Tucker, Turpin, Washburn, Webb, Weed, White, Wheeler, and Winchell.

Mr. Burton received 7 votes, to wit: Messrs. Baker, Denn, Durant, Egbert, Mentzer, Scott, and Smith of Douglas.

Mr. Arrasmith voted for Mr. Judson.

Mr. Burton voted for Mr. Baker.

Mr. Rinehart was absent.

Mr. Arrasmith having received the votes of a majority of the members of the House, was declared elected speaker.

Messrs. Hoole, Mentzer, Judson and Burton conducted the speaker-elect to the chair, by appointment of the temporary speaker.

On motion of Mr. Mead, nominations for chief clerk were declared in order.

Mr. Mead nominated Mr. T. G. Nicklin, of Whatcom county.

Mr. Baker nominated Lyman Wood, of King county.

There were no other nominations, and the roll was called.

Mr. Nicklin received 70 votes, to wit: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple,

Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Mr. Wood received 5 votes, to wit: Messrs. Baker, Burton, Denn, Scott, and Smith of Douglas.

Mr. Nicklin having received the votes of a majority of the members of the House, was declared elected as chief clerk.

Mr. Anderson, of Whatcom, presented the following resolution, which was adopted, to wit:

*Resolved*, That until otherwise ordered, the rules adopted to govern the House of Representatives of the State of Washington in 1891 be adopted as the rules governing this House.

Mr. Ludden presented the following resolution, which was adopted, to wit:

*Resolved*, That the speaker appoint a committee of five to determine the number of attachés and officers to be elected by the House and to determine the salary to be paid to each.

Mr. Wheeler moved that a committee of three be appointed to notify the Senate that the House is organized and ready for the transaction of business.

The motion carried, and Messrs. Wheeler, Judson and Hoole were appointed as such committee.

On motion of Mr. Hoole, the House took a recess at 3 o'clock until 4:30 P. M.

#### AFTER RECESS.

The House was called to order by the speaker at 4:30; all members present except Messrs. Rinehart, Smith of Okanogan, and White.

The speaker announced the appointment of Messrs. Ludden of Spokane, Brock of Cowlitz, Farrish of Asotin, Wheeler of King, and Turpin of Jefferson, as a committee to report a list of officers and recommend salaries for the same.

Mr. Brock, of Cowlitz, introduced the following resolution, which was adopted:

*Resolved*, That the honorable secretary of state be requested to furnish each member and the chief clerk of the House of Representatives a copy of the Session Laws of 1891, and also a copy of the Journal of the House for the session of 1891, and the two volumes of Hill's Code.

The following communication was received from the secretary of state:

STATE OF WASHINGTON, OFFICE OF SECRETARY OF STATE,  
OLYMPIA, January 7, 1893.

*To the Honorable Speaker of the House of Representatives, State of Washington:*

SIR—In compliance with section 4, article III, Washington state constitution, I have the honor to transmit herewith packages purporting to be election returns for the offices named in section 1 of said article and constitution. Very respectfully,

ALLEN WEIR, Secretary of State.

Mr. Meany, of King, moved that a committee of five be appointed to confer with the members of the Senate relative to a joint session for the purpose of canvassing the vote for state officers.

The motion carried.

The speaker appointed as such committee Messrs. Meany, Nash, Tull, Mays, and Payne.

Mr. Hoole moved that a committee of three be appointed on part of the House to act with a like committee on part of the Senate to wait upon the governor and inform him of the organization of the legislature.

The motion carried, and the speaker appointed Messrs. Hoole, Mentzer and Burton as such committee on part of the House.

Superior Judge John C. Denny, of Snohomish county, was invited within the bar and administered the oath of office to the speaker and chief clerk.

Mr. Neergaard moved that the House proceed to elect a sergeant-at-arms.

The motion carried.

Mr. Neergaard nominated Mr. H. O. Ward, of Whitman county; seconded by Mr. Mead, of Whatcom, and Mr. Nelson, of Spokane.

Mr. Weed, of Yakima, nominated Walter J. Milroy; seconded by Mr. McMillan, of Skagit.

Mr. McNew nominated Mr. John Cody, of Lincoln; seconded by Mr. Mentzer and Mr. Green.

On roll call, Mr. Ward received the following votes, to wit: Messrs. Anderson of Whitman, Anderson of Pierce, Arrasmith, Cameron, Collin, Edmonds, Farrish, Greenberg, Hamill, Heliker, Hoole, Judson, Kline, Letterman, Ludden, Mays, Mead, Meany, Merchant, Mulkey, Nelson, Neergaard, Pierce of Klickitat, Roscoe, Roth, Sallee, Shelton, Sherman, Smith of Douglas, Speck, Temple, Tucker, Tull, Washburn, Webb, Westfall, Wheeler, and Winchell

Walter J. Milroy received the following votes, to wit: Messrs. Anderson of Whatcom, Baker, Brock, Bush of Pacific, Bush of Chehalis, Cowan, Crockett, Durant, Egbert, Foster, Gilman, Hurd, Karr, Kelly, Keller, Leo, Mentzer, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, Nash, Payne, Pierce of Lewis, Shadle, Smithson, Turpin, Weed, White, and Woodworth — 32.

John Cody received the following votes, to wit: Messrs. Burton, Denn, Green, and McNew — 4.

Mr. H. O. Ward having received a majority of all votes cast, was declared elected sergeant-at-arms of the House.

On motion of Mr. Ludden, the House took a recess for fifteen minutes to allow committee on officers an opportunity to prepare their report.

#### AFTER RECESS.

The House was called to order at 6 o'clock P. M.

The committee on officers presented the following report:

#### REPORT OF SPECIAL COMMITTEE ON OFFICERS AND EMPLOYEES.

MR. SPEAKER:

Your committee appointed to prepare a list of officers and employes necessary for the House, respectfully submit the following list and recommend that the officers and employes therein designated be elected and receive the salaries recommended, to wit:

Speaker, chief clerk, assistant chief clerk, reading clerk, journal clerk, docket clerk, enrolling clerk, engrossing clerk, sergeant-at-arms, assistant sergeant-at-arms, doorkeeper, assistant doorkeeper, postmaster, messenger, watchman, assistant watchman, three pages to be elected by the House and one page to be appointed by the speaker, and the various officers and employes shall receive the following salaries: Speaker, \$3 per day extra; chief clerk, \$7 per day; assistant chief clerk, \$6 per day; reading clerk, \$6 per day; journal clerk, \$5 per day; docket clerk, \$4 per day; enrolling clerk, \$5 per day; engrossing clerk, \$5 per day; sergeant-at-arms, \$5 per day; assistant sergeant-at-arms, \$4 per day; doorkeeper, \$4 per day; assistant doorkeeper, \$4 per day; postmaster, \$5 per day; messenger, \$4 per day; watchman, \$4 per day; assistant watchman, \$4 per day; pages, \$2 per day.

We also recommend that the watchmen perform the duties of janitor in addition to their duties as watchmen, and we further recommend that the speaker be allowed a private secretary, who shall be appointed by the speaker and receive \$4 per day. We also recommend that the salaries of the various employes begin at the time they take their oath of office.

W. H. LUDDEN, Chairman.

Mr. Hurd moved to adopt the report.



Mr. Winchell moved to amend by making salary of the docket clerk \$5 per day. Motion lost.

The original motion to adopt the report was carried.

The sergeant-at-arms was sworn in by the speaker.

On motion of Mr. Meany, of King, the House adjourned at 6 o'clock P. M., to meet at 10 o'clock to-morrow.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## SECOND DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Tuesday, January 10, 1893, }  
10 o'clock A. M.

Pursuant to adjournment, the House met at 10 o'clock A. M., and was called to order by Speaker Arrasmith.

Roll was called, and all members answered to their names except Mr. Rinehart, of King county.

Mr. Wheeler reported that the committee of the House appointed to inform the Senate that the House was ready for business had performed that duty.

The Senate committee, through Mr. Easterday, reported ready to meet the House in joint session to canvass the election returns of state officers.

Mr. Sallee, of King, moved that the House proceed to the election of an assistant clerk, which motion carried.

Mr. McMillan, of Skagit, nominated V. J. Knapp for assistant clerk; seconded by Mr. Hurd and Mr. Meany.

Mr. Temple, of Spokane, nominated Mr. F. Z. Alexander, of Spokane; seconded by Mr. Ludden.

Mr. Farrish, of Asotin, nominated Mr. W. M. Chandler; seconded by Mr. Anderson, of Whatcom.

On motion, the clerk was ordered to call the roll, with the following result:

Mr. Alexander received 54 votes, to wit: Messrs. Anderson of

Whitman, Anderson of Pierce, Baker, Bush of Pacific, Bush of Chehalis, Collin, Cowan, Denn, Durant, Edmonds, Egbert, Foster, Gilman, Greenberg, Hamill, Hoole, Judson, Karr, Kelly, Leo, Letterman, Ludden, Mays, Mead, Mentzer, Moore, Mulkey, McElwain, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Lewis, Pierce of Klickitat, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tull, Turpin, Webb, Weed, Westfall, Wheeler, White, Winchell, and Woodworth.

Mr. Knapp received 6 votes, to wit: Messrs. Crockett, Hurd, Meany, Morrison, McMillan, and Washburn.

Mr. Chandler received 15 votes, to wit: Messrs. Anderson of Whatcom, Brock, Burton, Cameron, Farrish, Green, Keller, Kline, Merchant, McKenzie, McMurphy, Roth, Smith of Douglas, Tucker, and Mr. Speaker.

Mr. Alexander having received a majority of all votes cast, he was declared elected.

On motion, the chief clerk was authorized to select an assistant clerk to serve until the arrival of Mr. Alexander.

The chief clerk selected Mr. W. M. Chandler.

Mr. Nash moved that a committee be appointed to inform the Senate that the House will be ready to receive the Senate in joint session for the purpose of canvassing the returns for state officers.

The motion carried, and Messrs. Nash, Judson and Anderson of Whitman were appointed as such committee.

On motion of Mr. Meany, the House proceeded to elect a reading clerk.

Mr. Meany nominated Mr. Harry W. Carroll, of King county.

There were no other nominations, and the roll was called.

Mr. Carroll received 76 votes, to wit: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn,

Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Mr. Carroll was declared elected reading clerk.

Mr. Carroll came forward and the oath of office was administered to him by the speaker.

The committee appointed to act with a committee of the Senate to notify the governor of the organization of the legislature reported that it had performed the duty assigned it.

Mr. Mentzer presented the following resolution, which was adopted:

*Resolved by the House of Representatives, That the Senate be invited to meet in joint session in the hall of the House of Representatives on Wednesday, January 11, A. D. 1893, at 12 o'clock noon, to receive the message of His Excellency Governor Elisha P. Ferry.*

FOR JOURNAL CLERK.

Mr. Mead nominated Mr. N. W. O'Rear, of Jefferson county.

Mr. McKenzie nominated Miss Annie V. Tarbell, of Thurston county.

Mr. O'Rear received 47 votes, to wit: Messrs. Anderson of Whatcom, Bush of Pacific, Collin, Cowan, Crockett, Edmonds, Farrish, Gilman, Greenberg, Hamill, Heliker, Hoole, Hurd, Karr, Keller, Leó, Ludden, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McMillan, McMurphy, Neergaard, Nelson, Payne, Pierce of Lewis, Roscoe, Roth, Sallee, Sherman, Smithson, Speck, Temple, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, and Mr. Speaker.

Miss Tarbell received 29 votes, to wit: Messrs. Anderson of Pierce, Anderson of Whitman, Baker, Brock, Burton, Bush of Chelalis, Cameron, Denn, Durant, Egbert, Foster, Green, Judson, Kelly, Kline, Letterman, Mays, McKenzie, McNew, Nash, Pierce of Klickitat, Scott, Shadle, Shelton, Smith of Douglas, Smith of Okanogan, Tucker, White, and Woodworth.

Mr. O'Rear was declared elected journal clerk.

Mr. O'Rear came forward, and the oath of office was administered to him by the speaker.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., January 9, 1893.

MR. SPEAKER:

I have the honor to transmit herewith Senate joint resolution No. 1, which this day passed the Senate by unanimous vote.

F. J. KINGHORN, Asst. Secretary.

Senate joint resolution No. 1, Relative to appointment of a committee to make arrangements for the inauguration of the state officers, was read.

On motion of Mr. Washburn, the House concurred in the resolution, and Messrs. Meany, Neergaard, Mentzer, Cameron and Judson were appointed as such committee on the part of the House.

Mr. Egbert presented a resolution prohibiting the appointment of any newspaper correspondent to any clerkship in the House.

On motion of Mr. Tull, the resolution was laid on the table.

The House proceeded with the election of officers.

FOR ENGROSSING CLERK.

Mr. Kelly nominated J. B. Nation, of Pierce county.

Mr. Hurd nominated Miss Carrie E. Miller, of King county.

Mr. Nation received 31 votes, to wit: Messrs. Anderson of Pierce, Anderson of Whatcom, Brock, Bush of Pacific, Collin, Cowan, Greenberg, Judson, Kelly, Leo, Letterman, Ludden, Mead, Mentzer, McKenzie, McMurphy, Nash, Neergaard, Nelson, Roscoe, Roth, Shadle, Sherman, Smithson, Speck, Temple, Tucker, Tull, Turpin, Weed, and Westfall.

Miss Miller received 43 votes, to wit: Messrs. Anderson of Whitman, Baker, Burton, Bush of Chehalis, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Hamill, Heliker, Hoole, Hurd, Karr, Keller, Kline, Mays, Meany, Merchant, Moore, Morrison, Mulkey, McElwain, McNew, Payne, Pierce of Klickitat, Pierce of Lewis, Sallee, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Washburn, Webb, Wheeler, White, and Winchell.

Miss Miller was declared elected engrossing clerk.

Mr. Tull was granted temporary leave of absence on account of sickness in his family.

FOR DOCKET CLERK.

Mr. Farrish nominated Miss Nannie Rainwater, of Columbia county.

Miss Rainwater received 75 votes, to wit: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead,

Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Messrs. Rinehart and Tull were absent and not voting.

Miss Rainwater was declared elected docket clerk.

FOR ENROLLING CLERK.

Mr. McMillan nominated Miss Dora Sternberg, of Thurston county.

Mr. Bush, of Chehalis, nominated Miss Alice C. Strohm, of Columbia county.

Miss Sternberg received 58 votes, to wit: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Pacific, Crockett, Denn, Durant, Egbert, Farrish, Greenberg, Heliker, Hoole, Hurd, Judson, Kelly, Kline, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McElwain, McMillan, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Miss Strohm received 18 votes, to wit: Messrs. Bush of Chehalis, Cameron, Collin, Cowan, Edmonds, Foster, Gilman, Green, Hamill, Karr, Keller, Leo, Moore, McKenzie, McMurphy, Payne, Pierce of Lewis, and Tucker.

Miss Sternberg was declared elected as enrolling clerk.

FOR ASSISTANT SERGEANT-AT-ARMS.

Mr. Nash nominated W. J. Milroy.

No other nominations were made.

Mr. Milroy received 75 votes, to wit: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain,

McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Messrs. Rinehart and Tull were absent and not voting.

Mr. Milroy was declared elected as assistant sergeant-at-arms.

FOR DOORKEEPER.

Mr. Mentzer nominated David Lincoln, of Thurston county.

Mr. Tucker nominated I. S. Waldrip, of San Juan.

Mr. Lincoln received 6 votes, to wit: Messrs. Bush of Chehalis, Karr, Mentzer, McKenzie, McMurphy, and Pierce of Lewis.

Mr. Waldrip received 69 votes, to wit: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Merchant, Moore, Morrison, Mulkey, McElwain, McMillan, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Messrs. Rinehart and Tull were absent and not voting.

Mr. Waldrip was declared elected.

FOR ASSISTANT DOORKEEPER.

Mr. Greenberg nominated J. B. Hagan of Spokane county.

Mr. Baker nominated W. A. Lammey of Pierce county.

Mr. Cameron nominated J. W. Willis of Thurston county.

Mr. Hagan received 27 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Bush of Chehalis, Collin, Greenberg, Heliker, Hoole, Keller, Ludden, Mead, Meany, Morrison, McElwain, Nash, Nelson, Roscoe, Sallee, Shadle, Sherman, Speck, Temple, Washburn, Webb, Westfall, White, Wheeler, and Winchell.

Mr. Lammey received 3 votes, to wit: Messrs. Durant, Egbert, and Scott.

Mr. Willis received 42 votes, to wit: Messrs. Anderson of Pierce,

Baker, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Edmonds, Farrish, Foster, Gilman, Green, Hamill, Hurd, Judson, Karr, Kelly, Kline, Leo, Letterman, Mays, Merchant, Moore, Mulkey, McKenzie, McMillan, McMurphy, McNew, Neergaard, Payne, Pierce of Lewis, Pierce of Klickitat, Roth, Shelton, Smith of Okanogan, Smith of Douglas, Smithson, Tucker, Turpin, Weed, Woodworth, and Mr. Speaker.

Mr. Willis was declared elected as assistant doorkeeper.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., January 10, 1893.

MR. SPEAKER:

The president of the Senate has appointed Senators Forrest, Richards and O'Neill to act with a like committee of the house to wait upon the governor and inform him that the legislature is organized and ready to receive any communication he may desire.

F. J. KINGHORN, Asst. Secretary.

FOR POSTMASTER.

Mr. Winchell nominated B. Oxendine, of King county.

Mr. Brock nominated Fred C. Stewart, of Clarke county.

Mr. D. F. Anderson nominated W. A. Hagemeyer, of Thurston county.

FIRST BALLOT.

Mr. Oxendine received 21 votes, to wit: Messrs. Greenberg, Heliker, Hurd, Keller, Ludden, Meany, Morrison, McElwain, Nelson, Roscoe, Sallee, Shelton, Speck, Temple, Tucker, Washburn, Webb, Westfall, White, Wheeler, and Winchell.

Mr. Stewart received 23 votes, to wit: Messrs. Anderson of Whatcom, Brock, Burton, Bush of Pacific, Collin, Cowan, Crockett, Denn, Edmonds, Egbert, Foster, Gilman, Green, Hoole, Mead, Moore, McMillan, McMurphy, Payne, Pierce of Lewis, Pierce of Klickitat, Shadle, and Smith of Okanogan.

Mr. Hagemeyer received 23 votes, to wit: Messrs. Anderson of Whitman, Anderson of Pierce, Cameron, Farrish, Hamill, Judson, Karr, Kelly, Kline, Leo, Letterman, Mays, Merchant, Mulkey, McKenzie, Nash, Neergaard, Roth, Scott, Smith of Douglas, Smithson, Turpin, Woodworth, and Mr. Speaker.

No election, and a new ballot was ordered.

SECOND BALLOT.

Mr. Oxendine received 21 votes, to wit: Messrs. Collin, Greenberg, Heliker, Hoole, Hurd, Keller, Ludden, Meany, Morrison,

McElwain, Nelson, Sherman, Smith of Okanogan, Speck, Temple, Washburn, Webb, Westfall, White, Wheeler, and Winchell.

Mr. Stewart received 28 votes, to wit: Messrs. Anderson of Whatcom, Baker, Bush of Pacific, Bush of Chehalis, Cowan, Crockett, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Mead, Moore, McMillan, McMurphy, McNew, Payne, Pierce of Lewis, Pierce of Klickitat, Roscoe, Sallee, Scott, Shelton, and Tucker.

Mr. Hagemeyer received 24 votes, to wit: Messrs. Anderson of Whitman, Anderson of Pierce, Cameron, Hamill, Judson, Karr, Kelly, Kline, Leo, Letterman, Mays, Merchant, Mulkey, McKenzie, Nash, Neergaard, Roth, Shadle, Smith of Douglas, Smithson, Turpin, Weed, Woodworth, and Mr. Speaker.

No election, and balloting was resumed.

#### THIRD BALLOT.

Mr. Oxendine, received 17 votes, to wit: Messrs. Collin, Greenberg, Heliker, Hoole, Hurd, Keller, Ludden, Morrison, McElwain, Speck, Temple, Washburn, Webb, Westfall, White, Wheeler, and Winchell.

Mr. Stewart received 30 votes, to wit: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Pacific, Cowan, Crockett, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Mead, Meany, Mentzer, Moore, McMillan, McMurphy, McNew, Payne, Pierce of Lewis, Pierce of Klickitat, Roscoe, Sallee, Scott, Shelton, Sherman, and Smith of Okanogan.

Mr. Hagemeyer received 27 votes, to wit: Messrs. Anderson of Whitman, Anderson of Pierce, Bush of Chehalis, Cameron, Denn, Hamill, Judson, Karr, Kelly, Kline, Leo, Letterman, Mays, Merchant, Mulkey, McKenzie, Nash, Neergaard, Roth, Shadle, Smith of Douglas, Smithson, Tucker, Turpin, Weed, Woodworth, and Mr. Speaker.

No election, and balloting was resumed.

#### FOURTH BALLOT.

Mr. Oxendine received 17 votes, to wit: Messrs. Collin, Greenberg, Green, Heliker, Hoole, Hurd, Keller, Ludden, Morrison, Nelson, Speck, Temple, Turpin, Weed, Westfall, Wheeler, and Winchell.

Mr. Stewart received 32 votes, to wit: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Pacific, Cowan, Crockett, Denn,



Durant, Edmonds, Egbert, Foster, Gilman, Mead, Meany, Mentzer, Moore, McElwain, McMillan, McMurphy, McNew, Payne, Pierce of Lewis, Pierce of Klickitat, Roscoe, Scott, Shelton, Sherman, Smith of Okanogan, Washburn, Webb, and White.

Mr. Hagemeyer received 27 votes, to wit: Messrs. Anderson of Whitman, Anderson of Pierce, Bush of Chehalis, Cameron, Farrish, Hamill, Judson, Karr, Kelly, Kline, Leo, Letterman, Mays, Merchant, Mulkey, McKenzie, Nash, Neergard, Roth, Sallee, Shadle, Smith of Douglas, Smithson, Tucker, Tull, Woodworth, and Mr. Speaker.

No election, and balloting was resumed.

FIFTH BALLOT.

Mr. Oxendine received 9 votes, to wit: Messrs. Heliker, Hurd, Hoole, Keller, Morrison, Washburn, Webb, Wheeler, and Winchell.

Mr. Stewart received 44 votes, to wit: Messrs. Anderson of Whatcom, Brock, Burton, Bush of Pacific, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Ludden, Mead, Meany, Mentzer, Moore, Morrison, McElwain, McMillan, McMurphy, McNew, Nelson, Payne, Pierce of Lewis, Pierce of Klickitat, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Okanogan, Speck, Temple, Tucker, Turpin, Westfall, and White.

Mr. Hagemeyer received 21 votes, to wit: Messrs. Anderson of Whitman, Anderson of Pierce, Bush of Chehalis, Cameron, Hamill, Judson, Karr, Kelly, Kline, Leo, Letterman, Mays, Merchant, Mulkey, McKenzie, Neergaard, Smith of Douglas, Smithson, Weed, Woodworth, and Mr. Speaker.

Mr. Baker voted for Mr. Hankey.

Mr. Stewart was declared elected as postmaster.

On motion of Mr. Tucker, the House adjourned until 1 o'clock

P. M.

## AFTERNOON SESSION.

The House was called to order at 1:20 P. M., by the Speaker.

The roll was called; all the members present except Messrs. Rinehart, Smith of Okanogan, and Tull.

W. J. Milroy, assistant sergeant-at-arms, Miss Dora Sternberg, enrolling clerk, Miss Carrie A. Miller, engrossing clerk, Miss Nan-  
nie Rainwater, docket clerk, I. S. Waldrip, doorkeeper, J. W. Wil-  
lis, assistant doorkeeper, and F. C. Stewart, postmaster, came  
forward and were sworn in by the speaker.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., January 10, 1893.

MR. SPEAKER:

I am directed by the Senate to inform the House that the Senate ac-  
cepts the invitation of the House to meet in joint convention to-morrow,  
January 11th, at 12 o'clock M., for the purpose of hearing the message of  
the governor.

ALLEN WEIR, Secretary.

## JOINT CONVENTION.

At 1:30 P. M., the Senate and House of Representatives met in  
joint session in representative hall, to open, canvass, publish and de-  
clare the result of election for state officers.

The speaker of the House presided over the joint session, as-  
sisted by the president and president pro tem. of the Senate.

The secretary of the Senate called the roll, all Senators except  
Mr. Frink answering present.

The roll of the House was called; all of the members present ex-  
cept Messrs. Pierce of Lewis, Rinehart, Smith of Okanogan, and  
Tull.

Senator Rutter presented the following resolution, which was  
adopted.

*Resolved by the Legislature of the State of Washington in Joint Con-  
vention assembled, That the courtesies of the floor of this convention be  
extended to the state officers, state officers elect, ex-members of the legis-  
lature of this state, and the representatives of the press.*

The speaker, in presence of the Senate and House of Representa-  
tives, proceeded to open the returns.





At 3:45 p. m. the joint convention took a recess, on motion of Mr. Meany.

The joint convention was called to order at 5:50 p. m., and the following persons were declared elected:

<i>For Governor,</i>	JOHN H. MCGRAW.
<i>For Lieutenant Governor,</i>	FRANK H. LUCE.
<i>For Secretary of State,</i>	JAMES H. PRICE.
<i>For Treasurer,</i>	OZRO A. BOWEN.
<i>For Auditor,</i>	LABAN R. GRIMES.
<i>For Attorney General,</i>	WILLIAM C. JONES.
<i>For Superintendent Public Instruction,</i>	CHAS. W. BEAN.
<i>For Commissioner Public Lands,</i>	WM. T. FORREST.

Attached is the tabulated election returns showing the result of the canvass.

On motion of Senator Shaw, the joint convention dissolved and the Senate retired.

Mr. Wheeler moved that the House proceed with the election of officers.

Motion lost.

On motion, the House adjourned until 10 o'clock a. m. to-morrow.

J. W. ARRASMITH, *Speaker.*

T. G. NICKLIN, *Chief Clerk.*

## THIRD DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., Wednesday, January 11, 1893. }  
10 o'clock a. m.

Pursuant to adjournment, the House met at 10 o'clock a. m., and was called to order by the speaker.

The roll was called, and all the members answered to their names except Messrs. Collin, Denn, Leo, Rinehart, Smith of Okanogan, Speck, and Tull.

On motion, the reading of the journal was dispensed with.

On motion of Mr. Hoole, the House proceeded with the election of officers.

## FOR MESSENGER.

Mr. Ludden nominated J. B. Hagan, of Spokane county.

Mr. White nominated Miss Minnie McCausland.

Mr. Neergaard nominated Mr. Hagemeyer, of Thurston county.

Mr. McMurphy nominated Jay Agnew, of Lewis county.

## FIRST BALLOT.

Miss McCausland received 20 votes, to wit: Messrs. Burton, Cowan, Crockett, Edmonds, Farrish, Foster, Green, Heliker, Mays, Moore, Mulkey, McKenzie, McNew, Scott, Shadle, Smith of Douglas, Tucker, White, Winchell, and Woodworth.

Mr. Hagan received 17 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Collin, Greenberg, Hoole, Keller, Ludden, Morrison, Nash, Nelson, Roth, Sherman, Smithson, Temple, Webb, Weed, and Westfall.

Mr. Hagemeyer received 17 votes, to wit: Messrs. Anderson of Pierce, Baker, Cameron, Durant, Egbert, Gilman, Hamill, Judson, Kelly, Leo, Letterman, McElwain, Neergaard, Pierce of Klickitat, Turpin, Wheeler, and Mr. Speaker.

Mr. Agnew received 10 votes, to wit: Messrs. Brock, Bush of Pacific, Bush of Chehalis, Karr, Mentzer, Merchant, McMillan, McMurphy, Payne, and Shelton.

No one having received a majority of all the votes cast, the clerk proceeded to call the roll.

## SECOND BALLOT.

Mr. Hagemeyer received 26 votes, to wit: Messrs. Anderson of Pierce, Bush of Chehalis, Cameron, Denn, Durant, Egbert, Farrish, Gilman, Hamill, Judson, Karr, Kelly, Kline, Letterman, Merchant, McMillan, Neergaard, Pierce of Klickitat, Shadle, Shelton, Tucker, Turpin, Wheeler, Woodworth, and Mr. Speaker.

Mr. Hagan received 20 votes, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Baker, Bush of Pacific, Collin, Greenberg, Hoole, Keller, Ludden, Mentzer, Morrison, Nash, Nelson, Roth, Sherman, Smithson, Temple, Webb, Weed, and Westfall.

Miss McCausland received 19 votes, to wit: Messrs. Burton, Cowan, Crockett, Edmonds, Foster, Green, Heliker, Mays, Mead, Moore, Mulkey, McElwain, McKenzie, McNew, Payne, Scott, Smith of Douglas, White, and Winchell.

Mr. McMurphy voted for Mr. Agnew.

No one having received a majority of the votes cast, the clerk proceeded to call the roll.

## THIRD BALLOT.

Mr. Hagemeyer received 44 votes, to wit: Messrs. Anderson of Whitman, Anderson of Pierce, Brock, Burton, Bush of Pacific, Bush of Chehalis, Cameron, Cowan, Crockett, Durant, Egbert, Farrish, Foster, Gilman, Green, Hamill, Judson, Karr, Kelly, Kline, Leo; Letterman, Mays, Mead, Moore, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Lewis, Pierce of Klickitat, Scott, Shadle, Shelton, Smith of Douglas, Tucker, Turpin, Webb, Wheeler, Woodworth, and Mr. Speaker.

Mr. Hagan received 21 votes, to wit: Messrs. Anderson of Whatcom, Collin, Greenberg, Heliker, Hoole, Hurd, Keller, Ludden, Mentzer, Morrison, McElwain, Nelson, Roth, Sherman, Smithson, Speck, Temple, Washburn, Weed, Westfall, and Winchell.

Miss McCausland received 4 votes, to wit: Messrs. Edmonds, Mulkey, McNew, and White.

Mr. Hagemeyer was declared elected messenger, having received a majority of the votes cast.

Mr. Hagemeyer came forward and the oath of office was administered to him by the speaker.

Mr. Pierce, of Lewis, returned to the House and reported present.

Mr. Baker, of Pierce, moved that John O. Edwards, of the Thirty-third district, be allowed a seat in the House.

Mr. Edwards presented his certificate of election, and was sworn in by the speaker.

Mr. Brock, of Cowlitz, moved that election of officers be dispensed with, and that the committee to make arrangements for inauguration be allowed to report. Motion carried.

Mr. Ludden, of Spokane, presented a resolution to invite all judicial and ex-judicial officers, officers and ex-officers of state, and ex-members of the legislature and their families to attend the inaugural ceremonies. Resolution adopted.

Mr. Washburn, of King, moved that the house take a recess of thirty minutes, to 11:30 A. M. Motion carried.

House called to order at 11:30, after recess of half an hour.

Committee on inaugural ceremonies reported as follows:

The joint committee on inaugural ceremonies begs leave to make the following report, and offer the following programme:

It is recommended that the House upon convening shall at once notify the Senate that it is ready to go into joint convention for the purpose of listening to the message of the governor, who will be notified by a joint committee.

It is recommended that the joint convention, after hearing the message, dissolve to listen to the inaugural address of Governor McGraw, which will be delivered from the Senate balcony.

The two houses will then reconvene in their respective chambers.

T. P. DYER, Senate,

R. C. WASHBURN, House,

Joint Committee, Inaugural Ceremonies.

Mr. Hurd, of Skagit, moved adoption of report as read.

Report adopted.

Mr. Washburn moved that a committee be appointed to inform the Senate that the House is ready to meet them in joint convention. Motion carried.

Committee appointed were Messrs. Washburn, Nash, and Ludden.

The committee reported the duty performed, and that the Senate would immediately meet the House in joint session.

#### JOINT SESSION.

The Senate reported for joint convention, and the House announced itself ready to receive them at 12 m.

Joint session was called to order by President Laughton after being introduced by the speaker.

The secretary called the roll of the Senate; the following members were present, to wit: Messrs: Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van Houten, and Van De Vanter.

The clerk called the roll of the House; the following members were present, to wit: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.



Absent: Messrs. Farrish, Heliker, Rinehart, Smith of Okanogan, Smithson, and Tull.

Senator Forrest moved that the committee on inaugural ceremonies be requested to escort Governor Ferry and Governor-elect McGraw to the House for inaugural ceremonies.

Motion carried.

Governor E. P. Ferry and Governor-elect John H. McGraw and the committee entered the House.

President Laughton introduced Governor Ferry and Governor-elect McGraw.

Governor Ferry proceeded to deliver his outgoing message at 12 M., as follows:

#### MESSAGE OF GOVERNOR FERRY.

*Gentlemen of the Senate and House of Representatives:*

When the framers of our state constitution laid the foundation for the noble edifice of law you are here assembled to amplify, vivid as may have been their anticipations of the destiny of our commonwealth, they scarcely could have foreseen the progress in wealth and population that we now witness.

Under the most liberal and inviting conditions, capital has poured in upon us from all quarters to aid the development of our resources, and to profitably distribute our products. The ships of the world have been attracted to our bountiful shores, and the commerce of the orient has been diverted to our seaports. Our transportation facilities by land have been enlarged so as to afford us the benefits of competition between four transcontinental railroad systems. The fame of our virgin wealth, of our sanitary advantages and scenic attractions, of our virility and enterprise, has found its way to all quarters of the globe, drawing thither all classes and all nationalities in quest of homes and health, and the enjoyment of those benefits which it will be your mission to promote.

#### FINANCIAL.

The very able and exhaustive report of the state auditor exhibits the satisfactory condition of fiscal affairs. The annual expenditures since our admission to statehood may seem to be more than were necessary for a new state. We must not, however, lose sight of the fact that large appropriations were required for the erection of public buildings and the establishment of state institutions which will not require repetition. The appropriations for public buildings alone during statehood aggregate \$673,859.

The following financial statement is taken from the report of the auditor:

LIABILITIES.	
Warrants outstanding November 1, 1890 .....	\$234,658 31
Warrants issued November 1, 1890, to October 31, 1892.....	1,735,693 64
Total .....	<u>\$1,970,351 95</u>

Warrants redeemed November 1, 1890, to October 31, 1892 .....	\$1,517,916 71
Outstanding general fund warrants October 31, 1892.....	\$452,435 24
Add bonded debt.....	300,000 00
Apparent state debt October 31, 1892.....	\$752,435 24
Add appropriations unexpended October 31, 1892.....	402,058 28
Estimated deficiencies and amounts audited and allowed by state auditor for which no appropriations have been made.....	228,200 65
Total .....	\$1,382,694 17

## RESOURCES.

Cash on hand, general fund.....	\$18,026 49
Due from counties on delinquent taxes and liquor licenses.....	150,000 00
Estimated receipts from insurance tax, fees and other sources.....	28,500 00
Estimated amount of appropriations not expended, and reverting to the treasury at close of fiscal term.....	177,000 00
Seventy-five per cent. of tax levy for the year 1892, general fund...	500,000 00
	873,526 49
Total estimate including bonded debt.....	\$509,167 68
Deduct bonded indebtedness.....	300,000 00
Total estimated floating debt March 31, 1893.....	\$209,167 68

The estimated floating debt will be more than covered by the balance of the taxes levied for the year 1892, not included in the resources; and when this balance is collected it will not only liquidate the floating debt but will leave a residue of \$13,418 of revenue above expenditures for the period ending March 31, 1893.

The payment of interest upon state warrants tends to deplete the treasury of funds which might be devoted to a better object. While it may not be possible to secure entire release from the payment of interest, yet the amount may be materially reduced by requiring the payment of taxes at an earlier period in the fiscal year. More than three-fourths of the expenses of the state for the fiscal year are incurred and warrants drawn upon the treasury for the payment thereof, before the receipt of any available funds for their redemption. On the first instant no portion of the state tax for the year 1892 had been paid into the state treasury. What I have referred to in regard to the state will apply generally to counties.

Our present revenue law provides that on or before April 15, of each year, county treasurers shall pay to the state treasurer seventy-five per cent. of the state tax levied for the preceding year, the remaining twenty-five per cent. to be paid on or before the first of August. It will be seen, therefore, that the receipt of no portion of the state revenue derived from taxation for any fiscal year can be relied upon until after the expiration of such fiscal year. The remedy for this serious defect in our revenue system must be obvious to all. The assessment and collection of taxes, state and county, should be made within the earliest practicable period after the commencement of the fiscal year.

The rate of taxation for general state purposes, which for the year 1891 was three mills, has been reduced for the year 1892 to two and one-half mills, although the assessed value of property in the state was \$45,373,242

less in 1892 than in 1891. This reduction in the assessed value of property should not be regarded as an indication that there has been any actual depreciation in value. In 1891, several counties, in their anxiety to be first in point of wealth, returned very high assessments. The consequent increased amount of taxes in these counties prevented a repetition of what was to them a costly mistake.

#### LEGISLATION EXPRESSLY REQUIRED BY THE CONSTITUTION.

A number of special provisions in our state constitution are not self-executing in their character, and require legislative action to render them operative. In several cases the enactment of laws to effectuate these provisions is expressly imposed upon the legislature; in others, inferentially, and in others it appears to be left to their judgment and discretion.

#### TOWNSHIP ORGANIZATION.

Your attention is called to section 4, article 11 of the constitution. This provision is clearly mandatory, and it imposes upon the legislature the imperative duty of enacting a general law providing for township organization, regardless of the views or opinions which members of the legislature may entertain as to the policy of this form of local government. The system of township organization is found to have been in existence at a very early day in our history. It has been adopted by a large majority of the states admitted into the union during the present century. The adoption of this form of government will not materially change our present county system. The board of supervisors, comprising a representative from each township or precinct, will constitute a miniature county legislature, performing in a more comprehensive and effective manner the duties now prescribed for the board of county commissioners, excepting such as may be delegated to township boards. By establishing this system of county government we are only carrying out the rule of representation adopted in the nation and in our state. Each state is represented in the congress of the United States. Each county is represented in our legislature, and under township organization each township is represented in the board of supervisors. In addition to this, a body politic is created in each township or precinct, and is clothed with many of the powers now possessed by boards of county commissioners. A general law providing for township organization will, by the terms of the constitution, become operative only in counties wherein a majority of the electors shall, at a general election, express their preference for that system.

#### BUREAU OF STATISTICS, AGRICULTURE AND IMMIGRATION.

It is made the duty of the legislature, by section 34, article 2 of the constitution, to establish in the office of the secretary of state a bureau of statistics, agriculture and immigration. The benefits which will accrue to the state by the establishment of this bureau cannot be overestimated. We desire immigration and the incoming of capital. No better means can be devised to secure these results than the dissemination of statistics proving the exceptional facilities for, and profits of, commerce, agriculture, manufactures and mining, assured within our borders. Information

in regard to our resources, officially indorsed, will be received with more reliance and will be more efficacious than the ordinary literature upon this subject which is circulated.

#### SUITS AGAINST THE STATE.

Section 26, article 2 of the constitution, provides that the legislature shall direct by law in what manner and in what courts suits may be brought against the state. The state is sovereign. Suits, therefore, cannot be instituted against it except by its expressed permission. Controversies have arisen and will arise between the state and individuals. An opportunity for the adjustment of these controversies should be afforded. It may not be wise to open the doors of our courts generally, and permit the state to be made a party defendant in all controversies which may arise; but a law should be enacted permitting suits to be instituted in some court in all cases where no adequate remedy is now provided.

#### REMOVALS FROM OFFICE.

To secure a prompt and faithful administration of public affairs, laws are required for the removal from office of those who fail to discharge their duties with fidelity and integrity. Section 3, article 5 of the constitution, directs that "all officers not liable to impeachment shall be subject to removal for misconduct or malfeasance in office, in such manner as may be provided by law." Legislation in accordance with this provision, and authorizing the removal by the governor of the officers named in article 13, for such causes and under such rules and regulations as may be considered proper, is recommended.

#### ELECTION OF JUDGES OF THE SUPREME COURT.

It is provided by section 3, article 4 of the constitution, that the terms of office of the judges of the supreme court first elected shall be, two for the term of three years, two for the term of five years, and one for the term of seven years. It is further provided that the judges of the supreme court shall be elected at the general state elections, at the times and places designated for the election of state officers; unless some other provisions be made by the legislature.

The terms of office of two of the judges will expire on the second Monday in January, 1895. The next general election referred to will not occur until the Tuesday after the first Monday in November, 1896, being nearly two years after the expiration of the terms of office of the two judges. Therefore, it will be necessary for the legislature, under the power conferred by the constitution, to provide for the election of two judges of the supreme court at the election to be held on the Tuesday after the first Monday in November, 1894.

#### REGULATION OF FREIGHTS AND FARES.

No subject can be brought before you in which our people feel a deeper personal interest than the one referred to in section 18, article 12 of the constitution. By this section the legislature is imperatively required to pass laws to establish reasonable maximum rates of charges for the trans-

portation of passengers and freight; to correct abuses and to prevent discrimination and extortion in the rates of freight and passenger tariffs by the different railroad companies and common carriers in the state. It is also provided in the same section that a railroad and transportation commission may be established and its powers and duties defined.

The legislature at its present session should enact a law in harmony with the directory clauses of this section of the constitution, or it should create the commission referred to. While it is left to the discretion of the legislature to determine which is the wiser policy to pursue, the latitude for action in the premises is such that both steps may be taken at one and the same time. As the provision respecting the establishment of just and reasonable transportation charges is, in its nature, mandatory and direct, while the one relating to the commission is optional or conditional, such a measure may be adopted as will at once comprehend a specific maximum rate schedule, and bring into existence a board of permanent officers of the state, whose duties would be supervisory largely, and whose powers would be defined and limited to the enforcement of the law.

The last legislature adopted the direct method and established rates for the transportation of freight between certain points in the state; but the bill failed to receive executive approval. In legislating upon this subject the rights and interests of all should be carefully considered, and no unjust burdens should be permitted to be imposed upon those who are compelled to avail themselves of the transportation facilities afforded by railroad companies, or other common carriers.

#### MANDATORY PROVISION IN THE CONSTITUTION.

Several of the clauses of the constitution to which reference has been made, apparently leave to the discretion of the legislature the enactment of laws to render them effective. In this connection your attention is directed to section 29, article 1 of the constitution, which is as follows: "The provisions of this constitution are mandatory, unless by express words they are declared to be otherwise."

#### CONGRESSIONAL DISTRICTS.

The present legislature should create two congressional districts in the state, in each of which a member of congress may be elected at the next state election. The congressional apportionment law, approved February 7, 1891, provided that where additional representation was given to any state under that law, the additional representative or representatives could be elected by the state at large at the next state election, and until the legislature should redistrict such state in the manner required by law.

Under this law there were chosen by the whole state at the last election two members of congress. While the present legislature is not imperatively required to redistrict the state, yet to avoid any question which may arise, I deem it advisable that it should be done.

#### REPAYMENT OF DIRECT TAX.

By an act of congress, approved August 5, 1861, a direct tax was apportioned among the several states and territories, and the District of

Columbia. The amount paid by the Territory of Washington was four thousand two hundred and sixty-eight dollars and sixteen cents. By another act of congress, approved March 3, 1891, the secretary of the treasury of the United States is required to return to the various states and territories the amount of taxes respectively paid by them. As a prerequisite to this repayment, the legislature must by resolution accept the amount reimbursed in full satisfaction of all claims against the United States on account of the levy and collection of this tax, and must authorize the governor to receive the amount reimbursed. The passage of a resolution to comply with this law is recommended.

#### EXTENSION OF THE TERM OF OFFICE OF THE HARBOR LINE COMMISSION.

The term of office of the board of harbor line commissioners will, by operation of section 3 of the law creating the board, expire on the 15th instant. The establishment of harbor lines in the navigable waters of all harbors, estuaries, bays and inlets of the state has been retarded by the institution of legal proceedings against the board, enjoining them from establishing harbor lines in several localities. The work of the board is therefore incomplete. To enable them to continue in the discharge of the duty assigned them, an amendment to the law should be enacted prior to the 15th instant, extending the term of office of the members of the board to such future day as may be deemed necessary.

#### DEFECTS AND OMISSIONS IN LAWS.

The judges of the superior court are required by the constitution to report annually, in writing, to the judges of the supreme court, such defects and omissions in the laws as their experience may suggest; and the judges of the supreme court are required to report to the governor such defects as they believe exist. The report of the judges of the supreme court, and several of the judges of the superior court, will be laid before you. They designate many imperfections in our laws, include many valuable suggestions, and point out the requisite amendments. These reports require no amplification on my part. I recommend the enactment of all the legislation that is suggested.

#### ARMED BODIES NOT RECOGNIZED BY LAW.

The organization, maintenance or employment of an armed body of men in this state, for any purpose, by individuals or corporations, is not permissible under our constitution. Legislation providing for an adequate punishment for a violation of the constitution in this respect is recommended. The constituted authorities of the state, with the aid of the militia if necessary, have ample power and ability to protect all persons or corporations in their legal rights; and if these rights are menaced or invaded, appeal should be made to such constituted authorities. A resort to an armed force not recognized by law is a violation of the fundamental principles of our government, and should not be countenanced or tolerated under any circumstances. A bill was passed at the last session of the legislature to enforce the constitutional provision upon this subject, but failed to become a law for want of executive approval.

## THE NATIONAL GUARD.

The national guard is in a commendable state of efficiency and discipline. It is composed of twenty-one companies of infantry and two companies of cavalry. The state may justly entertain feelings of pride and satisfaction that its citizen soldiers in all respects can be compared favorably with those of any other state. Officers and privates are noted for their intelligence, their zeal for the good of the service, and their soldierly conduct. Every fostering encouragement should be given by you to this organization. In emergencies of the past they have rendered valuable aid to the state; in those possible to the future their services would be indispensably necessary to the assistance and support of the civil authorities in enforcing the laws and protecting life and property.

The only objection urged against the organization, of which I am aware, is the expense attending its support. This is not large; and if we contrast it with the value of the services which they may be called upon at any time to perform, it sinks into insignificance. The guards receive no compensation for their services except for a few days in each year, which are designated by law. Aside from this, officers and privates are unremittingly engaged in perfecting themselves in drill, in target practice, in parades, and in the performance of other duties required by law and the rules and regulations of the service, for which they receive no compensation. The obligations of the state to the national guards are far greater than the obligations of the guards to the state.

On the first day of July, 1891, Companies "B," "C," "D," "G" and "I" of the First regiment and Troop "B" were called upon to aid the civil authorities at the Gilman and other coal mines in King county, in maintaining the supremacy of the law, in preserving the public peace and in preventing an apprehended sanguinary collision between an unlawful armed body of men imported into our state and a number of our citizens who had armed themselves in defense of what they conceived to be their lawful rights. The efforts of the guards in preventing any serious conflict were eminently successful. For these services they were entitled to, and received, the approbation of the commander-in-chief.

Encampments of the national guard are required to be held at such times and places as may be ordered by the governor. A permanent place for these encampments has not been selected, nor can such selection be made without legislative action, which at this time would be desirable and economical. Many expenses now incurred at each encampment, owing to a change in location, will be saved by the procurement of permanent camp grounds.

## LANDS GRANTED TO THE STATE.

There were granted to the state by the general government, at the time of our admission, 622,000 acres of land for the establishment and maintenance of a scientific school, of state normal schools; of public buildings at the state capital; of agricultural colleges, and of state charitable, educational, penal and reformatory institutions. These lands were to be selected by the state under the direction of the secretary of the interior from the surveyed, unappropriated public lands of the United States. At

the first session of the legislature a law was enacted creating the state land commission, composed of the secretary of state, auditor and commissioner of public lands, who, with seven agents appointed by the governor under an act approved March 10, 1891, were empowered to select and secure for the state the lands thus granted. The act of 1891 expressly provided that it should not take effect until the rules and regulations referred to should be promulgated by the secretary of the interior. The issuance of these regulations was long delayed. When they were received and the land commission organized, it was ascertained that no appropriation had been made by the last legislature for the compensation of the agents, nor for the payment of the fees which would become due at the United States land offices when application was made to enter the selected lands. By an arrangement made with the agents, payment for their services was postponed until the legislature should convene and make appropriation therefor. The land office fees, amounting to four thousand dollars, have been advanced by two state officers. Appropriations for the reimbursement of these officers, and for the payment of the several amounts due the agents, will be necessary.

On the seventh day of January, 1893, there had been selected three hundred and sixteen thousand five hundred and seventy-five acres, of the appraised value of three million, seven hundred and one thousand, nine hundred and sixty dollars. Equitable apportionment has been made to the several purposes they were intended to aid.

Among the important questions which will come before you at the present session are: What disposition shall be made of these granted lands, and when shall they be disposed of? All these lands will be selected and secured to the state during the next two years. Their aggregate value will approximate seven million dollars. That their value will be largely increased in a few years cannot be doubted. Therefore, the practical financial problem is presented: Shall these lands be disposed of in the near future, and the proceeds accruing from the sale thereof applied to the various objects for which they were granted, or shall they be retained by the state for several years, so that it can realize the enhancement in value which will assuredly follow?

After a very careful consideration of the subject, I have arrived at the conclusion that the retention by the state of these lands for a period of ten years will be highly advantageous from a pecuniary point of view. At the expiration of that period the lands will have increased from one hundred to five hundred per cent. above their present value. If this policy is pursued, some plan must be devised for the construction of buildings at the capital, of a state university and of other institutions for which the lands have been granted. This could be accomplished by means of direct taxation—a plan not to be considered for a moment. The burden would be greater than the people should be called upon to bear. The most judicious step that can be taken, in my opinion, is to issue state bonds, maturing in ten years, to be paid from the proceeds of the sale of the granted lands, the funds derived from the sale of bonds to be apportioned to the several objects for which the lands were granted.



It is plain that such a course will not create an indebtedness against the state which the people will ever be called upon to liquidate by taxation. The proceeds of the sale of only a moiety of the granted lands will suffice for the payment of all bonds which will probably be issued.

If you deem it advisable to adopt this plan, then it will be necessary to submit at the next general election a constitutional amendment permitting an increase of the amount of indebtedness which can be incurred by the state. This amendment should not directly nor permanently change any portion of our present constitution. An independent article should be submitted permitting an increase of the indebtedness for a specific purpose and for a definite amount; which indebtedness should be liquidated by the proceeds of the sale of the granted lands. When the debt thus created is paid, the amendment will no longer be operative, and the present limitations of our constitution respecting the amount of indebtedness which can be incurred will be in full force and effect. The amendment should expressly provide that the proceeds of the sale of the bonds should be applied only for the objects for which land grants were made, and that the proceeds of the sale of the lands should be devoted exclusively to the payment of the bonds.

This would effectually protect the people from taxation for the payment of any part of the indebtedness thus incurred. The proceeds accruing from the sale of the lands would be several million dollars in excess of the indebtedness created; and such excess, or the interest arising therefrom, if such excess were made an irreducible fund to be loaned, could be applied to the support and maintenance of the institutions for which lands were granted. The interest on the bonds could be paid from a fund derived from leasing the agricultural lands and from the sale of timber on timber lands.

It will be perceived that if this policy is adopted no additional burdens by way of taxation will be imposed upon the people; the purposes for which the lands were granted will be carried out; and a fund will be created for the maintenance of those institutions requiring support.

The amendment to the constitution submitted at the last election was in some respects objectionable. To the fact that it was both misrepresented and misunderstood should be attributed its failure to receive the endorsement of the people.

#### STATE CAPITOL BUILDINGS.

In the case of the capitol buildings another course might be pursued. No citizen who has the slightest concern for the dignity of our state, or who would view with pride the substantial manifestation of our prosperity, but must feel chagrined and impatient at the delay experienced in beginning the construction of suitable capitol buildings. With the most expeditious legislation, work cannot be commenced on these structures within two years. If the legislature does not choose to provide for the issuance of bonds, covering loans on the granted lands, in the manner I have suggested, I would direct your attention to section 3, article 8 of the constitution, which enables you to appropriate such a sum of money as may be deemed necessary for this particular purpose. The section I have

cited empowers you to exceed the prescribed limitation of indebtedness, when the single object sought to be accomplished is distinctly specified in the measure you adopt. Clothed with this constitutional power you may pass a law, subject to the acceptance or rejection of the people at the next general election, providing for the expenditures to be incurred in erecting the capitol buildings.

#### OFFICIAL REPORTS.

The reports of state officers, of trustees, regents and other governing bodies of our state institutions, and of the various commissions which have been charged with public duties, are so numerous and voluminous that I am unable to present even a summary of their contents without extending this communication to an unreasonable length. They will all be laid before you in convenient printed form, and will readily enable you to ascertain the progress made in the affairs of state during the past two years, and their present condition. They contain valuable suggestions, to which I especially call your attention.

Harmony has prevailed in the management of all our state institutions, excepting the agricultural college and school of science at Pullman. I am advised that the regents will request an investigation by a legislative committee. This request, if presented, should be granted; and if it is not made, an investigation should be ordered by you.

#### NECESSITY FOR MINING LEGISLATION.

The well ascertained fact that the mountain ranges of the state are stored with precious metals, accentuates the long standing demand for the passage of laws designed to invite the investment of capital and to promote the development of the mining industry. In the reservations of power made to the states on this subject it is the intent of the congressional enactments that a policy similar to the one pervading the federal land laws shall be carried out by the state legislatures, as emergency may dictate. It is now opportune that the legislature of Washington avail itself of the right to provide regulations requiring the locators of mining property to perform, within a reasonable time, the labor necessary to demonstrate the actual character of their claims, while proving thereby their honest purposes as claimants. This would prevent the promiscuous wholesale and irresponsible filing on property which it is not the intention to develop; abolish practices now retarding the prosperity of many mining districts; enlarge the field for legitimate prospecting; concentrate the energies of the prospector; and, finally, stimulate the small investors.

#### OUR PUBLIC ROADS.

Throughout the state and the country generally the attention of all classes is directed strongly to the crying need of good public roads. While the construction of railroads has rendered available large areas for agricultural, mining and other industrial pursuits, the permanent avenues thus established, instead of affording adequate facilities for the transportation to consumers of the various products of the state, emphasize the necessity of a system of perfected country roads which will enable

the producers of all sections to take advantage of the external highways to remote markets. This possible enlargement of opportunity for the productive enterprise of the farm, the orchard, the mill and the mine cannot be enjoyed under present conditions.

Especial hardship is inflicted upon the farmer and fruit raiser by the want of good roads. The cultivation of small fruit products, always in demand at the neighboring markets, and always profitable, is discouraged to such a degree that crops aggregating fortunes are left ungathered every year in many parts of the state. These must be transported by the producer to market, or points of shipment, over the common roads of the country. As the profits to the producer depend to some extent upon the character of the roads over which his products must be transported, and as bad roads cause loss of time, diminished weight and destruction to perishable commodities and an increased cost of transportation, it follows that the farmers of Washington often find they are unable to compete at home with commission houses that ship in bulk from other states. From an economic point of view good roads advantage both producer and consumer.

The laws relating to the construction and improvement of American roads and highways are in the older states substantially the same to-day as they were a hundred years ago; and we have adopted them in our state with little or no improvement. A limited amount of personal labor, and the levy of a small tax annually, have been deemed sufficient for the making and maintenance of roads throughout the country. As a consequence we are reproached, and justly so, with having poorer roads than any other nation in the world. It is true that many nations have been engaged for more than twenty centuries in the construction and improvement of roads, while we are just entering upon the second century of our national existence. Yet our neglect to profit by the abundant object lessons on this subject is not in keeping with that enterprise and progressiveness which have commanded the admiration of all other civilized governments. The time is ripe for the adoption of some plan for the removal of a barrier so obstructive to internal commerce, particularly in this state, where the opening even of rough and unfinished roads has not kept pace with settlement.

Many who have given this subject the fullest consideration have reached the conclusion that the state, through a commission elected or appointed, should assume control of the construction and maintenance of all roads in the state. This would necessitate the raising of an annual tax for road purposes; but such tax would be paid by our people with less reluctance than any other that could be imposed. To secure the same results a state tax would be no greater than the aggregate of taxes required under our present defective system; and state management would in all probability prove more economical and beneficial. As the work of extension and improvement would be apportioned to the several counties in exact relation to the tax derived from each, the argument of possible favoritism, or of the unequal distribution of expenditure and labor, could not avail against this suggestion. The advantage of placing

the roads under the control of the state, with such regulations as would insure wise and effective management will be apparent to those who believe that several counties should act in concert to establish a system of highways constructed on a common design.

In the event that state management is not deemed wise or expedient, then I would recommend a thorough revision of our road laws and the adoption of such amendments as will enable our people to secure what they appear so earnestly to desire.

#### THE WORLD'S COLUMBIAN EXPOSITION.

The World's Columbian Exposition, which will be opened at Chicago on the first of May, is attracting the attention of the world, and both as regards attendance and display will surpass any universal or international affair of like character ever held on this or any other continent. It is a little more than one hundred years since the idea was first conceived of exhibiting at the same time as many of the useful and wonderful, the beautiful and precious products of man and nature as could be gathered. The event marked the beginning of a cosmopolitan acquaintance and friendship between peoples and nations previously separated by national antipathies, and was the first material step in the direction of securing that fruitful peace which is to visit mankind, when the honors and glories once bestowed upon the heroes of war shall be awarded, by common consent, to competitors in the fields of industry.

The American people, by private subscription, government aid and contributions from the several states, have undertaken to surprise and to delight the civilized world with proofs of the superabundance of American resources, the supremacy of American genius, and the grandeur of American generosity. In none of the younger states, and in few of the older ones, has the appeal for cooperation met with such hearty and unanimous response as in Washington. The action of the last legislature in appropriating one hundred thousand dollars to provide for the collection and exhibition of the products and the marvels of our state, has received the unanimous approval of our people. It has excited the admiration of the exposition directory and commission; it has proved to be the subject of much agreeable comment and the occasion of many expressions of good will.

The commissioners, through their executive committee, and the board of lady managers of this state, have labored zealously and successfully to discharge the duties which were assigned to them. Several cities, societies, associations and many enthusiastic citizens are aiding to make our exhibit equal, if not superior, to that presented by any other state. In this endeavor they have a rare fund of resources to draw upon; mines of nearly every character and description, yielding gold, silver, copper, lead and other minerals; rare gems and precious stones; inexhaustible stores of coal and iron; undeveloped quarries of building stone and marble; forests of gigantic trees, exceptional in extent and quality; indigenous floral species in abundance; innumerable varieties of fresh and salt water fish; unexcelled agricultural and vegetable products; fruits which embrace every variety excepting tropical.

No other state has within its borders such a diversity of valuable resources. It does not seem extravagant to anticipate that the Washington display at Chicago will attract unusual attention, and conduce to materially advance the future prosperity of our state.

The appropriation made by the last legislature will no more than suffice for the erection of the state building and the collection and placement of our exhibit, leaving the maintenance thereof during the period of the exposition unprovided for. I recommend an additional appropriation, to insure the beneficial results which should more than compensate the state for its outlay.

#### LEGISLATIVE DUTIES AND POWERS.

No more important duty, nor greater responsibility, can devolve upon an American citizen than when he is called upon to exercise those powers and functions which appertain to him as a member of the legislative department of the government. When the people desire relief from existing wrongs and demand the adoption of a policy which will promote their welfare and prosperity, their appeal is made to the legislative department, and not to the executive or judicial.

The power of the legislature in the enactment of laws is limited only by the constitution of the United States and of this state. Since the commencement of our national existence, graver or more intricate questions have never been presented to the law making power of the general government, and of the several states, than those with which we are at present confronted.

Within a few years past, consequent upon the unprecedented accumulation of wealth on this continent, and the economic changes resultant from invention and enterprise, have arisen problems, offering unexplored fields to the political economist, and demanding the most profound, temperate and patriotic consideration of those upon whom rest the duty of enacting laws. Restrictions on the influence and employment of capital, remedial legislation of a character hitherto unknown in our history, affecting private interests, is demanded by many, and alleged to be imperatively necessary under existing conditions. That our state is not free from evils, which can be minimized or cured by speedy and prudent legislation, must be conceded by all who have investigated the subject; but in my opinion it is doubtful whether it would be a sound, wise or beneficent policy to institute the extreme radical measures advocated by many.

The enactment of unjust or oppressive laws, or the failure to enact just and necessary measures of remedy and relief, engenders in the minds of the people feelings of discontent which may cause them to renounce that veneration and respect for law and government upon which depends the perpetuity of our institutions. When this distrust and its consequent contempt become general among the people, history teaches us that the tendency is to revolutionary and destructive methods. A fundamental principle in all legislation should be, that the rights of all should be protected and the rights of none destroyed, infringed or abridged. Acting in conformity with it, no legislature can fail to acquit itself with credit and to do justice to all classes in our commonwealth.

Of your desire to win that approbation which is so gratifying to those who are truly devoted to their state in serving it; of your capacity to wisely and intelligently continue the structural work of legislation, your limited period of existence will not enable you to perfect, I am fully conscious; and in your labors, beset as they are with vexatious problems, I cordially extend to you one and all the assurance of that sympathy and confidence—so cheering and so helpful to every one struggling onward in the path of duty—which I have never failed to receive from the people whose sovereign interests you represent, and whose sacred rights you are called upon to conserve.

Executive office, January, 11, 1893.

ELISHA P. FERRY.

The following resolution was introduced by Senator Richards, and on his motion was unanimously adopted:

WHEREAS, The Hon. Elisha P. Ferry is about to retire to private life after an administration of the high office of governor characterized by the utmost zeal, wisdom and fidelity; and

WHEREAS, It is meet and fitting that the people of the state should give expression, in an appropriate manner, to their appreciation of his distinguished character and services before he shall have severed his official connection with them: therefore, be it

*Resolved by the Senate and House of Representatives of the State of Washington,* That the Hon. Elisha P. Ferry is entitled to the sincere consideration of the people of the state for his distinguished services to this commonwealth; and

*Resolved further,* That he carries with him in his retirement the confidence, esteem and love of the people of the entire state, irrespective of party, and that we, as the representatives of the said people, wish him health, peace, prosperity and contentment in his retirement, and devoutly pray for him the blessings and protection of Almighty God.

After adoption of the resolution, Governor Ferry expressed his sincere appreciation of the manner in which he had been treated by the legislature and the people of the State of Washington.

The president of the Senate announced that the inauguration of Governor-elect John H. McGraw would take place on the Senate balcony.

#### INAUGURAL ADDRESS OF GOVERNOR MCGRAW.

Governor McGraw then proceeded to deliver his inaugural address, as follows:

*Fellow Citizens of the State of Washington:*

Three years ago the people of this commonwealth were intrusted with full self government. In accordance with the right of choosing for themselves the officials who should administer their public affairs, which was then conferred upon them, they have called upon me to undertake the high duties pertaining to the office of governor.

I am now about to enter upon those duties. I approach them feeling in the fullest degree the responsibility which rests upon me, and reverently asking the guidance of Divine Providence, by which alone I can hope to bear that responsibility as it should be borne, and to successfully discharge the trust which has been reposed in me.

This is a year of historic memories. The nation is about to observe in a fitting manner the four hundredth anniversary of the discovery of this continent. The eyes of the people are cast backward and their gaze is bent upon the events of the past. The earlier history of America is the theme alike of the writer's pen and of the artist's brush. The thought of the country is turned in the direction of historic research. In every state and every city the events that have been recounted, in order that those who live may know the struggles, the failures and the triumphs of those who have lived, and may profit by their experience.

The history of Washington as a commonwealth is before it. Its career is but begun, and the work of its people yet to be performed. In saying this I do not forget the story of the long and stubborn struggle of Washington's pioneers. I do not forget the toilsome journeys which they undertook over mountains and desert, through pathless forests and across unknown rivers, urged forward by that inexplicable impulse which has driven the Aryan ever westward from his home in Central Asia until he has reared his empire on the shore of the great Pacific.

I do not forget the battle which the pioneers waged against the savage and against the forest. I do not forget the days of territorial growth and development, made illustrious by the name of the soldier and martyr, Isaac I. Stevens, and by that of the honored gentleman who has preceded me as governor of the state, Elisha P. Ferry. I forget none of these, but I say that our history as a people lies in the future; that only the preface of the book has been written; that our work will have but begun when Washington has attained a foremost place among the states of the great union.

We have within our borders all that is needed to sustain a vast population. Viewing our magnificent resources, considering the location of our state, which will enable it to secure its share of revenue from the world's mighty commerce, knowing as we do the wealth of our state in mine, in forest and in stream, knowing the richness of our fields as yet unsown, we feel indeed that—

"Atlas here must square again his shoulders  
To bear anew the burdens of a world."

It shall be my earnest endeavor to so discharge the trust that has been reposed in me that it may be said when our history is written that under my administration some progress was made toward the attainment of our great destiny; that it may be said that there was peace and prosperity; that justice was done, and there was good will between man and man, and that nothing was done which would blacken the record or mar the story of the Evergreen State.

JOHN H. MCGRAW.

## DISSOLUTION OF JOINT SESSION.

Senator Dyer moved that the joint convention be dissolved. The motion was carried, and convention dissolved at 1 o'clock P. M.

## HOUSE SESSION RESUMED.

The House was called to order by the speaker immediately after the dissolution of the joint convention.

On motion of Mr. Hoole, the House adjourned until 10 o'clock to-morrow morning.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## FOURTH DAY.

## MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Thursday, January 12, 1893. }  
10 o'clock A. M.

Pursuant to adjournment, the House met at 10 o'clock A. M., and was called to order by Speaker Arrasmith.

The roll was called; all members present except Messrs. Anderson of Pierce, Gilman, Hamill, Heliker, Neergaard, Rinehart, Roth, Smithson, Tull (excused), and White.

The reading clerk began the reading of the journal of the previous session. By motion of Mr. McMillan, of Skagit, further reading of the same was dispensed with.

On motion of Mr. Morrison, the House proceeded to election of officers.

## FOR WATCHMAN.

Mr. Shadle nominated Mr. Hill Harmon, of Pierce county.

Mr. Roscoe nominated Mr. E. G. Hartshorn, of Thurston county.

Mr. Durant nominated Mr. W. C. Gaddy, of Thurston county.

There were no other nominations, and the roll was called.

Mr. Harmon received 49 votes, to wit: Messrs. Anderson of Pierce, Anderson of Whitman, Brock, Collin, Cowan, Crockett,



Farrish, Foster, Green, Greenberg, Hamill, Hoole, Judson, Karr, Keller, Kline, Leo, Letterman, Ludden, Mays, Mead, Merchant, Morrison, Mulkey, McElwain, McMillan, McMurphy, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, and Mr. Speaker.

The following members voted for Mr. E. G. Hartshorn, to wit: Messrs. Burton, Bush of Pacific, Bush of Chehalis, Cameron, and Edmonds—5.

The following members voted for Mr. W. C. Gaddy, to wit: Messrs. Baker, Denn, Durant, Edwards, Egbert, Moore, Smith of Douglas, and Smithson—8.

Those absent or not voting were: Messrs. Anderson of Whatcom, Gilman, Hurd, Kelly, Meany, Mentzer, McNew, McKenzie, Nash, Rinehart, Scott, Smith of Okanogan, Tull, White, Woodworth, and Heliker—16.

Mr. Harmon having received a majority of the votes cast, was declared elected watchman.

FOR ASSISTANT WATCHMAN.

Mr. Hoole nominated Mr. James McDonough, of Clallam county.

Mr. Karr nominated Mr. Perry Watson, of Chehalis county.

Mr. Mays nominated Mr. Wm. R. Trull, of Garfield county.

The roll was called, and the following members voted for Mr. McDonough, to wit: Messrs. Anderson of Whitman, Anderson of Whatcom, Baker, Brock, Burton, Bush of Pacific, Cameron, Collin, Crockett, Denn, Durant, Egbert, Farrish, Green, Greenberg, Hoole, Hurd, Judson, Keller, Ludden, Mead, Moore, Mulkey, McNew, Nash, Nelson, Neergaard, Payne, Pierce of Lewis, Pierce of Klickitat, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker—51.

The following members voted for Mr. Watson, to wit: Messrs. Bush of Chehalis, Cowan, Edmonds, Foster, Karr, Mentzer, McKenzie, McMillan, and McMurphy—9.

The following members voted for Mr. Trull, to wit: Messrs. Anderson of Pierce, Edwards, Gilman, Hamill, Kline, Leo, Letterman, Mays, Merchant, Morrison, and McElwain—11.

Absent and not voting: Messrs. Heliker, Kelly, Meany, Rinehart, Smith of Okanogan, Tull, and White—7.

Mr. McDonough having received a majority of all voting, was declared elected assistant watchman.

FOR PAGES.

Mr. Nash nominated Master Charles C. Clark, of Thurston county; Mr. Tucker nominated Master Willie Dwyer, of Thurston county; Mr. McMurphy nominated Master J. Agnew, of Lewis county; Mr. Sherman nominated Master Guy Sylvester, of Thurston county; Mr. McMillan nominated Master Willie Megary, of Thurston county; Mr. Burton nominated Master Geo. T. Nye, of Thurston county; Mr. Anderson, of Whatcom, nominated Master Thos. Parker, of Thurston county; Mr. Farrish nominated Master Lachlan Macleay, of Thurston county; Mr. Anderson, of Whitman, nominated Master Milton C. Giles, of Thurston county; Mr. Pierce, of Lewis, nominated Master Fred Butterworth, of Thurston county.

On motion of Mr. Judson, the members voted for three pages at one time.

The ballot resulted as follows:

Master Nye received sixty-two votes.

Master Sylvester received forty-two votes.

Master Megary received thirty-four votes.

Master Parker received twenty-three votes.

Master Macleay received twelve votes.

Master Butterworth received eleven votes.

Master Agnew received ten votes.

Master Dwyer received eight votes.

Master Clark received seven votes.

Master Giles received seven votes.

On motion of Mr. Bush, of Chehalis, the three receiving the highest number of votes were declared elected, viz., Masters Nye, Sylvester and Megary.

Master Roy Smith was appointed as the speaker's page.

The watchman, assistant watchman, and four pages appeared at the speaker's desk and the oath of office was duly administered by the speaker.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., January 12, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 1, entitled "An act making ap-

propriations for the expenses of the third legislature of the State of Washington."

And the same is herewith transmitted to the House.

F. J. KINGHORN, Asst. Secretary.

Communication from Governor Elisha P. Ferry, giving a list of pardons, reprieves and remissions of fines, not heretofore reported, made by Lieutenant Governor Laughton during his incumbency of the office of governor, was read; also, one similar from Governor Elisha P. Ferry, as follows:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 11, 1893.

*To the Honorable the Senate and House of Representatives of the State of Washington:*

GENTLEMEN—In accordance with the provisions of section 11, article 3 of the constitution, I submit herewith a list of pardons, reprieves and remissions of fines not heretofore reported, made by Lieutenant Governor Laughton during his incumbency of the office of governor.

Respectfully, ELISHA P. FERRY, Governor.

John Klehn, having been found guilty of the crime of manslaughter, was, on December 20, 1888, sentenced by the judge of the district court of Spokane county to imprisonment in the state penitentiary for the term of three years. Pardon granted April 14, 1891. Petition on file in governor's office, signed by prominent citizens of Spokane county, strongly recommend a full and unconditional pardon. Judge and prosecuting attorney at trial join in same. Papers show that the crime was largely the result of an accident. Prisoner has already served more than two-thirds of his time, and conduct during incarceration has been most exemplary.

Ross McLaren, having been found guilty of the crime of burglary, was, on September 18, 1890, sentenced to imprisonment in the state penitentiary for the term of one year. Pardon granted April 14, 1891. Judge and jurors at trial join in petition for pardon. Conduct during imprisonment unexceptionally good.

Joseph Lister, having been found guilty of manslaughter, was, on December 24, 1889, sentenced to imprisonment in the state penitentiary for the term of two years. Pardon granted April 14, 1891. The prosecuting attorney who conducted the trial and the sheriff and deputy sheriff of Spokane county join in a petition for full pardon to Lister. Physician of penitentiary states that health of prisoner is materially impaired. His conduct during confinement has been exemplary.

Charles Gren, having been found guilty of murder in the second degree, was, on February 28, 1885, sentenced to imprisonment in the state penitentiary for the term of twelve years. Pardon granted April 14, 1891. Papers on file in the executive office show that the crime was largely committed in self defense. The judge who tried the case recommends the unconditional pardon of the prisoner, and officers of the penitentiary join in such recommendation, stating that they believe the ends of justice have been fully met in the case. Conduct of the prisoner during confinement has been such as the most scrupulously exact would entirely commend.

John Brazille, having been found guilty of the crime of highway robbery, was, on December 21, 1887, sentenced to imprisonment in the state penitentiary for the term of five years. Pardon granted April 14, 1891. Petition on file in the executive office, signed by ex-Governor Miles C. Moore, J. T. Boyer, R. M. McCalley, Geo. T. Thompson, Levi Ankeny, J. K. Straight, John L. Sharpstein and other prominent residents of Walla Walla county, strongly recommend executive clemency being extended to the prisoner. From information obtainable it would appear that prisoner was made the dupe of designing par-

ties who themselves were the real culprits. Conduct during confinement has been exceptionally good.

Jarvis F. Reilly, having been found guilty of the crime of robbery, was, on September 4, 1890, sentenced to imprisonment in the state penitentiary for the term of seven years. Pardon granted April 17, 1891. Convicted in superior court of King county for the crime of robbing one Michael C. Cronin of five dollars. Jurors sign petition, stating evidence is very conflicting, leaving grounds for doubt as to correctness of verdict, and that sentence is too severe. Clerk of court corroborates statement of jurors, and a large number of attorneys and citizens of King county join in petition. Conduct of prisoner since incarceration has been uniformly good.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 11, 1893.

*To the Honorable the Senate and House of Representatives of the State of Washington:*

GENTLEMEN—In accordance with section 11, article 3 of the constitution, I beg to submit herewith a list of pardons, reprieves and remissions of fines made by me and not heretofore reported.

Respectfully, ELISHA P. FERRY, GOVERNOR.

Thomas Burke was sentenced on the 6th day of October, 1890, by the judge of the superior court of Jefferson county to imprisonment in the state penitentiary for three years for the crime of burglary. Pardon granted on June 22, 1891, for the following reasons: Burke was afflicted with an incurable disease, likely to prove fatal before the expiration of his term of sentence. The directors, warden and physician of the penitentiary recommend and request that Burke be pardoned, and certify that his "conduct while here has been uniformly good." Pardon granted with the proviso that said Burke should immediately leave the United States and never return thereto. Burke left the United States for an asylum to receive treatment.

"Teias," an Indian, was sentenced by the judge of the superior court of Yakima county to imprisonment in the county jail of said county for the period of six months for an assault, and pay a fine of \$200. Remission granted June 27, 1891. The prisoner having served full term of imprisonment, a large number of prominent citizens of Yakima county, including prosecuting attorney who conducted the case, join in a petition recommending remission of fine; they regarding as sufficient the term of imprisonment already served. "Teias" was a poor man, unable to pay his fine, with a wife, two children and an aged mother to support. Petitioners express their belief in his innocence.

John Norton and John McCarty were sentenced on the 11th day of February, 1890, by the judge of the superior court of the county of Pierce to imprisonment in the state penitentiary for the term of six months, for the crime of robbery. Pardon granted July 16, 1891, for the following reasons: Affidavits of jurors on file show jury stood eight for acquittal and four for conviction, and as a compromise verdict of guilty, with recommendation that court use utmost clemency, was returned; jury believing that court would give minimum sentence, viz., one year; jury deeming such sentence better for defendants than that the jury should disagree and defendants remain in jail awaiting a new trial. Influenced by these circumstances eight jurors in favor of acquittal signed verdict, although believing evidence adduced insufficient to warrant conviction. Petition recommending pardon signed by about one hundred and fifty of the leading citizens of Pierce county, including the judge and prosecuting attorney who conducted the trial, all county officers and nine of the jury (the others being beyond the limits of Washington), on the ground that imprisonment already suffered meets the ends of justice.

J. H. Durie was sentenced on June 23, 1891, by the judge of the municipal court of the city of Tacoma, to imprisonment in the county jail of Pierce county for the term of six months, for the crime of assault and battery. Pardon granted August 4, 1891. The judge who sentenced him and the deputy prosecuting attorney having such cases in charge, after an examination into the matter since sentence was imposed, were of the opinion that sentence was too severe, and therefore ask and recommend that an immediate pardon be

granted. Durie did not appear by an attorney, and no defense was made for him. It appears that at the time the offense was committed Durie was intoxicated, and the court, acting on the supposition that it was a matter of frequent occurrence, imposed a much heavier sentence than he otherwise would have done. The court and prosecuting attorney are now advised on sufficient proof that Durie is not an habitual drunkard, and is not given to committing acts of this character. He has a family of five children, the eldest being eleven and youngest two years old, who are entirely dependent upon him for their living. The mother is a delicate woman unable to care for and maintain the family, and they will soon become a charge on the county or private charity.

Henry S. Van Valin having plead guilty to the crime of forging a \$25 check, was, on the 4th day of December, 1890, sentenced by the judge of the superior court of Pierce county to imprisonment in the state penitentiary for the period of one year. Pardon granted August 13, 1891. The warden of the penitentiary certifies to the good conduct of Van Valin while incarcerated. The judge, prosecuting attorney and prosecuting witness recommend executive clemency. The judge in his recommendation states that at one time he thought of suspending sentence, but finally concluded to give him one year, believing that he would thereby be more thoroughly warned of the result of a career of crime, and believing that the object of such sentence will be fully attained by extending to him a pardon, and also in view of his youth (being but twenty at the time of committing the offense), and believing justice has been fully done, in which reasons and recommendation the prosecuting attorney who conducted the case joins.

Gus Linden having been found guilty of assault and battery, was, on the 8th day of June, 1891, sentenced by the judge of the superior court of Cowlitz county to pay a fine of \$250 and costs (amounting to about \$100), and in default thereof to stand committed until paid. Pardon granted October 1, 1891. Linden now has but \$83 of total amount remaining unsatisfied. A large number of leading citizens, including the judge who imposed sentence, recommend his pardon on the grounds that he has a wife and infant babe dependent upon public charity for their sustenance during his confinement, and for the further reason that they regard as sufficient the imprisonment already suffered, and in their opinion the ends of justice have been fully subserved.

Geo. B. Street having plead guilty to the crime of forging a check for \$10, was sentenced by the judge of the superior court of Spokane county to imprisonment in the state penitentiary for the term of three years. Pardon granted October 2, 1891. It appears that the crime was committed while under the influence of liquor. Prior to the commission of the offense Street had borne a good reputation for honesty and integrity. The judge who imposed sentence and the prosecuting attorney who conducted the case, believing that the ends of justice have been fully subserved by the imprisonment already undergone, now recommend his pardon. Penitentiary officials certify to his good conduct during his incarceration.

Fred Nash having plead guilty to the crime of forging a check for \$50, was, on November 12, 1890, sentenced by the judge of the superior court of Spokane county to imprisonment in the state penitentiary for the term of two years, and that he pay the costs of the prosecution. Pardon granted November 14, 1891. It appears that the crime was committed while Nash, who was a young man, was under the influence of liquors. The penitentiary officials certify to his good conduct during confinement. Prior to the commission of this, his first offense, he bore a good reputation for honesty and integrity. A large number of the leading citizens of Spokane (his residence), including the judge who imposed sentence, the prosecuting attorney who conducted the case, and the prosecuting witness, recommend and request the intervention of executive clemency, they regarding as sufficient the punishment already undergone.

Samuel Allison having been found guilty of the crime of obtaining money (\$30) under false pretenses, was, on the 24th day of July, 1889, sentenced by the judge of the superior court of Pierce county to imprisonment in the state penitentiary for the term of five years. The judge who imposed the sentence, the prosecuting attorney who conducted the case and the prosecuting witness recommend and request the intervention of executive clemency upon the following grounds: *First*, That at the time the crime with which he was charged was committed he was so fully under the influence of intoxicating liquors that he had no recollection whatever of the events surrounding the same. *Second*, That he is broken in health and at an age when the incarceration of another year and a half would

incapacitate him physically to such an extent that he would be wholly unable to provide himself with the necessities of life. *Third*, That they believe the ends of justice have been fully subserved by the imprisonment already undergone. The penitentiary officials certify to his uniform good conduct during his confinement.

Charles R. Hammond having been found guilty of the crime of grand larceny, was, on the 31st day of December, 1890, sentenced by the judge of the superior court of King county to imprisonment in the state penitentiary for the term of two years. A petition was presented requesting the exercise of executive clemency, signed by the prosecuting attorney and officials of King county, the mayor and city officials of Seattle, and a large number of the leading and reputable citizens of Seattle and King county, upon the grounds that they believe he was not guilty of the crime alleged to have been committed by him; that they believe that the ends of justice have been fully subserved by the imprisonment already suffered; that he has a family wholly dependent upon him for their maintenance, and who, since his incarceration, have been in destitute circumstances and dependent upon the charity of friends and neighbors for their sustenance; that he is in failing health, and further incarceration will prove detrimental to him.

Fred Settie having been convicted of an assault, was, on October 28, 1891, sentenced by the judge of the superior court of Lewis county to pay a fine of \$250 and costs, and in default thereof to stand committed to the county jail one day for each two dollars thereof. Pardon granted February 12, 1892. Settie has now been confined for 118 days, a period of time nearly sufficient to satisfy said fine. One hundred and thirty-eight of the leading and reputable citizens of said county, including the board of county commissioners and other officials of said Lewis county, request the remission of that portion of the sentence remaining unsatisfied, believing that the ends of justice have been fully subserved.

Leon L. Du Beau, a young man of 21 years of age, having been convicted of grand larceny (a watch and \$11, total value \$66), was, on the 16th day of February, 1889, sentenced by the judge of the district court of King county to imprisonment in the state penitentiary for the term of six years. Pardon granted February 13, 1892. A large number of the leading and reputable citizens of Seattle and King county, including the judge who imposed sentence, the prosecuting attorney who conducted the case, the county commissioners, sheriff and other officers of said county, unite in a petition requesting executive clemency, they believing that the ends of justice have been fully subserved by the punishment already undergone.

John Morass having been found guilty of the crime of horse stealing, was, on September 22, 1890, sentenced by the judge of the superior court of Whitman county to imprisonment in the state penitentiary for the term of seven years. Pardon granted April 11, 1892, for the following reasons: The penitentiary physician certifies that the physical condition of Morass is such that further confinement will result in the loss of life or limb, or both (he being inflicted with inflammation of hip joint), and the judge who presided at the first trial of Morass states that no evidence was disclosed inconsistent with innocence. A jury, however, found him guilty and the verdict was set aside by the judge as contrary to the evidence and law. The judge states that the verdict should have been not guilty, if the legal presumption of innocence and the benefit of a doubt had been considered. The judge who presided at the first trial now states that he believes Morass innocent, and is absolutely certain that his imprisonment is killing him. Arrangements have been made by friends to have Morass furnished with such care, medical treatment, etc., as may be required, either at St. Mary's hospital or elsewhere, as he prefers.

Thomas L. Skaggs having plead guilty to the crime of larceny, was, on the 2d day of February, 1892, sentenced by the judge of the superior court of King county to imprisonment in the county jail for the term of six months. Pardon granted April 11, 1892. Affidavits and petition on file show that Skaggs was the agent of the Northern Pacific Express Company at Seattle in 1889; that by reason of protracted illness and overwork he was broken down physically and mentally; that immediately after the great fire of 1889 his office was overwhelmed with business, and not having proper facilities and help for the transaction of the business, the books of the office became confused to such an extent that it preyed upon his mind so that he left Seattle. Meantime an indictment was found and filed against him. He gave himself up in about two years and plead guilty to the charge. Affidavits of officials of the company show that he took no money with him, and that many things that were missed and unaccounted for at the time of his flight afterwards

turned up. These affidavits also state it to be the belief of affiants that the alleged larceny was only the result of defective and incorrect bookkeeping, occasioned by the nervous and mental strain of Skaggs, as aforesaid set out. Executive clemency is recommended by the judge who sentenced him, the prosecuting attorney who conducted the case, and a large number of the leading citizens of Seattle, including the officers of the company at whose instance the indictment was found.

Joseph W. Wasson having plead guilty to the charge of embezzlement, was, on June 18, 1891, sentenced by the judge of the superior court of Spokane county to two years' imprisonment in the state penitentiary. Pardon was granted July 1, 1892. It appears from the papers on file that Wasson was under the influence of intoxicating liquors when the crime was committed, and that when he got over his spree he voluntarily gave himself up to the officers. Prior to this, his first offense, he has always borne a good reputation. A large number of the leading citizens of Spokane, including the judge who sentenced him, and the prosecuting attorney who conducted the case, recommend his pardon, believing that the ends of justice have been fully subserved by the imprisonment already undergone. Penitentiary officials certify to his good conduct during confinement.

Charles F. Smith having plead guilty to the crime of grand larceny, was, on the — day of December, 1889, sentenced by the judge of the superior court of Thurston county to imprisonment in the state penitentiary for the term of five years. Pardon granted June 18, 1892. A large number of the leading citizens of said Thurston county have signed a petition requesting executive clemency, believing that Smith has been sufficiently punished for the offense committed and that the ends of justice have been fully subserved, which petition is endorsed by the judge who sentenced Smith, who also states that he has become acquainted with certain facts not known to him at the time he imposed sentence which convinces him that the punishment imposed was entirely too severe.

W. Hartley having plead guilty to the charge of converting an estray horse to his own use, after taking the same up and before the title thereto had vested in him, was, on the 11th day of June, 1892, sentenced by the judge of the superior court of Whitman county to pay a fine of \$300 and costs, and that he stand committed until such fine and costs were paid. Pardon granted August 19, 1892. The judge and prosecuting attorney in the case, together with all the officers of said county, have filed a petition requesting the remission of that portion of the sentence still remaining unsatisfied, on the grounds that said Hartley has a family depending upon him for support, whom he has heretofore maintained without the aid of the county of Whitman; that since the imprisonment of said Hartley, his family, consisting of a wife and four children, have been dependent upon said county for support, and that in the opinion of petitioners Hartly has already paid an adequate penalty for the commission of said crime.

William Kandall having been found guilty of petty larceny without a jury, was, on September 1, 1892, by the judge of the municipal court of the city of Tacoma sentenced to imprisonment in the county jail of Pierce county for the term of thirty days. Pardon granted September 24, 1892. Since his incarceration the assistant prosecuting attorney who conducted the case more fully investigated the same and is satisfied that Kandall is innocent, for which reason he, together with the prosecuting attorney of Pierce county and the judge who imposed sentence, join in a recommendation for pardon.

John Welch having been found guilty of robbery, was, on the 24th day of September, 1890, sentenced by the judge of the superior court of King county to imprisonment in the state penitentiary for the term of seven years. Pardon granted October 10, 1892. On or about the 6th day of September, 1890, one Ole Gosland was robbed in the Minneapolis saloon in Seattle by three men, two of whom, Oakley and Leonard, were captured, the third escaping. On the following day Welch was arrested on suspicion of being implicated with the robbery. Oakley and Leonard plead guilty and were sentenced to imprisonment in the state penitentiary for the terms of seven and one years, respectively. Welch was tried twice and on the second trial was found guilty and sentenced to imprisonment in the state penitentiary for the term of seven years. The officers who arrested Oakley and Leonard, and upon whose testimony Welch was convicted, now make affidavit that they are satisfied that they were mistaken in regard to Welch being connected with the robbery, and believe him innocent. Oakley and Leonard make affidavit that they, assisted by one Malloy (who was never caught), robbed the said Ole Gosland, and that Welch had nothing to do with the commission of the robbery. Gosland makes affidavit that he believes

Welch was innocent of any participation in said felony. Eight of the jurors who convicted Welch express serious doubts as to his guilt. All these persons, together with the judge and prosecuting attorney in the case, recommend the intervention of executive clemency.

John Kelly having plead guilty of the crime of burglary, was, on the 10th day of October, 1892, sentenced by the judge of the superior court of Lewis county to imprisonment in the state penitentiary for the period of six months. Pardon granted November 15, 1892. The facts are substantially as follows: On the night of the 17th of September, 1892, John Kelly, a lad of 19 years of age, shortly after leaving the residence of one Thomas Swafford, where he had been visiting, entered Swafford's store through a broken window and wandered about the store for some little time examining the goods, and striking matches for that purpose. The owner, being concealed in the store during all this time, watched him. Nothing whatever was taken by Kelly, who, in explanation, said he had taken a drink of alcohol, to which he was unaccustomed, and passing the store was seized with a desire to enter without having any definite object. He has heretofore borne a good reputation. The judge, prosecuting attorney and a large number of leading citizens of Lewis county recommend pardon, believing the boy innocent of any felonious intent and sufficiently punished by the imprisonment already suffered.

George H. Wartman having been found guilty of the crime of seduction, was, on the 14th day of November, 1890, sentenced by the judge of the superior court of Cowlitz county to imprisonment in the state penitentiary for the term of four years. Pardon granted November 23, 1892. Wartman, at the time pardon was granted, had served two years, and during this entire period his conduct was uniformly good, as appears by the certificate of the warden of the penitentiary. He was in failing health and further incarceration would have proved detrimental to him, which is so set forth by the physician to the penitentiary. A large number of the leading citizens of Chehalis and other counties have requested the intervention of executive clemency, they believing him innocent of the crime charged, and are convinced that the ends of justice have been fully subserved by the imprisonment already undergone.

Samuel Glazier having been found guilty of grand larceny, was, on the 11th day of December, 1891, sentenced by the judge of the superior court of the State of Washington in and for the county of King to imprisonment in the state penitentiary for the term of two years. Pardon granted December 22, 1892. A large number of the leading citizens of King county, wherein the crime was committed, and Walla Walla county (his former home), have united in a petition requesting the intervention of executive clemency for the following reasons: "*First*, We believe the punishment which he has up to this time received is sufficient to uphold the dignity of the state. *Second*, That prior to said conviction he has borne a good character. *Third*, We believe, on account of poverty, he was unable to appeal his case to the supreme court. *Fourth*, The verdict of the jury notwithstanding, there are grave doubts of his guilt. *Fifth*, That he has a wife and three small children depending upon him for support, and who, because of his imprisonment, are destitute." The alleged crime consists of the feloniously taking of 1,040 pounds of pig lead, valued at \$50.37. The warden of the penitentiary certifies that his conduct has been uniformly good through the entire period of his incarceration. His wife and three small children are wholly dependent upon him for their livelihood, and since his imprisonment have been destitute, and wholly dependent upon the charity of friends and neighbors for their daily sustenance.

William Bohart and James Clark having been convicted of horse stealing, were, on the — day of June, 1892, sentenced by the judge of the superior court of the State of Washington, in and for the county of Stevens, to imprisonment in the state penitentiary for the term of one year. Pardon granted December 22, 1892. It appears that the crime for which they were found guilty consisted of the alleged larceny of one cayuse, and that the evidence was purely circumstantial. The testimony on the trial showed that the defendants had a considerable number of horses which they were taking to the Palouse country. The principal witness for the prosecution, who lived some distance from the place where the larceny was committed, testified that he saw the defendants passing his home having in their possession a cayuse which resembled the one stolen. Nearly two hundred of the leading citizens of Stevens county have united in a petition requesting the intervention of executive clemency in behalf of William Bohart and James Clark for the following



reasons: That it is the belief of the petitioners that the said Bobart and Clark are innocent; that they are young men of the respective ages of 21 and 23 years; that Clark has a young wife and infant babe dependent wholly upon him for support; that both men have hitherto borne good reputations among their fellow men, this being their first offense. In the opinion of the petitioners the ends of justice have been fully subserved by the punishment already undergone by them.

Frank Patterson was sentenced on the 10th day of November, A. D. 1892, by the judge of the superior court in and for Pierce county, to imprisonment in the county jail of said county for the term of six months, and fined in the sum of \$500. Pardon granted on January 10, 1893. A large number of the leading citizens of said county, including the presiding judge and the deputy prosecuting attorney who conducted the case, and other officers of said county, have united in a petition recommending executive clemency on the grounds that in their opinion Patterson has been already sufficiently punished for what he had done; that he is well disposed and will now make a good and useful citizen, and that the ends of justice have been fully subserved.

Andrew J. Leonard was, on the 12th day of April, A. D. 1886, sentenced by the judge of the district court of Cowlitz county to imprisonment in the penitentiary for the term of fifteen years for the crime of manslaughter. Pardon granted January 10, 1893. A large number of the leading citizens of said county have united in a petition recommending executive clemency upon the grounds that the evidence upon which he was convicted was entirely circumstantial; that previous to his arrest he had maintained a reputation of being a peaceful citizen, an honorable man, and that he bore the good will of all with whom he came in contact; that his health is rapidly failing, and that the hardships incident to his confinement has prematurely aged him to such an extent that he will soon be unable to earn a livelihood.

Communication from Secretary of State Allen Weir, relating to expenses incurred on capitol building and grounds, was submitted as follows:

STATE OF WASHINGTON, OFFICE OF SECRETARY OF STATE,  
OLYMPIA, January 9, 1893.

*To the Honorable Speaker of the House of Representatives, State of Washington:*

SIR—In compliance with sections one, two and seven of an act defining the duties of secretary of state, passed by the first legislature of the State of Washington, published in session laws of 1889-90, pp. 629 to 634, inclusive, I have the honor to transmit herewith bills of necessary expenses incurred, as follows:

I. Harris & Sons, carpets, materials and labor for interior of capitol building.....	\$922 62
Martin & McCarty, materials and labor connecting capitol building sewer with city sewer.....	53 15
W. W. Work, materials and labor, painting, kalsomining, graining and varnishing interior of capitol building.....	171 60
Olympia Door and Lumber Company, material for sidewalk.....	27 44
W. B. Mitchell, building sidewalk.....	10 00
E. Grow, labor at capitol building.....	276 00
Bilger & Going, hardware, labor, etc.....	76 40
Gerald Moore, labor, decorations, etc.....	15 00
A. Ellis, furniture.....	239 50

These items of expense were all necessary in keeping the capitol building and grounds in good order and repair as required by law, and are no part of the labor and materials paid for out of the appropriation made at last session for "examination of foundation, and repairs to the capitol building." That appropriation was expended according to the intention

of the legislature, and statement thereof is fully set forth in my official report now in the hands of the state printer, vouchers for each item thereof expended being on file in the offices of secretary of state and state auditor. The bills transmitted herewith include all expenses incurred on my authority, unpaid by the state, except that for fuel furnished and on hand, and for which no bill has yet been rendered to me.

Very respectfully, ALLEN WEIR, Secretary of State.

On motion of Mr. Judson, the communication and itemized bills were referred to Committee on Ways and Means.

On motion of Mr. Morrison, the speaker was instructed to select a committee of nine (9) to recommend standing committees and the number of which each committee should consist.

The speaker announced as such committee Messrs. Morrison, Hoole, Judson, Greenberg, Burton, Green, Letterman, Merchant, and Hurd.

Mr. Washburn introduced House concurrent resolution No. 1, Relating to the printing of the inaugural address of the governor and governor-elect.

On motion of Mr. Meany, the resolution was read three times under suspension of rules, and passed by the following vote:

Those who voted aye were: Messrs. Anderson of Whitman, Anderson of Whatcom, Anderson of Pierce, Baker, Brock, Burton, Bush of Pacific, Bush of Chehalis, Cameron, Collin, Cowan, Durant, Edmonds, Farrish, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Neergaard, Payne, Pierce of Lewis, Pierce of Klickitat, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, White, Wheeler, Winchell, Woodworth, and Mr. Speaker—69.

Those who voted nay were: Messrs. Edwards, Egbert, Crockett, Denn, and Foster—5.

Absent and not voting: Messrs. Rinehart, Smith of Okanogan, Tull, and Heliker—4.

Mr. Roscoe introduced the following resolution:

*Resolved*, That the sergeant-at-arms be and he is hereby instructed to furnish each member of the House and the chief clerk with five dollars worth of "Columbian two-cent" postage stamps, and that a certificate be issued for \$395 in payment of the same.

On motion of Mr. Anderson, of Whatcom, the resolution was adopted.

On motion of Mr. Anderson, of Whatcom, a committee of three, on mileage, was appointed as follows: Mr. Anderson, of Whatcom, Mr. Meany, of King, and Mr. Ludden, of Spokane.

On motion of Mr. Tucker, Senate Bill No. 1, An act appropriating \$60,000 for legislative expenses, was taken up under suspension of the rules, read three times, and passed by the following vote: Ayes 74, nays 0.

Those who voted aye were: Messrs. Anderson of Whitman, Anderson of Whatcom, Anderson of Pierce, Baker, Brock, Burton, Bush of Pacific, Bush of Chehalis, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Kárr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Neergaard, Payne, Pierce of Lewis, Pierce of Klickitat, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, White, Wheeler, Winchell, Woodworth, and Mr. Speaker — 74.

Absent and not voting: Messrs. Heliker, Rinehart, Smith of Okanogan, and Tull — 4.

The title of the bill was agreed to.

On motion of Mr. Sallee, the House adjourned at noon to meet at 2 o'clock p. m.

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#### AFTERNOON SESSION.

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The House was called to order at 2 o'clock p. m. by the Speaker.

Roll was called, all members answering present except Messrs. Rinehart, Roth (excused), Smith of Okanogan, Westfall, and White.

Mr. Smith, of Okanogan, and Mr. Roth, of Whatcom, were excused.

Fred. Z. Alexander, assistant clerk, was sworn and entered upon his duties.

On motion of Mr. Anderson, of Whitman, the House adjourned at 2:30 until to-morrow at 2 o'clock P. M.

T. G. NICKLIN, *Chief Clerk.*

J. W. ARRASMITH, *Speaker.*

## FIFTH DAY.

### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., Friday, January 13, 1893. }  
2 o'clock P. M.

The House was called to order at 2 o'clock P. M., the Speaker in the chair.

The roll was called. All members present except Messrs. Kelly, Rinehart and Roth.

The journal of yesterday was read and approved.

A resolution introduced by Mr. Ludden, of Spokane, relating to the duty of officers, was laid on the table.

A resolution by Mr. Sallee, relating to purchasing office or revolving chairs for the House, was not adopted.

The following resolution by Mr. McMillan was read:

*Resolved*, That the sergeant-at-arms be and is hereby authorized to purchase such necessary articles as may be needed for use in the hall of the House of Representatives, subject to approval of the speaker.

On motion of Mr. Judson, the resolution was adopted.

Mr. Baker introduced the following resolution:

WHEREAS, Various bills providing for the free and unlimited coinage of silver have been introduced in the Senate and House of Representatives; and

WHEREAS, We believe the passage of such an act to be necessary for the relief of the people: therefore, be it

*Resolved*, That the Legislature of the State of Washington by memorial respectfully urges on the honorable Senate and House of Representatives the prompt passage of such an act; and

*Resolved*, That attested official copies of this resolution be forwarded to the president of the United States, the president of the Senate, speaker

of the House, and one copy to each of our senators and representatives in congress.

On motion of Mr. Karr, the resolution was laid on the table by the following vote:

Yeas: Messrs. Anderson of Whitman, Anderson of Whatcom, Brock, Bush of Pacific, Bush of Chehalis, Cameron, Crockett, Farish, Foster, Hamill, Heliker, Hoole, Hurd, Karr, Keller, Ludden, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McElwaif, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Neergaard, Pierce of Klickitat, Roscoe, Sallee, Shadle, Sherman, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, White, Wheeler, Winchell, Woodworth, and Mr. Speaker — 49.

Nays: Messrs. Anderson of Pierce, Baker, Burton, Collin, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Gilman, Green, Greenberg, Judson, Kline, Leo, Letterman, Mays, Moore, Payne, Pierce of Lewis, Scott, Shelton, Smith of Okanogan, Smith of Douglas, and Turpin — 26.

Absent and not voting: Messrs. Kelly, Rinehart and Roth — 3.

The speaker signed Senate bill No. 1, An act making an appropriation of \$60,000 for legislative expenses, in open session of the House.

A resolution introduced by Mr. Wheeler, relating to the distribution of printed bills, was laid on the table.

Mr. Sallee introduced the following resolution, which was adopted:

*Resolved*, That the sergeant-at-arms be and he is hereby directed to call upon the state auditor and secure for the members of the House and the chief clerk a copy each of the session laws of the session of 1891.

A resolution by Mr. Brock, relating to clerical force, was laid on the table.

Mr. Karr introduced the following resolution:

*Resolved by the House, the Senate concurring*, That a joint special committee of three from the House and two from the Senate be appointed to draft a proper bill for township organization.

On motion of Mr. Gilman, the resolution was laid on the table.

Mr. Ludden moved that the House suspend the rules and read first and second time by title, and place upon its final passage, Senate bill No. 2, Relating to the harbor and harbor line commission.

Mr. Mentzer moved as a substitute for the motion that the rules be suspended and the bill be read first time in full.

Mr. Ludden moved the previous question.

By a divisional vote the previous question was lost. Nays 46, yeas 18.

Mr. Mentzer's substitute was adopted by the following vote, to wit: Yeas 66, nays 9, absent and not voting 3.

Those who voted yea were: Messrs. Anderson of Whitman, Anderson of Whatcom, Anderson of Pierce, Baker, Brock, Bush of Pacific, Bush of Chehalis, Cameron, Collin, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Greenberg, Hoole, Hurd, Judson, Karr, Keller, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Neergaard, Payne, Pierce of Lewis, Pierce of Klickitat, Roscoe, Scott, Shadle, Shelton, Sherman, Smith of Okanogan, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Weed, Westfall, White, Wheeler, Winchell, Woodworth, and Mr. Speaker—66.

Those who voted nay were: Messrs. Burton, Crockett, Gilman, Green, Hamill, Heliker, Morrison, Sallee, and Webb—9.

Those absent and not voting were: Messrs. Kelly, Roth, and Rinehart—3.

The bill was read the first time for information.

Mr. Neergaard moved that the rules be further suspended, the bill be read second time by title, the third time in full, and that it be placed on its final passage.

Mr. Meany moved as a substitute that the bill take its regular order, and be referred to Harbor and Harbor Line Committee, when such committee is appointed.

The substitute was lost by a vote of 30 yeas to 45 nays.

Those who voted yea were: Messrs. Anderson of Whitman, Anderson of Whatcom, Baker, Brock, Burton, Crockett, Denn, Egbert, Farrish, Gilman, Green, Hamill, Heliker, Hoole, Karr, Mead, Meany, Morrison, Mulkey, McNew, Payne, Roscoe, Sallee, Scott, Shadle, Turpin, Washburn, Webb, Wheeler, and Winchell—30.

Those who voted nay were: Messrs. Anderson of Pierce, Bush of Pacific, Bush of Chehalis, Cameron, Collin, Cowan, Durant, Edmonds, Edwards, Foster, Greenberg, Hurd, Judson, Keller, Kline,

Leo, Letterman, Ludden, Mays, Mentzer, Merchant, Moore, McElwain, McKenzie, McMillan, McMurphy, Nash, Nelson, Neergaard, Pierce of Lewis, Pierce of Klickitat, Shelton, Sherman, Smith of Okanogan, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Weed, Westfall, White, Woodworth, and Mr. Speaker — 45.

Those absent and not voting were: Messrs. Kelly, Rinehart, and Roth — 3.

Mr. Neergaard's motion failing to receive the necessary two-thirds majority, was lost by the following vote: Yeas 47, nays 28, absent and not voting 3.

Those who voted yea were: Messrs. Anderson of Pierce, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Durant, Edwards, Egbert, Greenberg, Hurd, Judson, Keller, Leo, Ludden, Mays, Mead, Mentzer, Merchant, Moore, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Weed, Westfall, White, Woodworth, and Mr. Speaker.

Those who voted nay were: Messrs. Anderson of Whatcom, Anderson of Whitman, Cowan, Crockett, Denn, Edmonds, Farrish, Foster, Gilman, Green, Hamill, Heliker, Hoole, Karr, Kline, Letterman, Meany, Morrison, Mulkey, Payne, Roscoe, Sallee, Scott, Turpin, Washburn, Webb, Wheeler, and Winchell.

Those absent and not voting were: Messrs. Kelly, Rinehart and Roth.

On motion of Mr. Morrison, the following report of the committee on standing committees was adopted:

#### REPORT OF COMMITTEE ON STANDING COMMITTEES.

##### MR. SPEAKER:

Your committee appointed to report the standing committees for the House of Representatives recommend the appointment of the following committees, to be composed of the number set opposite each, to wit:

STANDING COMMITTEES.	No.
1. Agricultural College and School of Science.....	7
2. Appropriations and Claims .....	11
3. Commerce and Manufactures.....	7
4. Compensation and Fees for State and County Officers.....	9
5. Corporations Other than Municipal and Railroads.....	7
6. Counties.....	9
7. Education .....	9
8. Engrossed and Enrolled Bills.....	7
9. Federal Relations and Immigration.....	5
10. Fisheries .....	7

11. Forestry, Agriculture, Horticulture.....	9
12. Harbors and Water Ways.....	7
13. Hospital for Insane and School for Defective Youth.....	9
14. Insurance.....	5
15. Judiciary.....	11
16. Labor and Labor Statistics.....	11
17. Medicine, Surgery and Hygiene.....	5
18. Mileage and Contingent Expenses.....	7
19. Mines and Mining.....	9
20. Municipal Corporations.....	11
21. Military Affairs and Soldiers' Home.....	9
22. Penitentiary and Reform School.....	9
23. Printing and Supplies.....	7
24. Privileges and Elections.....	7
25. Railroads.....	11
26. Revenue and Taxation.....	11
27. Roads and Highways.....	11
28. Rules and Orders— Mr. Speaker and.....	6
29. State University and Normal Schools.....	9
30. State Buildings, Public Grounds and Library.....	7
31. State, School and Granted Lands.....	11
32. Tide Lands.....	11
32. Water, Water Rights and Irrigation.....	9

Respectfully submitted.

ELLIS MORRISON, Chairman.

On motion of Mr. Anderson, of Whatcom, the following report of the committee on mileage was adopted:

#### REPORT OF SPECIAL COMMITTEE ON MILEAGE.

MR. SPEAKER:

We, your committee appointed to ascertain the number of miles traveled and the amount due each member as mileage in coming to and going from this session of the legislature, submit the following statement of miles and mileage, and recommend that the same be allowed:

<i>Names.</i>	<i>County.</i>	<i>Miles.</i>	<i>Due.</i>
Anderson, D. F.....	Whitman	990	\$99 00
Anderson, M.....	Whatcom	464	46 40
Anderson, W. D. E.....	Pierce	74	7 40
Arrasmith, J. W.....	Whitman	1,126	112 60
Baker, F. R.....	Pierce	72	7 20
Brock, Eugene.....	Cowlitz	204	20 40
Burton, J.....	Snohomish	230	23 00
Bush, A. S.....	Pacific	286	28 60
Bush, N. W.....	Chehalis	146	14 60
Cameron, A.....	Walla Walla	762	76 20
Collin, G. H.....	Spokane	948	94 80
Cowan, R. T.....	Clarke	374	37 40
Crockett, W.....	Island	200	20 00
Denn, Samuel.....	Stevens	1,042	104 20
Durant, J. J.....	Franklin	616	61 60
Edmonds, E. E.....	Clarke	374	37 40
Edwards, John O.....	Pierce	142	14 20
Egbert, P. B.....	Pierce	64	6 40
Farrish, Wm.....	Asotin	1,004	100 40
Foster, J. J.....	Wahkiakum	392	39 20
Gilman, L. C.....	King	162	16 20
Green, John F.....	Lincoln	1,040	104 00
Greenberg, H. W.....	Spokane	920	92 00



Names.	County.	Miles.	Due.
Hamill, S. W.	Columbia	842	\$84 20
Heliker, E. P.	King	222	22 20
Hoole, W. R.	Clallam	508	50 80
Hurd, M. P.	Skagit	352	35 20
Judson, S.	Pierce	100	10 00
Karr, J. A.	Chehalis	152	15 20
Keller, C. F.	King	142	14 20
Kelly, Milo	Pierce	135	13 60
Kline, G. W.	Kittitas	490	49 00
Leo, John	Pierce	74	7 40
Letterman, E. H.	Whitman	1,072	107 20
Ludden, W. H.	Spokane	920	92 00
Mays, F. W. D.	Garfield	908	90 80
Mead, A. E.	Whatcom	461	46 10
Meany, E. S.	King	162	16 20
Mentzer, T. F.	Thurston	36	3 60
Merchant, J.	Walla Walla	694	69 40
Moore, C. J.	Skamania	400	40 00
Morrison, Ellis	King	168	16 80
Mulkey, T. G.	Whitman	1,001	100 10
McElwain, W. P.	King	162	16 20
McKenzie, A. S.	Thurston	60	6 00
McMillan, J. B.	Skagit	464	46 40
McMurphy, D. W.	Lewis	120	12 00
McNew, W. N.	Lincoln	1,010	101 00
Nash, F. D.	Pierce	74	7 40
Nelson, O. B.	Spokane	920	92 00
Neergaard, R. J.	Adams	792	79 20
Payne, Wm.	Jefferson	236	23 60
Pierce, C. M.	Lewis	64	6 40
Pierce, D. W.	Klickitat	524	52 40
Rinehart, J. H.	King	162	16 20
Roscoe, C. T.	Snohomish	230	23 00
Roth, C. I.	Whatcom	436	43 60
Sallee, J. S.	King	180	18 00
Scott, C. H.	Kitsap	232	23 20
Shadle, J. A.	Pierce	100	10 00
Shelton, L. G.	Mason	60	6 00
Sherman, Albert	Whatcom	436	43 60
Smith, H. F.	Okanogan	1,436	143 60
Smith, J. B.	Douglas	510	51 00
Smithson, J. H.	Kittitas	336	33 60
Speck, R. D.	Spokane	980	98 00
Temple, G. W.	Spokane	920	92 00
Tucker, J. E.	San Juan	400	40 00
Tull, F. M.	Spokane	920	92 00
Turpin, F. B.	Jefferson	236	23 60
Washburn, R. C.	King	162	16 20
Webb, C. L.	King	162	16 20
Weed, A. B.	Yakima	402	40 20
Westfall, C. F.	Spokane	952	95 20
White, W. R.	King	162	16 20
Wheeler, L. H.	King	162	16 20
Winchell, R. W.	King	162	16 20
Woodworth, A.	Pierce	74	7 40

Respectfully submitted.

M. ANDERSON,  
W. H. LUDDEN,  
EDMOND S. MEANY,  
Committee.

Mr. Meany presented the following resolution, and moved its adoption, to wit:

*Resolved*, That a committee of five be appointed to report what committees should be entitled to clerks.

The resolution was adopted.

The speaker appointed the following members as such committee: Messrs. Meany, Anderson of Whitman, Judson, Weed, and Farrish.

On motion of Mr. Morrison, the chief clerk was instructed to draw certificates for the amount due each member on mileage.

Mr. McMillan moved that when we adjourn it be to 2 o'clock p. m., Monday.

The motion was adopted by the following vote: Yeas 40, nays 33, absent and not voting 4.

Those voting in the affirmative were: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Burton, Bush of Pacific, Cameron, Edmonds, Farrish, Foster, Gilman, Heliker, Kline, Leo, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Morrison, McElwain, McMillan, Nash, Roscoe, Sallee, Shadle, Sherman, Smith of Okanogan, Smithson, Speck, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Those voting in the negative were: Messrs. Baker, Bush of Chelalis, Collin, Cowan, Crockett, Denn, Durant, Edwards, Egbert, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Mays, Moore, Mulkey, McKenzie, McMurphy, McNew, Neergaard, Nelson, Payne, Pierce of Lewis, Scott, Shelton, Smith of Douglas, Temple, Tucker, and Turpin.

Those absent and not voting were: Messrs. Brock, Kelly, Pierce of Klickitat, Rinehart, and Roth.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH, January 13, 1893.

MR. SPEAKER:

The Senate has passed Senate concurrent resolution No. 2, Referring to errors and omissions reported by the judges of the supreme court to the Judiciary Committees of Senate and House for preparation of bills.

Also, Senate concurrent resolution No. 3, Relative to appointment of Committee on Joint Rules and Orders.

The president of the Senate has signed Senate bill No. 1, entitled "An act making appropriation for the expenses of the third legislature of the State of Washington."

Also, the Senate has passed Senate bill No. 2, entitled "An act to amend section 2 of an act entitled 'An act to create a board of harbor line commissioners, prescribing their duties and compensation,' approved March 28, 1890, and declaring an emergency."

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Gilman, Senate concurrent resolution No. 2 was read and concurred in.

On motion of Mr. Sallee, Senate concurrent resolution No. 3 was read and concurred in.

The speaker appointed Messrs. Morrison, Judson and Ludden for House members of the Joint Committee on Rules.

On motion of Mr. Morrison, the House adjourned at 4:25 o'clock, to meet Monday, January 16, at 2 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## EIGHTH DAY.

### AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Monday, January 16, 1893. }  
2 o'clock P. M.

The House met, pursuant to adjournment, at 2 o'clock P. M., with the speaker in the chair.

The roll was called; all members present.

The journal of Friday, January 13, was read and approved.

Speaker Arrasmith announced the following standing committees for the House:

#### STANDING COMMITTEES OF THE HOUSE.

*Agricultural College and School of Science.*—Anderson of Whitman, Nelson, Anderson of Pierce, Washburn, Sherman, Farrish, Pierce of Klickitat.

*Appropriations and Claims.*—Temple, Roth, Bush of Pacific, Merchant, Mentzer, Webb, Smithson, Washburn, Judson, Letterman, Burton.

*Commerce and Manufactures.*—Woodworth, McMillan, Tull, Morrison, Bush of Pacific, Turpin, Collin.

*Compensation and Fees for State and County Officers.*—McMurphy, Shadle, Sherman, Westfall, Karr, Keller, Edmonds, Denn, Mays.

*Corporations other than Municipal and Railroads.*— Washburn, Kelly, Merchant, Temple, White, Kline, Smith of Douglas.

*Countries.*— Brock, Green, Anderson of Whatcom, Temple, Anderson of Pierce, Cameron, Pierce of Lewis, Sallee, Tull.

*Education.*— Westfall, Winchell, Weed, Shadle, Shelton, Edmonds, Farrish, Tucker, Durant.

*Engrossed and Enrolled Bills.*— McMillan, Shadle, Edmonds, Keller, Wheeler, Greenberg, Turpin.

*Federal Relations and Immigration.*— Weed, Heliker, Scott, Pierce of Lewis, Turpin.

*Fisheries and Game.*— Bush of Pacific, McElwain, Bush of Chehalis, Crockett, Moore, Brock, Cowan.

*Forestry, Agriculture and Horticulture.*— Cameron, McKenzie, Collin, Anderson of Whatcom, McNew, Karr, Mulkey, Smith of Douglas, Moore.

*Insurance.*— Roscoe, Webb, Greenberg, White, Leo.

*Judiciary.*— Mead, Neergaard, Ludden, Wheeler, Mentzer, Nash, Gilman, Bush of Chehalis, Tucker, Hurd, Roscoe, Sherman, Leo.

*Labor and Labor Statistics.*— Smithson, Roscoe, Gilman, Rinehart, Speck, Sherman, Pierce of Klickitat, Kline, Egbert, Smith of Okanogan, Durant.

*Medicine, Surgery and Hygiene.*— Rinehart, Heliker, Woodworth, Mays, Foster.

*Mileage and Contingent Expenses.*— Smith of Okanogan, Winchell, Shelton, Kelly, Burton, Denn, Gilman, Karr, Edwards.

*Mines and Mining.*— Kelly, Heliker, Morrison, Temple, Roth, Hurd, Kline, Smith of Okanogan, Edwards.

*Municipal Corporations.*— Ludden, Nash, Roth, McElwain, Leo, Tucker, Neergaard, Merchant, Letterman, Pierce of Klickitat, Payne.

*Privileges and Elections.*— Bush of Chehalis, Nelson, Leo, Sallee, Payne, Moore, Egbert.

*Printing and Supplies.*— Greenberg, Mays, Meany, Mulkey, Egbert, Scott, White.

*Railroads.*— Hoole, Webb, Neergaard, Anderson of Whitman, Nelson, Roth, Hamill, Cameron, Green, McElwain, Baker.

*Revenue and Taxation.*— Pierce of Klickitat, Shelton, Sallee, Tull, Hoole, McNew, Woodworth, Karr, Mays, Collin, Cowan.

*Roads and Highways.*— Morrison, Roscoe, Pierce of Klickitat,

Hamill, Ludden, Anderson of Whitman, Mentzer, Mead, McMurphy, Judson, Payne.

*Rules and Order.*—The Speaker, Leo, Winchell, Meany, Brock, Baker, Smith of Douglas.

*State Buildings, Public Grounds and Library.*—Mentzer, Smithson, Sherman, McKenzie, Moore, Smith of Douglas, Keller.

*State, School and Granted Lands.*—Tucker, Wheeler, Webb, McMurphy, McKenzie, Scott, Leo, Hamill, Mulkey, Bush of Pacific, Egbert, McElwain.

*Tide Lands.*—Sallee, Nash, Neergaard, Mead, Farrish, Weed, Ludden, Payne, Letterman, White, Baker.

*Water, Water Rights and Irrigation.*—Farrish, Weed, Collin, Mulkey, Durant, Bush of Pacific, Foster, Kline, Denn.

*Military Affairs and Soldiers' Home.*—Pierce of Lewis, Letterman, McMillan, Woodworth, Greenberg, Washburn, Hurd, Anderson of Whitman, Burton.

*Harbors and Waterways.*—Anderson of Whatcom, Woodworth, Morrison, Hoole, Anderson of Pierce, White, Burton.

*Hospital for Insane and School for Defective Youth.*—McNew, Cowan, Heliker, Rinehart, Tull, Speck, Crockett, Judson, Edwards.

*Penitentiary and Reform School.*—Merchant, Rinehart, Mead, McKenzie, Pierce of Lewis, Hamill, Green, Speck, Egbert.

*State University and Normal School.*—Meany, Westfall, Winchell, Anderson of Whatcom, McMillan, Shadle, Turpin, Smithson, Green.

Mr. Nash presented a petition and accompanying documents in relation to the election contest of Gaskell-Edwards.

Referred to Committee on Privileges and Elections.

Mr. White introduced House concurrent resolution No. 3, Favoring the passage of the Sherman Nicaraguan canal bill.

On motion of Mr. Wheeler, the concurrent resolution was adopted.

The certificate of election of Mr. Rinehart, of King, was presented to the House by Mr. Sallee.

Mr. Rinehart was duly sworn by the speaker.

Mr. Sallee introduced a resolution instructing the chief clerk to get 500 copies of the standing committees printed in convenient pocket form.

The resolution was adopted.

Mr. Sallee introduced the following resolution:

*Resolved*, That a committee of five, to consist of five of the chairmen of the principal committees, be appointed to select committee rooms and report the same to the House.

On motion of Mr. Sallee, the resolution was adopted.

The speaker appointed Messrs. Sallee, Mead, Mentzer, Morrison and Kelly as such committee.

The following resolution, by Mr. Washburn, was adopted:

*Resolved*, That a committee of three (3) be appointed to segregate the message of Governor Elisha P. Ferry, and to recommend to which standing committees of the House the several subjects embraced in said message be referred.

The speaker announced the following persons as members of such committee: Messrs. Washburn, Greenberg and Mulkey.

#### INTRODUCTION OF BILLS.

Mr. Karr introduced House bill No. 1, An act relating to poll tax and its use.

Read first and second time under suspension of rules, and referred to Committee on Roads and Highways, with order to print.

Mr. Tucker moved that the rules be suspended until further orders, and all bills be read first and second times by title and be referred to the proper committee, with orders to print the same.

The motion prevailed, and the following bills were read first and second time by title, under suspension of the rules, and referred:

Mr. Karr introduced House bill No. 2, An act in relation to opening roads.

Referred to Committee on Roads and Highways.

Mr. Karr introduced House bill No. 3, An act to amend section 1 of an act to provide for the relief of indigent Union and Mexican war veterans, etc.

Referred to Committee on Military Affairs.

Mr. Karr introduced House bill No. 4, An act in relation to the collection of personal property tax.

Referred to Committee on Revenue and Taxation.

Mr. Karr introduced House bill No. 5, An act in relation to assessing and collecting taxes.

Referred to Committee on Revenue and Taxation.

Mr. Karr introduced House bill No. 6, An act in relation to the

assessment and collection of taxes in the State of Washington, amending sections 30, 34 and 35.

Referred to Committee on Revenue and Taxation.

Mr. Anderson, of Whatcom, introduced House bill No. 7, To amend section 342 of the Code of Washington of 1891, relating to property exempt from levy and sale under attachment and execution.

Referred to Committee on Judiciary.

Mr. Anderson, of Whatcom, introduced House bill No. 8, An act providing for the appointment of a state inspector of oils, and defining his duties and prescribing his compensation.

Referred to Committee on Judiciary.

Mr. Nelson introduced House bill No. 9, An act to provide for free text books, apparatus and supplies for the pupils attending the public schools in the State of Washington.

Referred to Committee on Education.

Mr. Roscoe introduced House bill No. 10, An act to repeal sections 59, 60, 61, 62, 63, 64, 65, 66 and 67 of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington."

Referred to Committee on Revenue and Taxation.

Mr. Roscoe introduced House bill No. 11, An act to amend section 12, chapter 7 of the Laws of 1890, in relation to municipal corporations.

Referred to Committee on Municipal Corporations.

Mr. Temple introduced House bill No. 12, An act abolishing the poll tax.

Referred to Committee on Revenue and Taxation.

Mr. Wheeler introduced House bill No. 13, An act authorizing superior court judges to perform certain duties.

Referred to Committee on Judiciary.

Mr. Webb introduced House bill No. 14, An act to amend sections 2 and 16 of an act entitled "An act in relation to attachments and garnishments," approved February 3, 1886.

Referred to Judiciary Committee.

Mr. Scott introduced House bill No. 15, An act to prevent discrimination in the use of lawful money of the United States.

Referred to Judiciary Committee.

Mr. Gilman introduced House bill No. 16, A bill for an act to amend section 1680 of the first volume of Hill's Annotated Statutes

and Codes of Washington, the same being section 1942 of the Code of Washington of 1881, relating to the giving of liens upon manufactured lumber to persons performing labor in the manufacture of the same.

Referred to Committee on Judiciary.

Mr. Gilman introduced House bill No. 17, A bill for an act to amend section 1664 of Hill's Code, relating to liens for labor performed upon real property.

Referred to Committee on Judiciary.

Mr. Gilman introduced House bill No. 18, A bill for an act to submit to the qualified electors of the State of Washington, for their approval, at the general election to be held in November, 1894, an amendment to section 33 of article 2 of the constitution of the State of Washington.

Referred to Committee on Privileges and Elections.

Mr. Gilman introduced House bill No. 19, A bill for an act creating the office of public administrator in each county of the state.

Referred to Committee on Judiciary.

Mr. Wheeler introduced House bill No. 20, A bill for an act relating to appeals.

Referred to Committee on Judiciary.

Mr. Wheeler introduced House bill No. 21, A bill for an act relating to liens for labor and material.

Referred to Committee on Judiciary.

Mr. Sherman introduced, by request, House bill No. 22, A bill for an act providing for an additional superior court judge for Whatcom county.

Referred to Committee on Judiciary.

Mr. Nash introduced House bill No. 23, A bill for an act concerning foreign and domestic guardians.

Referred to Judiciary Committee.

Mr. Nash introduced House bill No. 24, A bill for an act to amend sections 1, 4, 6, 7, 8, 9, 10, 11, 13 and 14 of an act entitled "An act to create a state board of horticulture and appropriate money therefor."

Referred to Committee on Forestry, Horticulture and Agriculture.

Mr. Gilman introduced House bill No. 25, A bill for an act to enable cities and towns to validate certain warrants and other obligations.

Referred to Committee on Municipal Corporations.



Mr. Scott introduced House bill No. 26, A bill for an act to prevent strikes.

Referred to Committee on Labor and Labor Statistics.

Mr. Mead introduced House bill No. 27, A bill for an act requiring railroad companies to fence their tracks.

Referred to Committee on Railroads.

Mr. Temple introduced House bill No. 28, A bill for an act to amend sec. 3 of an act for the preservation of game.

Referred to Committee on Fisheries and Game.

Mr. Keller introduced House bill No. 29, A bill for an act to authorize the formation of township organization.

Referred to Committee on Counties.

Mr. Anderson, of Whatcom, introduced House bill No. 30, A bill for an act providing that time checks and due bills issued for labor shall bear interest until paid.

Referred to Committee on Labor and Labor Statistics.

Mr. Weed introduced House bill No. 31, A bill for an act appropriating money for the payment of agents for state land commission.

Referred to Committee on Appropriations.

Mr. Nash introduced House bill No. 32, A bill for an act to subject community real estate to debts.

Referred to Judiciary Committee.

Mr. Nash introduced House bill No. 33, A bill for act concerning homesteads and their exemptions.

Referred to Committee on Judiciary.

Mr. Baker introduced House concurrent resolution No. 2, Relating to free coinage of silver.

Referred to Committee on Federal Relations and Memorials.

The House returned to reports of special committees, when the committee on what committees are entitled to clerks made the following report:

REPORT OF COMMITTEE ON WHAT COMMITTEES ARE ENTITLED TO CLERKS.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 16, 1893.

MR. SPEAKER:

We, your committee on what committees are entitled to clerks, have had the subject of what committees of the House are entitled to clerks under consideration, and we respectfully report to the House that clerks be allowed to the standing committees of the House as follows: Judiciary

Committee, one clerk; Railroad Committee, one clerk; Penitentiary and Reform School, and Forestry, Agriculture and Horticulture Committees, one clerk; Agricultural College and School of Science, State, School and Granted Lands, and State University and Normal Schools Committees, one clerk; Mines and Mining, Commerce and Manufactures, Hospital for Insane, and School for Defective Youth Committees, one clerk; Corporations other than Municipal and Railroads, Medicine, Surgery and Hygiene, and Federal Relations and Immigration Committees, one clerk; Harbors and Waterways, Insurance, and Counties Committees, one clerk; Education, Municipal Corporations, and Labor and Labor Statistics Committees, one clerk; Tide Lands, Military Affairs and Soldiers' Home, and Fisheries Committees, one clerk; Privileges and Elections, Printing and Supplies, and State Buildings, Public Grounds and Library Committees, one clerk; Appropriations and Claims, and Revenue and Taxation Committees, one clerk; Water, Water Rights and Irrigation, Roads and Highways, and Compensation and Fees for State and County Officers Committees, one clerk. Respectfully submitted,

EDMOND S. MEANY, Chairman.

We concur in this report.

A. B. WEED,  
D. F. ANDERSON,  
WM. FARRISH,  
S. JUDSON.

On motion of Mr. Tull, the report was adopted.

There being no committee on ways and means, the bills from the secretary of state formerly referred to that committee were referred to the Committee on Mileage and Contingent Expenses.

The following communication was read from the secretary of state relating to Acting Governor Laughton's veto messages:

STATE OF WASHINGTON, OFFICE OF SECRETARY OF STATE,  
OLYMPIA, January 7, 1893.

*To the Honorable Speaker, House of Representatives, State of Washington:*

SIR—I have the honor to transmit herewith House bill No. 128, "An act to make time checks for labor negotiable and bear interest from date of issue;" House bill No. 156, "To require railroad companies to construct and maintain connections from one railroad to another, and to provide a penalty for a failure to comply therewith;" House bill No. 16, "An act requiring railroad corporations to fence their tracks;" and House bill No. 243, "An act regulating and fixing railroad freight rates in the State of Washington," together with the veto messages relating thereto, and attached thereto, respectively; also, an official veto message relative to sec. 3 of House bill No. 170, "An act to provide for the location and maintenance of the agricultural college, experiment station and school of science of the State of Washington, and declaring an emergency."

The bills above referred to were passed by the second legislature of the State of Washington, and were by me received together with the documents attached thereto and transmitted herewith, from Charles E. Laugh-

ton, then acting governor, within ten days (Sundays excepted) after the final adjournment of said legislature.

This action is in compliance with the provisions of sec. 12, art. 3 of the constitution of this state.

Very respectfully, ALLEN WEIR, Secretary of State.

On motion of Mr. Ludden, the bills and veto messages were ordered printed and made a special order for January 30, 1893, at 10 o'clock A. M.

#### MESSAGE FROM THE SENATE.

SENATE, CHAMBER,  
OLYMPIA, WASH., January 16, 1893.

MR. SPEAKER:

The Senate has passed Senate concurrent resolution No. 4, Relating to the printing of the governor's message and reports of state officers, and the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Morrison, the Senate concurrent resolution No. 4, Relating to printing the governor's message and reports of state officers, was concurred in by the House.

On motion of Mr. McNew, the House adjourned at 3:45 P. M., to meet Tuesday at 10 o'clock A. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

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## NINTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Tuesday, January 17, 1893. }  
10 o'clock A. M.

The House was called to order at 10 o'clock A. M., by the speaker.

The roll was called. All members were present.

The journal of yesterday was read and approved.

## MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 16, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN—I have the honor to transmit to you copies of each report of the various state officers, institutions and boards enumerated below:

Western Washington hospital for the insane, 320; Eastern Washington hospital for the insane, 320; state librarian, 120; state normal school at Cheney, 120; state treasurer, 280; state board of pharmacy, 80; regents of the University of Washington, 140; state fish commissioner, 110; state medical examining board, 120; state board of dental examiners, 120; trustees of state reform school, 120; state auditor, 80; university land and building commission, 266; superintendent of public instruction, 1,000; Washington World's Fair commission, 140; state board of health, 140; commissioner of public lands, 120.

Respectfully, J. H. MCGRAW, Governor.

Mr. Mays introduced House memorial No. 1, Relating to opening the Columbia and the Snake rivers for navigation.

Referred to Committee on Federal Relations and Memorials.

The House refused to take Mr. Winchell's resolution, providing for admission tickets to the balloting for United States senator, from the table.

## INTRODUCTION OF BILLS.

The rules were suspended, and the following bills were read first and second times by title, and referred to proper committees, with instructions to print:

Mr. Tull introduced House bill No. 34, An act to prevent private persons or corporations from employing armed men or detectives.

Referred to Committee on Corporations.

Mr. McElwain introduced House bill No. 35, An act to provide for the process of garnishment in the superior courts of the State of Washington.

Referred to Judiciary Committee.

Mr. McElwain introduced House bill No. 36, An act providing for an additional judge for the superior court of the State of Washington, for King county, and declaring an emergency.

Referred to Committee on Judiciary.

Mr. McElwain introduced House bill No. 37, An act in relation to fees of state and county officers, witnesses and jurors, amending sec. 1 of vol. 1 of Hill's Statutes and Codes of the State of Washington, 1891.

Referred to Committee on Contingent Expenses.

Mr. Rinehart introduced House bill No. 38, An act to amend section 1680 of the Statutes of Washington relating to liens on saw-logs manufactured into lumber.

Referred to Judiciary Committee.

Mr. Bush, of Chehalis, introduced House bill No. 39, An act providing for the licensing of persons to operate steam boilers, steam engines and steam generators, and for the establishment of a board of examining engineers.

Referred to Committee on Railroads.

Mr. Smith, of Douglas, introduced House bill No. 40, An act to amend section 1988 of the Code of Washington Territory of 1881 (embraced in sec. 1649 of vol. 1 of Hill's Code), relating to the recording of chattel mortgages.

Referred to Committee on Judiciary.

Mr. Brock introduced House bill No. 41, An act to protect sturgeon during certain months, and declaring an emergency.

Referred to Committee on Fisheries and Game.

Mr. McNew introduced House bill No. 42, An act for the collection of delinquent taxes.

Referred to Committee on Revenue and Taxation.

Mr. McNew introduced House bill No. 43, An act to amend the road law.

Referred to Committee on Roads and Highways.

Mr. Wheeler introduced House bill No. 44, An act relating to the recording of conveyances of real property.

Referred to Committee on Judiciary.

Mr. Turpin introduced House bill No. 45, An act relating to mechanics' liens, and repealing sections 1957 and 1968 of chapter 138 of the code of Washington, 1881.

Referred to Committee on Judiciary.

Mr. Morrison introduced House bill No. 46, An act proposing amendments to the constitution and providing for the submission thereof to the qualified electors to be approved at the general election to be held in November, 1894.

Referred to Committee on Privileges and Elections.

Mr. Morrison introduced House bill No. 47, An act to create a banking department.

Referred to Committee on Corporations other than Municipal.

Mr. Weed introduced House bill No. 48, An act relating to the maturity of contracts.

Referred to Judiciary Committee.

Mr. Weed introduced House bill No. 49, An act to amend section 7 of an act entitled "An act to provide for the selection of granted lands, and declare an emergency."

Referred to Committee on Judiciary.

On motion of Mr. Meany, the Judiciary Committee was increased two members.

The speaker appointed Messrs. Sherman and Leo to be members of that committee.

On motion of Mr. Mays, another lawyer was added to the Committee on Privileges and Elections to succeed Mr. Meany who resigned.

The speaker appointed Mr. Leo as said member of the Committee on Privileges and Elections.

On motion of Mr. Brock, the House took a recess from 11 to 11:45 A. M.

Resuming after recess at 11:45 A. M., the speaker instructed the clerk to read the United States statutes in regard to the election of United States senators.

Mr. Mulkey introduced the following resolution:

*Resolved*, That the chief-clerk be and is hereby directed to issue the necessary order for the payment of twenty dollars to G. B. Moore, out of the fund for legislative expenses, for five days' service—three days as janitor and two nights watchman—prior to the complete organization of the House.

On motion of Mr. Anderson, of Whatcom, the resolution was adopted.

On motion of Mr. Anderson, of Whatcom, a call of the House was ordered by the speaker prior to the voting for United States senator.

The roll call showed that all members of the House were present.

Mr. Sherman placed in nomination for United States senator from the State of Washington, Hon. George Turner, of Spokane.

The nomination was seconded by Messrs. Ludden and Hurd.

Mr. Mead nominated Hon. John B. Allen, of Walla Walla, for United States senator.

The nomination was seconded by Messrs. Washburn, Neergaard, Bush of Chehalis, and Pierce of Lewis.

Mr. Gilman nominated for United States senator, Hon. Chauncey W. Griggs, of Pierce.

The nomination was seconded by Mr. Leo.

Mr. Baker nominated for United States senator, Hon. Govnor Teats, of Pierce.

The nomination was seconded by Messrs. Scott, Durant, and Smith of Douglas.

The speaker ordered a roll call of the House, and the ballot resulted as follows: Mr. Allen, 34; Mr. Turner, 17; Mr. Griggs, 18; and Mr. Teats, 9. Total vote cast, 78.

Those voting for Hon. John B. Allen were: Messrs. Anderson of Whitman, Anderson of Whatcom, Brock, Bush of Pacific, Bush of Chehalis, Cameron, Farrish, Heliker, Hoole, Karr, Keller, Mead, Meany, Merchant, Morrison, McElwain, McKenzie, McMurphy, McNew, Neergaard, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Speck, Tucker, Washburn, Webb, Weed, White, Wheeler, Winchell, and Mr. Speaker—34.

Those voting for Mr. Turner were: Messrs. Greenberg, Hurd, Kelly, Ludden, Mentzer, Moore, McMillan, Nash, Nelson, Pierce of Klickitat, Shadle, Sherman, Smithson, Temple, Tull, Westfall, and Woodworth—17.

Those voting for Mr. Griggs were: Messrs. Anderson of Pierce, Cowan, Crockett, Edmonds, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, Mulkey, Payne, Shelton, Smith of Okanogan, and Turpin—18.

Those voting for Mr. Teats were: Messrs. Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith of Douglas—9.

The speaker announced that neither candidate for United States senator had received a majority in the House.

On motion of Mr. Winchell, the House adjourned at 1:00 o'clock P. M., to meet at 10:00 A. M., to-morrow (Wednesday).

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## TENTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Wednesday, January 18, 1893. }  
10 o'clock A. M.

The House was called to order at 10 o'clock A. M., the speaker in the chair.

The roll was called. All the members were present.

The journal of yesterday was read and approved.

Mr. Mays presented a resolution from the Farmers' Alliance and Industrial Union of Garfield county, in regard to railroad rates, etc.

The resolution was segregated, and that portion relating to railroads was referred to the Committee on Railroads; that portion relating to taxation was referred to the Committee on Revenue and Taxation; that portion relating to roads was referred to the Committee on Roads and Highways; that portion relating to an amendment to the constitution be referred to the Committee on Privileges and Elections; that portion relating to the saloon license money being placed in the school fund be referred to the Committee on Education.

Mr. Tull introduced the following resolution:

*Resolved*, That the chairmen of the groups of the several committees be empowered to select their clerks.

The resolution was adopted by a vote of 42 ayes to 10 nays.

Mr. Cowan presented a petition from 100 or more citizens of Clarke county praying for an amendment to the poll tax law, etc.

Referred to Committee on Revenue and Taxation.

Mr. Ludden presented the following resolution, which was adopted:

*Resolved*, That a certificate for eighteen (\$18) dollars be issued by the chief clerk, in favor of W. M. Chandler, for three days' salary as temporary assistant clerk of the House prior to the arrival of the assistant clerk-elect.

Mr. Egbert presented the following resolution:

*Be it resolved by the House of Representatives*, That the sergeant-at-arms be and he is hereby instructed to procure of the secretary of state, or



other proper authorities, a sufficient number of Hill's Code of Washington for the use of such members of this body as have not already received them.

A motion to table the resolution was lost.

On motion of Mr. Roscoe, the resolution was adopted.

#### INTRODUCTION OF BILLS.

The following bills were introduced, read first and second time by title, and referred to the proper committees with instructions to print, under suspension of the rules:

Mr. Baker introduced House bill No. 50, An act to amend section 2795 of chapter 54 of the Code of Washington, and declaring an emergency.

Referred to Committee on Revenue and Taxation.

Mr. McElwain introduced House bill No. 51, An act in relation to the manner of commencing civil actions, amending sections 171, 172, 175 and 179 of volume 2 of Hill's Statutes and Codes of Washington of 1891.

Referred to Committee on Judiciary.

Mr. McElwain introduced House bill No. 52, An act in relation to the amendment and codification of the laws of the State of Washington, and for the creation of a code commission.

Referred to Committee on Judiciary.

Mr. McElwain introduced House bill No. 53, An act in relation to conditional sales of personal property.

Referred to Committee on Judiciary.

Mr. Morrison introduced House bill No. 54, An act in relation to fencing and operating railroads.

Referred to Committee on Railroads.

Mr. Foster introduced House bill No. 55, An act for the protection of sturgeon in the Columbia river and its tributaries.

Referred to Committee on Fisheries and Game.

Mr. Foster introduced House bill No. 56, An act to amend section 274 of the penal code of Hill's Annotated Statutes and Codes of Washington, and for the protection of salmon in the Columbia river and its tributaries.

Referred to Committee on Fisheries and Game.

Mr. Nelson introduced House bill No. 57, An act for the appointment of a state veterinary surgeon, and defining his duties.

Referred to Committee on Agriculture.

Mr. Nelson introduced House bill No. 58, An act regulating the service of process issued by any justice of the peace within the State of Washington.

Referred to Committee on Judiciary.

Mr. Bush, of Pacific, introduced House bill No. 59, An act regulating fish traps, etc., for catching salmon in the Columbia river, and providing for the licensing thereof, etc., and declaring an emergency.

Referred to Committee on Fisheries and Game.

Mr. White introduced House bill No. 60, An act for the relief of C. F. Clapp and Thos. F. Drew, and making an appropriation therefor, and declaring an emergency.

Referred to Committee on Appropriations.

Mr. Smith, of Douglas, introduced House bill No. 61, An act providing for the levy, collection and disposal of inheritance tax, and declaring an emergency.

Referred to Committee on Revenue and Taxation.

Mr. Letterman introduced House bill No. 62, An act for the detention of domestic animals doing damage, and giving a lien for damages upon said animals.

Referred to Committee on Agriculture.

Mr. Hoole introduced House bill No. 63, An act to regulate common carriers, and creating a railroad and steamboat commission of the State of Washington, and defining the duties and powers thereof.

Referred to Committee on Railroads.

Mr. Gilman introduced (by request) House bill No. 64, An act creating the office of court commissioner in each county of the State of Washington.

Referred to Committee on Judiciary.

Mr. Gilman introduced House bill No. 65, An act relating to private sales of real property belonging to estates of decedents, minors and insane persons.

Referred to Committee on Judiciary.

Mr. Bush, of Pacific, introduced House concurrent resolution No. 4, Relating to fish and fisheries in the waters of the Columbia river and its tributaries.

Referred to Committee on Fisheries and Game.

Mr. Winchell introduced the following resolution:

*Resolved*, That a committee of seven members be appointed to which may be referred all matters bearing on the Washington exhibit at the Columbian Exposition.

On motion of Mr. Meany, the resolution was adopted.

The speaker appointed Messrs. Winchell, Judson, Roth, Nelson, Cowan, Mays and Weed as such committee.

On motion of Mr. Brock, the House took a recess at 10:45 until 11:50 A. M.

#### AFTER RECESS.

The House resumed business at 11:50 A. M.

The following resolution, introduced by Mr. Roth, of Whatcom, was adopted:

*Resolved*, That the Judiciary Committee report to this House at an early date: The legal status of the so called Hill's Code; whether or not the chapter numbers of the Hill Code and of the Code of 1881 are identical; whether an amendment to Hill's Code is an amendment to the laws of the State of Washington.

The sergeant-at-arms announced a committee from the Senate, consisting of Senators Brown, Smith and Easterday, who announced the Senate was ready to meet the House in joint session.

On motion of Mr. Brock, the speaker appointed a committee of three, consisting of Messrs. Brock, Judson and Burton to wait on the Senate and inform them that the House is ready to receive the honorable Senate.

#### JOINT SESSION.

The sergeant-at-arms announced the arrival of the honorable Senate at the bar of the House, and the speaker invited the senators to seats within the railing.

At the request of the speaker, Lieutenant Governor Luce presided over the joint body, assisted by the speaker.

The secretary of the Senate called the roll and found all senators present except Mr. Sergeant.

The clerk of the House called the roll of the House and all members answered to their names.

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

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

From the reading of the journals of each House it appeared that no person had received a majority of the votes cast in each House, and therefore there was no election.

## FIRST JOINT BALLOT.

The roll of the Senate was called by its secretary, and the roll of the House by its chief clerk, and 15 senators and 34 representatives voted for John B. Allen. Total, 49.

Nine senators and 17 representatives voted for George Turner. Total, 26.

Nine senators and 18 representatives voted for Chauncey W. Griggs. Total, 27.

Nine representatives voted for Govnor Teats. Total, 9.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roscoe, Roth, Rutter, Sallee, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Van De Vanter, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMullan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Westfall, Van Houten, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

No person having received a majority of all the votes cast on joint ballot, the president instructed the clerks to again call the roll.

## SECOND JOINT BALLOT.

On the second ballot, John B. Allen received the votes of 15 senators and 34 representatives. Total, 49.

Nine senators and 17 representatives voted for George Turner. Total, 26.

Nine senators and 18 representatives voted for Chauncey W. Griggs. Total, 27.

Nine representatives voted for Govnor Teats. Total, 9.

Those voting for John B. Allen on the second joint ballot were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roscoe, Roth, Rutter, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMullan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

It appeared from the results of the second ballot that no person had a majority of all the votes cast; the president instructed the clerks to call the roll again.

#### THIRD JOINT BALLOT.

On the third joint ballot John B. Allen received the votes of 15 senators and 34 representatives. Total, 49.

George Turner received the votes of 9 senators and 17 representatives. Total, 26.

Chauncey W. Griggs received the votes of 9 senators and 18 representatives. Total, 27.

Govnor Teats received the votes of 9 representatives. Total, 9.

Those voting for John B. Allen on the third joint ballot were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.),

Rinehart, Roberts, Roscoe, Roth, Rutter, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

No person having received a majority of all the votes cast on third joint ballot, the president instructed the clerks to call the roll.

#### FOURTH JOINT BALLOT.

On fourth joint ballot, 15 senators and 33 representatives voted for John B. Allen. Total, 48.

Nine senators and 18 representatives voted for George Turner. Total, 27.

Nine senators and 18 representatives voted for Chauncey W. Griggs. Total, 27.

Nine representatives voted for Govnor Teats. Total, 9.

Those voting for John B. Allen on the fourth joint ballot were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

No person having the necessary majority of the votes cast on the fourth joint ballot, the clerks were instructed to again call the roll.

#### FIFTH JOINT BALLOT.

On the fifth joint ballot 15 senators and 33 representatives voted for John B. Allen. Total, 48.

Nine senators and 18 representatives voted for George Turner. Total, 27.

Nine senators and 18 representatives voted for Chauncey W. Griggs. Total, 27.

Nine representatives voted for Govnor Teats. Total 9.

Those voting for John B. Allen on the fifth joint ballot were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

The president of the joint body announced that neither candidate had received a majority of the votes cast.

Senator Rutter introduced the following resolution:

*Resolved by the Legislature of Washington in joint convention assembled,*  
That this convention do now adjourn for the day as a mark of respect to the memory of the late Rutherford B. Hayes, ex-president of the United States.

The resolution was adopted by the following vote: Yeas 70, nays 41.

Those who voted in the affirmative were: Anderson (D. F.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Campbell, Claypool, Collin, Cooper, Cowan, Donahoe, Dyer, Eastaday, Edens, Eshelman, Farrish, Forsyth, Foss, Foster, Greenberg, Hastings, Helm, Horr, Hutchinson, Ide, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, Mays, McCroskey, McKenzie, McManus, McMillan, McMurphy, McNew, Mentzer, Merchant, Miller, Moore, Nash, Nelson, O'Neill, Pierce (C. M.), Pierce (D. W.), Richards, Roberts, Roscoe, Roth, Rutter, Sallee, Shadle, Shaw, Sherman, Smith (H. F.), Smith (T. J.), Smithson, Speck, Temple, Tucker, Tull, Van Houten, Van De Vanter, Westfall, Woodworth, and Mr. Speaker.

Those who voted in the negative were: Anderson (M.), Anderson (W. D. E.), Baker, Burton, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Forrest, Frink, Gilbert, Gilman, Green, Hamill, Heliker, Hoole, Hurd, Judson, Kline, Leo, Letterman, McElwain, Mead, Meany, Morrison, Mulkey, Neergaard, Payne, Rinehart, Scott, Sergeant, Shelton, Smith (J. B.), Turpin, Washburn, Webb, Weed, Wheeler, White, and Winchell.

The president of the Senate declared the joint body adjourned at 1:20 P. M. for the day, and the senators retired to their chamber.

On motion the House adjourned to meet to-morrow (Thursday) at 11 o'clock A. M.

J. W. ARRASMITH, *Speaker.*

T. G. NICKLIN, *Chief Clerk.*



## ELEVENTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Thursday, January 19, 1893. }  
11 o'clock A. M.

The Speaker called the House to order at 11 o'clock A. M.

At roll call all the members were present.

The journal of yesterday (Wednesday) was read and approved, except that portion relating to the joint session.

Mr. Mays presented a petition from citizens of Garfield county praying for an amendment to the constitution.

Referred to Committee on Mileage and Contingent Expenses.

Mr. Shadle introduced the following resolution, which on motion was adopted:

*Be it resolved by the House of Representatives, That the sergeant-at-arms be and he is hereby directed to procure from the state auditor seventy-nine copies of the Session Laws of 1889-90, for distribution among the members of the House.*

Mr. Rinehart introduced the following resolution:

*Resolved by the House of Representatives, That the sergeant-at-arms be and he is hereby authorized and instructed to have committee clerks have all bills properly filed on each member's file.*

The resolution was adopted.

Mr. Brock introduced the following resolution:

*Resolved, That the Committee on Printing and Supplies be authorized to order from the state printing office, for the various members, a supply of stationery, viz.: Letter heads and note heads, with name and address of each member printed thereon; also envelopes, large and small.*

On motion of Mr. Bush, of Pacific, the resolution was adopted.

### REPORTS OF STANDING COMMITTEES.

The following reports were presented:

MR. SPEAKER:

We respectfully submit Mr. W. F. Brock has been appointed clerk of Committees on Penitentiary and Reform School, Horticulture, Agriculture and Forestry.

Yours respectfully,

JOE MERCHANT,

ALEX. CAMERON.

OLYMPIA, WASHINGTON, January, 1893.

*To the Honorable Speaker and Members of the House of Representatives:*

GENTLEMEN—As chairmen of Committees on Education, Municipal Corporations, and Labor Statistics, would respectfully report that we have selected Miss C. M. Carver as clerk of said group.

C. F. WESTFALL,  
W. H. LUDDEN,  
J. H. SMITHSON.

MR. SPEAKER:

The chairmen of the Committees on Counties, Insurance, and Harbor and Water Ways, respectfully report that G. A. Noble has been selected as the clerk of said group of committees.

EUGENE BROCK,  
Chairman of Committee on Counties,  
C. T. ROSCOE,  
Chairman of Committee on Insurance,  
M. ANDERSON,  
Chairman of Committee on Harbor and Water Ways.

MR. SPEAKER:

Mr. J. W. Lysons has been appointed clerk of the Committees on Tide Lands, Fisheries, and Military Affairs and Soldiers' Home.

Respectfully submitted.

JAS. SALLEE,  
Chairman Committee on Tide Lands.  
A. S. BUSH,  
Chairman Committee on Fisheries.  
C. M. PIERCE,  
Chairman Committee on Military Affairs and Soldiers' Home.

MR. SPEAKER:

The chairmen of the Committees on Fees and Compensation of State and County Officers, Roads and Highways, Water, Water Rights and Irrigation, respectfully report that W. M. Chandler has been selected as the clerk of said group of committees.

Respectfully submitted.

D. W. McMURPHY,  
Chairman Committee on Fees and Compensation of State and County Officers.

ELLIS MORRISON,  
Chairman Committee on Roads and Highways.  
WM. FARRISH,  
Chairman Committee on Water, Water Rights and Irrigation.

MR. SPEAKER:

We, your Committee on Railroads, desire to report that we have selected Mr. Horace White as clerk of said committee.

W. R. HOOLE, Chairman.

MR. SPEAKER:

We respectfully report that the chairmen of the group of committees comprising the Committees on Mines and Mining, Commerce, and Hos-

pital for Insane and School for Defective Youth, have selected for clerk of such group of committees, Bernice E. Newell.

A. WOODWORTH,  
WM. N. MCNEW,  
MILO KELLY.

MR. SPEAKER:

We your Committees on Agricultural College and School of Science, State, School and Granted Lands, and State University and Normal Schools, would respectfully report that we have selected Guy L. Smith as clerk of said committees. Respectfully submitted.

D. F. ANDERSON,  
Chairman Committee on Agricultural College and School of Science.  
J. E. TUCKER,  
Chairman Committee on State, School and Granted Lands.  
EDMOND S. MEANY,  
Chairman Committee on State University and Normal Schools.

*To the Honorable Speaker of the House of Representatives:*

The undersigned beg leave to announce that for the position of clerk to the Committees on Corporations other than Municipal and Railways, Federal Relations and Immigration, Medicine, Surgery and Hygiene, they have selected Mr. James E. Owens.

R. C. WASHBURN,  
Chairman Com. on Corporations other than Municipal and Railways.  
A. B. WEED,  
Chairman Committee on Federal Relations and Immigration.  
J. H. RINEHART,  
Chairman Committee on Medicine, Surgery and Hygiene.

The following clerks to committees appeared at the speaker's desk and were sworn: W. M. Chandler, W. F. Brock, G. A. Noble, Guy L. Smith, J. W. Lysons, Bernice E. Newell, Horace White, Miss C. M. Carver.

The following report was received from the sergeant-at-arms:

MR. SPEAKER:

In response to resolution adopted yesterday, directing me to call on the secretary of state or any other official and procure sufficient copies of Hill's Code to supply the members of this House, I have ascertained that the same cannot be procured here, and that the only source from which they can be procured is through Bancroft, Whitney & Co., of Seattle, and at an expense of \$10 per copy.

Respectfully submitted.

H. O. WARD, Sergeant-at-Arms.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., January 19, 1893.

MR. SPEAKER:

The Senate has concurred in House concurrent resolution No. 3, Relating to the bill now pending in congress regarding the Nicaraguan canal.

Also, House concurrent resolution No. 1, Relating to printing 5,000 copies of the governor's message.

The Senate has passed Senate concurrent resolution No. 5, Relating to the appointment of a committee on World's Fair and World's Fair Commission.

Also, Senate concurrent resolution No. 6, Relating to the appointment of a joint committee to investigate matters pertaining to the agricultural college.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Washburn, the House concurred in Senate concurrent resolution No. 6, Relating to a joint committee to investigate state agricultural college.

The House refused to concur in Senate concurrent resolution No. 5, Relating to Joint World's Fair Committee.

#### INTRODUCTION OF BILLS.

The following bills were introduced, read first and second time by title under suspension of the rules, and referred to committee with order to print.

By Mr. Anderson, of Whatcom: House bill No. 66, An act to establish a state normal school in the county of Whatcom.

Referred to Committee on State University and Normal Schools.

By Mr. Hoole: House bill No. 67, An act to amend section 1296 of Hill's Code, of an act providing for the relief of indigent soldiers, sailors and marines.

Referred to Committee on Military Affairs and Soldiers' Home.

By Mr. Cowan: House bill No. 68, An act for the relief of S. W. Brown and others.

Referred to Committee on Appropriations.

By Mr. Sallee: House bill No. 69: An act relating to injury to domestic animals.

Referred to Committee on Agriculture.

By Mr. Merchant: House bill No. 70, An act to appropriate money to pay the deficiency in the appropriations for the maintenance of the state penitentiary for the two years ending March 31, 1893.

Referred to Committee on Penitentiary.

By Mr. Karr: House bill No. 71, An act in relation to county, school, city and town warrants, and the manner of their payment.

Referred to Committee on Appropriations.

By Mr. Brock: House bill No. 72, An act to amend section 2137 of chapter 4 of title 23 of the General Statutes of the State of Washington as arranged and annotated by W. Lair Hill, relating to the erection of wharves at the termini of public highways.

Referred to Committee on Corporations other than Municipal and Railway.

By Mr. McNew: House bill No. 73, An act to amend an act establishing a general and uniform system of common schools in the State of Washington.

Referred to Committee on Education.

On motion of Mr. Brock, the House took a recess at 11:55 A. M., until 12 noon.

#### JOINT SESSION.

The president of the Senate called the joint convention to order at 12 o'clock noon.

The secretary of the Senate called the roll of the Senate. All the senators were present.

The clerk of the House called the roll, and all members responded to their names.

Senator Claypool introduced the following resolution, and moved its adoption:

*Resolved by the Legislature of the State of Washington in joint convention assembled, That all persons occupying seats within the bar by courtesy of the legislature during the progress of the ballot for United States senator, be and they are hereby requested to observe strict order and decorum during the progress of the said ballot, and especially to refrain, either by moving about, conversation or otherwise, from any interference with or participation in these proceedings.*

*Resolved further, That the executive officers of the two houses be ordered to enforce obedience to the will of the legislature in this regard, as expressed in the foregoing resolution.*

The joint journal of yesterday was read, and approved as read, on motion of Mr. Winchell.

The president of the Senate announced that there was no election at the last joint session, and instructed the secretary of the Senate to call the roll of the Senate.

The roll of the House was called by the clerk.

#### SIXTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 28 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

E. T. Wilson received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinneer, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Rutter, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)

Mr. Sergeant voted for E. T. Wilson.

#### SEVENTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 28 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

E. T. Wilson received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinneer, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easter-

day, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Rutter, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Sergeant voted for E. T. Wilson.

#### EIGHTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 28 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

E. T. Willson received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Rutter, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Sergeant voted for E. T. Wilson.

## NINTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 28 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

E. T. Wilson received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Rutter, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Gowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Sergeant voted for E. T. Wilson.

## TENTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 28 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

E. T. Wilson received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts,



Roth, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Rutter, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Sergeant voted for E. T. Wilson.

On motion of Senator Horr, the joint convention took a recess at 1 o'clock until 3 o'clock P. M.

#### AFTER RECESS.

The joint convention was called to order at 3 o'clock P. M.; the president of the Senate presiding.

All of the senators and representatives were present.

#### ELEVENTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 27 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

E. T. Wilson received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Rutter, Roscoe,

Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Sergeant voted for E. T. Wilson.

#### TWELFTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 28 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

E. T. Wilson received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMullan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Rutter, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Sergeant voted for E. T. Wilson.

## THIRTEENTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 28 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

E. T. Wilson received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Rutter, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelmen, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Sergeant voted for E. T. Wilson.

## FOURTEENTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 28 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

E. T. Wilson received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee,

Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Rutter, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Sergeant voted for E. T. Wilson.

#### FIFTEENTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 28 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

E. T. Wilson received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Rutter, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Sergeant voted for E. T. Wilson.

## SIXTEENTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 28 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

E. T. Wilson received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMullan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Rutter, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Sergeant voted for E. T. Wilson.

## SEVENTEENTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 28 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

E. T. Wilson received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings,

Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Rutter, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Sergeant voted for E. T. Wilson.

#### EIGHTEENTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 28 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

E. T. Wilson received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr; Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Rutter, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman,

Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Sergeant voted for E. T. Wilson.

## NINETEENTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 28 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

E. T. Wilson received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMullan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Rutter, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Sergeant voted for E. T. Wilson.

## TWENTIETH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 28 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

E. T. Wilson received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMullan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Rutter, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Sergeant voted for E. T. Wilson.

On motion of Senator McCroskey, the joint convention adjourned at 4:40 P. M. to meet to-morrow (Friday) at 12 o'clock noon.

On motion of Mr. Tull, the House adjourned until 10 o'clock A. M. to-morrow (Friday).

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

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## TWELFTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASHINGTON, Friday, January 20, 1893. }  
 10 o'clock A. M. }

At 10 o'clock A. M. the speaker called the House to order.

The roll was called; all the members were present except Messrs. Cameron, Heliker and Payne.



The journal of yesterday was read and approved, except that portion relating to the joint session.

The speaker announced that he had selected Mr. John T. Jones as his private secretary.

#### COMMITTEE REPORTS.

The following committee reports were presented:

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 13, entitled "An act authorizing any judge of the superior court of this state whose term of office expired on the second Monday of January, 1893, to settle and certify statements of facts for the purpose of perfecting appeals to the supreme court in cases tried before him, and declaring an emergency to exist," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

MR. SPEAKER:

We desire to report that the Committees on Appropriations and Claims and Revenue and Taxation have chosen Miss Carrie Nichols to act as clerk of said committees.

G. W. TEMPLE,

D. W. PIERCE, Chairmen.

MR. SPEAKER:

We, the Judiciary Committee of the House of Representatives, beg leave to report that we have appointed Hiram C. Gill, of King county, as clerk of said committee.

A. E. MEAD,

Chairman of Judiciary Committee.

Mr. Roth introduced a resolution to allow the Committees on Revenue and Taxation and Municipal Corporations each a clerk.

The House refused to adopt the resolution by the following vote, to wit: Yeas 35, nays 36.

Those voting yea were: Messrs. Anderson of Whatcom, Bush of Chehalis, Cameron, Gilman, Greenberg, Hoole, Keller, Kelly, Leo, Ludden, Mead, Mentzer, Merchant, Morrison, McElwain, Nash, Nelson, Pierce of Klickitat, Rinehart, Roth, Shadle, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, and Mr. Speaker.

Those voting nay were: Messrs. Anderson of Pierce, Baker, Brock, Burton, Bush of Pacific, Collin, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Hamill, Judson, Karr, Kline, Letterman, Mays, Moore, Mulkey, McKenzie, McMillan, McMurphy, McNew, Neergaard, Pierce of Lewis, Roscoe, Scott, Shelton, Smith of Douglas, Tucker, Turpin, and Woodworth.

Those absent or not voting were: Messrs. Anderson of Whitman, Cowan, Heliker, Hurd, Meany, Payne, and Sallee.

#### PETITIONS AND MEMORIALS.

Mr. Judson presented a communication from Miss Lou White, praying for a remuneration of \$5,000 for injuries received while at work as superintendent of the laundry in the Western Washington hospital for the insane.

Referred to Judiciary Committee.

Mr. Judson presented a petition from citizens of Pierce county, praying for a repeal of the present road law, etc.

The petition was segregated and that portion referring to road law referred to Committee on Roads and Highways; that portion referring to education was referred to the Committee on Education.

#### REPORTS OF STANDING COMMITTEES.

Mr. Mead, as chairman of the Judiciary Committee, reported favorably on House bill No. 13, An act authorizing superior court judges to perform certain duties.

On motion of Mr. Gilman, the bill was considered engrossed and was read third time, and passed by the following vote, to wit: Yeas 71, nays 1; absent and not voting 6.

Yeas: Messrs. Anderson of Whitman, Anderson of Whatcom, Anderson of Pierce, Baker, Burton, Bush of Pacific, Bush of Chehalis, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Neergaard, Payne, Pierce of Lewis, Pierce of Klickitat, Rinehart, Roscoe, Scott, Shadle, Shelton, Sherman, Smith of Okanogan, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, White, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Mr. Denn voted nay.

Absent: Messrs. Brock, Cameron, Heliker, Hurd, Roth, and Sallee.

The emergency clause was passed by the following vote, to wit: Yeas 74, nays 0; absent and not voting, 4.

Yeas: Messrs. Anderson of Whitman, Anderson of Whatcom,

Anderson of Pierce, Baker, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, White, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Brock, Heliker, Hurd and Scott.

The title of the bill was considered the title of the act.

On motion of Mr. Wheeler, the chief clerk was instructed to transmit the bill to the Senate immediately, which duty was performed.

On motion of Mr. Rinehart, the rules were suspended for the day, and it was ordered that bills introduced to-day be read first and second time by title, ordered printed and referred to the proper committees.

Mr. McMillan gave notice that he would present the following amendment to rule 41, to wit: Amend rule 41 by striking out the following clause: "Every bill shall be read on three several days," and inserting "Every bill shall be read the first and second time by title, referred to committee and ordered printed."

#### INTRODUCTION OF BILLS.

The following bills were introduced and read first and second time by title, ordered printed, and referred to committees as follows:

House bill No. 74, by Mr. Neergaard: An act to establish maximum rates for the transportation of passengers on railroads in this state, and prescribing the penalty for violation therefor.

Bill read first and second time by title under suspension of rules, and referred to Committee on Railroads.

House bill No. 75, by Mr. Rinehart: An act to prevent the spread of contagious or infectious diseases among cattle, horses and other domestic animals.

Read first and second time by title under suspension of rules, and referred to Committee on Agriculture.

House bill No. 76, by Mr. Nash: An act relating to proceedings supplemental to execution.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 77, by Mr. Karr: An act in relation to giving notice in the matter of the foreclosure of tax liens.

Read first and second time by title under suspension of rules, and referred to Committee on Revenue and Taxation.

House bill No. 78, by Mr. Smith, of Douglas: An act relating to the exemption of work, labor and personal services of laborers, mechanics or other persons in mesne and final process.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 79, by Mr. Letterman: An act making an appropriation for the construction of buildings and for maintenance of the agricultural college, experiment station and school of science of the State of Washington for the years 1893 and 1894, and declaring an emergency to exist.

Read first and second time by title under suspension of rules, and referred to Committee on Agricultural College.

House bill No. 80, by Mr. Scott: An act repealing the poll tax, and providing for revenue for the construction and maintenance of public roads.

Read first and second time by title under suspension of rules, and referred to Committee on Roads and Highways.

House bill No. 81, by Mr. Weed: An act concerning irrigation.

Read first and second time by title under suspension of rules, and referred to Committee on Irrigation and Water.

House bill No. 82, by Mr. Foster: An act to prohibit the catching of salmon or other food fishes by means of fish wheels.

Read first and second time by title under suspension of rules, and referred to Committee on Fisheries and Game.

House bill No. 83, by Mr. Foster: An act to protect the lives and property of persons engaged in fishing and navigating the waters of the Columbia river.

Read first and second time by title under suspension of rules, and referred to Committee on Fisheries and Game.

House bill No. 84, by Mr. White: An act to amend sections 1063

of the Code of 1881, and 1271, volume two of Hill's Code, by providing for compensation of counsel appointed to defend indigent prisoners.

Read first and second time by title under suspension of rules, and referred to Committee on Appropriations and Claims.

House bill No. 85, by Mr. Wheeler: An act to provide for the appointment of attorneys to defend indigent persons charged with felony.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 86, by Mr. Wheeler: An act to regulate the practice of dentistry in the State of Washington.

Read first and second time by title under suspension of rules, and referred to Committee on Medicine and Surgery.

House bill No. 87, by Mr. Ludden: An act to provide for filing and recording plats of land within and adjacent to cities and incorporated towns and villages, and declaring an emergency.

Read first and second time by title under suspension of rules, and referred to Committee on Municipal Corporations.

House bill No. 88, by Mr. Greenberg: An act relating to internal improvements in cities of the first class. Authorizing the issuance and collection of bonds upon the property benefited by local improvements, and declaring an emergency.

Read first and second time by title under suspension of rules, and referred to Committee on Municipal Corporations.

House bill No. 89, by Mr. Roth: An act to quiet possessions and confirm title to lands.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House concurrent resolution No. 5, by Mr. Baker: Relating to the election of United States senators by popular vote.

Read first and second time by title under suspension of rules, and referred to Committee on Federal Relations and Immigration.

On motion, Senate bill No. 2, relating to harbor line commission, was indefinitely postponed.

Messrs. Gill and Owens were sworn in as committee clerks by the speaker.

Mr. Hoole, by request, was released from Committee on Mines and Mining, and the speaker appointed Mr. Roth to fill the vacancy.

On motion of Mr. Nash, the House took a recess of 15 minutes at 11:40 A. M.

#### JOINT CONVENTION.

The sergeant-at-arms announced that the Senate was in waiting to meet the House in joint session.

The Senate was admitted and assigned seats within the bar.

The president of the Senate took the chair, at the request of the speaker of the House.

The roll was called; all of the members of the joint convention answered to their names except Senator Sergeant.

The clerk began the reading of yesterday's joint journal.

On motion of Senator McManus, further reading of the journal was dispensed with, and the journal approved.

There being no election of a United States senator at yesterday's session, the president instructed the clerks to call the roll, with the following result:

#### TWENTY-FIRST JOINT BALLOT.

John B. Allen received 49 votes.

George Turner received 26 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kelly, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Rutter, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Senator McCroskey introduced the following resolution:

*Resolved by the Senate and the House of Representatives in joint convention assembled,* That our senators and representatives in congress be and are hereby requested to use their best efforts to cause congress to submit for approval by the states, an amendment to the constitution providing that United States senators be elected by a direct vote of the people.

*Resolved further,* That the secretary of the Senate is hereby directed to forward an authenticated copy of the foregoing resolution to each of our senators and representatives, incumbent, elect and prospective.

The resolution was adopted by the following vote of the joint convention, to wit: Yeas 103, nays 8.

Yeas: Messrs. Anderson (D. F.), Anderson (W. D. E.), Baker, Belknap, Brock, Burton, Bush (A. S.), Bush (N. W.), Cameron, Campbell, Claypool, Collin, Cooper, Cowan, Crockett, Denn, Donahoe, Durant, Dyer, Easterday, Edens, Edmonds, Edwards, Egbert, Farrish, Forsyth, Foss, Foster, Gilbert, Gilman, Green, Greenberg, Hamill, Hastings, Heliker, Helm, Hoole, Horr, Hurd, Hutchinson, Ide, Judson, Karr, Keller, Kellogg, Kelly, Kinnear, Kline, Leo, Letterman, Ludden, Mays, McCroskey, McElwain, McKenzie, McManus, McMillan, McMurphy, McNew, Mead, Meany, Mentzer, Merchant, Miller, Moore, Morrison, Mulkey, Nash, Neergaard, Nelson, Payne, Pierce (C. M.), Pierce (D. W.), Richards, Rinehart, Roberts, Roscoe, Roth, Rutter, Sallee, Scott, Shadle, Shelton, Sherman, Smith (H. F.), Smith (J. B.), Smith (T. J.), Smithson, Speck, Temple, Tucker, Tull, Turpin, Van Houten, Van De Vanter, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson (M.), Brown, Eshelman, Forrest, Frink, O'Neill, Shaw, and Washburn.

Senator Claypool introduced the following resolution:

WHEREAS, The duty of electing a United States senator, while of great importance, is not the sole and only duty of the legislature, and there are many other matters and things of vital interest to the people to be considered and determined during the brief constitutional life of this body; and,

WHEREAS, There is apparent no reasonable ground for the belief that the pending senatorial contest will be ended within a short time, and the tedious repetition of ballots brings the legislature no nearer the desired consummation: therefore, be it

*Resolved by the Legislature of the State of Washington in joint convention assembled,* That during the present sitting of this body, and hereafter

during the session when convened for the present purpose, the legislature take but one ballot and thereupon dissolve the joint session, and endeavor to do some other business of the state.

Mr. Washburn moved to lay the resolution on the table.

Senator Claypool called for yeas and nays.

The motion to lay on table was lost by the following vote: Yeas 46, nays 65.

Yeas: Messrs. Anderson (D. F.), Anderson (M.), Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Eshelman, Farrish, Forrest, Frink, Gilbert, Gilman, Hamill, Hastings, Heliker, Hoole, Horr, Hutchinson, Karr, Keller, Kellogg, Kelly, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Shadle, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, and Mr. Speaker.

Nays: Messrs. Anderson (W. D. E.), Baker, Belknap, Burton, Campbell, Claypool, Collin, Cooper, Cowan, Crocket, Denn, Donahoe, Durant, Easterday, Edens, Edmonds, Edwards, Egbert, Forsyth, Foss, Foster, Green, Greenberg, Helm, Hurd, Ide, Judson, Kinnear, Kline, Leo, Letterman, Ludden, Mays, McCroskey, McManus, McMillan, Mentzer, Miller, Moore, Mulkey, Nash, Nelson, Payne, Pierce (D. W.), Richards, Roscoe, Rutter, Sallee, Scott, Shaw, Shelton, Sherman, Smith (H. F.), Smith (J. B.), Smith (T. J.), Smithson, Speck, Temple, Tull, Turpin, Van Houten, Westfall, White, Winchell, and Woodworth.

Mr. McElwain moved that the resolution be amended so as to read five ballots instead of one.

Senator Sergeant entered and was marked present.

Senator Hutchinson moved to amend the amendment by inserting three instead of five.

The amendment to the amendment was lost by a vote of 50 yeas to 62 nays, as follows:

Yeas: Messrs. Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Collin, Easterday, Edens, Eshelman, Farrish, Forsyth, Foster, Frink, Gilbert, Gilman, Green, Hastings, Helm, Hutchinson, Ide, Judson, Karr, Kellogg, Kelly, Kinnear, Kline, Mays, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Mulkey, Pierce (C. M.), Roberts, Sergeant, Smith (T. J.), Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.



Nays: Messrs. Anderson (D. F.), Anderson (M.), Anderson (W. D. E.), Baker, Burton, Campbell, Claypool, Cooper, Cowan, Crockett, Denn, Donahoe, Durant, Dyer, Edmonds, Edwards, Egbert, Forrest, Foss, Greenberg, Hamill, Heliker, Hoole, Horr, Hurd, Keller, Leo, Letterman, Ludden, McCroskey, McManus, McMillan, Mentzer, Miller, Moore, Nash, Neergaard, Nelson, O'Neill, Payne, Pierce (D. W.), Richards, Rinehart, Roscoe, Roth, Rutter, Sallee, Scott, Shadle, Shaw, Shelton, Sherman, Smith (H. F.), Smith (J. B.), Smithson, Speck, Temple, Tull, Turpin, Van Houten, Westfall, and Woodworth.

Mr. McElwain's amendment was lost by the following vote: Yeas 51, nays 61, as follows:

Yeas: Messrs. Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Edens, Edwards, Farrish, Forrest, Forsyth, Frink, Gilbert, Gilman, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sergeant, Shadle, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Nays: Messrs. Anderson (W. D. E.), Baker, Burton, Campbell, Claypool, Collin, Cooper, Cowan, Crockett, Denn, Donahoe, Durant, Easterday, Edmonds, Egbert, Eshelman, Foss, Foster, Green, Greenberg, Hamill, Helm, Hurd, Hutchinson, Ide, Judson, Kline, Leo, Letterman, Ludden, Mays, McCroskey, McManus, McMillan, Mentzer, Miller, Moore, Mulkey, Nash, Nelson, Payne, Pierce (D. W.), Richards, Roscoe, Rutter, Sallee, Scott, Shaw, Shelton, Sherman, Smith (H. F.), Smith (J. B.), Smith (T. J.), Smithson, Speck, Temple, Tull, Turpin, Van Houten, Westfall, and Woodworth.

Mr. Meany moved to amend by inserting two ballots instead of one. The amendment was adopted by the following vote: Yeas 69, nays 43, as follows:

Yeas: Messrs. Anderson (D. F.), Anderson (M.), Anderson (W. D. E.), Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Campbell, Claypool, Cooper, Donahoe, Dyer, Easterday, Edens, Edmonds, Edwards, Eshelman, Farrish, Forsyth, Foss, Foster, Gilman, Green, Hastings, Heliker, Helm, Hoole, Hutchinson, Ide, Judson, Karr, Keller, Kelly, Kinnear, Letterman, McCroskey, McElwain, McKenzie, McManus, McMurphy, McNew, Mead, Meany,

Merchant, Miller, Morrison, Neergaard, Payne, Pierce (C. M.) Richards, Rinehart, Roth, Rutter, Sallee, Shadle, Shaw, Shelton, Smith (H. F.), Smith (T. J.), Tucker, Van Houten, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Nays: Messrs. Baker, Belknap, Burton, Collin, Cowan, Crockett, Denn, Durant, Egbert, Forrest, Frink, Gilbert, Greenberg, Hamill, Horr, Hurd, Kellogg, Kline, Leo, Ludden, Mays, McMillan, Mentzer, Moore, Mulkey, Nash, Nelson, O'Neill, Pierce (D. W.), Roberts, Roscoe, Scott, Sergeant, Sherman, Smith (J. B.), Smithson, Speck, Temple, Tull, Turpin, Van De Vanter, Westfall, and Woodworth.

Senator Claypool's resolution, as amended, passed by the following vote: Yeas 62, nays 50, as follows:

Yeas: Messrs. Anderson (W. D. E.), Belknap, Brock, Brown, Burton, Bush (A. S.), Collin, Dyer, Edens, Edmonds, Eshelman, Forrest, Forsyth, Foster, Frink, Gilbert, Greenberg, Hastings, Helm, Horr, Hurd, Hutchinson, Ide, Judson, Kellogg, Kinnear, Kline, Leo, Letterman, Ludden, Mays, McCroskey, McManus, McMillan, McNew, Mead, Mentzer, Miller, Moore, Mulkey, Nash, Nelson, O'Neill, Payne, Pierce (D. W.), Roberts, Roscoe, Sallee, Scott, Sergeant, Shaw, Shelton, Sherman, Smith (J. B.), Smithson, Speck, Temple, Tull, Turpin, Van De Vanter, Westfall, and Woodworth.

Nays: Messrs. Anderson (D. F.), Anderson (M.), Baker, Bush (N. W.), Cameron, Campbell, Claypool, Cooper, Cowan, Crockett, Denn, Donahoe, Durant, Easterday, Edwards, Egbert, Farrish, Foss, Gilman, Green, Hamill, Heliker, Hoole, Karr, Keller, Kelly, McElwain, McKenzie, McMurphy, Meany, Merchant, Morrison, Neergaard, Pierce (C. M.), Richards, Rinehart, Roth, Rutter, Shadle, Smith (H. F.), Smith (T. J.), Tucker, Van Houten, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

TWENTY-SECOND JOINT BALLOT.

John B. Allen received 51 votes.

George Turner received 25 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kin-

near, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Shadle, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Rutter, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Douahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

On motion of Mr. Winchell, the joint convention dissolved at 1:30 P. M., to meet to-morrow (Saturday) at 12 o'clock noon.

On motion of Mr. Bush, of Pacific, the House adjourned until to-morrow (Saturday) at 10 o'clock A. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## THIRTEENTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES, }  
 OLYMPIA, WASHINGTON, Saturday, January 21, 1893. }  
 10:15 o'clock A. M.

The House was called to order at 10:15 A. M., the speaker in the chair.

The roll was called; all present.

The journal of yesterday was read and approved, except that portion relating to the joint session.

Miss Nichols was sworn in by the speaker as a committee clerk.

On motion of Mr. McMillan, the Committee on Rules were instructed to make an early report, and to secure the services of any committee clerk to assist.

Mr. Tucker presented the following resolution, which was adopted:

*Be it resolved by the House of Representatives,* That the chairmen of the standing committees post on the bulletin board of the House notice of the time and place of meeting of their respective committees.

Mr. Rinehart moved that the bills introduced to-day be read first and second time by title under suspension of the rules, referred to proper committee and ordered printed.

The motion was adopted.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., January 20, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 13, entitled "An act authorizing superior court judges to perform certain duties," and the same is herewith returned to the House.

ALLEN WEIR, Secretary.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of House bill No. 13, entitled "An act authorizing superior court judges to perform certain duties," has been carefully compared with the copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

The speaker signed House bill No. 13 in open session of the House.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., January 16, 1893.

MR. SPEAKER:

The president of the Senate has signed House bill No. 13, entitled "An act authorizing superior court judges to perform certain duties," and the same is herewith returned to the House.

ALLEN WEIR, Secretary.

#### MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, January 19, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN—I have the honor to transmit to you one hundred and forty copies each of the following reports: Washington Soldiers Home,

Directors of the State Penitentiary, and Harbor Line Commission with maps accompanying the same.

Respectfully, J. H. MCGRAW, Governor.

The following report of the joint special committee on joint rules was presented:

SENATE CHAMBER, January 19, 1893.

*To the Senate and House of Representatives:*

Your joint committee appointed to report on joint rules and orders would respectfully recommend that the joint rules and orders prevailing during the second session of the legislature be adopted as the joint rules of the present session. Respectfully submitted.

W. H. GILBERT, Chairman.

Senators Foss and O'Neill, and Messrs. Morrison, Judson and Ludden, being all the members of the committee, concur in the above report.

On motion, the above report was adopted.

#### INTRODUCTION OF BILLS.

The following bills were introduced and read first and second time, and ordered printed and referred to committees:

House bill No. 90, by Mr. Ludden: An act establishing a normal school board, and fixing the legal status of normal diplomas and certificates.

Read first and second time by title under suspension of rules, and referred to Committee on State University and Normal School.

House bill No. 91, by Mr. Westfall: An act appropriating money and providing for the construction and furnishing of a normal school building at Cheney, Washington.

Read first and second time by title under suspension of rules, and referred to Committee on State University and Normal School.

House bill No. 92, by Mr. Smith, of Douglas: An act providing for the creation of boards of public highways and for the construction and maintenance of public highways or roads, and for the levy of taxes for the payment of expenditures required for the same, and for the abolition of a poll tax, and for the levy of a road poll tax, and declaring an emergency.

Read first and second time by title under suspension of rules, and referred to Committee on Roads and Highways.

House bill No. 93, by Mr. Anderson, of Whitman: An act regulating and fixing railroad freight rates in the State of Washington.

Read first and second time by title under suspension of rules, and referred to Committee on Railroads.

House bill No. 94, by Mr. Moore: Relating to school districts.

Read first and second time by title under suspension of rules, and referred to Committee on Education.

House bill No. 95, by Mr. Webb: An act making it a misdemeanor to buy, sell, handle or offer for sale within the State of Washington cans, cases or packages of fish that are not plainly branded or marked on their exterior.

Read first and second time by title under suspension of rules, and referred to Committee on Fisheries and Game.

House bill No. 96, by Mr. Greenberg: 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.

Read first and second time by title under suspension of rules, and referred to Committee on Municipal Corporations.

House bill No. 97, by Mr. Collin: An act relating to the election of United States senators.

Read first and second time by title under suspension of rules, and referred to Committee on Privileges and Elections.

House bill No. 98, by Mr. McElwain: An act fixing the fees and compensation of justices of the peace.

Read first and second time by title under suspension of rules, and referred to Committee on Judiciary.

House bill No. 99, by Mr. McElwain: An act to amend sections 1456 and 1457 of the Code of Procedure of the State of Washington, relating to the issuance, service and return of process and the complaint and notice issued by justices of the peace, and to provide for the service and return of summons and of complaint and notice issued by justices of the peace by persons other than sheriffs and constables.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 100, by Mr. McElwain: An act to amend section 1534 of the Code of Procedure, relating to costs in civil actions before justices of the peace, and to provide for taxing an attorney's fee as part of the costs in such actions.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 101, by Mr. Mulkey: An act to legalize and confirm the acts, proceedings and contracts of cities and towns in this

state which were reorganized under an act entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency, approved March 24, 1890."

Read first and second time by title under suspension of rules, and referred to Committee on Municipal Corporations.

House bill No. 102, by Mr. Bush, of Pacific: An act to amend sections 274 and 279 of Penal Code of 1891, relating to protection of food fishes, and declaring an emergency.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 103, by Mr. Bush, of Chehalis: An act concerning the exercise of the right of eminent domain by corporations other than municipal corporations.

Read first and second time by title under suspension of rules, and referred to Committee on Corporations other than Municipal and Railroads.

House bill No. 104, by Mr. Bush, of Chehalis: An act relating to the liens of mechanics and others upon real estate, curing defects in lien notices, and declaring an emergency.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 105, by Mr. Bush, of Chehalis: An act relating to liens of mechanics and others upon real property, repealing section 1961 of the Code of Washington of 1881, and declaring an emergency.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 106, by Mr. Gilman (by request): An act relating to wills and the custody, control and delivery thereof, and defining the crime of suppressing, secreting or destroying any lost will and testament or consenting to the same, and providing for the punishment thereof.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 107, by Mr. Baker: An act relating to an act exempting homestead improvements in the sum of \$1,000 from taxation.

Read first and second time by title under suspension of rules, and referred to Committee on Revenue and Taxation.

On motion of Mr. Rinehart, the House took a recess at 11 o'clock until 11:50 A. M.

The House resumed business at 11:50 A. M.

The sergeant-at-arms was instructed by the speaker to notify the Senate that the House was ready for the joint session.

#### JOINT SESSION.

The sergeant-at-arms announced that the Senate was in waiting. The honorable Senate was invited to sit within the bar of the House, and the president of the Senate took the chair.

Joint roll call showed that all were present except Senator Sergeant.

On motion of Senator Claypool, the reading of the journal of the joint session was dispensed with.

The joint journal was considered read and approved.

The president ruled that nothing but matters pertaining to the senatorial question could properly be considered.

#### TWENTY-THIRD JOINT BALLOT.

John B. Allen received 51 votes.

George Turner received 24 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kelly, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Shadle, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline,



Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

TWENTY-FOURTH JOINT BALLOT.

John B. Allen received 52 votes.

George Turner received 24 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kelly, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Shadle, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

On motion of Senator Kinnear, the joint convention dissolved at 12:25 P. M., to meet Monday, January 23, 1893, at 12 o'clock noon.

On motion of Mr. Sallee, the House adjourned at 12:25 P. M., to meet Monday, January 23, at 11:50 A. M.

## FIFTEENTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Monday, January 23, 1893. }  
11:50 o'clock A. M.

The speaker called the House to order at 11:50 A. M.

The roll call showed all the members present.

The journal of Saturday was read and approved.

Mr. Sallee, as chairman of the special committee to select rooms for the various committees, presented the following report, which, on motion, was adopted:

MR. SPEAKER:

Your committee, appointed for the purpose of selecting rooms for committees, beg leave to report that they have secured six rooms in the county court house, furnished throughout, for the sum of \$225 rental for the session.

Respectfully submitted.

J. S. SALLEE, Chairman.

ELLIS MORRISON,

A. E. MEAD,

T. F. MENTZER,

MILO KELLY.

The following communication was received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 21, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN— I have this day approved and signed House bill No. 13, entitled "An act authorizing any judge of the superior court of this state whose term of office expired on the second Monday of January, 1893, to settle and certify statements of facts for the purpose of perfecting appeals to the supreme court in cases tried before him, and declaring an emergency to exist."

Respectfully,

JOHN H. MCGRAW, Governor.

The sergeant-at-arms was instructed to inform the Senate that the House was ready to sit with them in joint convention.

The sergeant-at-arms reported the Senate in waiting.

### JOINT SESSION.

The speaker invited the honorable body to seats within the bar and the president of the Senate to preside over the deliberations of the joint convention.

The clerk called the roll; all senators and representatives responded to their names.

On motion of Senator Claypool, the reading of the joint journal was dispensed with, and the same was considered as read and approved.

The president announced that no election of United States senator had resulted at the last joint session, and instructed the clerk to call the roll.

TWENTY-FIFTH JOINT BALLOT.

John B. Allen received 51 votes.

George Turner received 25 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinneer, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

The president announced that no candidate had received the necessary majority, and the clerk was instructed to call the roll for the twenty-sixth joint ballot.

TWENTY-SIXTH JOINT BALLOT.

John B. Allen received 51 votes.

George Turner received 25 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)

The ballot showed that there was no election for senator.

On motion of Senator Claypool, the joint convention dissolved at 12:30 P. M., to meet to-morrow (Tuesday) at 12 o'clock noon.

On motion of Mr. Roth, the House took a recess at 12:25 P. M., to meet at 2:30 P. M. this afternoon.

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#### AFTERNOON SESSION.

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The House was called to order at 2:30 o'clock P. M.; the speaker in the chair.

The roll was called. All the members were present.

The following communication, accompanied by a copy of House concurrent resolution No. 17, from the state of Oregon, was read:

STATE OF OREGON, HALL OF REPRESENTATIVES,  
SALEM, January 19, 1893.

*Mr. Speaker, House of Representatives, State of Washington :*

DEAR SIR—I am instructed to notify the legislative assembly of the State of Washington that House concurrent resolution No. 17, appointing a committee from both houses to meet with a like committee appointed by your legislature, to look after fishing industries on the Columbia river and regulate the same, was adopted by the House January 16, 1893, and concurred in by the Senate January 17, 1893, and a copy of said resolution is transmitted herewith.

The following committee have been appointed thereunder: On the part of the Senate, Messrs. Maxwell and Myers, and on the part of the House, Messrs. Myers, Coon and Jeffreys.

Very respectfully, D. C. SHERMAN, Chief Clerk.

*Resolved by the House, the Senate concurring,* That a special committee of three from the House and two from the Senate be appointed to meet with a like committee appointed by the Legislature of the State of Washington, to look after the fishing industries on the Columbia river, and regulate the laws governing the same with uniform laws; and that the clerk be instructed to notify the Legislature of the State of Washington of such action.

Adopted by the House January 16, 1893.

Concurred in by the Senate January 17, 1893.

A true copy.

D. C. SHERMAN, Chief Clerk.

## REPORT OF COMMITTEE ON FISHERIES AND GAME.

MR. SPEAKER:

We, your Committee on Fisheries and Game, to whom was referred House concurrent resolution No. 4, relating to the appointment of a joint committee to meet with a joint committee from the Oregon legislature, now in session, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be adopted.

Respectfully submitted.

A. S. BUSH, Chairman.

We concur in this report:

W. P. McELWAIN,  
N. W. BUSH,  
EUGENE BROCK,  
C. J. MOORE,  
WALTER CROCKETT,  
R. T. COWAN.

On motion, the report of the Committee on Fisheries and Game was adopted.

On motion of Mr. Bush, of Pacific, the rules were suspended and House concurrent resolution No. 4 was placed on its final passage, and passed by the following vote: Yeas 77, nays none, absent and not voting 1.

Those voting yea were: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Absent: Mr. White.

On motion, the concurrent resolution was immediately transmitted to the Senate.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of House concurrent resolution No. 3, Indorsing Nicaraguan canal construction, and No. 1, Relating to printing governor's message, have been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

The speaker signed House concurrent resolutions Nos. 1 and 3 in open session of the House.

Mr. Brock introduced the following resolution, which was adopted:

*Resolved*, That all bills introduced to-day be read first and second time by title under suspension of rules and referred, with orders to print.

#### INTRODUCTION OF BILLS.

The following bills were introduced and read first and second time by title under suspension of rules:

House bill No. 108, by Mr. Morrison: An act for viewing, laying out and surveying public roads, and providing for the award of damages in the location of said roads.

Read first and second time by title, under suspension of rules, and referred to Committee on Roads and Highways.

House bill No. 109, by Mr. Karr: An act in relation to the business of logging.

Read first and second time by title, under suspension of rules,

and referred to Committee on Corporations other than Municipal and Railroads.

House bill No. 110, by Mr. Anderson, of Whitman: An act to prevent the sale or injury of mortgaged personal property, and to provide punishment for violations thereof.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 111, by Mr. Anderson, of Whitman: An act concerning mortgages of personal property, and to repeal chapter 141 of the Code of Washington, 1881.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 112, by Mr. Smith, of Douglas: An act providing for the use of the American flag in the schools of this state.

Read first and second time by title under suspension of rules, and referred to Committee on Education.

House bill No. 113, by Mr. Smith, of Douglas: An act aiding indigent persons in the prosecution of suits at law in the courts of the state.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 114, by Mr. Gilman: An act in relation to garnishments.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 115, by Mr. Nash: An act amending section 8 of an act entitled "An act to secure creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors," approved March 6, 1890, and repealing section two thousand and thirty-two (2032) of the Code of Washington of A. D. 1881, and fixing the compensation of assignees for the benefit of creditors.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 116, by Mr. Moore: An act in relation to weight of oats.

Read first and second time by title under suspension of rules, and referred to Committee on Agriculture.

House bill No. 117, by Mr. Gilman: An act in relation to attachments.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 118, by Mr. Gilman: An act amending section 412 of chapter 10, title 7 of the Code of Civil Procedure of 1891, relating to judgments on failure to appear and answer.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 119, by Mr. Gilman: An act in relation to the manner of commencing civil actions, amending sections 171, 172, 173, 174, 175, 178, 179 and 183 of chapter 4, title 5 of the Code of Civil Procedure of 1891.

Read first and second time by title under suspension of rules, and referred to Judiciary Committee.

House bill No. 120, by Mr. McNew: An act in relation to sale of school land upon which there is improvements.

Read first and second time by title under suspension of rules, and referred to Committee on Education.

House bill No. 121, by Mr. Anderson, of Whatcom: An act for the destruction of the Canada thistle.

Referred to Committee on Agriculture.

House bill No. 122, by Mr. Anderson, of Whatcom: An act creating an office to be known as the office of register of deeds.

Referred to Judiciary Committee.

House bill No. 123, by Mr. Gilman: An act to amend sec. 1400 of vol. 1 of Hill's Annotated Statutes and Codes of Washington, the same being sec. 2410 of the Code of Washington of 1881, relating to community real estate.

Referred to Judiciary Committee.

House bill No. 124, by Mr. Gilman: An act to prevent and punish corrupt practices in elections, and to provide for publicity in election expenses.

Referred to Committee on Privileges and Elections.

House bill No. 125, by Mr. Bush, of Pacific: An act providing for the survey, appraisal and sale of tide lands of the second class, and declaring an emergency.

Referred to Committee on Tide Lands.

House bill No. 126, by Mr. Bush, of Pacific: An act to amend an act entitled "An act to provide for assessment and collection of taxes in the State of Washington."

Referred to Committee on Revenue and Taxation.



House bill No. 127, by Mr. Sallee: An act to provide for keeping highways in repair, and for the levy and collection of road poll and road property taxes, and declaring an emergency.

Referred to Committee on Roads and Highways.

House bill No. 128, by Mr. Roth: An act relating to the time of bringing actions to recover lands held under tax deed.

Referred to Committee on Judiciary.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., January 23, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 16, entitled "An act to provide for voting on a constitutional amendment, at the general election to be held in November, 1894, relative to the investment of the permanent school fund," and the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

#### SENATE BUSINESS.

Senate bill No. 16, by Mr. Easterday, of Pierce: An act to provide for voting on a constitutional amendment, at the general election to be held in November, 1894, relative to investment of the permanent school fund.

Read first and second time by title, under suspension of the rules, and referred to Committee on Education.

Mr. Tucker arose to a question of privilege, in reply to an article in the *Spokane Review* relating to the appointment of the Judiciary Committee.

Mr. Hoole presented a petition from Pacific Post, No. 8, G. A. R., in relation to displaying the American flag in the public schools.

Referred to Committee on Education.

On motion of Mr. Hoole, the House adjourned at 3:30 p. m., to meet to-morrow (Tuesday) at 10 o'clock a. m.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## SIXTEENTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, TUESDAY, January 24, 1893. }  
10 o'clock A. M.

The House was called to order at 10 o'clock A. M., the speaker in the chair.

The roll was called; all the members present.

The journal of yesterday was read and approved, except that portion relating to the joint convention.

### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
OLYMPIA, WASH., January 23, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 12, entitled "An act for the relief of the local boards of tide and shore land appraisers, and disposal of the tide and shore lands belonging to the State of Washington," approved March 26, 1890, and the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

### REPORT OF COMMITTEE ON RULES AND ORDERS.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 24, 1893.

MR. SPEAKER:

We, your Committee on Rules and Orders, to whom was referred the subject of rules for the House, have had the same under consideration, and we respectfully report the following rules with recommendation that they be adopted; and we further recommend that the rules of the House, rules of the Senate and joint rules, together with a list of committees of both houses, be printed in pamphlet form for the use of the legislature.

Respectfully submitted.

J. W. ARRASMITH, Chairman.

We concur in this report:

EUGENE BROCK,  
R. W. WINCHELL,  
F. R. BAKER,  
JOHN LEO,  
EDMOND S. MEANY,  
J. B. SMITH.

### RULES OF THE HOUSE OF REPRESENTATIVES.

RULE 1. The speaker shall take the chair every day precisely at the hour to which the House shall have adjourned on the preceding day. He

shall immediately call the members to order, and on the appearance of a majority of the members shall cause the journal of the preceding day to be read.

RULE 2. Seven members with the speaker, or eight members in his absence, having chosen a speaker *pro tem.*, shall be authorized to call the House, and compel the attendance of absent members, make an order for their fine and censure, and may adjourn.

RULE 3. The speaker shall preserve order and decorum, may speak to points of order in preference to other members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to the House by any two members, on which appeal no member shall speak more than once, unless by leave of the House.

RULE 4. The speaker shall rise to put a question, but may state it sitting.

RULE 5. Questions shall be directly put in this form, to wit: "As many as are in favor of (as the question may be), say aye;" and, after the affirmative vote is expressed, "As many as are opposed, say no." If the speaker doubt, or a division is called for, the House shall divide. Those in the affirmative of the question shall first rise from their seats, and, the number being announced, those in the negative shall rise.

RULE 6. The speaker shall have a general direction of the house of representatives' room; he shall have a right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment. He shall have the right to appoint all committees, subject to additional members to be added upon motion.

RULE 7. The speaker shall vote when the ayes and noes are called for — his name being called last — and in case of an equal division the question shall be lost.

RULE 8. The standing committees to be appointed by the speaker shall consist of not less than three nor more than thirteen members each.

RULE 9. In case of any disturbance or disorderly conduct in the lobby, the speaker (or chairman of the whole house) shall have the power to order the same to be cleared.

RULE 10. No committee shall sit during the sittings of the House without special leave, and all its writs, warrants and subpoenas issued by order of the House shall be under the hand and seal of the speaker, attested by the clerk.

RULE 11. All questions relating to the priority of business shall be decided without debate.

RULE 12. Business shall be disposed of in the following order:

*First.* Calling the roll and reading the journal of the preceding day.

*Second.* Presentation of petitions, memorials and remonstrances addressed to the legislature.

*Third.* Reports of standing committees.

*Fourth.* Reports of special committees.

*Fifth.* Propositions and motions.

*Sixth.* Introduction and first reading of bills.

*Seventh.* Second reading of bills.

*Eighth.* Third reading of bills.

*Ninth.* Other business to be considered.

Special orders shall be taken up at the hour for which they have been fixed, and no other business of any kind shall be considered until the special order has been disposed of, unless the special order shall be postponed to some future time, or dispensed with by a vote of the House.

RULE 13. The speaker shall, upon each day, announce to the House the business in order, agreeably 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, but messages from the governor or Senate, or any communication from any state officer, may be read at any time.

RULE 14. When any member is about to speak in debate or deliver any matter to the House, he shall rise from his seat and respectfully address himself to Mr. Speaker, and shall confine himself to the question under debate and avoid personalities; and no member shall impeach the motive of any other member's vote or argument.

RULE 15. If any member, in speaking or otherwise, transgress the rules of the house, the speaker shall, or any member may, call to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and the house shall, if appealed to, decide the case, but without debate. If there be no appeal, the decision of the chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the House.

RULE 16. If any member be called to order for words spoken in debate, the person calling him to order shall repeat the words excepted to, and they shall be taken down in writing at the clerk's table, and no member shall be held to answer or be subject to the censure of the House for words spoken in debate, if any other member has spoken or other business has intervened after the words are spoken and before exception to them shall have been taken.

RULE 17. When two or more members rise at once, the speaker shall name who is the first to speak.

RULE 18. No member shall speak more than twice to the same question without leave of the House, except the chairman of the committee, or the mover of the question, who may close the debate.

RULE 19. While the speaker is putting the question, no member shall walk across or out of the house; nor when a member is speaking shall any entertain private discourse or pass between him and the chair.

RULE 20. No member shall vote on any question in the event of which he is immediately or particularly interested, or in any case when he was not within the bar of the House before the last name was called, unless by unanimous consent; and when any member shall ask leave to vote, the speaker shall propound to him the question: "Were you within the bar when the last name was called?"

RULE 21. Upon a division and a count of the House on any question, no member without the bar shall be counted.

RULE 22. Every member who shall be in the House when the question

was put shall give his vote, unless the House, for special reasons, shall excuse him. All motions to excuse a member from voting shall be made before the House divides, or before the call of yeas and nays is commenced; and any member requesting to be excused from voting may make a brief and verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

RULE 23. When a motion is made and seconded it shall be stated by the speaker, or, being in writing, it shall be handed to the chair and read aloud before debate.

RULE 24. Every motion shall be reduced to writing, if the speaker or a member desire it.

RULE 25. After a motion is stated by the speaker, and read, it shall be deemed to be in possession of the house, but may be withdrawn at any time by consent of the house, before decision or amendment.

RULE 26. When a question is under debate, no motion shall be received, but to adjourn, to lie on the table, for the previous question, to postpone indefinitely, to postpone to a day certain, to recommit or amend; which several motions shall have precedence in the order in which they stand arranged, and no motion to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the bill or proposition.

RULE 27. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

RULE 28. The previous question shall be put in this form: "Shall the main question be now put?" It shall only be admitted when demanded by two-thirds of the members present, and, until it is decided, shall preclude all amendment and further debate on the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the house shall be in order, but after a majority shall have seconded such motion, no call shall be in order prior to the decision of the main question.

RULE 29. On a previous question there shall be no debate; all incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether an appeal or otherwise, without debate.

RULE 30. Any member may call for a division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the house. A motion to strike out being lost shall preclude neither amendments nor a motion to strike out and insert.

RULE 31. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. No bill or resolution shall at any time be amended by annexing thereto or incorporating therewith any other bill or resolution pending before the house.

RULE 32. When a motion has once been made and carried in the affirmative or negative, it shall be in order for any member of the majority to

move for a reconsideration thereof, on the same day or within one day thereafter.

RULE 33. When a reading of a paper is called for, if any objections are made, it shall be decided by a vote of the House.

RULE 34. The unfinished business at which the House was engaged the preceding adjournment shall have the preference in the order of the day, and no motion or any other business shall be received without special leave of the House until the former is disposed of.

RULE 35. If a question pending be lost by adjournment of the House, and revived on the succeeding day, no member who shall have spoken twice on the preceding day shall be permitted again to speak without leave.

RULE 36. Petitions, memorials and other papers addressed to the House may be presented by the speaker, or any member, and shall not be debated or decided on the day of their being first read, unless the House shall direct otherwise, but they may be referred to the committee having the subject matter thereof under consideration, or may lie on the table, to be taken up in the order in which they are presented.

RULE 37. A motion to adjourn shall always be in order; that and the motion to lie on the table to be taken up in the order named.

RULE 38. It shall be in order for the Committee on Enrolled and Engrossed Bills to report at any time when no motion is before the House. The committee can report without notice to the House by handing the report to the chief clerk.

#### INTRODUCTION AND READING OF BILLS.

RULE 39. A member desiring to introduce a bill shall first obtain the floor and state that he desires to introduce a bill, and if entitled to do so the bill shall be sent to the clerk's desk to be numbered, and all bills shall be read in the order in which they are numbered by the clerk, but no bill shall be read a first time until every member present entitled to introduce a bill has had an opportunity to do so, unless otherwise ordered by the House.

RULE 40. Every bill shall be read on three several days unless the House shall deem it expedient to suspend this rule. The first reading shall be by title only, unless a majority of members demand the reading in full. All bills shall be printed and be referred to committee on first reading. Bills shall pass to second reading when reported back by committee. Bills on second reading are subject to amendment. Bills on third reading shall be read in full by section. All joint or concurrent resolutions shall be acted upon the same as bills, unless otherwise ordered by a majority of the House.

RULE 41. Standing committees shall report all bills back to the House within ten days from the time of reference, unless further time be granted by the House.

RULE 42. No amendment shall be received to a bill on its third reading, but it may be re-referred or recommitted for the purpose of amendment; a bill may be recommitted at any time before its passage.

RULE 43. When a bill shall pass, it shall be certified to by the clerk, noting the day of its passage at the foot thereof.

RULE 44. In forming a committee of the whole house, the speaker, having the chair, shall appoint a chairman to preside.

RULE 45. Upon a bill committed to a committee of the whole house, the bill shall be read and debated by clauses, leaving the preamble to be last considered. 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 clerk on a separate paper, as the same shall be agreed to by the committee, and so reported to the house. After a report, the bill shall again be subject to be debated and amended by clauses, before a question to engross it be taken.

RULE 46. All questions, whether in committee or in the House, shall be propounded in the order in which they are moved, except that in filling blanks the largest sum and the longest time shall be first put.

RULE 47. Upon the passage of any question the vote shall be taken by yeas and nays and be entered on the journal of the House, when demanded by one-sixth of the members present.

RULE 48. The rules of proceeding in the House shall be observed in a committee of the whole House, so far as they may be applicable, but no member shall speak twice to any question until every member choosing to speak shall have spoken.

RULE 49. No standing rule or order of the House shall be rescinded or changed without one day's notice being given of the motion therefor, nor shall any rule be suspended except by a vote of at least two-thirds of the members present; nor shall the order of business established by the House be postponed or changed, except by a vote of at least two-thirds of the members present.

RULE 50. No member shall absent himself from the service of the House, unless he shall have leave or be sick and unable to attend.

RULE 51. The time of meeting of the House shall be at 10 o'clock A. M., unless otherwise ordered by the House.

RULE 52. No person shall be allowed to smoke in the hall or lobby thereof during session or recess.

RULE 53. On the final passage of every bill the yeas and nays shall be taken and entered on the journal.

RULE 54. Five members may demand a call of the House at any time before the House has divided or the voting has commenced by "yeas" and "nays," and thereupon the doors shall be closed until further proceedings upon the call have been dispensed with, which shall not be done until the absentees have been sent for, if requested by any member; but arrests of members for absence shall not be made unless ordered by a majority of the members present.

RULE 55. The rules of parliamentary practice comprised in "Cushing's Law and Practice of Legislative Assemblies" shall govern in all cases in which they are not inconsistent with the standing rules and orders of the House.

RULE 56. No engrossed bill, memorial or joint resolution shall be sent

to the Senate until one day after its passage, without special instructions by the House.

DUTIES OF SUBORDINATE OFFICERS OF THE HOUSE.

RULE 1. The chief clerk of the House shall see that the journal is properly kept, and have general supervision over all the clerks, excepting clerks that are under the immediate charge of standing committees, and over such clerks when their services are not required by standing committees.

RULE 2. The assistant clerk shall keep a correct record of all the proceedings of the House, and perform such other duties as the chief clerk shall prescribe.

RULE 3. The reading clerk shall read all communications, call the roll, and perform such other duties as the chief clerk may direct.

RULE 4. The journal clerk shall transcribe the minutes of the House, as approved, into the journal provided for that purpose.

RULE 5. The docket clerk shall keep a correct list (in a book provided for that purpose) of all bills, memorials and joint resolutions introduced, and perform such other duties as the chief clerk may require.

RULE 6. The enrolling and engrossing clerks shall be under the supervision of the Committee on Enrolled and Engrossed Bills.

RULE 7. The sergeant-at-arms shall attend the House during the sittings, announce all messages, preserve order in the lobby of the hall, and execute all processes issued by authority of the House, and directed to him by the speaker.

RULE 8. The assistant sergeant-at-arms shall be under the supervision of the sergeant-at-arms, and perform such duties as that officer shall prescribe.

RULE 9. The doorkeeper shall attend the House during the sittings; shall give notice to the House of all messages; keep the representative hall and committee rooms in perfect order, and in all things execute the commands of the speaker of the House.

RULE 10. The messenger and postmaster shall carry all messages the House may require, private as well as public; distribute and deliver all mail matter, and in all things execute the commands of the speaker and the House.

RULE 11. The watchman shall be in charge of the representative hall and be responsible for the property therein, when the House is not in session, from the hour of 6 P. M. to 8 A. M.

RULE 12. The assistant watchman shall sweep the hall, keep the room heated and ventilated, keep all outhouses connected with the state house in good condition, and perform the duties of the watchman during his absence, and such other duties as the House may require.

RULE 13. All employés of the House, excepting the clerks and watchman, shall report for duty to the sergeant-at-arms at 9 A. M.

RULE 14. Any clerk or other employé of the House, who shall neglect or refuse to perform any duties assigned them, or when found in a state of intoxication, shall, when reported to the House in writing by a stand-



ing committee, be subject to a reprimand, and for a second offense be removed by a majority vote of the House.

On motion, the report of the Committee on Rules and Orders, as amended, was adopted, and 500 copies ordered printed.

#### REPORTS OF STANDING COMMITTEES.

The Judiciary Committee presented the following reports:

MR. SPEAKER:

The Judiciary Committee, to whom was referred the resolution of Mr. Roth, of Whatcom, beg leave to report as follows: (1) Hill's Code is intended to be only a compilation of the laws of the state existing at the time the same was compiled. (2) The chapter and section numbers of Hill's Code are not identical with those of the Code of 1881. (3) We advise that in the drafting of bills for the purpose of amending existing laws, reference be made either to the sections of the Code of 1881 intended to be amended, or to the original act as found in the various volumes of the session laws.

Respectfully submitted.

A. E. MEAD, Chairman.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 15, entitled "An act to prevent discrimination in the use of lawful money of the United States," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report was adopted, and House bill No. 15, specifying what kind of money notes, mortgages, etc., shall be payable in, was indefinitely postponed.

#### REPORT OF SPECIAL COMMITTEE.

The following report of the special committee appointed to segregate the governor's message, was read and adopted:

MR. SPEAKER:

Your committee to which was referred the message of Governor Elisha P. Ferry, for segregation and appropriate reference, beg leave to report as follows:

It is recommended that the financial statement and recommendations relating to revenue laws be referred to the Committee on Public Revenue and Taxation.

That those matters relating to laws necessary to carry out the provisions of the constitution be referred to the Judiciary Committee.

Those matters relating to township organization, to the Judiciary Committee.

Those matters relating to a bureau of statistics, agriculture and immigration, to the Committee on Federal Relations and Immigration.

Those matters relating to suits against the state, to the Judiciary Committee.

Those matters relating to the creating of congressional districts, to the Committee on Privileges and Elections.

Those matters relating to the re-payment of the direct tax by the federal government, to the Committee on Federal Relations and Immigration.

Those matters relating to removals from office, to the Judiciary Committee.

Those matters relating to the election of supreme court judges, to the Judiciary Committee.

Those matters relating to harbor lines and harbor line commissioners, to the Committee on Harbors and Waterways.

Those matters relating to the regulation of freights and fares of transportation companies, to the Committee on Railways.

Those matters relating to the organization of unlawful armed bodies, to the Judiciary Committee.

Those matters relating to the National Guard of Washington, to the Committee on Military Affairs and Soldiers' Home.

Those matters relating to lands granted to the state, to the Committee on State, School and Granted Lands.

Those matters relating to the state capitol and buildings, to the Committee on State Buildings, Public Grounds and Library.

Those matters relating to mining legislation to the Committee on Mines and Mining.

Those matters relating to public roads, to the Committee on Roads and Highways.

Those matters relating to the World's Columbian Exposition, to the Committee on World's Columbian Exposition.

Respectfully submitted.

R. C. WASHBURN,  
H. W. GREENBERG,  
T. G. MULKEY.

Mr. Tull presented the following resolution:

*Resolved*, That the assistant sergeant-at-arms direct the pages to place all printed bills in the files of each member.

On motion of Mr. Gilman, the resolution was adopted.

#### INTRODUCTION OF BILLS.

The following bills were read and referred and ordered printed:

House bill No. 129, by Mr. Merchant: An act to authorize the board of penitentiary directors at the Walla Walla penitentiary to grant rights-of-way for railroad purposes over penitentiary grounds located at Walla Walla.

Read first time by title, and referred to Judiciary Committee.

House bill No. 130, by Mr. Cameron: An act amendatory of and to repeal section ten (10) of an act to protect salmon and other food fishes in the State of Washington, and upon all waters upon which this state has jurisdiction and concurrent jurisdiction, approved February 11, 1890.

Read first time by title, and referred to Committee on Fisheries and Game.

House bill No. 131, by Mr. Smith, of Douglas: An act providing for the trial of suits before justice of the peace courts in precincts other than at the county seat, and providing for the payment of the traveling expenses of county attorneys in such suits at law.

Read first time by title, and referred to Committee on Judiciary.

House bill No. 132, by Mr. Judson: An act regulating interest on state, county, city and school warrants..

Read first time by title, and referred to Committee on Revenue and Taxation.

House bill No. 133, by Mr. Rinehart: An act to provide against the payment of wages in scrip, orders, etc., redeemable otherwise than in money, and against selling goods or supplies to employés.

Read first time by title, and referred to Committee on Revenue and Taxation.

House bill No. 134, by Mr. Roscoe: An act making it unlawful for any employer or employers of labor to pay the wages of workmen employed by them in either store goods, merchandise, printed, written or verbal orders, or time checks, or due bills of any kind, and providing punishment for the violation thereof.

Read first time by title, and referred to Committee on Revenue and Taxation.

House bill No. 135, by Mr. Wheeler: An act providing for the legalizing of marriage where divorce has been granted and marriage has taken place within six months from the time the divorce was granted.

Read first time by title, and referred to Judiciary Committee.

House bill No. 136, by Mr. Wheeler: An act authorizing private corporations other than religious, incorporated by the legislative assembly of the Territory of Washington prior to January 1, 1862, to issue notes, bonds, mortgages or other evidences of indebtedness, and to secure the same by mortgage, trust deed, or by otherwise en-

cumbering or hypothecating any real or personal property owned by such corporation.

Read first time by title, and referred to Committee on Corporations other than Municipal and Railroads.

House bill No. 137, by Mr. Gilman, by request: An act to amend section 838 of the Code of Washington of 1881, relating to crimes against property.

Read first time by title, and referred to Judiciary Committee.

#### SENATE BUSINESS.

Senate bill No. 12, introduced by Senator Richards: An act for the relief of local boards of local tide and shore land appraisers appointed under the act entitled "An act for the appraising and disposal of the tide and shore land belonging to the State of Washington," approved March 26, 1890.

Read first time by title, and referred to Committee on Tide Lands.

On motion of Mr. Mays, the House took a recess at 11:45 A. M. to 11:55 A. M.

The House resumed business at 11:55, pursuant to Mr. Mays's motion.

The sergeant-at-arms was instructed to inform the Senate that the House was ready to sit with them in joint session.

The sergeant-at-arms announced that the Senate was ready to meet the House.

#### JOINT SESSION.

The speaker invited the honorable Senate to seats within the bar and the president of the Senate to preside over the joint convention.

The roll was called; all members of the joint convention were present.

On motion of Senator Campbell, the reading of the journal of the joint convention was dispensed with, and the same was considered as read and approved.

The president announced that as no person had been elected as United States senator at the previous session of the joint convention, the clerk should call the roll for the twenty-seventh ballot.

#### TWENTY-SEVENTH JOINT BALLOT.

John B. Allen received 51 votes.

George Turner received 25 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinneer, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

There being no election of United States senator, the president instructed the clerk to call the roll for the twenty-eighth ballot.

TWENTY-EIGHTH JOINT BALLOT.

John B. Allen received 51 votes.

George Turner received 25 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinneer, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

The president announced that no person had been elected United States senator, and pursuant to the resolution previously adopted the joint convention was dissolved at 12:25 P. M. to meet at 12 o'clock noon to-morrow (Wednesday).

On motion of Mr. Wheeler, the House adjourned at 12:25 P. M. to meet to-morrow (Wednesday) at 10 o'clock A. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

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## SEVENTEENTH DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Wednesday, January 23, 1893. }  
10 o'clock A. M. }

The House was called to order at 10 o'clock A. M. Speaker Arrasmith in the chair.

The roll was called; all members present.

The journal of yesterday was read and approved, except that portion relating to the joint session.

On motion of Mr. Gilman, the sergeant-at-arms was instructed to ascertain why the bills previously introduced are not printed and filed on the members' files.

The following communication from the State of Oregon was read by the clerk:

STATE OF OREGON, HALL OF REPRESENTATIVES,  
SALEM, January 25, 1893.

MR. SPEAKER: I am requested by the chairman of the committee relative to fish industry on the Columbia river to notify you that they would be pleased to meet your committee at Olympia on the 10th of February, 1893, if satisfactory to them.

Very respectfully, D. C. SHERMAN, Chief Clerk.

Mr. Edmonds presented a petition from Indian war veterans of the Pacific Northwest praying for a financial recognition of services.

Referred to Committee on Military Affairs and Soldiers' Home.

Mr. Edmonds presented a petition from teachers and others relating to amendments to the school law.

Referred to Committee on Education.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., January 24, 1893.

MR. SPEAKER:

The president of the Senate has signed House concurrent resolution No. 3, Endorsing the Nicaraguan canal bill.

Also, House concurrent resolution No. 1, Providing for the printing of 5,000 copies of the addresses of Governor E. P. Ferry and Governor J. H. McGraw.

And the same are herewith transmitted to the House.

The Senate has passed over the executive veto Senate bill No. 19, of the last session, entitled "An act declaring it unlawful to organize, maintain or employ an armed body of men in this state, and providing punishment therefor."

And the same, together with the veto message, is herewith transmitted to the House.

The Senate has concurred in House concurrent resolution No. 4, Providing for the appointment of a joint committee to confer with a like committee from the legislature of Oregon, and submit to the legislatures of the two states a bill in the interests of fishing on the Columbia river.

ALLEN WEIR, Secretary.

The speaker appointed as such committee Messrs. Bush of Pacific, Brock and Cowan, on part of the House.

#### INTRODUCTION OF BILLS.

The following bills were introduced and read, and referred and ordered printed:

House bill No. 138, by Mr. Denn: An act for the payment of road taxes in work.

Read first time by title and referred to Committee on Roads and Highways.

House bill No. 139, by Mr. Judson: An act to appropriate money to pay deficiencies for supplies furnished for the Western Washington Hospital for Insane at Fort Steilacoom, State of Washington.

Read first time by title and referred to Committee on Claims and Appropriations.

House bill No. 140, by Mr. Nash: An act relating to and authorizing the collection of assessments for local improvements by a new assessment or reassessment of the cost and expense of making same in cities of the first class, and declaring an emergency.

Read first time by title, and referred to Committee on Municipal Corporations.

House bill No. 141, by Mr. Tucker: An act to amend section 52 of chapter 12 of the Laws of 1889-90, entitled "An act to establish a general uniform system of common schools in the State of Washington, and declaring an emergency," approved March 27, 1890, as amended by section 16 of chapter 127 of the Laws of 1891, approved March 7, 1891.

Read first time by title, and referred to Committee on Education.

House bill No. 142, by Mr. Tucker (by request): An act relating to the common school system of the State of Washington, amending sections 5, 22, 25, 33, 34, 54, 71 and 75 of an act entitled "An act to establish a general uniform system of common schools in the State of Washington," and declaring an emergency, approved March 27, 1890.

Read first time by title, and referred to Committee on Education.

House bill No. 143, by Mr. Westfall: An act to appropriate money to cover deficiency for maintaining Eastern Washington Hospital for the Insane to April 1, 1893, and declaring an emergency.

Read first time by title, and referred to Committee on Hospitals and Insane.

House bill No. 144, by Mr. Wheeler: An act to provide for the redemption of real property sold under execution or other process issued in pursuance of judgment or decree of court in the foreclosure of liens created by statute.

Read first time by title, and referred to Judiciary Committee.

House bill No. 145, by Mr. Wheeler: An act to provide for the appraisalment and disposition of school lands.



Read first time by title, and referred to Judiciary Committee.

House bill No. 146, by Mr. Smith, of Douglas: An act providing for the foreclosure of chattel mortgages.

Read first time by title, and referred to Judiciary Committee.

House bill No. 147, by Mr. Webb: An act concerning a state agricultural fair for the State of Washington, and declaring an emergency.

Read first time by title, and referred to Committee on Public Buildings and Grounds.

House bill No. 148, by Mr. Crockett: An act relative to the qualifications and compensation of county commissioners.

Read first time, and referred to Committee on Counties.

House bill No. 149, by Mr. Burton: An act to amend sections 105 and 106 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 the same is amended by an act entitled an act to amend sections 105, 106, 114 and 117 of an act entitled an act providing for the organization, classification and government of municipal corporations, and declaring an emergency, and approved March 27, 1890; approved March 9, 1891.

Read first time by title, and referred to Committee on Municipal Corporations.

House concurrent resolution No. 6, by Mr. Collin: Relating to the circulating medium.

Read first time by title, and referred to Committee on Federal Relations and Immigration.

Committee on Judiciary made the following report:

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 16, entitled "A bill for an act to amend section 1680 of the first volume of Hill's Annotated Statutes and Codes of Washington, the same being section 1942 of the Code of Washington of 1881, relating to the giving of liens upon manufactured lumber to persons performing labor in the manufacture of the same," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended by inserting after the word "manufactured," in the fifth line of the printed bill, the words "or in the possession or under the control of the manufacturer;" and that it be passed as amended.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Mead, the report of the Judiciary Committee was accepted.

On motion of Mr. Brock, section 3 was stricken out.

On motion of Mr. Tucker, the rules were suspended, the bill was considered engrossed, and read a third time and passed by the following vote: Yeas 74, nays 0.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, White, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Cowan, Hurd, Sallee, and Shadle.

The title of the bill was agreed to.

Committee on Judiciary made the following reports:

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 53, entitled "An act in relation to conditional sales of personal property," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that its title be amended so as to read as follows: "An act in relation to conditional sales and leases of personal property;" and that it be further amended by inserting after the word "property," where it first occurs in line one of the printed bill, the words "or leases thereof containing a conditional right to purchase;" and that as so amended the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report of the committee was adopted and the bill laid over until to-morrow.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 48, entitled "An act relating to the maturity of contracts," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Ludden, Senate bill No. 19 (of the session of

1891), with the acting governor's veto message, were made a special order for Monday, February 6, at 10 o'clock A. M., and the chief clerk was ordered to have the same printed.

On motion of Mr. Wheeler, the House took a recess at 11:25 A. M. to 11:55 A. M.

The House resumed business at 11:55, and the sergeant-at-arms was instructed to notify the Senate that the House was ready to sit in joint session.

The sergeant-at-arms reported the Senate in waiting to meet the House.

#### JOINT SESSION.

Upon invitation of the speaker, the honorable Senate was invited to seats within the bar, and the president of the Senate to preside over the joint convention.

The roll was called; all the senators and representatives were present.

On motion of Mr. White, the reading of the journal of the joint convention was dispensed with, and the journal was approved.

The president announced that no person had been elected as United States senator, and directed the clerk to call the roll for the twenty-ninth ballot.

#### TWENTY-NINTH JOINT BALLOT.

John B. Allen received 51 votes.

George Turner received 25 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.); Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

The president announced no election of senator and instructed the clerk to call the roll for the thirtieth ballot.

THIRTIETH JOINT BALLOT.

John B. Allen received 51 votes.

George Turner received 25 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kelly, Kellogg, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

There being no election the joint convention was dissolved at 12:20 P. M., to meet to-morrow (Thursday) at 12 o'clock noon.

On motion of Mr. White, the House adjourned at 12:25 P. M., to meet at 10 o'clock A. M. to-morrow, Thursday.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## EIGHTEENTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Thursday, January 26, 1893. }  
10 o'clock A. M.

The House was called to order at 10 o'clock A. M.; the speaker in the chair.

The roll was called; all the member were present.

The journal of yesterday was read and approved, except that portion relating to the joint session.

### PRESENTATION OF PETITIONS, MEMORIALS AND RECOMMENDATIONS.

Mr. Mead presented a petition from the members of Reynolds Post No. 32, G. A. R., of Blaine, Wash., relating to the display of the American flag upon each school house in the state.

Referred to Committee on Education.

On motion of Mr. Wheeler, that the speaker appoint a committee of five (5) to report the proper compensation for committee clerks, the speaker appointed Messrs. Wheeler, Westfall, Farrish, Mays and Burton as such committee.

Mr. Scott presented the following resolution, which, on motion, was adopted:

*Resolved*, That the state auditor be instructed to prepare an itemized account of the expenses of the third legislature of the State of Washington, and forward a copy of the same to each member of this House at the earliest possible date.

Mr. Rinehart presented a petition from citizens of Ballard, praying for the election of city clerk, city attorney and marshal by popular vote in cities of the third class.

Referred to Committee on Municipal Corporations:

### INTRODUCTION OF BILLS.

The following bills were introduced and read and referred and ordered printed.

House bill No. 150, by Mr. Karr: An act in relation to making a declaration of forfeiture of certain contracts.

Read first time by title, and referred to Judiciary Committee.

House bill No. 151, by Mr. Winchell: An act providing for free text books in common schools of the State of Washington, and appropriating money therefor.

Read first time by title, and referred to Committee on Education.

House bill No. 152, by Mr. Smith, of Douglas: An act providing that prisoners when found guilty shall be charged with cost of board, stage and car fare, if, in the judgment of the court, they are able to pay the same.

Read first time by title, and referred to Committee on Penitentiary.

House bill No. 153, by Mr. Smith, of Douglas: An act providing that justice of the peace courts shall have jurisdiction of proceedings in forcible entry, forcible detainer and unlawful detainer of real property.

Read first time by title, and referred to Judiciary Committee.

House bill No. 154, by Mr. Shadle: An act to amend sections 80, 81 and 82 of the session laws of 1889-90, relating to compulsory education.

Read first time by title, and referred to Committee on Education.

House bill No. 155, by Mr. Moore: An act providing for the appointment of a state inspector of dairy products.

Read first time by title, and referred to Committee on Agriculture.

House bill No. 156, by Mr. Shelton (by request): An act to authorize boards of county commissioners to provide a suitable office for the prosecuting attorney of their county, and supplies therefor, and certain books.

Read first time by title, and referred to Committee on Compensation and Fees.

House bill No. 157, by Mr. Merchant: An act authorizing the establishment of public libraries in cities.

Read first time by title, and referred to Judiciary Committee.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., January 25, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 49, entitled "An act to amend section 4 of an act entitled 'An act to establish and define public ways for

water craft across the tide flats within, in front of and for a mile either way from all incorporated cities and towns in the State of Washington," approved March 28, 1890."

Also, Senate bill No. 26, Providing for the validation of certain warrants and other obligations of cities and towns.

ALLEN WEIR, Secretary.

Senate bill No. 49 was read first time by title, and referred to Committee on Harbors and Waterways.

Senate bill No. 26 was read first time by title, and referred to Committee on Judiciary.

The Committee on Judiciary made the following report:

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 19, entitled "A bill for an act creating the office of public administrator in each of the counties of the State of Washington, providing for the appointment of such public administrator, and prescribing his powers and duties and fixing his compensation," have had the same under consideration, and respectfully report the same back to the House with the recommendation that it be amended by striking out the words "one year" where they occur in line two of section 21 of the printed bill, and substituting therefor the words "six years;" and by striking out the words "one year" where they occur in line four of section 21 of the printed bill and substituting therefor the words "six years," and that it be further amended by striking therefrom the whole of section 23 thereof; and that, as so amended, the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the above report was adopted.

Mr. Baker presented the following substitute for sections 1 and 2, and moved its adoption:

SECTION 1. At the next general election, and at each general election thereafter, there shall be a person elected to be known as public administrator for such county.

SEC. 2. Said public administrator shall hold his office for a period of two (2) years, and until his successor is elected and qualified. Should a vacancy occur at any time in the office of public administrator of any county, it shall be the duty of the county commissioners of such county to fill such vacancy by appointment for the balance of the unexpired term.

The House refused to adopt the substitute by the following vote: Yeas 36, nays 39, absent and not voting 3.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Burton, Collin, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Foster, Hamill, Hoole, Judson, Karr, Kline, Letterman, Mays, Mentzer, Moore, Mulkey, McKenzie, Mc-

Murphy, McNew, Pierce of Klickitat, Pierce of Lewis, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Speck, Tull, Westfall, and Woodworth.

Nays: Messrs. Brock, Bush of Chehalis, Bush of Pacific, Cameron, Crockett, Farrish, Gilman, Green, Greenberg, Heliker, Hurd, Keller, Kelly, Leo, Ludden, Mead, Meany, Merchant, Morrison, McElwain, McMillan, Nash, Neergaard, Nelson, Payne, Rinehart, Roscoe, Roth, Sallee, Shadle, Smithson, Sherman, Temple, Tucker, Turpin, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Absent: Messrs. Heliker, Kelly, and Washburn.

On motion of Mr. Neergaard, section 2 of House bill No. 19 was amended by striking out in line 3 of the printed bill, "superior court of any."

On motion of Mr. Roth, section 1 was amended by inserting after line 3 of the printed bill, "a resident of such county."

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed and placed upon its final passage.

The bill failed to pass by the following vote: Yeas 35, nays 41; absent and not voting, 2.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Burton, Bush of Chehalis, Gilman, Greenberg, Karr, Keller, Leo, Ludden, Mead, Meany, Mentzer, Merchant, Morrison, McElwain, McMillan, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Rinehart, Roscoe, Roth, Shadle, Sherman, Temple, Tucker, Turpin, Webb, Wheeler, White, Winchell, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Baker, Brock, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Hamill, Heliker, Hoole, Hurd, Judson, Kline, Letterman, Mays, Moore, Mulkey, McKenzie, McMurphy, McNew, Pierce of Lewis, Sallee, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Tull, Weed, Westfall, and Woodworth.

Absent: Messrs. Kelly and Washburn.

House bill No. 48, An act relating to the maturity of contracts, was called up.

On motion of Mr. Mentzer, the bill was indefinitely postponed.

House bill No. 53, An act in relation to conditional sales of personal property, was called up.

On motion of Mr. Hurd, the rules were suspended, the bill was



considered engrossed, read the third time and placed upon its final passage.

The bill passed with the following vote: Yeas 75, nays none, absent and not voting 3.

Those who voted yea were: Messrs. Anderson of Whitman, Anderson of Whatcom, Anderson of Pierce, Baker, Brock, Burton, Bush of Pacific, Bush of Chehalis, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Heliker, Kelly, and Washburn.

The title of the bill was read and agreed to.

The Committee on Enrolled Bills made the following report:

MR. SPEAKER:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of House concurrent resolution No. 4, Relating to fish and fisheries on the waters of the Columbia river and its tributaries, has been carefully compared with the original copy thereof and found correctly enrolled.

Respectfully submitted.

J. B. MCMILLAN, Chairman.

The speaker signed the above resolution in open session.

On motion of Mr. Sallee, the House took a recess for five minutes at 11:50 A. M.

The House resumed business at 11:55.

The sergeant-at-arms was instructed to inform the Senate that the House was ready to sit with them in joint session. The duty was performed, and the speaker invited the honorable Senate to seats within the bar and the president of the Senate to preside.

#### JOINT SESSION.

The joint roll call showed all senators and representatives present.

On motion of Mr. Hurd, the reading of the joint journal was dispensed with, and the journal was approved.

Mr. Tull presented the following resolution:

*Resolved, by the Senate and House of Representatives in joint convention assembled, That during the further sessions of this joint body for the election of a senator of the United States, the pairing of the members thereof upon the ballot for senator, and upon all other questions coming before it, be recognized and enforced, and that the rules of the House of Representatives of the United States on the subject of pairs be adopted as the rules of this joint convention.*

On motion of Mr. Tull, the resolution was adopted.

The president announced that there was no election of United States senator at the preceding session, and instructed the clerk to call the roll for the thirty-first ballot.

THIRTY-FIRST JOINT BALLOT.

John B. Allen received 50 votes.

George Turner received 25 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president declared that there was no election, and the clerk was instructed to call the roll for the thirty-second ballot.

## THIRTY-SECOND JOINT BALLOT.

John B. Allen received 50 votes.

George Turner received 25 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

Messrs. Roth and Nash were granted permission to pair on the vote for United States senator.

The president announced that no person had received a majority of the votes cast for United States senator, and the joint convention was dissolved at 12:30 P. M. to meet to-morrow (Friday) at 12 o'clock noon.

Messrs. Roth and Nash were given leave of absence until Monday morning.

Mr. Meany moved that the House do now adjourn.

The House refused to adjourn by a vote of 39 yeas to 40 nays, as follows:

Yeas: Messrs. Anderson of Whatcom, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Crockett, Foster, Gilman, Green, Hamill, Heliker, Keller, Leo, Letterman, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMurphy, Nash, Neergaard, Payne, Rinehart, Roth, Sallee, Speck, Turpin, Washburn, Webb, Weed, Winchell, and Woodworth.

Nays: Messrs. Anderson of Pierce, Anderson of Whitman, Baker, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Greenberg, Hoole, Hurd, Judson, Karr, Kelly, Kline, Ludden, Mays, Mulkey, McMillan, McNew, Nelson, Pierce of Klickitat, Pierce of Lewis, Roscoe, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Temple, Tucker, Tull, Westfall, Wheeler, White, and Mr. Speaker.

Mr. Meany gave notice that he would propose an amendment to the rules, providing that all appropriation bills be referred to the Committee on Appropriations to be consolidated in one bill.

On motion of Mr. Wheeler, the House adjourned at 12:45 P. M., to meet at 10 o'clock A. M. to-morrow (Friday).

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

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## NINETEENTH DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Friday, January 27, 1893. }  
10 o'clock A. M.

The House was called to order at 10 o'clock A. M.; the speaker in the chair.

The roll was called. All the members were present except Messrs. Roth and Nash (excused).

The journal of yesterday was read and approved, except that portion relating to the joint session.

The special committee to fix compensation for committee clerks made the following report:

OLYMPIA, WASH., January 27, 1893.

MR. SPEAKER:

We, your committee appointed to fix the salaries of the various committee clerks, beg leave to make the following recommendations:

1. That the salary of the clerk of the Committee on Judiciary, and the clerk of the Committees on Tide Lands, Fisheries and Game, and Military Affairs and Soldiers' Home, both of whom are stenographers and typewriters, and are called upon to do much extra work, be placed at five dollars per day.

2. That the salary of each of the other committee clerks of this House be placed at four dollars per day.

Respectfully submitted.

L. H. WHEELER, Chairman,  
F. W. D. MAYS,  
WM. FARRISH,  
JAMES BURTON,  
C. F. WESTFALL.

On motion of Mr. Sallee, the report was adopted.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., January 27, 1893.

MR. SPEAKER:

The president of the Senate has signed House concurrent resolution No. 4, Providing for the appointment of a joint committee to confer with a like committee from the legislature of Oregon and prepare a joint bill in the interests of fishing on the Columbia river, and the same is herewith returned to the House. The president of the Senate has named as members of such committee Senators Richards and Horr.

ALLEN WEIR, Secretary.

Mr. Hoole presented the following resolution, which, on motion, was unanimously adopted:

WHEREAS, The news has just been received by telegraph that this country has sustained a loss by death of America's greatest statesman, the Hon. James G. Blaine: as a mark of the deepest respect entertained by the people of the State of Washington, irrespective of political affiliations, be it

*Resolved*, That this House adjourn until 11:55 A. M.

The House resumed business at 11:55 A. M., pursuant to adjournment.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 15, entitled "An act to provide for the election of judges of the supreme court."

Also, Senate bill No. 32, entitled "An act for the relief of S. F. Albert, esq., sheriff of Wahkiakum county."

Also, Senate concurrent resolution No. 7, Providing for appointment of joint committee to draft a suitable memorial on the death of Hon. James G. Blaine.

On part of the Senate, the following senators were appointed as members of such committee: Senators Dyer, Easterday and McCroskey.

ALLEN WEIR, Secretary.

On motion of Mr. Ludden, the House took up and concurred in Senate concurrent resolution No. 7, For the appointment of a joint committee to draft a suitable resolution in memory of the late James G. Blaine.

The speaker appointed as such committee for the House, Messrs. Ludden, McElwain, Mays and Egbert.

Mr. Meauy presented the following amendment to rule 40 of the rules:

Add to said rule the following: All bills appropriating money for any purpose whatever, except in the cases of relief, deficiency or legislative expense bills, shall be referred to the Committee on Appropriations and Claims, to be passed upon by said committee and reported to the House as a part of the customary general appropriation act making appropriations for the maintenance of all state institutions, offices and commissions.

On motion, the amendment was referred to Committee on Rules and Orders.

The sergeant-at-arms reported that the Senate was ready and waiting to sit in joint convention.

#### JOINT SESSION.

The speaker invited the honorable Senate to seats within the bar, and the president of the Senate to preside over the joint convention.

The roll was called. All the senators and representatives except Messrs. Roth and Nash (excused) and Mr. Payne (paired with Senator Hastings for to-day's vote) were present.

On motion of Mr. Shadle, the reading of the joint journal of yesterday was dispensed with, and the same was considered read, and was approved.

*To the Honorable Senate and House of Representatives in Joint Convention Assembled:*

At the request of Senator Roberts, who paired with me this day for Saturday and Monday (28th and 30th inst., respectively), he is hereby released from the obligations of said pairing.

Very respectfully,

JNO. E. McMANUS,  
Senator 31st District.

The following pairs on the vote of United States senator were announced:

For to-day — Senator Hastings and Mr. Payne.

For Saturday — Messrs. Gilman and McMurphy, Messrs. Weed and Smithson, Messrs. McElwain and McMillan, Senator Brown and Mr. Woodworth, Messrs. Heliker and Shadle, Messrs. Webb and Roscoe, Messrs. Winchell and Green, Senators Claypool and Kinnear, Senators Sergeant and Van Houten, Senators Easterday and Dyer, Senators Kellogg and Smith, Senators Frink and McCroskey.

For Saturday and Monday — Messrs. Mead and Kline, Mr. Sallee and Senator Ide, Senators Belknap and Cooper, Senators Forrest and Richards, Senators Forsyth and McManus.

As no person had been chosen for United States senator at the previous session, the president instructed the clerk to call the roll for the thirty-third ballot.

#### THIRTY-THIRD JOINT BALLOT.

John B. Allen received 48 votes.

George Turner received 24 votes.

C. W. Griggs received 26 votes.

Govnor Teats received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.), voted for R. O. Dunbar.

The president announced that as no person had received a majority of the votes cast, there was no election, and the clerk was instructed to call the roll for the thirty-fourth ballot.

THIRTY-FOURTH JOINT BALLOT.

John B. Allen received 48 votes.

George Turner received 24 votes.

C. W. Griggs received 26 votes.

Govnor Teats received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinneer, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that there was no election for United States senator, and, according to resolution previously adopted, the joint convention was dissolved at 12:30 P. M., to meet to-morrow (Saturday) at 12 o'clock noon.

Mr. Sallee introduced a resolution providing that a committee of five be selected from members of the House, to go to Tacoma and



inspect the election returns relating to the vote for Messrs. Edwards and Gaskell.

On motion of Mr. Baker, the resolution was tabled.

Mr. Sallee arose to a question of privilege in relation to the Edwards-Gaskell election contest.

Mr. Leo arose to a question of privilege on the same matter.

#### INTRODUCTION OF BILLS.

The following bills were introduced, read, referred and ordered printed:

House bill No. 158, by Mr. White: An act to create a state fair association, and provide for the maintenance of the same.

Read first time by title and referred to Committee on Forestry, Agriculture and Horticulture.

House bill No. 159, by Mr. Heliker: An act for the protection of public health and to provide for certain boards of health, and to regulate their duties.

Read first time by title and referred to Committee on Medicine, Hygiene and Surgery.

House memorial No. 2, by Mr. Heliker: Relative to protection from infectious diseases.

Referred to Committee on Federal Relations.

The speaker announced that, in accordance with Senate concurrent resolution No. 6, he had appointed the following persons, on the part of the House, as members of a joint committee to investigate the affairs of the agricultural college and school of science: Messrs. Anderson, of Whitman; Nelson, of Spokane; Webb, of King; Anderson, of Pierce.

The following members were excused until Monday: Messrs. Scott, Mead, McMurphy, Heliker, Weed, Winchell, Woodworth, Sallee, Green, McElwain, Webb, and Smithson.

Mr. Mentzer was excused until Saturday noon.

Mr. Ludden introduced the following resolution, which was unanimously adopted:

*Resolved*, That this House do now adjourn in respect to the memory of the late Hon. James G. Blaine.

Therefore, the House adjourned at 12:50 P. M., to meet to-morrow (Saturday) at 10 o'clock A. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## TWENTIETH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASHINGTON, Saturday, January 28, 1893. }  
 10 o'clock A. M.

The House met, pursuant to adjournment; the speaker in the chair.

The roll was called; all the members were present except Messrs. Gilman, Green, Mead, Nash, Payne, Roth, Sallee, Scott, Smithson, Webb, Weed, White, Winchell, and Woodworth, excused.

The journal of Friday was partially read, when, on motion of Mr. Farrish, further reading was dispensed with, and the journal stood approved.

The Committee on Corporations other than Municipal and Railroads made the following report:

MR. SPEAKER:

We, your Committee on Corporations other than Municipal and Railroads, to whom was referred House bill No. 73, entitled "An act to amend section 2137 of chapter 4 of title 23 of the general statutes of the State of Washington, as arranged and annotated by William Lair Hill, relating to the erection of wharves at the termini of public highways," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the Judiciary Committee.

Respectfully submitted.

R. C. WASHBURN, Chairman.

We concur in this report:

MILO KELLY,  
 J. B. SMITH,  
 GEO. W. KLINE,  
 G. W. TEMPLE.

The report was adopted, and the bill referred as recommended.

House concurrent resolution No. 2, Relative to free coinage of silver, was reported back by committee with majority and minority report.

Mr. Baker moved that the majority report, recommending that the resolution do not pass, be laid on the table.

The resolution was adopted. Yeas 41, nays 20, absent 17.

Yeas: Messrs. Baker, Brock, Burton, Bush of Chehalis, Bush of

Pacific, Collin, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Greenberg, Hamill, Hoole, Hurd, Judson, Keller, Kline, Letterman, Mays, Merchant, Moore, Mulkey, McKenzie, McMillan, McMurphy, McNew, Pierce of Klickitat, Pierce of Lewis, Shelton, Smith of Douglas, Smith of Okanogan, Speck, Tucker, Tull, Westfall, Wheeler, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Cameron, Crockett, Karr, Kelly, Leo, Ludden, Meany, Morrison, McElwain, Neergaard, Nelson, Rinehart, Roscoe, Shadle, Sherman, Temple, and Washburn.

Absent: Messrs. Gilman, Green, Heliker, Mead, Mentzer, Nash, Payne, Roth, Sallee, Scott, Smithson, Turpin, Webb, Weed, White, Winchell, and Woodworth.

Committee on Federal Relations made the following report:

MR. SPEAKER: .

We, your Committee on Federal Relations, to whom was referred memorial No. 1, Relating to opening the Columbia river and the Snake river for navigation, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be adopted.

Respectfully submitted.

A. B. WEED, Chairman.

We concur in this report:

C. H. SCOTT,

C. M. PIERCE,

F. B. TURPIN,

E. P. HELIKER.

House memorial No. 1 was read the third time, placed upon its final passage, and passed by the following vote: Yeas 61, nays 0, absent and not voting 17.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays; Meany, Mentzer, Merchant, Moore, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Temple, Tucker, Tull, Turpin, Washburn, Westfall, Wheeler, and Mr. Speaker.

Absent: Messrs. Gilman, Green, Heliker, Mead, Morrison, Nash,

Payne, Roth, Sallee, Scott, Smithson, Webb, Weed, White, Winchell, and Woodworth.

Committee on Federal Relations made the following report:

MR. SPEAKER:

We, your Committee on Federal Relations, to whom was referred House concurrent resolution No. 5, relating to the election of United States senator by the popular vote, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be adopted.

Respectfully submitted.

A. B. WEED, Chairman.

We concur in this report:

C. H. SCOTT,  
C. M. PIERCE,  
F. B. TURPIN,  
E. P. HELIKER.

House concurrent resolution No. 5 was read the third time, placed upon its final passage, and passed by the following vote: Yeas 64, nays none, absent and not voting, 14.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Temple, Tucker, Tull, Turpin, Washburn, Westfall, Wheeler, and Mr. Speaker.

Absent: Messrs. Gilman, Green, Heliker, Mead, Nash, Sallee, Scott, Shadle, Smithson, Webb, Weed, White, Winchell, and Woodworth.

Committee on Judiciary made the following report:

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 58, entitled "An act regulating the service of process issued by any justice of the peace within the State of Washington," have had the same under consideration, and we respectfully report a substitute submitted herewith, with the recommendation that the substitute do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

I dissent from above report.

J. E. TUCKER.

On motion of Mr. Tucker, the substitute for House bill No. 58 was indefinitely postponed.

## INTRODUCTION OF BILLS.

The following bills were introduced, read, referred and ordered printed:

House bill No. 160, by Mr. Wheeler: An act relating to the service of summons upon corporations.

Read first time by title, and referred to Committee on Corporations.

House bill No. 161, by Mr. Wheeler: An act relating to confession of judgment.

Read first time by title, and referred to Judiciary Committee.

House bill No. 162, by Mr. Wheeler: An act to amend section 2695 of Code of Washington of 1881.

Read first time by title, and referred to Judiciary Committee.

House bill No. 163, by Mr. Wheeler: An act to amend an act relative to filling a vacancy in boards of county commissioners.

Read first time by title, and referred to Judiciary Committee.

House bill No. 164, by Mr. Hoole: An act providing for the transcribing of county records.

Read first time by title, and referred to Judiciary Committee.

House bill No. 165, by Mr. Hoole: An act providing that all county commissioners of the several counties of the State of Washington shall give official bonds.

Read first time by title, and referred to Judiciary Committee.

House bill No. 166, by Mr. Anderson, of Whatcom: An act relating to the sale of spirituous liquors to employés in or about coal mines in the State of Washington.

Read first time by title, and referred to Committee on Mines and Mining.

House bill No. 167, by Mr. Crockett: An act to prevent unnecessary destruction of and damage to public roads, highways and turnpikes, and to regulate the width of wagon tires or wheel bands to be used thereon, and to provide punishment for the violation of this act.

Read first time by title, and referred to Committee on Roads and Highways.

House bill No. 168, by Mr. Smith, of Douglas: An act providing for the regulation of flouring mills in relation to the maximum rates of toll for custom work, and providing a penalty for the violation of this act.

Read first time by title, and referred to Committee on Commerce and Manufactures.

House bill No. 169, by Mr. Judson: An act in relation to the apportionment of school funds of this state.

Read first time by title, and referred to Committee on Education.

House bill No. 170, by Mr. Baker: An act relating to the taxation of mortgages, notes, bonds and other securities, and providing for the proper assessment thereof.

Read first time by title, and referred to Committee on Revenue and Taxation.

House bill No. 171, by Mr. Hoole: An act to amend section 2 of an act entitled "An act providing for the payment of certain expenses of and the manner in which the salaries of the judges of the supreme and superior courts shall be paid, and declaring an emergency to exist," approved January 27, 1890, and declaring an emergency to exist for the passage of this amendatory act.

Read first time by title, and referred to Judiciary Committee.

House bill No. 172, by Mr. Leo: An act relating to the possession, rents and profits of real estate and buildings during the time allowed for redemption from execution sale.

Read first time by title, and referred to Judiciary Committee.

House bill No. 173, by Mr. Tucker: An act to amend the county road and bond law.

Read first time by title, and referred to Committee on Roads and Highways.

House bill No. 174, by Mr. McKenzie: An act to amend sections 8, 12, 64, 65 and 72 of school laws.

Read first time by title, and referred to Committee on Education.

House bill No. 175, by Mr. Westfall: An act to appropriate money for maintenance, improvements and repairs of the Eastern Washington hospital for the insane for the fiscal term beginning April 1, 1893, and ending March 31, 1895.

Read first time by title, and referred to Committee on Appropriations.

House bill No. 176, by Mr. Westfall: An act to provide for the erection and furnishing of an addition to the Eastern Washington hospital for the insane, and to appropriate money therefor.

Read first time by title, and referred to Committee on Hospital for Insane.

House bill No. 177, by Mr. Westfall: An act to establish a system of public schools in cities of ten thousand or more inhabitants, and to provide for properly maintaining, governing and grading the same.

Read first time by title, and referred to Committee on Education.

House bill No. 178, by Mr. Greenberg: An act to amend section 2213 of Hill's Statutes and Codes of the State of Washington, relating to work required on mining claims.

Read first time by title, and referred to Committee on Mines and Mining.

House bill No. 179, by Mr. Bush, of Pacific: An act appropriating money from the fish commission fund for the enforcement of fish law.

Read first time by title, and referred to Committee on Fish and Game.

House bill No. 180, by Mr. Bush, of Pacific: An act to authorize the fish commissioner to make research for the purpose of enforcing the fish laws of the State of Washington.

Read first time by title, and referred to Committee on Fish and Game.

House bill No. 181, by Mr. Bush, of Pacific: An act authorizing the fish commissioner and his deputies to make arrests.

Read first time by title, and referred to Committee on Fish and Game.

House bill No. 182, by Mr. Bush, of Pacific: An act to authorize the fish commissioner to appoint a deputy in each county.

Read first time by title, and referred to Committee on Fish and Game.

House bill No. 183, by Mr. Bush, of Pacific: An act to protect the food fishes of the State of Washington, and amending section 8 of the law approved February 11, 1890, entitled "An act to protect salmon and other food fishes in the waters of Washington and upon all waters of which this state has joint jurisdiction and concurrent jurisdiction."

Read first time by title, and referred to Committee on Fish and Game.

House concurrent resolution No. 8, by Mr. Baker: Relating to a constitutional amendment providing for the election of president and vice president by the popular vote.

Read first time by title, and referred to Committee on Federal Relations and Immigration.

House concurrent resolution No. 7, by Mr. Brock (by request): Praying for more money.

On motion of Mr. Bush, of Chehalis, the rules were suspended, and the resolution read in full first and second time.

On motion of Mr. Hurd, the resolution was laid on the table.

#### MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 26, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN—I have the honor to transmit to you one hundred and sixty-three each of the reports of the Agricultural College and School of Science, and the Washington School for Defective Youth.

Respectfully, J. H. MCGRAW, Governor.

Senate bill No. 15, by Senator Easterday: An act to provide for the election of judges of the supreme court.

Read first time, and referred to Committee on Judiciary.

Senate bill No. 32, by Senator Forsyth: An act providing for the relief of Ex-Sheriff S. F. Albert, of Wahkiakum.

Read first time, and referred to Committee on Appropriations and Claims.

On motion of Mr. Meany, the House took a recess at 11:20 o'clock A. M., to 11:55 A. M.

The sergeant-at-arms announced the honorable Senate in waiting to meet the House in joint session.

#### JOINT SESSION.

The speaker invited the senators to seats within the bar of the House and the president of the Senate to preside over the joint body.

The roll was called; all present excepting Messrs. Green, Kline, Mead, Nash, Payne, Roth, Sallee, Scott, Smithson, Webb, Weed, White, and Winchell, and Senators Brown, Claypool, Cooper, Dyer, Eshelman, Forsyth, Frink, Ide, Kellogg, Kinnear, McManus, Smith, and Van Houten.

On motion of Mr. Tull, the reading of the joint journal was dispensed with, and the same was considered as read and approved.



The following pairs were announced on balloting for United States senator:

For Saturday—Senators Belknap and Cooper, Senators Brown and Woodworth, Senators Claypool and Kinnear, Senators Dyer and Eshelman, Senators Forsyth and McManus, Senators Frink and McCroskey, Senator Hastings and Mr. Payne, Senator Ide and Mr. Sallee, Senators Kellogg and Smith (T. J.), Senators Sergeant and Van Houten, Messrs. Green and Winchell, Messrs. Kline and Mead, Messrs. Nash and Roth, Messrs. Roscoe and Webb, Messrs. Smithson and Weed.

Messrs. Tull and Arrasmith were paired until Thursday; Messrs. Smith, of Okanogan, and McNew were paired until Wednesday; Mr. Scott was excused on account of sickness.

There being no election of United States senator at Friday's session, the president instructed the clerk to call the roll for the thirty-fifth ballot.

#### THIRTY-FIFTH JOINT BALLOT.

John B. Allen received 34 votes.

George Turner received 16 votes.

C. W. Griggs received 21 votes.

Govnor Teats received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Brock, Bush (A. S.), Cameron, Edens, Farrish, Forrest, Gilbert, Heliker, Hoole, Horr, Karr, Keller, Kelly, McElwain, McKenzie, McMurphy, McNew, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Rutter, Speck, Tucker, Van De Vanter, Washburn, Wheeler, and Mr. Speaker.

Those voting for George Turner were: Easterday, Greenberg, Helm, Hurd, Ludden, McMillan, Mentzer, Moore, Nelson, Pierce (D. W.), Richards, Shadle, Sherman, Temple, Tull, and Westfall.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Foss, Foster, Gilman, Hamill, Hutchinson, Judson, Leo, Letterman, Mays, Miller, Mulkey, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

There being no choice for United States Senator, the president instructed the clerk to call the roll for the thirty-sixth ballot.

## THIRTY-SIXTH JOINT BALLOT.

John B. Allen received 34 votes.

George Turner received 16 votes.

C. W. Griggs received 21 votes.

Govnor Teats received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Brock, Bush (A. S.), Cameron, Edens, Farrish, Forrest, Gilbert, Heliker, Hoole, Horr, Karr, Keller, Kelly, McElwain, McKenzie, McMurphy, McNew, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Rutter, Speck, Tucker, Van De Vanter, Washburn, Wheeler, and Mr. Speaker.

Those voting for George Turner were: Easterday, Greenberg, Helm, Hurd, Ludden, McMillan, Mentzer, Moore, Nelson, Pierce (D. W.), Richards, Shadle, Sherman, Temple, Tull, and Westfall.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Foss, Foster, Gilman, Hamill, Hutchinson, Judson, Leo, Letterman, Mays, Miller, Mulkey, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that as no person had received a majority of the votes cast, there was no election of United States senator.

In accordance with the resolution previously adopted, the joint convention was dissolved at 12:35 P. M., to meet Monday, January 30, 1893, at 12 o'clock noon.

Mr. Tull was granted leave of absence until next Thursday.

Mr. Smith, of Okanogan, was granted leave of absence until next Wednesday.

On motion of Mr. Kelly, the House adjourned at 12:40 P. M., to meet Monday, January 30, 1893, at 11:55 o'clock A. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## TWENTY-SECOND DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASHINGTON, Monday, January 30, 1893. }  
 11:55 o'clock A. M. }

The House met, pursuant to adjournment, the speaker presiding.

The roll was called. All the members were present except Messrs. Heliker, Mead, Roscoe, Smith of Okanogan, Tull, Washburn, White, and Winchell, excused.

### JOINT SESSION.

The Senate was in waiting and the speaker invited the honorable body to seats within the bar, and the president to preside over the joint convention.

The roll was called. All the senators and representatives were present except Senators Cooper, Dyer, Easterday, Eshelman, Forrest, Forsyth, Frink, Ide, Kinnear, McManus, and Smith, and Messrs. Heliker, McNew, Mead, Roscoe, Smith (H. F.), Tull, Washburn, White, Winchell, Helm, and Roth.

On motion of Mr. Hurd, the journal of Saturday was considered as read and approved.

The following pairs were announced for vote on United States senator:

Monday—Senators Claypool and Kinnear, Senators McCroskey and Frink, Senators Kellogg and Smith (T. J.), Senators Belknap and Cooper, Senators Richards and Forrest, Senators McManus and Forsyth, Senators Hastings and Helm, Senator Ide and Mr. Sallee, Messrs. Green and Winchell, Messrs. Heliker and Shadle, Messrs. Kline and Mead, Messrs. McNew and Smith (H. F.), Messrs. Roscoe and Webb, Mr. Tull and Mr. Speaker.

The president announced that no election of United States senator had occurred at Saturday's session, and instructed the clerk to call the roll for the thirty-seventh ballot.

### THIRTY-SEVENTH JOINT BALLOT.

John B. Allen received 32 votes.

George Turner received 15 votes.

C. W. Griggs received 21 votes.

Govnor Teats received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Brock, Brown, Bush (A. S.), Cameron, Edens, Farrish, Gilbert, Hoole, Horr, Karr, Keller, Kelly, McElwain, McMurphy, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sergeant, Speck, Tucker, Van De Vanter, Weed, and Wheeler.

Those voting for George Turner were: Greenberg, Hurd, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Sherman, Smithson, Temple, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Foster, Gilman, Hamill, Hutchinson, Judson, Leo, Letterman, Mays, Miller, Mulkey, Payne, Shaw, Shelton, and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.), voted for R. O. Dunbar.

The president announced that no person had received the necessary majority for United States senator, and instructed the clerk to call the roll for the thirty-eighth ballot.

#### THIRTY-EIGHTH JOINT BALLOT.

John B. Allen received 32 votes.

George Turner received 15 votes.

C. W. Griggs received 21 votes.

Govnor Teats received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Brock, Brown, Bush (A. S.), Cameron, Edens, Farrish, Gilbert, Hoole, Horr, Karr, Keller, Kelly, Kinneer, McElwain, McMurphy, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sergeant, Speck, Tucker, Van De Vanter, Weed, and Wheeler.

Those voting for George Turner were: Greenberg, Hurd, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Sherman, Smithson, Temple, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Foss, Foster,

Gilman, Hamill, Hutchinson, Judson, Leo, Letterman, Mays, Miller, Mulkey, Payne, Shaw, Shelton, and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.), voted for R. O. Dunbar.

No person having received a majority for United States senator, the president declared that there was no election, and the joint convention dissolved at 12:20 P. M., to meet to-morrow (Tuesday) at 12 o'clock noon.

On motion of Mr. Shadle, the reading of the journal for Saturday was dispensed with, and the journal was considered as read and approved.

On motion of Mr. Hoole, the House took a recess at 12:25 to meet at 2 o'clock this afternoon.

#### AFTERNOON SESSION.

The House was called to order at 2 o'clock P. M., the speaker in the chair.

The roll was called. All the members were present except Messrs. Smith of Okanogan, Tull, Washburn, and Winchell; excused.

#### COMMUNICATION FROM STATE AUDITOR.

STATE OF WASHINGTON, AUDITOR'S OFFICE,  
OLYMPIA, January 30, 1893.

*To the Honorable Speaker and Members of the House of Representatives:*

GENTLEMEN—In pursuance of the requirements of section 22 of an act entitled "An act relating to the duties of state auditor," and providing for his salary and assistants, declaring an emergency, approved March 27, 1890, I have the honor to transmit herewith for your consideration an itemized statement of indebtedness incurred by the state, in addition to that mentioned on pages 32 and 38 of the state auditor's report, for which no appropriations have been made, to wit:

For relief of innocent purchasers of university lands.....	\$172 36
For deficiency in appropriation for extradition expenses for fiscal term ending March 31, 1893.....	1,701 36
For traveling expenses of coal mine inspectors for fractional fiscal term ending December 31, 1892.....	236 76
For traveling expenses of coal mine inspectors for fiscal term ending March 31, 1895.....	2,000 00
For expenses and per diem of presidential electors, pursuant to requirements of section 4, page 365, Session Laws 1891.....	242 40

For expenses incurred by board of university land and building commission, for which warrants and certificates have been issued.....	\$22,521 00
For deficiency in appropriation for costs incurred in convictions for felony, by superior courts, for fiscal term ending March 31, 1893.....	10,000 00
For fees of agents for selection of state lands, for the fiscal term ending March 31, 1893 .....	1,498 24
Total.....	\$38,372 72

Of the above, certificates of indebtedness have been issued by the auditor for the following amounts, to wit:

For relief of innocent purchasers of university lands.....	\$172 36
For extradition expenses.....	1,701 36
For expenses and per diem of presidential electors.....	242 40
For expenses of board of university land and building commission.....	20,365 55
For fees of agents for selection of state lands.....	1,498 24
Total.....	\$23,980 51

I have the honor to be,

Very respectfully yours, L. R. GRIMES, State Auditor.

House concurrent resolution No. 9, by Mr. Payne: Relating to a joint committee of four from the House and three from the Senate to draft a suitable memorial to congress urging upon that body the advantage to the United States upon the annexation of Hawaiian Islands, was, on motion of Mr. Meany, taken up under suspension of the rules, and adopted.

Mr. Egbert introduced a resolution commending the Oregon and Washington United States senators upon the labor and interest they are now taking in securing appropriations for the various needed improvements in which the State of Washington is directly interested.

Mr. Egbert made a motion to adopt the resolution.

Mr. Meany moved to lay the resolution on the table.

Division was called for, and the resolution was laid on the table by a divisional vote of 39 yeas to 27 nays.

#### SPECIAL ORDER.

The House took under consideration House bills Nos. 16, 128, 156, 170 and 242, session of 1891, with veto messages.

The clerk read the following veto message and the bill transmitted with it:

VETO MESSAGE, HOUSE BILL No. 16, SESSION OF 1891.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 13, 1891.

*Hon. Allen Weir, Secretary of State, Olympia, Washington:*

I herewith return, without my approval, House bill No. 16, entitled "An act requiring railroad corporations to fence their tracks," appending the following objections:

Section 1 provides: "That every railroad corporation formed or to be formed in this state, and every railroad corporation owning, running or operating any railroad in this state shall, at all points where the right to fence exists, fence such roads and erect and maintain lawful fences on the sides of such roads where the same passes through, along or adjoining enclosed or cultivated fields or unenclosed, except uncultivated timber lands, with openings and gates therein to be hung and have latches and hooks so that the same may be easily opened and shut at all necessary farm crossings of the road for the use of the proprietors of the lands adjoining such road, and also erect and maintain cattle guards where fences are required at all public crossings and private lands, which fences, gates and cattle guards shall be sufficient to prevent horses, cattle, mules or other animals from getting on the railroad; and until such fences, openings, gates, farm crossings and cattle guards as aforesaid shall be erected and maintained, such corporations shall be liable to the owner of any horses, cattle, mules or other animals running at large, killed or injured by reason of the want of such fence, openings, gates or cattle guards for double the value of the animal killed or damage done by the railroad, its agents, engines or cars, unless the same was occasioned by the willful acts of the owner or his agent, and in order for the owner to recover under this act it shall only be necessary to prove the injury or destruction of his property, and the failure of the railroad company to comply with the provisions of this act."

If the section quoted above provided only for the fencing of railroad tracks, it would be clearly constitutional, and in entire harmony with the title of the act, which is simply: "An act requiring railroad corporations to fence their tracks."

Section 1, however, after making it the duty of railroad corporations to fence their tracks, introduces a distinctively separate subject, in that it creates a liability for damages done to stock, not only to the extent of the injury, but in certain cases, double the value of the stock killed or injured, and the two subjects in this section are so woven together that it would seem to be impossible to separate one from the other. This is manifestly in contravention of section 19, article 2 of the constitution, which reads: "No bill shall embrace more than one subject, and that shall be expressed in the title."

In addition to the unconstitutionality of this section, the provisions of the bill, should the same become a law, entirely change the well known and long established rule of evidence in regard to the burden of proof in any question litigated in court; and it would apply a different rule of law to railroad companies or corporations than that which obtains and is common with citizens or individuals under the law. It would, therefore, be special in its application and contrary to the spirit, if not the letter, of the constitution of our state.

Aside from these vital objections, there are others of a serious nature. The penalty sought to be imposed is onerous and unjust, in that it provides for the recovery of double the value of the animals killed or injured, even in cases where the owner may be guilty of a willful negligence.

The provisions of this bill render it necessary for a railroad company to fence its track within ninety days. With the present demand for labor, and with the consequent probability that no railroad company could secure an adequate amount of material and labor within this time, the operations of this bill would result in applying the very highest penalties of the law without fairly allowing the corporation an opportunity of complying with the provisions of this act.

CHAS. E. LAUGHTON,

Lieutenant Governor and Acting Governor.

On motion of Mr. Weed, House bill No. 16 (1891), "An act requiring railroad companies to fence their tracks," was taken up and passed over the governor's veto by the following vote: Yeas 69, nays 4, absent and not voting 5.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Temple, Tucker, Turpin, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Cameron, Karr, Meany, and Sallee.

Absent: Messrs. Heliker, Smith of Okanogan, Speck, Tull, and Washburn.

On motion of Mr. McMillan, the remaining house bills and veto messages were taken up in their order.

The clerk read the following veto message, and the bill transmitted with it:

VETO MESSAGE, HOUSE BILL No. 128, SESSION OF 1891.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 9, 1891.

I hereby append my objections to, and withhold my approval from, House bill No. 128, entitled "An act to make time checks for labor negotiable and bear interest from date of issue."

Section 1 provides that all time checks or certificates of indebtedness for labor, etc., shall bear interest from date of issue until paid, at the rate of ten (10) per cent. per annum.

Section 2 applies the provisions of the bill to "all persons irrespective of age or sex."

Section 3 makes any violation of these provisions a misdemeanor, pun-



ishable by a fine of from fifty dollars to two hundred dollars for each and every offense.

Section 4 repeals all conflicting statutes.

The bill contains nothing further.

I am in sympathy with the purpose of this bill and would gladly approve it if it contained a provision for the presentation of such checks or certificates for payment, and made the interest to run from the date of such presentation and the refusal of payment. As it was passed, however, it opens the door to a gross and manifest injustice, by making all employers liable to pay ten per cent. interest on the time checks or certificates which may not be presented for payment within a reasonable time, or even for many years after issuance. The true rule is that which obtains respecting warrants of public officers for the payment of public moneys, which bear interest only from the date of their presentation for payment and the refusal to pay them for want of funds. Ten per cent. is a high rate of interest in our present state of development as a commonwealth and as an industrial community. The prevalent rate of interest upon safe investments is seven per cent. per annum. This rate is sure to grow less as our industries are developed and our immense natural wealth becomes known to moneyed corporations in the east. Under this bill, speculators might profitably and safely buy time checks or certificates, and hold them for many years without presentation for payment, and then demand ten per cent. interest upon them from date of issue; while during most of this period the employers might have been ready, willing and anxious to pay them. There is little doubt that speculators would quickly avail themselves of the loose generality of this bill, if it became a law, and buy such checks or certificates at a large discount from the honest toilers, and add to their discount profits by the high rate of ten per cent. per annum.

I am satisfied that such a bill would inure only, or at all events chiefly, to the benefit of such speculators, and that the meritorious laboring men would receive no advantage from it.

For these reasons I withhold my approval from the bill.

CHAS. E. LAUGHTON,  
Lieutenant and Acting Governor.

House bill No. 128 (1891), An act to make time checks for labor negotiable and bear interest from date of issue, was taken up and passed over the governor's veto by the following vote: Yeas 64, nays 8, absent and not voting 6.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Burton, Bush of Chehalis, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kline, Leo, Letterman, Ludden, Mays, Meany, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMullan, McMurphy, McNew, Nash, Neergaard, Payne, Pierce of

Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Tucker, Turpin, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Brock, Bush of Pacific, Green, Kelly, Mentzer, Nelson, Roth, and Temple.

Absent: Messrs. Heliker, Mead, Smith of Okanogan, Speck, Tull, and Washburn.

The clerk read the following veto message, and the bill transmitted with it:

VETO MESSAGE, HOUSE BILL No. 156, SESSION OF 1891.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 14, 1891.

*Hon. Allen Weir, Secretary of State, Olympia, Washington:*

The provisions of House bill No. 156, entitled "An act to require railroad companies to construct and maintain connections from one railroad to another, and to provide penalties for a failure to comply therewith," presents features both commendable and objectionable. Experience has shown in other states that under suitable regulations, through boards appointed for that purpose, and upon application of parties interested therein, and upon due examination to show the necessity for making connections between railroads, as indicated in this bill, the same purposes can be carried into effect in such manner as to fully comply with the requirements of the public and at the same time do no injustice to the people or the corporations.

It is true that in very many instances where crossings occur at grade, there is no demand for making connections for the purpose of transferring cars; and to apply a universal rule of making it necessary that connections should be made at all crossings, whether demanded by the public or not, would require an unnecessary outlay and expense on the part of those owning or operating railroads without any corresponding benefits in behalf of the public. Laws of this kind usually apply simply to railroads as such, and not to any individual company or corporation which may have leased or might be temporarily operating the railroad. It is manifest, upon an inspection of the subject, to say that the lessees of a railroad being bound by their contract with the original owners might have no authority to take the necessary steps to provide such connections; and even if they should have such authority, yet it would require such lessees to build, at their own expense, a connection, the value of which would attach to the property in which they had no primary interest.

It further provides that such connections shall be at all points where one railroad begins or terminates at or near any other railroad where cars may be speedily and conveniently transferred from one railroad to another. Doubtless a condition of affairs exists now in many places and will exist hereafter where the roads of different companies begin or ter-

minate within the corporate limits of some large city, and the terminal or beginning points may be only a block or two, or three blocks apart. In no way can we determine what is meant by the expression "at or near any other railroad." Certainly if they were but a block apart it would be near; yet it might require an enormous expense in the condemnation of private property in passing through perhaps permanent structures within the city, greatly to the prejudice and well being of the people of that locality. It might also occur, and doubtless would, that when such roads are at or near one another under circumstances just spoken of that the grades might be materially different, perhaps hundreds of feet, where it would be a physical impossibility to make a connection from one road to the other capable of being used.

It is also submitted that under the provisions of this bill, different motor lines extending through the different cities or from one to the other, being standard gauge, might be able to compel connections between such motor lines and what is ordinarily known as railroads.

While the objects of the bill in some respects are commendable, relative to requiring crossings to be made at places demanded by the public, yet experience has shown that a law sweeping in generalities and without specifically providing for details requiring such crossings, whether demanded by the public or not, is hardly of such a nature as to commend itself to my mind. But under proper regulations, upon application by parties interested and through inspection by officers appointed for that purpose, to determine whether or not the requirements of the public are such as to make necessary such connections, the interest of all parties could be protected and no violence or injury would result.

The act does not specify in case of connections between different roads beginning or terminating at or near one another which company shall bear the expense of making the necessary connections. It might be that in many instances to make such connection in the heart of a city would require an enormous outlay of money, and whether this expense is to be borne jointly by the two roads thus connected, or all by one road, cannot be determined from this bill.

Viewing the subject then from both standpoints, and taking into consideration the objectionable features as well as those that are designed to be commendable, I believe that this bill lacks the elements of detail which should characterize a measure of such importance, to the end that the public may be at all times accommodated and at the same time no violence or injustice done to any other interests.

For the above reasons I am, therefore, constrained to withhold my approval of this bill.

CHAS. E. LAUGHTON,

Lieutenant Governor and Acting Governor.

House bill No. 156 (1891), An act to require railroad companies to construct and maintain connections from one railroad to another, and to provide a penalty for a failure to comply therewith, was passed over the governor's veto by 62 yeas to 10 nays, absent and not voting 6, to wit:

Yeas: Messrs. Anderson of Pierce, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kline, Leo, Letterman, Ludden, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Rinehart, Roscoe, Roth, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smithson, Tempfe, Tucker, Turpin, Webb, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Whatcom, Cowan, Crockett, Green, Kelly, Mays, Pierce of Lewis, Shadle, Weed, and Winchell.

Absent: Messrs. Heliker, Mead, Smith of Okanogan, Speck, Tull, and Washburn.

The clerk read the following veto message, and the bill transmitted with it:

VETO MESSAGE, SECTION 3 OF HOUSE BILL No. 170, SESSION OF 1891.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 9, 1891.

*To Hon. Allen Weir, Secretary of State:*

SIR—I have this day signed House bill No. 170, entitled "An act to provide for the location and maintenance of the agricultural college, experiment station and school of science of the State of Washington, and declaring an emergency," and approve of the same, with the exception of the item of section three (3) creating the board of regents and their successors, which reads as follows: "\* \* \* a body corporate with name and style of 'The Board of Regents of the Agricultural College of Washington,' with the right as such of suing and being sued, of contracting and being contracted with, of making and using a common seal and altering the same at will \* \* \*," which is in conflict with the express provisions of the constitution. By subdivision 6 of section 28 of article 2 of the constitution, the legislature is expressly prohibited from enacting private or special laws "for granting corporate powers or privileges."

Section 10 of article 11 of the constitution prohibits the creation of municipal corporations by special acts. Section 1 of article 12 makes a similar inhibition as to private corporations; and the subdivision before quoted from article 2 sweeps in all possible forms of corporate bodies.

Besides creating this board of regents a body corporate in general terms, section three (3) of this act proceeds to exclude all doubt of its unconstitutionality by specifically conferring upon the board those powers and privileges which are universally accepted in the law as the distinguishing characteristics of corporations.

CHAS. E. LAUGHTON,  
Lieutenant Governor and Acting Governor.

The governor's veto of section 3 of House bill No. 170 (1891), An act to provide for the location and maintenance of the agricultural college, experiment station and school of science of the State of Washington, and declaring an emergency, was taken up, and the House refused to pass the section over the governor's veto by the following vote: Yeas 2, nays 69, absent and not voting 7.

Yeas: Messrs. Anderson of Whitman, and Collin.

Nays: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Brock, Burton, Bush of Pacific, Bush of Chehalis, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Temple, Tucker, Turpin, Webb, Weed, Westfall, Wheeler, White, Winchell, and Woodworth.

Absent: Messrs. Heliker, Mead, Smith of Okanogan, Speck, Tull, Washburn, and Mr. Speaker.

The clerk read the following veto message, and the bill transmitted with it:

VETO MESSAGE, HOUSE BILL No. 243, SESSION OF 1891.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 14, 1891.

*Hon. Allen Weir, Secretary of State, Olympia, Washington:*

I return herewith, without my approval, House bill No. 243, entitled "An act regulating and fixing railroad freight rates in the State of Washington," appending the following as my objections thereto:

*First.* It is unconstitutional.

*Second.* It is contrary to the established principles of law in force in this state.

*Third.* It is a bill which will work an injury to the state, to the development of its interest and to its people.

*First.* The law is unconstitutional, because it is class legislation. It favors the producer of wheat, flour, barley and mill stuffs and discriminates against the producer of other products, and against the other citizens of our state who may desire to ship any other class of freight over the lines of a common carrier within the state. It places a railroad company in such a position as to violate section 15 of article 12 of the state constitution, which prescribes that "no discrimination in charges or facilities for transportation shall be made by any railroad or other transportation company between places or persons." It is also in direct viola-

tion of section 18 of article 12 of the constitution, which prescribes that "the legislature shall pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight, and to correct abuses and to prevent discrimination and extortion in the rates of freight." Instead of preventing this discrimination between rates of freight, the bill, by its expressed terms, discriminates in the most palpable manner. Again, the legislature, in passing this bill, has not passed a law "establishing reasonable maximum rates of charges for the transportation of passengers and freight," but it has passed a bill establishing a maximum rate of charges for certain commodities or products alone, which, when taken together with all other products of the state requiring transportation, constitute "freight," as contemplated in section 18. The act is, therefore, in plain and open violation of the provisions hereinbefore quoted from sections 15 and 18 of article 12 of the constitution. It being unconstitutional, it requires neither legal authority nor further argument to justify the assertion that it should not become a law.

*Second.* There are other valid legal grounds why such a law should not be passed. The congress of the United States has created an interstate commerce commission, which has power to regulate freight rates and adjust the grievances, if any there be, which are attempted to be adjusted by the bill under consideration. An act such as this not only discriminates against citizens of the state, but it discriminates against citizens in the neighboring states of Idaho and Montana, who produce the same commodities as those mentioned in the bill, and who are compelled to ship such products to coast points for transportation to market, or suffer a loss by shipping them a greater distance to eastern points. Common carriers, under this act, charge the producer of wheat, barley, flour and mill-stuffs who reside in Montana or Idaho a much greater rate than the producer of the same commodities in this state. Under the laws of comity between states, and under the principle which should govern legislation in all matters where state power is brought into conflict with the federal power, it is but justice and right that the legislative and executive power of a state should, so far as possible, assist the citizens of its sister states, and the legislative and executive power of the United States, in guaranteeing to protect the citizens of such sister states against unjust discrimination and infringement upon legislation already prescribed by congress for their protection. In my opinion, this law, instead of taking such a course, materially injures and curtails the rights of the citizens of sister states in protecting themselves from such discrimination, and it certainly conflicts with the provisions of the act of congress known as the interstate commerce act. It becomes thereby an infringement upon those rules of policy and law which should always exist between the states, and between the states and the United States. It is, therefore, specially within the province of the executive of a state to advise against the enactment of such a law.

*Third.* As a matter of public policy, it is unwise in this, that it directly discriminates, as I have before said, in favor of two or three localities as against the other counties and localities of our state. The rates pre-

scribed affect "wheat, barley, flour or other mill stuffs, potatoes, melons or hay" only; it excludes groceries, hardware, lumber, coal, minerals and all precious metals, and other commodities and products. It is, therefore, a direct blow at the development of the industries which produce the commodities above referred to. It does not afford, in my opinion, the relief which the farmer seeks, but is cleverly designed to affect the capitalist, the warehouse man, the elevator owner, and the money lender who advances money upon the growing crops. It prescribes a greater charge for a less than a longer haul. It fixes no general maximum of charges, but solely a discrimination as against all other commodities in favor of flour, barley, mill stuffs, etc. In its operation it would absolutely prevent the construction of new lines of local roads, the necessity for which is so apparent in developing the immense natural resources of our state.

CHAS. E. LAUGHTON,

Lieutenant Governor and Acting Governor.

House bill No. 243 (1891), "An act regulating and fixing railroad freight rates in the State of Washington," was passed over the governor's veto by the following vote: Yeas 70, nays 2, absent and not voting 6, to wit:

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Meany, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Temple, Tucker, Turpin, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Mentzer, and Sallee.

Absent: Messrs. Heliker, Mead, Smith of Okanogan, Speck, Tull, and Washburn.

Committee on mileage and contingent expenses made the following report:

MR. SPEAKER:

We, your Committee on Mileage and Contingent Expenses, to whom was referred House bill No. 37, entitled "An act in relation to the fees of state and county officers, witnesses and jurors, amending section 1 of volume one of Hill's Statutes and Codes of Washington, of 1891," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the Committee on Fees and Compensation of State and County Officers.

Respectfully submitted.

H. F. SMITH, Chairman.

The report was adopted.

On motion of Mr. Hurd, the House adjourned at 4:40 P. M. to meet to-morrow (Tuesday) at 10 o'clock A. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## TWENTY-THIRD DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, TUESDAY, January 31, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.

The roll was called. All the members answered to their names except Messrs. Heliker, Smith of Okanogan, and Tull.

The journal of Monday was read and approved, except that portion relating to the joint convention.

### PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Brock: Petition from Chas. Stoddard and 102 others, praying for the passage of House bill No. 72, "An act in relation to wharves at the terminus of public highways."

Referred to Committee on Judiciary.

By Mr. Anderson, of Whitman: Petition from Lindsey Post, No. 34, G. A. R., of Pine City, praying for display of the American flag over public school buildings.

Referred to Committee on Education.

### REPORTS OF COMMITTEE ON MILEAGE AND CONTINGENT EXPENSES.

MR. SPEAKER:

We, your Committee on Mileage and Contingent Expenses, to whom was referred sundry bills and claims against the state for supplies furnished the state, and for labor in and about the capitol building, respectfully report the accompanying bills back to the House with the recommendation that they be allowed for the following amounts, to wit:



<i>Name of claimant.</i>	<i>For what service, etc.</i>	<i>Amount of claim.</i>	<i>Amount allowed.</i>
Silas Wentz.....	Removing snow from capitol building.....	\$30 00	\$30 00
Jas. Dofflemeyer.....	Carpenter work at capitol, four and one-half days, at \$4 per day.....	18 00	18 00
Gurney Cab Co.....	Drayage on chairs to capitol.....	1 50	1 50
J. Meacham & Co.....	Two tables, for enrolling and journal clerks..	6 00	6 00
Harris & Sons.....	One and one-half dozen towels.....	5 25	5 25
E. H. Dean.....	Six cords of wood, at \$3.50 per cord.....	21 00	21 00
F. G. Deming.....	Soap, brooms, matches, blacking, etc.....	6 35	6 35
Gerald Moore.....	Five days' labor in and around capitol building, under direction of secretary of state, at \$3 per day.....	15 00	15 00
J. W. Kennedy.....	Eight cords of wood, at \$4 per cord. Recommended that this be allowed at \$3.50 per cord.....	32 00	28 00
	Total amount of claims allowed in this report.....		\$131 10

Respectfully submitted.

H. F. SMITH, Chairman.  
 JAS. A. KARR,  
 L. C. GILMAN,  
 J. O. EDWARDS,  
 SAMUEL DENN,  
 Committee.

On motion of Mr. Mays, the report was adopted.

MR. SPEAKER:

We, your Committee on Mileage and Contingent Expenses, to whom was referred a petition presented by Mr. Mays, of Garfield county, on the subject of salaries of state officers and reduction of the number of supreme judges, respectfully report the same back to the House without recommendation, for the reason that the subject matter of said petition is not germane to the business of this committee.

Respectfully submitted.

H. F. SMITH, Chairman.

On request of Mr. Mays, the petition was re-referred to the Committee on Revenue and Taxation.

The speaker called Mr. Mentzer to the chair.

#### REPORT OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

MR. SPEAKER:

We, your Committee on Elections and Privileges, respectfully report that we have adopted a system of procedure for the trial of the contested election case of Gaskell *vs.* Edwards, now pending before this House; that the parties to said contest have thus far complied with said rules, and that said case is now at issue and ready for trial. Wherefore, your committee respectfully requests that the honorable speaker issue such subpoena or subpoenas as are necessary for the attendance of witnesses and the production of papers necessary to the investigation and trial of said cause.

Respectfully submitted.

N. W. BUSH, Chairman.

Mr. Judson moved to amend the report by having the costs of the contest thrown upon the contestant.

Mr. Meany moved to re-commit the whole matter to the same committee to report upon the legality of the special election.

Motion was withdrawn.

Mr. McMillan moved to lay the entire matter on the table.

The motion was lost by the following vote: Yeas 36, nays 38, absent and not voting 3.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Burton, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Judson, Karr, Keller, Kline, Letterman, Ludden, Mays, Mulkey, McMillan, Payne, Roscoe, Scott, Shelton, Sherman, Smith of Douglas, Smithson, Tucker, Woodworth, and Mr. Speaker.

Nays: Anderson of Pierce, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Hoolé, Hurd, Kelly, Leo, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Shadle, Speck, Temple, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, and Winchell.

Absent or not voting: Messrs. Edwards, Heliker, Smith of Okanogan, and Tull.

Mr. Judson's motion to amend was adopted.

The original report, as amended, was adopted.

#### REPORT OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

##### MR. SPEAKER:

We, your Committee on Appropriations and Claims, to whom was referred House bill No. 60, entitled "An act for the relief of C. F. Clapp and Thomas F. Drew, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

G. W. TEMPLE, Chairman.

The report was adopted, and the bill indefinitely postponed.

#### REPORT OF COMMITTEE ON TIDE LANDS.

##### MR. SPEAKER:

We, your Committee on Tide Lands, to whom was referred Senate bill No. 12, entitled "An act for the relief of the local boards of tide and shore land appraisers appointed under the act entitled 'An act for the appraising and disposal of the tide and shore lands belonging to the State of

Washington, approved March 26, 1890," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

J. S. SALLEE, Chairman.

WM. PAYNE,

WM. FARRISH,

R. J. NEERGAARD,

F. D. NASH,

WILL. R. WHITE,

E. H. LETTERMAN,

W. H. LUDDEN,

F. R. BAKER.

The rules were suspended, and Senate bill No. 12, An act for the relief of the local boards of tide and shore land appraisers appointed under the act entitled "An act for the appraising and disposal of the tide and shore lands belonging to the State of Washington," was read second time by title, and third time in full, and passed by the following vote: Yeas 75, nays none, absent and not voting 3.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Heliker, Smith of Okanogan, and Tull.

The title was read and approved.

The speaker resumed the chair.

#### REPORT OF COMMITTEE ON RAILROADS.

MR. SPEAKER:

Your Committee on Railroads would respectfully report that it has had House bill No. 27 under consideration, but not having arrived at a decision, would ask for further time on said bill.

Respectfully submitted.

W. R. HOOLE, Chairman.

Request granted.

## MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 31, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN—I have the honor to transmit to you one hundred and forty copies of the report of the pilot commissioners of the Columbia river.

Respectfully, J. H. McGRAW, Governor.

## INTRODUCTION OF BILLS.

The following bills were read first time by title, and referred, and ordered printed:

House bill No. 184, by Mr. Cameron: An act appropriating money for jute factory and brick factory at the penitentiary.

Referred to Penitentiary Committee.

House bill No. 185, by Mr. Crockett (by request): An act providing for the exemption of homesteads from attachment or sale on execution.

Referred to Judiciary Committee.

House bill No. 186, by Mr. Morrison: An act in relation to license by docketing judgment of justices' court, amending section 455 of the Code of 1891.

Referred to Judiciary Committee.

House bill No. 187, by Mr. Morrison: An act in relation to documentary evidence.

Referred to Judiciary Committee.

House bill No. 188, by Mr. Smith, of Douglas: An act providing a penalty for public officers of Washington who accept or use a pass, or who purchase transportation from any railroad or other corporation other than as the same may be purchased by the general public, and declaring an emergency.

Referred to Committee on Railroads.

House bill No. 189, by Mr. Anderson (by request): An act concerning the construction of statutes.

Referred to Judiciary Committee.

House bill No. 190, by Mr. Nash: An act to amend an act entitled "An act creating and establishing municipal courts in the cities of the State of Washington having more than twenty thousand inhabitants, defining and prescribing their jurisdiction, regul-

lating their practice and procedure, and providing judges and clerks therefor, and declaring an emergency."

Referred to Judiciary Committee.

House bill No. 191, by Mr. Edwards: An act to amend section 12 of an act entitled "An act to establish a general uniform system of common schools in the State of Washington," approved March 27, 1890, and declaring an emergency.

Referred to Committee on Education.

House bill No. 192, by Mr. Cowan (by request): An act to provide for maintenance of roads.

Referred to Committee on Roads and Highways.

House bill No. 193, by Mr. Letterman: An act punishing bank officials for receiving deposits, knowing the bank to be insolvent.

Referred to Committee on Revenue and Taxation.

House bill No. 194, by Mr. Egbert: An act to prohibit the collection of hospital and other dues from railroad and other classes of employés, and providing for a penalty therefor.

Referred to Committee on Railroads.

House bill No. 195, by Mr. McElwain: An act to amend an act entitled "An act to protect salmon and other food fishes in the State of Washington and upon all waters upon which this state has jurisdiction and concurrent jurisdiction," approved February 11, 1890.

Referred to Committee on Fisheries and Game.

House bill No. 196, by Mr. Durant (by request): An act to provide for the organization, maintenance and discipline of militia of the State of Washington.

Referred to Committee on Military Affairs.

House bill No. 197, by Mr. McNew: An act to amend an act entitled "An act defining the powers and duties of assessors.

Referred to Committee on Judiciary.

House bill No. 198, by Mr. Shelton: An act amending section 268 of chapter 11 of the Penal Code of Washington, relating to unlawful destruction of game and fish.

Referred to Committee on Fisheries and Game.

House bill No. 199, by Mr. Shelton: An act to amend section 254 of chapter 11 of the Penal Code of Washington, relating to unlawful destruction of game and fish, and declaring an emergency.

Referred to Committee on Fisheries and Game.

House bill No. 200, by Mr. Shelton: An act to repeal sections

247, 248, 249, 250 and 252 of chapter 11 of the Penal Code of Washington, relating to the unlawful destruction of game and fish.

Referred to Committee on Fisheries and Game.

House bill No. 201, by Mr. Nelson: An act to amend section 385 of the Code of Washington Territory, section 526, of volume 2 of Hill's Statutes and Codes of the State of Washington.

Referred to Committee on Judiciary.

House bill No. 202, by Mr. Greenberg: An act to increase the cavalry battalion of the National Guard of the State of Washington to four companies.

Referred to Committee on Military Affairs.

House bill No. 203, by Mr. McNew: An act to amend an act entitled "An act to define the powers of county commissioners."

Referred to Committee on Judiciary.

House bill No. 204, by Mr. Collin: An act to prevent the stealing of stock.

Referred to Committee on Agriculture.

House bill No. 205, by Mr. Burton: An act to provide for selection of a depository for the county funds of each of the counties in this state.

Referred to Committee on Judiciary.

House bill No. 206, by Mr. Scott: An act for fixing a legal and contract rate of interest, and providing a penalty for the taking of usury.

Referred to Committee on Revenue and Taxation.

On motion of Mr. Meany, the House took a recess from 11:45 A. M. until 12 o'clock noon.

The House resumed business at 12 o'clock, the speaker presiding.

The sergeant-at-arms reported that the Senate was awaiting admittance to sit in joint convention with the House.

#### JOINT SESSION.

The speaker invited the honorable Senate to seats within the bar and the president to preside.

The clerk called the roll; all senators and representatives were present except Senator McManus and Messrs. Heliker, Smith of Okanogan, and Tull, excused.

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

The following pairs were announced for to-day: Messrs. Heliker

and Shadle, Messrs. McNew and Smith (H. F.), Mr. Tull and Mr. Speaker.

The president announced that no person had been elected United States senator at yesterday's session, and directed the clerk to call the roll for the thirty-ninth ballot.

## THIRTY-NINTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 23 votes.

C. W. Griggs received 25 votes.

Govnor Teats received 9 votes.

R. O. Dunbar received one vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, McElwain, McKenzie, McMurphy, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, and Winchell.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Sherman, Smith (T. J.), Smithson, Temple, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, Miller, Mulkey, Payne, Shaw, Shelton, and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had received a majority of all the votes cast for United States senator, therefore there was no election.

The clerks were directed to call the roll for the fortieth ballot:

## FORTIETH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 23 votes.

C. W. Griggs received 25 votes.

Govnor Teats received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, McElwain, McKenzie, McMurphy, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, and Winchell.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Sherman, Smith (T. J.), Smithson, Temple, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, Miller, Mulkey, Payne, Shaw, Shelton, and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that there was no election of United States senator, and, according to the resolution previously adopted, the joint convention was dissolved at 12:20 p. m., to meet to-morrow at 12 o'clock noon.

On motion of Mr. Mead, the House took a recess at 12:20 p. m., to meet this afternoon at 2 o'clock.

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### AFTERNOON SESSION.

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The House was called to order at 2 o'clock p. m. by the speaker.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred Senate bill No. 26, entitled "A bill for an act to enable cities and towns to validate certain warrants and other obligations and evidences of indebtedness on,



the part of such cities and towns issued by the corporate authorities thereof in excess of their legal authority, and declaring an emergency to exist," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Gilman, Senate bill No. 26, An act to enable cities and towns to validate certain warrants, etc., and declaring an emergency, was read second time by title, and third time in full, rules suspended, considered engrossed, and passed by the following vote: Yeas 74, nays none, absent and not voting 4.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Hamill, Heliker, and Smith of Okanogan.

The emergency clause was passed by the following vote: Yeas 75, nays 0, absent and not voting 3.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Heliker, and Smith of Okanogan.

The title was read and approved.

## REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 21, entitled "An act creating and providing for the enforcement of liens for labor and material," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended in the manner set forth in the pages hereto attached, and that as so amended the bill do pass.

## AMENDMENTS TO HOUSE BILL No. 21.

First amendment: Substitute the word "belong" for the word "belonging" where it occurs in line 6 of section 2 of the printed bill.

Second amendment: Strike out the words "to be held" where the same occur in line 7 of section 2 of the printed bill.

Third amendment: After the word "property," where the same occurs in line 1 of section 3 of the printed bill, insert the words "his agent, contractor or sub-contractor."

Fourth amendment: Strike out the words "be attached," where the same occur in line 2 of section 4 of the printed bill, and insert in lieu thereof the words "may attach."

Fifth amendment: Insert after the word "filed," where it occurs in line 3 of section 5 of the printed bill, the words "for record."

Sixth amendment: Strike out the word "labor" where it occurs in line 8 of section 5 of the printed bill, and insert in lieu thereof the word "laborer."

Seventh amendment: Insert, in parentheses, after the word "employed," where it occurs in line 8 of section 5 of the printed bill, the words "if known."

Eighth amendment: Strike out the words "his attorney," where they occur in line 12 of section 5 of the printed bill, and insert in lieu thereof the words "by some person in his behalf."

Ninth amendment: Strike out from and including the word "claimant" where it occurs in line 18 of section 5 of the printed bill, down to and including the word "claimant" in line 29 of said section 5, and in lieu thereof insert the following:

\_\_\_\_\_, Claimant,  
vs.

Notice is hereby given that on the \_\_\_\_\_ day (date of commencement of performing labor or furnishing material) \_\_\_\_\_, at the request of \_\_\_\_\_, commenced to perform labor (or furnished material to be used) upon \_\_\_\_\_ (here describe property subject to the lien) of which property the owner, or reputed owner, is \_\_\_\_\_ (or if the owner or reputed owner is not known, insert the word "unknown") the performance of which labor (or the furnishing of which material) ceased on the \_\_\_\_\_ day of \_\_\_\_\_; that said labor performed (or material furnished) was of the value of \_\_\_\_\_ dollars, for which labor (or material) the undersigned claims a lien upon the property herein described for the sum of \_\_\_\_\_ dollars (in

case the claim has been assigned, add the words) "and —— is the assignee of said claim" (or claims, if several are united).

Tenth amendment: Strike out the whole of section 6 as the same appears in the printed bill, and insert in lieu thereof the following: Sec. 6. The county auditor must record the claims mentioned in this chapter, in a book to be kept by him for that purpose, which record must be indexed as deeds and other conveyances are required by law to be indexed.

Eleventh amendment: After the word "any," where it occurs in line 1 of section 7 of the printed bill, insert the words "lien or."

Twelfth amendment: Strike out the words "herein given," where the same occur in line 2 of section 7 of the printed bill, and insert in lieu thereof the words "of the assignor."

Thirteenth amendment: Beginning with and including the word "notice," where the same occurs in line 3 of section 7 of the printed bill, and strike out all the remainder of said section.

Fourteenth amendment: Strike out the word "one," where the same occurs in line 5 of section 9 of the printed bill, and insert in lieu thereof the words "two years."

Fifteenth amendment: Strike out the whole of section 10 as the same appears and is numbered in the present bill.

Sixteenth amendment: After the word "from," where the same occurs in line 6 of section 11 of the printed bill, insert the words "the contractor."

Seventeenth amendment: Beginning with and including the word "by," where the same occurs in line 11 of section 11, strike out all down to and including the word "brought," where the same occurs in line 13 of said section 11, and insert in lieu thereof the words "from the contractor."

Eighteenth amendment: Strike out the word "law," where the same occurs in line 1 of section 12 of the printed bill, and insert in lieu thereof the words "this act."

Nineteenth amendment: Strike out all of lines 4, 5 and 6 in section 13 of the printed bill, and insert in lieu thereof the following:

1. All persons performing labor.
2. All persons furnishing material.
3. The sub-contractors.
4. The original contractors.

Twentieth amendment: Beginning with and including the word "but," where the same occurs in line 16 of section 13 of the printed bill, strike out all of the remainder of said section 13.

Twenty-first amendment. Strike out the word "law," where the same occurs in line 2 of section 16 of the printed bill, and in lieu thereof insert the words "this act."

Twenty-second amendment: Strike out all of section 17 as the same appears in the printed bill.

Twenty-third amendment: Insert immediately following section numbered 17 in the printed bill (stricken out) the following three new sections, to be numbered respectively 16, 17, and 18:

SEC. 16. The claim of lien, when filed as required by this act, shall be notice to the husband or wife of the person who appears of record to be the owner of the property sought to be charged with the lien, and shall subject all the community interests of both husband and wife to said lien.

SEC. 17. When, for any reason, no title or interest in the land upon which the property subject to the lien is situated can be subjected to the lien, the court may order the sale and removal from the land of the property subject to the lien to satisfy the lien.

SEC. 18. The provisions of law relating to liens created by this act, and all proceedings thereunder, shall be liberally construed with a view to effect their objects.

Twenty-fourth amendment: Change the number of section 18 as the same appears in the printed bill, to section 19.

Twenty-fifth amendment: Strike out all of lines 4, 5, 6, 7 and 8 of section 18 of the printed bill, and insert in lieu thereof the words "are hereby repealed."

Twenty-sixth amendment: Change the numbers of sections 11, 12, 13, 14, 15 and 16, as the same are numbered in the printed bill, so that the same shall be numbered, respectively, sections 10, 11, 12, 13, 14 and 15.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Ludden, the report and amendments were adopted.

Mr. Leo presented the following amendment to section 5 of House bill No. 21, adding thereto the words following:

"*Provided*, It shall not be necessary to insert in the notice of claim of lien provided for by this act any itemized statement or bill of particulars of such claim."

On motion the amendment was adopted.

Mr. Wheeler moved that the bill as amended be engrossed, printed and made a special order for Friday, February 3, at 10 o'clock A. M.

The motion prevailed.

#### REPORT OF COMMITTEE ON RAILROADS.

MR. SPEAKER:

We, your Committee on Railroads, to whom was referred House bill No. 54, entitled "An act in relation to fencing and operating railroads," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that consideration of the same be indefinitely postponed, for the reason that the bill treats of two subject matters.

Respectfully submitted.

W. R. HOOLE, Chairman.

We concur in this report:

ALEX. CAMERON,  
S. W. HAMILL,  
R. J. NEERGAARD,  
D. F. ANDERSON,  
JOHN F. GREEN,  
F. R. BAKER.

On motion of Mr. McMillan, House bill No. 54 was recommitted to the Committee on Railroads, with instructions to segregate.

#### REPORT OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

MR. SPEAKER:

We, your Committee on Appropriations and Claims, to whom was referred House bill No. 68, entitled "An act for the relief of S. W. Brown and others," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be indefinitely postponed.

Respectfully submitted.

G. W. TEMPLE, Chairman.

On motion of Mr. Mentzer, the report of the committee was adopted and the bill indefinitely postponed.

#### REPORT OF COMMITTEE ON RAILROADS.

MR. SPEAKER:

We, your Committee on Railroads, to whom was referred House bill No. 39, entitled "An act providing for the licensing of persons to operate steam engines, steam boilers and steam generators, and for the establishing of a board of examining engineers," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be passed after the adoption of the amendments thereto attached.

Respectfully submitted.

W. R. HOOLE, Chairman.

We concur in this report:

JOHN F. GREEN,  
R. J. NEERGAARD,  
O. B. NELSON,  
F. R. BAKER,  
S. W. HAMILL,  
W. P. McELWAIN.

Mr. Meany moved that the report of the committee be adopted.

The motion prevailed.

Mr. Judson presented the following amendment to House bill No. 39, which was adopted:

In section 4 strike out "a" in line 3 and insert "one of their number;" also, in line 4, section 4, strike out words and figures "\$600," and insert words and figures "\$100."

On motion of Mr. McMillan, House bill No. 39 was indefinitely postponed.

#### REPORT OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

MR. SPEAKER:

We, your Committee on Appropriations and Claims, to whom was referred House bill No. 71, entitled "An act in relation to county, school,

city and town warrants, and the manner of their payment," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be passed.

Respectfully submitted.

G. W. TEMPLE, Chairman.

On motion of Mr. Hoole, House bill No. 71 was indefinitely postponed.

Messrs. McElwain and Woodworth were excused for Wednesday.

Mr. Hoole moved that the chairmen of the different committees meet in the railroad committee's rooms at 5 o'clock P. M. to-morrow (Wednesday).

The motion prevailed.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., January 31, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 25, entitled "An act relating to commission merchants or persons selling agricultural products and farm produce on commission," and the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Merchant, the House adjourned.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## TWENTY-FOURTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Wednesday, February 1, 1893. }  
10 o'clock A. M.

The House was called to order at 10 o'clock A. M.; the speaker in the chair.

The roll was called. All the members were present except Messrs. Heliker, McElwain, Roscoe, Smith of Okanogan, and Woodworth.

On motion of Mr. Webb, the reading of the journal was dispensed with, and the journal was approved.

## REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 104, entitled "An act relating to the liens of mechanics and others upon real estate, curing defects in lien notices, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Mead, the rules were suspended, House bill No. 104 was read a third time, considered engrossed, and passed by the following vote: Yeas 66, nays 2, absent and not voting 10.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kline, Leo, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, and Mr. Speaker.

Nays: Messrs. Green and Winchell.

Absent: Messrs. Anderson of Pierce, Heliker, Kelly, Meany, McElwain, Roscoe, Roth, Smith of Okanogan, White, and Woodworth.

The emergency clause of House bill No. 104 was passed by the following vote: Yeas 68, nays 0, absent and not voting 10.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Sallee, Scott, Shadle, Shelton, Sherman, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Heliker, Kelly, McElwain,

Roscoe, Roth, Smith of Okanogan, Smith of Douglas, White, and Woodworth.

The title was read and approved.

Mr. Webb presented the following resolution, which was adopted:

*Resolved*, That the journal clerk of this House be allowed to select an assistant at a salary of five dollars per day.

#### PRESENTATION OF PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Brock presented a petition from Frank Young and 211 others praying for the passage of House bill No. 41, An act in relation to the protection of sturgeon.

Referred to Committee on Fisheries and Game.

Mr. Hoole presented a resolution in relation to school lands in Clallam county.

Referred to Committee on Federal Relations and Emigration.

#### REPORT OF COMMITTEE ON LABOR AND LABOR STATISTICS.

##### MR. SPEAKER:

We, your Committee on Labor and Labor Statistics, to whom was referred House bill No. 124, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to its proper committee, Privileges and Elections.

Respectfully submitted. J. H. SMITHSON, Chairman.

The bill was recommitted as recommended.

#### INTRODUCTION OF BILLS.

The following bills were introduced and read first time, and referred to committees and ordered printed:

House bill No. 207, by Mr. Payne: An act authorizing counties to submit to the voters therein propositions to fund indebtedness by issuing bonds.

Referred to Committee on Revenue and Taxation.

House bill No. 208, by Mr. Payne: An act to enable counties to validate certain indebtedness attempted to be incurred on the part of such counties by the corporate authorities therefor in excess of their legal authority, and declaring an emergency to exist.

Referred to Committee on Corporations other than Municipal and Railroads.

House bill No. 209, by Mr. Bush, of Pacific: An act making ap-



proprietion for the payment of the salaries and traveling expenses of the state fish commissioner and his deputies.

Referred to Committee on Appropriations.

House bill No. 210, by Mr. Westfall: An act to appropriate money to cover the deficiency for maintaining the State Normal School at Cheney, Wash., to March 1, 1893.

Referred to Committee on State University and Normal Schools.

House bill No. 211, by Mr. Egbert: An act to amend an act approved January 29, 1886, entitled "An act to amend section 347 of the Code of Washington Territory in relation to exemption."

Referred to Judiciary Committee.

House bill No. 212, by Mr. Leo: An act to prevent attempts to commit burglaries, and declaring the possession of burglars' tools with intent to use the same for unlawful purposes to be a misdemeanor, and declaring a rule of evidence in such cases.

Referred to Judiciary Committee.

House bill No. 213, by Mr. Scott: An act entitled "An act to provide for the protection of laborers, mechanics and material men, and persons furnishing material in the construction of railroads, and declaring an emergency."

Referred to Committee on Railroads.

House bill No. 214, by Mr. Wheeler: An act to amend chapter 140 of the laws of 1891, approved March 9, 1891, relating to the assessment and collection of taxes.

Referred to Committee on Revenue and Taxation.

House concurrent resolution No. 10, by Mr. Meany: Authorizing the governor of the State of Washington to receive and receipt for moneys due said state from the general government of the United States on account of the payment of the direct tax.

Referred to Committee on Federal Relations.

#### REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

MR. SPEAKER:

We, your Committee on Corporations Other than Municipal, to whom was referred House bill No. 160, entitled "An act relating to service of summons on corporations," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the Committee on Judiciary.

Respectfully submitted.

R. C. WASHBURN, Chairman.

So ordered.

Mr. Hoole moved to reconsider the indefinite postponement of House bill No. 71, An act in relation to county, school, city and town warrants, and the manner of their payment."

The motion prevailed.

Mr. Neergaard moved that House bill No. 71 be recommitted to the Committee on Appropriations.

The motion prevailed.

Mr. White moved to reconsider the vote by which House bill No. 60 was indefinitely postponed yesterday.

The motion to reconsider was laid on the table.

The chair ruled that a vote by which a bill has been indefinitely postponed may be reconsidered within twenty-four hours of such action.

Mr. Judson appealed from the decision of the chair.

The decision of the chair was sustained by the following vote: Yeas 38, nays 34, absent and not voting 6.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Burton, Cameron, Durant, Farrish, Gilman, Hoole, Hurd, Karr, Keller, Leo, Mead, Meany, Mentzer, Merchant, Morrison, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Scott, Smith of Douglas, Speck, Tucker, Washburn, Webb, Weed, Wheeler, and White.

Nays: Messrs. Anderson of Pierce, Brock, Bush of Chehalis, Bush of Pacific, Collin, Cowan, Crockett, Denn, Edmonds, Edwards, Egbert, Foster, Green, Greenberg, Hamill, Judson, Kelly, Kline, Letterman, Ludden, Mays, Moore, Mulkey, McMillan, Payne, Shadle, Shelton, Sherman, Smithson, Temple, Tull, Turpin, Westfall, and Winchell.

Absent: Messrs. Heliker, McElwain, Roscoe, Smith of Okanogan, Woodworth, and Mr. Speaker.

#### JOINT SESSION.

The Senate being in waiting, the speaker invited the honorable body to seats within the bar, and the president to preside over the joint convention.

The roll was called. All the senators and representatives were present except Senators Forsyth and McManus, and Representatives Heliker, McElwain, Roscoe, Smith of Okanogan, and Woodworth.

On motion of Senator Donahoe, the reading of the joint journal was dispensed with, and it was considered as read and approved.

The following pairs were announced for to-day: Messrs. Heliker and Shadle, McNew and Smith of Okanogan, McElwain and Gilman, Woodworth and Brown.

The president announced that no person had been elected United States senator at the preceding session, and instructed the clerk to call the roll for the forty-first ballot.

FORTY-FIRST JOINT BALLOT.

John B. Allen received 45 votes.

George Turner received 22 votes.

C. W. Griggs received 24 votes.

Govnor Teats received 9 votes.

R. O. Dunbar received 1 vote.

These voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, McKenzie, McMurphy, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, and Westfall.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, Miller, Mulkey, Payne, Shaw, Shelton, and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had received the necessary majority for United States senator, and instructed the clerk to call the roll for the forty-second ballot.

FORTY-SECOND JOINT BALLOT.

John B. Allen received 45 votes.

George Turner received 22 votes.

C. W. Griggs received 24 votes.

Govnor Teats received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, McKenzie, McMurphy, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, and Westfall.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, Miller, Mulkey, Payne, Shaw, Shelton, and Turpin.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that as no election of United States senator had occurred, the joint convention was dissolved to meet to-morrow (Thursday) at 12 o'clock noon.

Mr. Burton was excused until Monday.

Mr. Neergaard moved that the House take a recess until 2 o'clock this afternoon.

The motion was lost.

Mr. Tull moved that the House take a recess of ten minutes.

Division was called for, and the motion was lost by 47 nays to 22 yeas.

Mr. Tucker moved that the House do now adjourn.

Division was called for, and the motion was lost by a vote of 37 nays to 33 yeas.

#### REPORT OF COMMITTEE ON LABOR AND LABOR STATISTICS.

MR. SPEAKER:

We, your Committee on Labor and Labor Statistics, to whom was referred House bill No. 26, entitled "An act to prevent strikes," have had

the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

SMITHSON, Chairman.

We concur in this report:

GILMAN,  
RINEHART,  
SPECK,  
SHERMAN,  
KLINE,  
EGBERT,  
DURANT.

On motion of Mr. Scott, House bill No. 26 was indefinitely postponed, as recommended by the committee.

Mr. Tucker made a motion that the House do now adjourn. The motion was lost: Yeas 19, nays 51, absent and not voting 8.

Yeas: Messrs. Anderson of Pierce, Bush of Chehalis, Greenberg, Judson, Karr, Keller, Kelly, Kline, Ludden, Merchant, Payne, Tucker, Washburn, Webb, Weed, Westfall, White, Winchell, and Mr. Speaker.

Nays: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hoole, Hurd, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Turpin, and Wheeler.

Absent: Messrs. Burton, Hamill, Heliker, McElwain, Roscoe, Smith of Okanogan, Tull, and Woodworth.

#### REPORT OF COMMITTEE ON LABOR AND LABOR STATISTICS.

MR. SPEAKER:

We, your Committee on Labor and Labor Statistics, to whom was referred House bill No. 30, entitled "An act providing that time checks and due bills issued for labor shall bear interest until paid," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

SMITHSON, Chairman.

We concur in this report:

GILMAN,  
RINEHART,  
SPECK,  
SHERMAN,  
KLINE,  
EGBERT,  
DURANT.

On motion of Mr. Smithson, the report of the committee was adopted, and House bill No. 30 was indefinitely postponed.

House bill No. 116 was recommitted to the Committee on Judiciary.

On motion of Mr. Brock, House bill No. 69 was recommitted to the Committee on Forestry, Agriculture and Horticulture.

Mr. Greenberg moved that the House do now adjourn.

The House refused to adjourn by a divisional vote of 38 nays to 23 yeas.

#### REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER:

We, your Committee on Education, to whom was referred Senate bill No. 16, entitled "An act to provide for voting on a constitutional amendment at the general election to be held in November, 1894, relative to the investment of permanent school fund, and as amended in section 1," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

C. F. WESTFALL, Chairman.

We concur in this report:

WINCHELL,  
SHADLE,  
EDMONDS,  
FARRISH,  
TUCKER.

On motion of Mr. Mentzer, the rules were suspended, and Senate bill No. 16 read a third time and passed by the following vote: Yeas 70, nays 0, absent and not voting 8.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, and Mr. Speaker.

Absent: Messrs. Burton, Heliker, Meany, McElwain, Roscoe, Smith of Okanogan, Tull, and Woodworth.

The title was read and approved.

Following is a true copy of Senate bill No. 16, passed, as above mentioned.

AN ACT to provide for voting on a constitutional amendment at the general election to be held in November, 1894, relative to the investment of the permanent school fund.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. That at the general election to be held in November, 1894, there shall be submitted to the qualified electors of the State of Washington, for their approval, the following amendment to section 5 of article 16 of the constitution of the State of Washington: Sec. 5. None of the permanent school fund of this state shall ever be loaned to private persons or corporations, but it may be invested in national, state, county, municipal or school district bonds.

SEC. 2. The secretary of state shall cause the foregoing amendment to be published for three months next preceding said election to be held in November, 1894, in some weekly newspaper in every county within this state, wherein a newspaper is published.

SEC. 3. That there shall be printed on all the ballots supplied for said election the words: "For proposed amendment to section 5, article 16 of constitution, relative to investment of permanent school fund." "Against proposed amendment to section 5, article 16 of constitution, relative to investment of permanent school fund."

#### REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER:

We, your Committee on Education, to whom was referred House bill No. 141, entitled "An act to amend section 52, of chapter 12 of Laws of 1889-90, entitled 'An act to establish a general uniform system of common schools in the State of Washington,'" have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

C. F. WESTFALL, Chairman.

We concur in this report:

WINCHELL,  
SHADLE,  
EDMONDS,  
FARRISH,  
TUCKER.

On motion of Mr. Tucker, House bill No. 141 was read second and third time, under suspension of the rules, considered engrossed, and passed by the following vote: Yeas 59, nays 10, absent and not voting 9.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Edmonds, Edwards, Egbert, Farrish, Foster, Greenberg, Hamill, Hoole, Hurd, Judson,

Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMurphy, McNew, Neergaard, Nelson, Pierce of Klickitat, Rinehart, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, White, Winchell, and Mr. Speaker.

Nays: Messrs. Durant, Gilman, Mays, Meany, McMillan, Nash, Payne, Pierce of Lewis, Sallee, and Wheeler.

Absent: Messrs. Baker, Burton, Green, Heliker, McElwain, Roscoe, Smith of Okanogan, Tull, and Woodworth.

The title was read and approved.

Mr. McMillan presented the following resolution:

*Resolved*, That the chief clerk be and he is hereby directed to have prepared and printed daily a calender of the bills introduced in the House, showing the history of each bill to the date of calender, and that each member be supplied with a copy of said daily calender on the convening of the House each day.

On motion of Mr. Wheeler, the resolution was adopted.

On motion of Mr. Kelly, the House adjourned at 2:30 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## TWENTY-FIFTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Thursday, February 2, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.

The roll was called. All the members were present except Messrs. Burton and Woodworth; excused.

On motion of Mr. Tucker, the further reading of the journal was dispensed with, and it was approved.

On motion of Mr. Winchell, the World's Fair Committee were authorized to employ a stenographic clerk.



On motion of Mr. Mead, House bills Nos. 85 and 113 were referred to Committee on Appropriations and Claims.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 145, entitled "An act to provide for the appraisal and disposition of school lands," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the House Committee on State, School and Granted Lands.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Mead, the report was adopted, and House bill No. 145 was referred to Committee on State, School and Granted Lands.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., January 31, 1893.

MR. SPEAKER:

The Senate has passed Senate memorial No. 2, Relative to the death of James G. Blaine; and the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Hoole, all rules were suspended, and Senate memorial No. 2, Relative to the death of Hon. James G. Blaine, was passed by a vote of 70 yeas, nays 0; absent and not voting, 8, to-wit:

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Shadle, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Turpin, Webb, Washburn, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Burton, Hurd, McElwain, McNew, Sallee, Scott, Sherman, and Tull.

MR. SPEAKER:

We, the undersigned chairmen of the following committees, viz., "State Buildings, Public Grounds and Library," "Printing," and "Privileges and

Elections," respectfully report that we have appointed as clerk for the foregoing committees S. W. de Lacy.

Respectfully submitted.

T. F. MENTZER,

N. W. BUSH,

H. W. GREENBERG.

Mr. de Lacy was duly sworn in by the speaker, and began the active discharge of his duties.

#### INTRODUCTION OF BILLS.

The following bills were introduced and read first time by title, and referred to committee and ordered printed:

House bill No. 215, by Mr. Rinehart: An act to amend an act entitled an "Act to amend sections 105, 106, 114 and 117 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' and approved March 27, 1890," approved March 9, 1891.

Read first time, and referred to Committee on Municipal Corporations.

House bill No. 216, by Mr. Roth: An act to provide means for the validation of certain warrants and other evidence of indebtedness on the part of cities and towns, issued by the corporate authorities thereof, in excess of their legal authority, in cases where any such city or town has since such attempted incurring of indebtedness, or may hereafter, become consolidated with any other city or town, or has annexed or may annex any new territory, and declaring an emergency.

Read first time, and referred to Committee on Municipal Corporations.

House bill No. 217, by Mr. Roth: An act legalizing indebtedness of cities and towns contracted previous to consolidation of said cities and towns.

Read first time, and referred to Committee on Municipal Corporations.

House bill No. 218, by Mr. Roscoe: An act to prevent combinations or pools of insurance companies or their agents, tending to defeat or lessen competition in the business of fire insurance in the State of Washington.

Read first time, and referred to Committee on Insurance.

House bill No. 219, by Mr. Mentzer: An act to define and punish an attempt to break and the breaking into any railway car situated

in the State of Washington, and to protect property therein contained.

Read first time, and referred to Committee on Railroads.

House bill No. 220, by Mr. Smith, of Douglas: An act regulating foreclosure and redemption of mortgages on real estate.

Read first time, and referred to Committee on Judiciary.

House bill No. 221, by Mr. Smith, of Douglas: An act regulating the payment of attorneys' fees in judgments in the courts of this state.

Read first time, and referred to Judiciary Committee.

House bill No. 222, by Mr. White: An act to regulate railroads and other transportation lines to prevent unjust discrimination, and to provide for a railroad and transportation commission.

Read first time, and referred to Committee on Railroads.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 1, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 48, entitled "An act authorizing the state treasurer to receive from the United States any sum of money for the benefit of the Washington state soldiers' home."

Also, Senate bill No. 51, regulating the price to be paid for board of prisoners in county jails.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The following bills were read first time, and referred to committees:

Senate bill No. 25, by Mr. Edens, of Skagit: An act relative to commission merchants or persons selling agricultural produce and farm produce on commission.

Read first time, and referred to Committee on Agriculture.

Senate bill No. 48, by Mr. Sergeant, of Pierce: An act authorizing the state treasurer to receive from the United States any sum of money for the benefit of the Washington state soldiers' home under the provisions of the act of congress approved August 27, 1888, entitled "An act to provide aid to state or territorial homes for the support of disabled soldiers and sailors of the United States," and declaring an emergency.

Read first time, and referred to Committee on Military Affairs.

Senate bill No. 51, by Mr. Foss, of Pierce: An act entitled "An act

fixing the maximum sum to be allowed by the board of county commissioners for the board of prisoners confined in the county jails.”

Read first time, and referred to Committee on Judiciary.

Mr. Hoole presented a petition from General Sanders Post, No. 183; G. A. R., asking for suitable legislative action compelling school districts to place an American flag over each school house.

Referred to Committee on Education.

Mr. Egbert presented a resolution censuring Senator John B. Allen for neglect of duty, by not remaining at Washington City, and moved its adoption.

Mr. Ludden moved to lay the resolution on the table.

The House refused to lay the resolution on the table by the following vote: Yeas 35, nays 39, absent and not voting 4.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Greenberg, Heliker, Hoole, Judson, Karr, Keller, Kelly, Ludden, Mead, Meany, Merchant, Morrison, McKenzie, McMurphy, McNew, Nash, Neergaard, Pierce of Lewis, Rinehart, Roth, Shadle, Washburn, Webb, Weed, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Baker, Burton, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Gilman, Green, Hamill, Hurd, Kline, Leo, Letterman, Mays, Mentzer, Moore, Mulkey, McMillan, Nelson, Payne, Pierce of Klickitat, Roscoe, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, and White.

Absent: Messrs. Foster, McElwain, Sallee, and Westfall.

On motion of Mr. Neergaard, the resolution was indefinitely postponed by a divisional vote of 38 yeas, to 31 nays.

#### REPORT OF COMMITTEE ON JUDICIARY.

##### MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 135, entitled “An act providing for the legalizing of marriage where divorce has been granted and marriage has taken place within six months from the time the divorce was granted,” have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Wheeler, the rules were suspended, the bill was considered engrossed, read a third time, and passed by the following vote: Yeas 63, nays 10, absent and not voting 4.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Edmonds, Farrish, Foster, Gilman, Green, Greenberg, Heliker, Hoole, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Lewis, Rinehart, Roth, Shadle, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Denn, Durant, Edwards, Egbert, Judson, Kline, Mulkey, Pierce of Klickitat, Scott, and Shelton.

Absent: Messrs. Burton, Hamill, Hurd, Roscoe, and Sallee.

The emergency clause passed by the following vote: Yeas 63, nays 10, absent and not voting 5.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Edmonds, Farrish, Foster, Gilman, Green, Greenberg, Heliker, Hoole, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Lewis, Rinehart, Roscoe, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Denn, Durant, Edwards, Egbert, Judson, Kline, Mulkey, Pierce of Klickitat, and Turpin.

Absent: Messrs. Burton, Bush of Chehalis, Hamill, Hurd, and Sallee.

The title of the bill was read and approved.

#### REPORT OF THE COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 137, entitled "An act to amend section 838 of the Code of Washington of 1881, relating to crimes against property," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Tull, the report of the committee was adopted, and House bill No. 137 indefinitely postponed.

On motion of Mr. Mays, the House took a recess at 11:50 o'clock to 11:55 A. M.

#### JOINT SESSION.

The Senate being in waiting to sit with the House in joint session, the speaker invited them to seats within the bar, and the president of the senate to preside.

Roll was called; all the senators and representatives were present except Mr. Burton, excused.

On motion of Mr. Mead, the reading of the joint journal was dispensed with, and the journal was approved.

Messrs. Burton and Winchell were paired for the day.

The president announced that no election of United States senator had occurred at yesterday's session, and directed the clerk to call the roll for the forty-third ballot.

#### FORTY-THIRD JOINT BALLOT.

John B. Allen received 49 votes.

George Turner received 25 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline,

Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had received the necessary majority to elect a United States senator, and directed the clerk to call the roll for the forty-fourth ballot.

FORTY-FOURTH JOINT BALLOT.

John B. Allen received 49 votes.

George Turner received 25 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had been elected United States senator, and dissolved the joint session to meet to morrow (Friday) at 12 o'clock noon.

The clerk read the following communication:

STATE OF OREGON, HALL OF REPRESENTATIVES,  
SALEM, January 31, 1893.

*Mr. Speaker, House of Representatives, State of Washington:*

DEAR SIR—I have addressed two communications to you relative to joint committee upon the fishing industry on the Columbia river, and have as yet heard nothing from your body. Our committee signified a desire to meet a committee from your body at Olympia, and are worrying me as to whether I have received any reply.

Very respectfully, D. C. SHERMAN, Chief Clerk.

On motion of Mr. McElwain, the chief clerk was instructed to telegraph the speaker of the House of Representatives of Oregon that a committee has been appointed as requested.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred Senate bill No. 15, entitled "An act to provide for the election of judges of the supreme court," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be amended by inserting after the word "succeeding," where it occurs in line 3 of section 2 of the printed bill, the word "general;" and that as so amended the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report was adopted.

On motion of Mr. Mead, the rules were suspended, and Senate bill No. 15 was read second time by title, third time in full, and passed by the following vote: Yeas 76, nays none, absent and not voting 2.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neeřgaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Ringhart, Roscoe, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.



Absent: Messrs. Burton and Sallee.

The title of the bill was read and approved.

#### REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER:

We, your Committee on Education, to whom was referred House bill No. 112, entitled "An act providing for the use of the American flag in the schools of the state," have had the same under consideration, and we respectfully report the same back to the House without recommendation.

Respectfully submitted.

C. F. WESTFALL, Chairman.

We concur in this report:

WINCHELL,  
SHADLE,  
EDMONDS,  
FARRISH,  
TUCKER.

Mr. McElwain presented the following amendment:

I move to amend House bill No. 112 by striking out sections 3, 4 and 5.

On motion of Mr. Weed, the amendment was adopted.

On motion of Mr. Kelly, House bill No. 112 was indefinitely postponed.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 100, entitled "An act to amend section 1534 of the Code of Procedure, relating to costs in civil actions before justices of the peace, and to provide for taking an attorney's fee as part of the costs in such actions," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended in the following respects:

First amendment: Amend the title thereof so that it shall read as follows: "An act to amend section 1785 of the Code of Washington of 1881, the same being section 1534 of volume 2 of Hill's Annotated Statutes and Codes of Washington, relating to costs in civil actions before justices of the peace, and providing for an attorney's fee as part of the costs in such actions."

Second amendment: Strike out all of line 1 of section 1 of the printed bill and insert in lieu thereof the following:

SECTION 1. Section 1785 of the Code of Washington of 1881, the same being section 1534 of volume 2 of Hill's Annotated Statutes and Codes of Washington, is amended so as to read as follows.

And we recommend that when so amended the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

Report adopted.

On motion of Mr. Tucker, the rules were suspended, the bill considered engrossed, read third time, and passed by the following vote: Yeas 41, nays 35, absent and not voting 2.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Farrish, Gilman, Greenberg, Heliker, Karr, Kelly, Leo, Ludden, Mead, Meany, Mentzer, Merchant, Morrison, McElwain, McMurphy, Nash, Neergaard, Nelson, Pierce of Lewis, Rinehart, Roscoe, Roth, Shadle, Shermau, Smithson, Speck, Temple, Tucker, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Baker, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Foster, Green, Hamill, Hoole, Hurd, Judson, Keller, Kline, Letterman, Mays, Moore, Mulkey, McKenzie, McMillan, McNew, Payne, Pierce of Klickitat, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Tull, Turpin, Westfall, and Winchell.

Absent: Messrs. Burton and Sallee.

The title of the bill was read and approved.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 106, entitled "An act relating to wills and the custody, control and delivery thereof, and defining the crime of suppressing, secreting or destroying any lost will and testament, or consenting to the same, and providing for the punishment thereof," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as by the amendments attached to this report indicated, and that as so amended the bill do pass.

First amendment: Amend the title of the act by substituting\* for the word "lost," where the same occurs in the title, the word "last;" and by striking out the words "or consenting to the same," where they occur therein.

Second amendment: Strike out all of sections 3, 4, 5, 6, 7 and 8 as the same appear in the printed bill, and insert in lieu thereof the following new sections:

Third amendment:

SEC. 3. Any person having the custody or control of any will shall, within thirty days after he shall have received knowledge of the death of the testator or testatrix, deliver said will into the superior court which has jurisdiction, or to the person named in said will as executor; and any person who shall willfully fail or neglect to deliver any such will in accordance with the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine

not exceeding one thousand dollars or by imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment.

SEC. 4. Any person who shall willfully secrete or destroy any last will and testament of a person then deceased, shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment at hard labor in the penitentiary of this state for a term of not less than one year nor more than five years, or by a fine of not less than one thousand dollars or more than five thousand dollars, or by both such fine and imprisonment.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report of the committee was adopted.

Mr. Tucker moved that the rules be suspended, the bill read second and third time, considered engrossed, and placed upon its final passage.

The motion prevailed, and House bill No. 106 passed by the following vote: Yeas 73, nays none, absent and not voting 5.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Heliker, Hoole, Hurd, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan; Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Burton, Hamill, Judson, Roth, and Sallee.

The title was read and approved.

#### REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER:

We, your Committee on Education, to whom was referred House bill No. 142, entitled "An act relating to the common school system of the State of Washington, amending sections 5, 22, 25, 33, 34, 54, 71 and 75 of an act entitled 'An act to establish a general uniform system of common schools in the State of Washington,' and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be amended by striking out all of line 2 after the word "repealed;" also lines 3, 4 and 5 of sec. 11; in sec. 10, line 8, strike out the word "and" and insert in lieu thereof the

word "or;" also, in line 3 of sec. 1, strike out figures 20 and insert in lieu thereof 27; amend title to read as follows: An act relating to the common school system of the State of Washington, amending sections 22, 25, 34, 54 and 71 of "An act to establish a general uniform system of common schools in the State of Washington, and declaring an emergency," approved March 27, 1890, and interpolating in said act sections 31 $\frac{1}{2}$  and 70 $\frac{1}{2}$ ; and that as amended it do pass.

Respectfully submitted.

C. F. WESTFALL, Chairman.

On motion, the report was adopted.

Mr. Judson moved that section one (1) of House bill No. 142 be stricken out.

The motion prevailed.

On motion of Mr. Mays, section ten (10) was stricken out.

Mr. Brock presented the following amendment, which was adopted:

In sec. 6, line 31, strike out all after the word "shall" and insert "keep on file a duplicate of said report."

On motion of Mr. Shadle, the rules were suspended, the bill was considered engrossed, read the third time, and passed by the following vote: Yeas 74, nays 0, absent and not voting 4.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Burton, Meany, Sallee, and Webb.

The title was amended and agreed to.

On motion of Mr. Gilman, House bill No. 64, "An act creating the office of court commissioner in each county of the State of Washington, and prescribing the qualifications and duties, and fixing the compensation of court commissioners," was recommitted to Committee on Judiciary.

On motion of Mr. McMillan, House bill No. 86, by Mr. Wheeler,

“An act to regulate the practice of dentistry in the State of Washington,” was placéd on calendar to come up to-morrow.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1893.

MR. SPEAKER:

The Senate has passed over the executive veto House bill No. 243 (1891), entitled “An act regulating and fixing railroad freight rates in the State of Washington,” and the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

The following report of chairmen of House committees to prepare a schedule of the House committee meetings was read:

## MONDAY.

Appropriations and Claims.....	7:30	P. M.
Education.....	7:30	“
Fisheries.....	7:30	“
Forestry, Agriculture and Horticulture.....	7:30	“
Penitentiary and Reform School.....	4:00	“
Revenue and Taxation.....	4:00	“
Judiciary.....	7:30	“

## TUESDAY.

Roads and Highways.....	7:30	“
Revenue and Taxation.....	4:00	“
Commerce and Manufactures.....	7:30	“
Counties.....	7:30	“
Mileage and Contingent Expenses.....	7:30	“
Corporations other than Municipal and Railroads.....	7:30	“
World's Fair.....	7:30	“

## WEDNESDAY.

State Buildings, etc.....	7:30	“
Military Affairs and Soldiers' Home.....	7:30	“
Railroads.....	7:30	“
Revenue and Taxation.....	4:00	“
Harbors and Waterways.....	7:30	“
Insurance.....	4:30	“
Labor and Labor Statistics.....	4:30	“
Medicine, Surgery and Hygiene.....	4:00	“
Privileges and Elections.....	4:00	“
Tide Lands.....	4:00	“
Judiciary.....	7:30	“

## THURSDAY.

Federal Relations.....	7:30	“
Revenue and Taxation.....	4:00	“
Agricultural College and School of Science.....	7:30	“

Mines and Mining.....	4:00 P. M.
Municipal Corporations.....	7:30 "
Printing and Supplies.....	4:00 "
Hospital for Insane, etc.....	7:30 "
State School and Granted Lands.....	4:00 "
Water, Water Rights and Irrigation.....	7:30 "
Judiciary.....	7:30 "

## FRIDAY.

State University and Normal School.....	7:30 "
Railroads.....	7:30 "
Revenue and Taxation.....	4:00 "

WEED,  
HOOLE,  
PIERCE of Lewis,  
Committee.

On motion, the report of the committee was adopted.

On motion of Mr. McMillan, the report of the committee and schedule of meetings is to be inserted in the regular House calendar.

Mr. Hoole presented the following resolution, which was adopted:

*Be it resolved,* That the chief clerk be required to notify the House each morning the number of bills that are due from each committee, under rule 41, and that hereafter the said rule will be strictly enforced.

Messrs. Shadle and Heliker were excused for to-morrow.

On motion of Mr. Mentzer, the House adjourned at 1:25 P. M.

J. W. ARRASMITH, *Speaker*

T. G. NICKLIN, *Chief Clerk.*

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## TWENTY-SIXTH DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Friday, February 3, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.

The roll was called. All the members responded to their names except Messrs. Burton, Heliker, D. W. Pierce and Shadle.

On motion of Mr. Rinehart, the further reading of yesterday's journal was dispensed with, and it stood approved.

#### SPECIAL ORDER.

House bill No. 21, by Mr. Wheeler: An act creating and providing for the enforcement of liens for labor and material.

On motion of Mr. Wheeler, the reprinted bill was considered the engrossed copy, the rules were suspended, and the bill was read the third time.

By unanimous consent, section nineteen (19), which was omitted in the printed copy, was again added thereto.

Unanimous consent was given to amend section seventeen (17) by striking out the word "the" in the first line, and "cannot" in second line be changed to "can."

House bill No. 21 was passed by the following vote: Yeas 71, nays 0, absent and not voting 7.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Baker, Burton, Gilman, Heliker, Pierce of Klickitat, Scott, and Shadle.

The title was read and approved.

#### REPORT OF COMMITTEE ON MEDICINE, SURGERY AND HYGIENE.

##### MR. SPEAKER:

Your Committee on Medicine, Surgery and Hygiene, to which was referred House bill No. 86, entitled "An act to regulate the practice of dentistry in the State of Washington," with the insertion of the words "any person failing to pass the first examination successfully may demand a second examination at a subsequent meeting of said board; and no fee shall be charged for said examination," after the word "thereof,"

line 11, page 3, section 5, respectfully reports the bill back to the House with the recommendation that it do pass as amended.

J. H. RINEHART, Chairman.

Recommendation concurred in: F. W. D. MAYS,  
A. WOODWORTH,  
J. J. FOSTER.

On motion, the report of the committee was adopted.

Mr. Baker moved to amend House bill No. 86 by striking out all of section 8.

The house refused to adopt the amendment.

Mr. Scott moved to amend section 2 by inserting after the word "oath," in second line of the printed bill, the words "or affirmation," and by inserting after the word "swear," in line 4, the words "or affirm."

The amendment was adopted.

Mr. Rinehart moved that the rules be suspended, and the bill be considered engrossed, and read third time, and placed upon its final passage.

The motion prevailed, and the House passed House bill No. 86 by the following vote: Yeas 67, nays 7, absent and not voting 4.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Durant, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Collin, Denn, Edmonds, Edwards, Scott, and Smith of Douglas.

Absent: Messrs. Burton, Heliker, Pierce of Klickitat, and Shadle.

The emergency clause passed by the following vote: Yeas 65, nays 8, absent and not voting 5.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Durant, Egbert, Farrish, Foster, Gilman,



Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Collin, Denn, Edmonds, Edwards, McElwain, Scott, and Smith of Douglas.

Absent: Messrs. Burton, Heliker, McMillan, Pierce of Klickitat, and Shadle.

The title was agreed to.

Having finished the business before the House at the time of adjournment yesterday, the speaker ordered a return to regular order.

#### PETITIONS, MEMORIALS, ETC.

By Mr. McMurphy: Petition from the taxpayers of Lewis county, praying for reduction of salaries of state and county officials, amendment of existing road laws, etc.

Referred to Committee on Roads and Highways.

By Mr. Green: Petition from citizens of Lincoln county, praying for lower freight rates, free text books, etc.

Referred to Committee on Railroads.

#### REPORT OF COMMITTEE ON FEDERAL RELATIONS.

MR. SPEAKER:

Your Committee on Federal Relations, to which was referred House memorial No. 2, relative to protection from infectious diseases, respectfully report the memorial back to the House, with the recommendation that it be adopted.

A. B. WEED,  
C. H. SCOTT,  
F. B. TURPIN,  
C. M. PIERCE.

The House adopted House memorial No. 2 as recommended.

MR. SPEAKER:

Your Committee on Federal Relations, to which was referred House resolution relating to the improvement of the Quillayute, respectfully report a memorial back to the House, with the recommendation that the same do pass.

A. B. WEED,  
C. H. SCOTT,  
F. B. TURPIN,  
C. M. PIERCE.

House memorial No. 3, Relative to the improvement of Quillayute river and Ozette river, was passed.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred "the petition of Miss Lou White," for an opinion as to the liability of the state, have had the same under consideration, and we respectfully report the same back to the House with the opinion that the State of Washington is not legally liable and cannot be compelled to pay the claim referred to in the petition. As to whether or not the claim, or any portion thereof, should be paid, the committee makes no recommendation.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Mead, the papers in above case were referred to Committee on Appropriations.

Mr. Morrison's resolution requesting standing committees to report "affirmatively" or "negatively" on bills, was indefinitely postponed on motion of Mr. Anderson, of Pierce, by a vote of 39 yeas to 23 nays.

Mr. Winchell, chairman of the Committee on World's Fair, gave notice that he had appointed Miss M. E. Forbes as clerk to that committee.

#### INTRODUCTION OF BILLS.

The following House bills were introduced, read first time, ordered printed, and referred to following committees:

House bill No. 223, by Mr. Wheeler: An act to amend section 5 of an act entitled "An act relating to the manner of commencing civil actions," approved February 26, 1891, the same being sec. 175 of vol. 2 of Hill's Annotated Statutes and Codes of the State of Washington.

Read first time, and referred to Judiciary Committee.

House bill No. 224, by Mr. Smith, of Okanogan: An act to amend section four of an act entitled "An act relating to the location and recording of quartz mining claims, and providing for assessment work thereon."

Read first time, and referred to Committee on Mines and Mining.

House bill No. 225, by Mr. Smith, of Douglas: An act providing for the appointment of certain officers by the board of county commissioners in case of vacancy.

Read first time, and referred to Judiciary Committee.

House bill No. 226, by Mr. Smith, of Douglas: An act regulating the amount of justification of sureties on official bonds.

Read first time, and referred to Judiciary Committee.

House bill No. 227, by Mr. Smith, of Douglas: An act providing for county canvassing boards of election returns.

Read first time, and referred to Committee on Privileges and Elections.

House bill No. 228, by Mr. Scott: An act providing for a school text book on money and finance.

Read first time, and referred to Committee on Education.

House bill No. 229, by Mr. Mead: An act to secure to litigants a fair and impartial trial in the superior courts of this state.

Read first time, and referred to Committee on Judiciary:

House bill No. 230, by joint Judiciary Committee: An act to amend section 1 of an act to provide for the committing of juvenile offenders to the State Reform School at Chehalis, approved March 7, 1891, the same being section 1227 of the first volume of Hill's Annotated Statutes and Codes of Washington.

House bill No. 231, by joint Judiciary Committee: An act to amend section 7 of an act entitled "An act to provide for the sale and leasing of school lands, and declaring an emergency," approved March 28, 1890, the same being section 2146 of the first volume of Hill's Annotated Statutes and Codes of Washington, relating to school lands.

House bill No. 232, by joint Judiciary Committee: An act prohibiting divorced persons from contracting marriages within the period in which an appeal may be taken, and providing punishment for the violation thereof.

House bill No. 233, by Mr. Temple: An act in relation to the manner of drawing and summoning juries, amending section 58 of the Civil Code of Procedure, and declaring an emergency.

House bill No. 234, by joint Judiciary Committee: An act providing for the sale of personal property belonging to the state.

House bill No. 235, by Mr. Denn: An act to abolish the office of lieutenant governor.

Read first time, and referred to Committee on Elections.

House bill No. 236, by Mr. Roscoe: An act making it unlawful for any persons to buy, sell or give away or manufacture cigarettes or cigarette paper, and providing the punishment for the violation thereof.

Read first time, and referred to Committee on Commerce and Manufactures.

House bill No. 237, by Mr. Anderson, of Whitman: An act concerning the manner of electing county commissioners, and amending sections 272 and 266 of the first volume of Hill's Annotated Statutes and Codes of Washington.

Read first time, and referred to the Committee on Judiciary.

The Committee on Privileges and Elections were granted leave of absence for the afternoon, to take testimony in the Gaskell-Edwards election contest case.

On motion of Mr. Tucker, the House took a recess at 11:45 for ten minutes.

The House re-convened at 11:55 A. M.

The sergeant-at-arms informed the House that the Senate was in waiting to meet in joint session.

#### JOINT SESSION.

The speaker invited the honorable senators to seats within the bar, and the president of the Senate to preside.

The roll was called. All the senators and representatives were present except Messrs. Burton, Heliker, D. W. Pierce, and Shadle, excused.

On motion of Mr. Hoole, the reading of the joint journal of yesterday was dispensed with, and the same stood approved.

The following pairs were announced:

For Saturday—Senators Rutter and Ide, Senators Claypool and Kinnear, Senators Eshelman and Dyer, Senators Frink and Donahoe.

For Saturday and Monday—Senator Hastings and Mr. Turpin, Senators Edens and McManus.

The president announced that no person had been elected United States senator at yesterday's session, and directed the clerk to call the roll for the forty-fifth ballot.

#### FORTY-FIFTH JOINT BALLOT.

John B. Allen received 49 votes.

George Turner received 23 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Hoole,

Horr, Karr, Keller, Kellogg, Kelly, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Richards, Roscoe, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Collin, Denn, Durrant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person received the necessary majority to elect a United States senator, and directed the clerk to call the roll for the forty-sixth ballot.

#### FORTY-SIXTH JOINT BALLOT.

John B. Allen received 49 votes.

George Turner received 23 votes.

C. W. Griggs received 27 votes.

Govnor Teats received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Ludden, McMillan, Mentzer, Moore, Nash, Nelson, Richards, Roscoe, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman,

Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for Govnor Teats were: Baker, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that there was no election of United States senator, and the joint convention was dissolved at 12:20 P. M.

Mr. Pierce, of Klickitat, as chairman of the Committee on Revenue and Taxation, wished further time on House bills Nos. 4, 5, 6, 10, 12, 42 and 50.

Further time was granted.

Mr. Turpin was granted leave of absence for Saturday and Monday.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 3, 1893.

MR. SPEAKER:

The Senate has passed Senate concurrent resolution No. 9, Providing that Senate bill No. 50 be referred to the joint Judiciary Committee.

Also, Senate bill No. 88, Regulating the registration of voters in cities and towns having population of 250 or more.

Also, Senate bill No. 60, Securing to creditors a just division of estates conveyed for benefit of creditors.

Also, Senate bill No. 79, Increasing punishment for crimes committed a second or more times.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Wheeler, Senate concurrent resolution No. 9, Providing that Senate bill No. 50 be referred to Joint Judiciary committee, was concurred in.

Senate bill No. 88, Regulating the registration of voters in cities and towns having a population of 250 or more, was referred to Committee on Privileges and Elections.

Senate bill No. 60, by Senator Campbell, "An act securing to creditors a just division of estates conveyed for benefit of creditors," was referred to Committee on Judiciary.

Senate bill No. 79, by Senator Forrest, "An act increasing punishment for crimes committed a second or more times," was referred to Committee on Judiciary.

## REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 89, entitled, "An act to quiet possession and confirm titles to land," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as follows:

First amendment: Strike out the word "decent" in line 6 of section 3 of the printed bill and insert in lieu thereof the word "descent."

Second amendment: Strike out the words "vacate any" where they occur in line 1 of section 4 of the printed bill and insert in lieu thereof the words "vacant and."

Third amendment: Strike out the word "decent" where it occurs in line 5 of section 4 of the printed bill and insert in lieu thereof the word "descent."

And that as so amended the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The report was adopted.

Mr. Scott presented the following amendment, which was adopted:

Amend section 5 by striking out the words "rate of twelve per cent." in the tenth line of section 5, of the printed bill and insert the words "legal rate."

Mr. McNew moved to amend section 3, line 3, by inserting after the word "in" the word "undisputed."

The amendment was lost.

On motion of Mr. Roth, the rules were suspended and House bill No. 89, "An act to quiet possession and confirm titles to land," was considered engrossed and was read the third time, and passed by the following vote: Yeas 57, nays 4, absent and not voting 17.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Durant, Edmonds, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Hurd, Judson, Karr, Keller, Kelly, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McElwain, McKenzie, McMurphy, Nash, Neergaard, Nelson, Payne, Pierce of Lewis, Rinehart, Roth, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Mays, McNew, Shelton, and Smith of Douglas.

Absent: Messrs. Brock, Burton, Collin, Denn, Edwards, Egbert,

Hamill, Heliker, Kline, Leo, Moore, McMillan, Pierce of Klickitat, Roscoe, Sallee, Scott, and Shadle.

The title was read and approved.

House bill No. 81, by Mr. Weed: An act concerning irrigation, was, on motion of Mr. Weed, made a special order for Wednesday, February 8, 1893.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 3, 1893.

MR. SPEAKER:

The Senate has passed Senate concurrent resolution No. 10, Providing for appointing committee to visit state penitentiary.

Senate concurrent resolution No. 11, Providing for appointing committee to visit state hospitals for the insane.

And has concurred in House amendment to Senate bill No. 15.

The president of the Senate has signed Senate bill No. 12.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

Senate concurrent resolution No. 10, Relative to the appointment of joint committee to visit state penitentiary, was concurred in.

Senate concurrent resolution No. 11, Relative to appointment of committee to visit state hospitals for the insane, was concurred in.

Mr. Temple presented the following resolution, which was adopted:

*Resolved*, That the speaker of the House appoint a committee of three on each committee to accompany the Senate committees to visit and investigate the condition of the various state institutions, and that the committees be appointed at the earliest date.

Mr. Meany presented the following resolution, which was adopted:

*Resolved*, That the chief clerk be requested to alter the calendar so as to include each day only the special orders, the bills that have passed their second reading, and the bills that have been introduced on the day previous to the issue of the daily calendar.

The report of the Committee on Rules and Order, relative to the amendment of rule 40, was presented.

Mr. Meany moved to adopt.

On motion of Mr. Tull, the House adjourned at 1:50 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.



## TWENTY-SEVENTH DAY.

## MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Saturday, February 4, 1893. }  
10 o'clock A. M.

The House was called to order at 10 o'clock A. M.; the speaker in the chair.

The roll was called. All the members responded to their names except Messrs. Burton and Turpin.

Mr. Nash moved that the further reading of the journal be dispensed with and the same stand approved.

The motion prevailed.

Mr. Bush, of Chehalis, was granted leave of absence until Monday at 2:30 o'clock P. M.

The House resumed consideration of Mr. Meany's amendment to rule 40 of the rules, relative to introduction of bills, by adding to said rule the following:

"All bills appropriating money for any purpose whatever, except in cases of relief, deficiency, or legislative expense bills, shall be referred to the Committee on Appropriations and Claims, to be passed upon by said committee and reported to the House as a part of the customary general appropriation act making appropriations for the maintenance of all state institutions, offices and commissions; and the reports of the various committees of the House having in charge the affairs of the various institutions and offices of the state, shall govern, as far as possible, the action of the appropriation committee in making up the general appropriation act."

Mr. Weed presented the following substitute for Mr. Meany's amendment:

*Resolved*, That all bills containing appropriation clauses be recommitted to the Committee on Appropriations after the first committee to whom referred have reported on the other provisions of said bills.

Mr. White moved to adopt the substitute.

Mr. Scott moved the indefinite postponement of the whole matter.

Division was called for, and the amendment and substitute were indefinitely postponed by a vote of 39 yeas to 27 nays.

Mr. Ludden, as chairman of the Committee on Municipal Corporations, was granted further time on the bills in his hands.

## TELEGRAM FROM OREGON LEGISLATURE.

STATE HOUSE, SALEM, OREGON, February 3, 1893.

*To T. G. Nicklin, Chief Clerk House:*

Our joint committee on fishing can meet your joint committee at Portland hotel, Portland, February 11, at 9:30 A. M. Our committee would prefer to go to Olympia. Answer.

W. P. KEADY,

Speaker of House of Representatives.

## MR. SPEAKER:

In answer to the above telegram I have, at the instance of the Washington joint committee on fishing, notified the speaker of the Oregon House of Representatives that the joint committee of Washington legislature will meet the Oregon committee at Portland at the time and place named by them.

T. G. NICKLIN, Chief Clerk.

Mr. Wheeler requested that House bill No. 231 be referred to Committee on State, School and Granted Lands.

The request was granted.

On request of Mr. Weed, House bill No. 147 was transferred to the Committee on Forestry and Agriculture.

The speaker signed Senate bill No. 12, An act for the relief of local boards of tide and shore land appraisers, etc., in open session of the House.

## INTRODUCTION OF BILLS.

The following bills were introduced, read first time, referred to committees and ordered printed.

House bill No. 238, by Mr. Anderson, of Whatcom: An act to protect laborers in their rights to labor, and punish obstructionists.

Referred to Committee on Labor and Labor Statistics.

House bill No. 239, by Mr. McMillan: An act to protect common carriers.

Referred to Committee on Railroads.

House bill No. 240, by Mr. Nash: An act authorizing cities and towns to purchase, construct and maintain water works, systems of sewerage, gas and electric light plants, and to issue bonds to pay therefor, and declaring an emergency.

Referred to Committee on Judiciary.

House bill No. 241, by Mr. Morrison: An act making it a crime to make false reports against employés, and providing for the punishment of persons making the same.

Referred to Committee on Judiciary.

House bill No. 242, by Mr. Anderson, of Whitman (by request):

An act to regulate the sale and redemption of transportation tickets of common carriers.

Referred to Committee on Railroads.

House bill No. 243, by Mr. Leo: An act to define the liability of railroad companies in relation to damages sustained by their employés.

Referred to Committee on Railroads.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 240, entitled "An act relating to and authorizing cities and towns to purchase, construct and maintain water works, systems of sewerage, gas and electric light plants, and to issue bonds to pay therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Nash, the rules were suspended, the bill was read second time by title, and was considered engrossed and was read third time, and passed by the following vote: Yeas 71, nays none, absent and not voting 7.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman; Baker, Brock, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Burton, Bush of Chehalis, Heliker, Hurd, Scott, Sherman, and Turpin.

The emergency clause passed by the following vote: Yeas 72, nays none, absent and not voting 6.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman,

Green, Greenberg, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Burton, Bush of Chehalis, Denn, Hamill, and Turpin.

The title of the bill was read and approved.

#### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 61, entitled "An act providing for the levy, collection and disposal of an inheritance-tax, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

D. W. PIERCE, Chairman.

We concur in this report:

W. R. HOOLE,  
WM. N. MCNEW,  
A. WOODWORTH,  
JAS. A. KARR,  
F. W. D. MAYS,  
F. M. TULL,  
G. H. COLLIN,  
R. T. COWAN,  
J. S. SALLEE.

On motion of Mr. Tull, the report of the committee was adopted, and House bill No. 61 was indefinitely postponed.

OLYMPIA, WASH., February 4, 1893.

MR. SPEAKER:

In accordance with a resolution previously adopted, I herewith announce the appointment of Miss Annie M. Regan as assistant journal clerk.

Respectfully, N. W. O'REAR, Journal Clerk.

Miss Emma Forbes, committee clerk, and Miss Annie M. Regan, assistant journal clerk, were sworn in by the speaker.

#### REPORT OF COMMITTEE ON FORESTRY, AGRICULTURE AND HORTICULTURE.

MR. SPEAKER:

We, your Committee on Forestry, Agriculture and Horticulture, to whom was referred House bill No. 116, entitled "An act relating to the

weight of oats," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

ALEX. CAMERON, Chairman.

We concur in this report:

A. S. MCKENZIE,  
M. ANDERSON,  
J. B. SMITH,  
WM. N. MCNEW,  
C. J. MOORE.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 116, entitled "A bill for an act to amend section 3145 of the first volume of Hill's Annotated Statutes and Codes of Washington, the same being section 12 of the Code of Washington of 1890, relating to bushels of certain commodities, what constitutes weight of," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as indicated in the sheet herelo attached, and that as so amended the bill do pass.

#### AMENDMENTS TO HOUSE BILL No. 116.

First amendment: That the title of the act be amended so as to read as follows: A bill for an act to amend section 12 of an act to establish a uniform standard of weights and measures in this state, and to provide for a state sealer and inspector of the same, approved March 20, 1890, the same being section 3145 of the first volume of Hill's Annotated Statutes and Codes of Washington.

Second amendment: That said bill be amended by inserting after said title, the enacting clause, to wit: Be it enacted by the legislature of the State of Washington.

Third amendment: That section 1 of said bill be amended so as to read as follows:

SECTION 1. That section 12 of an act to establish a uniform standard of weights and measures in this state, and to provide for a state sealer and inspector of the same, approved March 20, 1890, the same being section 3145 of the first volume of Hill's Annotated Statutes and Codes of Washington, be and the same hereby is amended so as to read as follows: Sec. 12 (3145). Whenever any of the following articles shall be contracted for or sold or delivered and no special contract or agreement shall be made to the contrary, the weight per bushel shall be as follows, to wit: Wheat, sixty pounds; clover seed, sixty pounds; rye or Indian corn, fifty-six pounds; oats, thirty-two pounds; barley, forty-eight pounds; buckwheat, forty-two pounds; dried apples or peaches, twenty-eight pounds; potatoes, sixty pounds; green apples or pears, forty-five pounds; flax, fifty-six pounds.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report as amended was adopted.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read the third time, and passed by the following vote: Yeas 68, nays none, absent and not voting 10.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Neergaard, Nelson, Payne, Pierce of Lewis, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Burton, Bush of Chehalis, Judson, Kline, Mulkey, Nash, Pierce of Klickitat, Rinehart, Scott, and Turpin.

The title was read and approved.

On motion of Mr. White, House bill No. 84 was recommitted to Committee on Appropriations.

On motion of Mr. Nash, the rules were suspended; and House bill No. 240 was transmitted to the Senate immediately.

#### REPORT OF COMMITTEE ON HARBORS AND WATERWAYS.

MR. SPEAKER.

We, your Committee on Harbors and Waterways, to whom was referred Senate bill No. 49, entitled "An act to amend section 4 of an act entitled 'An act to establish and define public ways for water crafts across the tide flats within, in front of, and for a mile either way from all incorporated cities and towns in the State of Washington,' approved March 28, 1890," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass:

Respectfully submitted.

M. ANDERSON, Chairman.

We concur in this report:

ELLIS MORRISON,  
JAS. BURTON,  
WILL R. WHITE,  
W. R. HOOLE.

The report was adopted.

On motion of Mr. Mentzer, the rules were suspended, the bill was read the second time by title, and the third time in full, and passed by the following vote: Yeas 73, nays 0, absent and not voting 5.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, An-

derson of Whitman, Baker, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Salfee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Brock, Burton, Bush of Chehalis, Mulkey, and Turpin.

The title was read and approved.

#### REPORT OF COMMITTEE ON STATE UNIVERSITY AND NORMAL SCHOOLS.

MR. SPEAKER:

We, your Committee on State University and Normal Schools, to whom was referred House bill No. 66, entitled "An act to establish a state normal school in the county of Whatcom," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass with following amendments, to wit:

That section 3 be amended by adding the following thereto:

"*Provided*, That the citizens of Whatcom county shall donate not less than ten acres of land, accompanied by a good and perfect title in fee simple, to the State of Washington. No discrimination shall be made in selecting said site by any proffer of a larger grant, donation or bonus, but shall establish said school in the most suitable and accessible location."

That sections 4 to 19, inclusive, be stricken out, and in lieu thereof the following section be substituted:

"Section 4. Said school shall be governed in the same manner and under the same rules as the state normal schools are governed at present and laws that may be hereafter enacted for the government of all normal schools of the state."

Respectfully submitted.

EDMOND S. MEANY, Chairman.

On motion, the report was adopted, and, on motion of Mr. Anderson, of Whatcom, the bill was made a special order for Monday, February 6, at 2 o'clock P. M.

#### REPORT OF COMMITTEE ON STATE, SCHOOL AND GRANTED LANDS.

MR. SPEAKER:

We, your Committee on State, School and Granted Lands, to whom was referred House bill No. 145, entitled "An act to provide for the ap-

praisement and disposition of school lands," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass with the following amendment, to wit:

That section 1 be amended by adding the following thereto: *Provided*, That no school land shall be appraised or reappraised by the county commissioners, except by order of the state land commission.

Respectfully submitted.

J. E. TUCKER, Chairman.

We concur in this report:

L. H. WHEELER,  
A. S. MCKENZIE,  
D. W. MCMURPHY,  
C. H. SCOTT,  
S. W. HAMILL,  
C. L. WEBB.

On motion, the report was adopted.

On motion of Mr. Wheeler; House bill No. 145 was made a special order for Monday, February 6, after House bill No. 66 has been considered, at 2 o'clock P. M.

Mr. Egbert presented a resolution requiring the assistant door-keeper to assist the assistant sergeant-at-arms file the bills.

On motion of Mr. Rinehart, the resolution was laid on the table.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 66, entitled "An act to fix the legal rate of interest."

Also, Senate bill No. 90, An act to establish a system of public schools in cities of 10,000 or more inhabitants.

The president of the Senate has signed Senate concurrent resolution No. 3, Providing for appointment of Committee on Joint Rules.

Also, Senate concurrent resolutions Nos. 4, 6 and 7, and Senate bills Nos. 15, 16 and 26.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The speaker signed the above bills and resolutions in open session of the House.

On motion of Mr. Tucker, the House took a recess at 11:50 A. M. for five minutes.

The House resumed business at 11:55.

The sergeant-at-arms announced the Senate was in waiting to meet with the House in joint session.



## JOINT SESSION.

The speaker invited the honorable Senate to seats within the bar and the president of the Senate to preside over the joint convention.

The roll was called; all the senators and representatives were present except Senators Donahoe, Dyer, Edens, Frink, Hastings, Kinnear and McManus, and Messrs. Burton, N. W. Bush and Turpin.

The following pairs were announced:

For to-day — Senators Claypool and Kinnear, Senators Eshelman and Dyer, Senators Frink and Donahoe, Senator Hastings and Mr. Turpin, Senators Edens and McManus.

For Monday — Senator Hastings and Mr. Turpin, Senators Edens and McManus, Senators Cooper and Sergeant, Messrs. Nelson and Winchell, Messrs. Roscoe and White, Messrs. Woodworth and Neergaard.

The president announced that as no election of United States senator had occurred at yesterday's session, the clerk was instructed to call the roll for the forty-seventh ballot.

## FORTY-SEVENTH JOINT BALLOT.

John B. Allen received 46 votes.

George Turner received 23 votes.

C. W. Griggs received 23 votes.

Govnor Teats received 8 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Farish, Forrest, Forsyth, Gilbert, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Edmonds, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays,

McCroskey, Miller, Mulkey, Payne, Shaw, Shelton, and Smith (H. F.).

Those voting for Govnor Teats were: Baker, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

The president announced that no person had been elected United States senator, and directed the clerk to call the roll for the forty-eighth ballot.

FORTY-EIGHTH BALLOT.

John B. Allen received 46 votes.

George Turner received 23 votes.

C. W. Griggs received 23 votes.

Govnor Teats received 8 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Farish, Forrest, Forsyth, Gilbert, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Edmonds, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, Miller, Mulkey, Payne, Shaw, Shelton, and Smith (H. F.).

Those voting for Govnor Teats were: Baker, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

The president announced that no person had been elected United States senator, and the joint session was dissolved at 12:25 P. M. to meet Monday, at 12 o'clock noon.

Messrs. Roth, Nelson, Winchell, Roscoe, Kelly, and Collin were excused for Monday.

On motion of Mr. Wheeler, the House adjourned at 12:30 to meet Monday, February 6, at 11:55 A. M.

J. W. ARRASMITH, *Speaker.*

T. G. NICKLIN, *Chief Clerk.*

## TWENTY-NINTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASHINGTON, Monday, February 6, 1893. }  
 11:55 o'clock A. M.

The House was called to order at 11:55 A. M. by the speaker.

The roll was called; all members present except Messrs. N. W. Bush, Edwards, Kelly, Nash, Roscoe, H. F. Smith, and Winchell.

On motion of Mr. McMillan, the reading of the journal was dispensed with, and the same stood approved.

Mr. Hurd asked unanimous consent for a leave of absence of five days for H. O. Ward, sergeant-at-arms, owing to sickness and death in his family. The House granted the request.

Mr. McNew asked indefinite leave of absence for Mr. Smith, of Okanogan, on account of sickness.

### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
 OLYMPIA, WASH., February 6, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 94, entitled "An act providing a penalty for persons interfering with or removing property from the county where the same is attached."

Also, Senate bill No. 78, Defining and fixing the penalty in criminal actions in the superior courts.

Also, House concurrent resolution No. 5, Providing for election of United States senators by popular vote.

Also, Senate concurrent resolution No. 8, Relating to proposed annexation of the Hawaiian islands.

The Senate has amended and passed House bill No. 16, Relating to the giving of liens upon manufactured lumber.

Has passed House bill No. 240, Authorizing the purchase by cities and towns of water works, gas and electric light plants, etc.

The president of the Senate has signed Senate memorial No. 2.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

### JOINT SESSION.

The Senate being in waiting to meet with the House in joint session, the speaker invited the honorable body to seats within the bar and the president to preside.

The roll was called; all were present except Senators Dyer, Edens, Forrest, Hastings, Kinnear, McManus, and Rutter, and Messrs. Burton, Bush (N. W.), Edwards, Kelly, Nash, Roscoe, Smith (H. F.), and Turpin.

On motion of Senator Claypool, the reading of the journal was dispensed with, and the same was approved the same as if read.

Pairs for to-day, forty-ninth ballot—Senator Hastings and Mr. Turpin, Senators Edens and McManus, Claypool and Kinnear, Rutter and Helm, Richards and Forrest, Eshelman and Dyer, Messrs. Nelson and Winchell, Roscoe and White, Woodworth and Neergaard.

As no election had occurred at Saturday's session, the president instructed the clerk to call the roll for the forty-ninth ballot.

#### FORTY-NINTH JOINT BALLOT.

Mr. Baker nominated C. W. Young, of Whitman, for United States senator.

John B. Allen received 41 votes.

George Turner received 17 votes.

C. W. Griggs received 23 votes.

C. W. Young received 7 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Farish, Forsyth, Frink, Gilbert, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, and Mr. Speaker.

Those voting for George Turner were: Cooper, Easterday, Greenberg, Hurd, Ide, McMillan, Mentzer, Moore, Pierce (D. W.), Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, and Westfall.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, Miller, Mulkey, Payne, Shaw, and Shelton.

Those voting for C. W. Young were: Baker, Collin, Denn, Durrant, Egbert, Scott, and Smith (J. B.).

The president announced that no person had received the necessary majority to elect a United States senator, and instructed the clerk to call the roll for the fiftieth ballot.

Senators Claypool and Kinnear, Rutter and Helm, Richards and Forrest, Eshelman and Dyer, and Messrs. Kelly and Nash had their pairs withdrawn for the fiftieth ballot:

## FIFTIETH JOINT BALLOT.

John B. Allen received 46 votes.

George Turner received 21 votes.

C. W. Griggs received 24 votes.

C. W. Young received 8 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nash, Pierce (D. W.), Richards, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, and Westfall.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, Miller, Mulkey, Payne, Shaw, and Shelton.

Those voting for C. W. Young were: Baker, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

No person having received the necessary majority for election as United States senator, the president dissolved the joint session at 12:20 P. M., to meet to-morrow (Tuesday) at 12 o'clock noon.

Mr. Roth was excused for the afternoon.

In accordance with a resolution previously adopted, the chief clerk began reading the list of bills due from committees.

On motion of Mr. Roth, further reading of the same was omitted.

On motion of Mr. McMillan, the House took a recess at 12:30 P. M., to 2 o'clock P. M.

## AFTERNOON SESSION.

The House was called to order at 2 o'clock P. M.; the speaker presiding.

The roll was called. All the members were present except Messrs. Burton, N. W. Bush, Roscoe, Roth, Smith of Okanogan, Turpin, and Winchell, excused.

## SPECIAL ORDERS.

Senate bill No. 19 (1891), and veto message, An act declaring it unlawful to organize, maintain or employ an armed body of men in this state, and providing punishment therefor, was read in full, with the veto message of the governor, as follows:

VETO MESSAGE, SENATE BILL No. 19, SESSION OF 1891.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 14, 1891.

*To Hon. Allen Weir, Secretary of State, Olympia, Washington:*

I herewith hand you, without my approval, Senate bill No. 19, entitled "An act declaring it unlawful to organize, maintain or employ an armed body of men in this state, and providing punishment therefor."

In my judgment, this bill is unconstitutional, and is legislation of such a character as to justify the exercise of the veto power of the executive of the state, for the following reasons, viz.: The rights guaranteed to every citizen by the federal constitution are perpetuated, or rather again promulgated, by our state constitution in sub-sections 3 and 7 of article 1 of the constitution of this state containing the declaration of rights. Section 3 provides that "no person shall be deprived of life, liberty or property without due process of law."

Section 7 provides that "no person shall be disturbed in his private affairs, or his home invaded, without authority of law."

Section 24 provides that "the right of the individual citizen to bear arms in defense of himself, or the state, shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain or employ an armed body of men."

Section 30 provides that "the enumeration in this constitution of certain rights shall not be construed to deny others retained by the people."

Under this bill a citizen of this state residing upon a preëmption, homestead or mining claim, or at his home within any of our cities, would not receive notice that parties were about to invade his premises and home and take possession of the same, or if they should so invade the same without notice and proceed to dispossess him by force, he could not organize, maintain or employ two or more persons to protect the lives of his family or himself, or to protect his property.

There can be no mistake as to the meaning of the expression "body of men." The word "body" means a collection or number of persons united for some common object (see American and English Encyclopædia of Law, page 441). If two or more persons should assemble they would certainly be construed to be a "number" of persons. Certainly if three, four, five or more should assemble they would be considered a "collection of individuals" united for some common purpose. They are, therefore, "a body of men," placing upon that term the interpretation justified by judicial authority. A merchant having large commercial interests at stake would be denied the right to maintain two or more watchmen for the safe-keeping and preservation of the goods, wares and merchandise stored in his warehouse.

This bill, therefore, would deprive a citizen of the rights guaranteed by sections 3 and 7 above mentioned. The bill is also foreign to the spirit and intent of the convention in creating section 24 above mentioned, because the bill nowhere, upon its face, expressly or by implication, recognizes the right guaranteed by the constitutional declaration contained in the first two lines of said section 24.

There is another serious objection to the bill, and possibly a stronger one than that just mentioned. The rights retained by the people referred to in section 30 are the rights guaranteed by the federal constitution, and also guaranteed by the common law and other laws, written or unwritten, which, as a whole, constitute the laws of the land. Under the common law, which is in force in this state, and under the general principle of law, which is recognized by the legislative and judicial power of every Christian nation, no person or persons are justified in resisting with arms or other force capable of causing death, any attack or danger which it is reasonable to presume will result in death if not resisted, provided, always, that the party attacked has no opportunity to retreat. If, therefore, a citizen of this state should be attacked as above indicated, and had no opportunity of retreat, he would be guilty of a breach of the provisions of this act were he to assemble about him two or more men for the purpose of forcibly protecting the lives of himself and his family, and at the same time would be doing an act which any court or jury in the state would justify him in doing under such circumstances, provided he had no opportunity of escape from the impending danger, which in the ordinary affairs of life is frequently the case.

The clause in the bill for the forfeiture of property of a military character found in the possession of parties so assembled is certainly unconstitutional. A person might lawfully have upon him a belt of cartridges with a revolver, and he and those associated with him as above indicated might be perfectly justified in carrying the same under the circumstances. A party of citizens organized for the purpose of hunting game would be guilty of a serious violation of the law, subjecting them to unusual penalties, should this bill become a law. In the case above mentioned under this bill, however, these arms, being of a military character, could be seized by the officer arresting the parties and confiscated without any recourse on the part of the party or parties from whom they were taken,

and without he or they having the benefit of that "due process of law" mentioned in section 3 for the purpose of maintaining possession of his property.

It would seem that the intent of the legislature was to enact a valid law for the purpose of enforcing the constitutional provision contained in the latter part of section 24, article 1 of the constitution. In doing so, however, they have neglected to prescribe proper limitations for the purpose of guaranteeing such constitutional rights, and have attached to the bill a clause for the confiscation of property "without due process of law," which is manifestly unconstitutional.

For the foregoing reasons, I am obliged, therefore, upon the ground of unconstitutionality, to withhold my approval of the bill, which, if it became a law, would, in my opinion, work a great hardship upon the citizens of this state.

CHAS. E. LAUGHTON,

Lieut. Governor and Acting Governor.

Senate bill No. 19 (1891) was passed over the governor's veto by the following vote: Yeas 66, nays none, absent and not voting 12.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull; Washburn, Webb, Weed, Wheeler, Woodworth, and Mr. Speaker.

Absent: Messrs. Burton, Bush of Pacific, Bush of Chehalis, Mulkey, McMillan, Roscoe, Roth, Smith of Okanogan, Turpin, Westfall, White, and Winchell.

House bill No. 66, by Mr. Anderson, of Whatcom, "An act to establish a state normal school in the county of Whatcom," was, on motion of Mr. Anderson, of Whatcom, made a special order for Tuesday, February 11, at 11 o'clock A. M.

Mr. Wheeler moved that House bill No. 145, "An act to provide for the appraisal and disposition of school lands," be referred to the joint Committee on State, School and Granted Lands.

The motion prevailed by a divisional vote, as follows: Yeas 38, nays 15.

Mr. Weed presented a petition from seventy-five taxpayers for protection of farmers and stockmen from all depredatory animals.

Referred to Committee on Agriculture.



The House refused to concur in Senate amendment to House bill No. 16, and on motion of Mr. McMillan, the speaker appointed a committee of three to confer with a like committee from the Senate to consider House bill No. 16, and appointed Messrs. Gilman, McMillan and Tucker as such committee.

Mr. Ludden presented a resolution to employ a bill clerk at a salary of \$5 per day.

Mr. Scott moved to lay the resolution on the table.

The resolution was laid on the table by the following vote: Yeas 37, nays 16.

#### INTRODUCTION OF BILLS.

The following House bills were introduced, read first time, ordered printed, and referred to committees:

House bill No. 244, by Mr. Anderson, of Pierce: An act to provide for the foreclosure of mortgages, and to repeal certain laws in conflict therewith.

Referred to Judiciary Committee.

House bill No. 245, by Mr. Anderson, of Pierce: An act to prohibit the appointment of the sheriff of any county receiver or assignee in cases of insolvency or assignment, and declaring an emergency.

Read first time, and referred to Judiciary Committee.

House bill No. 246, by Mr. Webb (by request): An act for the protection of the records of the several counties of the State of Washington, and regulating the business of abstracting in relation thereto.

Referred to Judiciary Committee.

House bill No. 247, by Mr. White: An act for the payment for services in selling school lands by Bickerton and Bell.

Referred to Committee on Appropriations.

House bill No. 248, by Mr. Keller: An act to regulate the licensing or taxing of dogs, and the liability of the owner thereof.

Referred to Committee on Agriculture.

House bill No. 249, by Mr. McNew: To regulate the fares of passengers and the baggage of passengers on railroads.

Referred to Committee on Railroads.

House bill No. 250, by Mr. Sallee: An act providing for the inspection of illuminating oils, and for the appointment of a state inspector and deputy inspectors, and fixing their compensation.

Referred to Committee on Insurance.

House bill No. 251, by Mr. McElwain: An act to repeal section four of an act entitled "An act to protect salmon and other food fishes in the State of Washington and upon all waters upon which this state has jurisdiction or concurrent jurisdiction, and declaring an emergency."

Referred to Committee on Fisheries and Game.

House bill No. 252, by Mr. Moore: An act to amend section 14 of an act entitled "An act in relation to prosecuting attorneys, defining their duties and fixing their compensation, approved February 4, 1886, the same being section 231 of vol. 1 of Hill's Annotated Statutes and Codes of Washington."

Referred to Judiciary Committee.

House bill No. 253, by Mr. Wheeler: An act to amend section 74 of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington, and declaring an emergency," approved March 9, 1891, the same being section 1088 of vol. 1 of Hill's Annotated Statutes and Codes of Washington.

Referred to Committee on Revenue and Taxation.

House memorial No. 4, by Mr. Meany: Asking for the establishment of a road department by the national government, and that road engineering be established in all agricultural colleges receiving support from the national government.

Referred to Committee on Federal Relations and Immigration.

House concurrent resolution No. 11, by Mr. Collin, For joint committee to visit insane asylum and school for defective youth, was adopted.

House concurrent resolution No. 12, by Mr. Tull, For joint committee to visit penitentiary, was adopted.

The following Senate bills were read first time, and referred:

Senate bill No. 66, by Mr. Horr, of Thurston: An act to fix the legal rate of interest.

Referred to Committee on Revenue and Taxation.

Senate bill No. 78, by Mr. Forrest, of King: An act to define and fix the penalty when the defendant may be found guilty in all criminal actions tried by the superior courts of this state, and repealing all acts and parts of acts in conflict with this act.

Referred to Committee on Judiciary.

Senate bill No. 90, by Mr. Frink, of King: An act to establish a system of public schools in cities of ten thousand or more inhab-

itants, and to provide for properly maintaining, governing and grading the same.

Referred to Committee on Education.

Senate bill No. 94, by Mr. Kellogg, of Columbia: An act providing for persons interfering with or removing property from the county where the same is under attachment.

Referred to Judiciary Committee.

Senate concurrent resolution No. 8, by Mr. Forrest, of King: Relating to the proposed annexation of the Hawaiian Islands.

House concurred in Senate concurrent resolution No. 8.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 76, entitled "An act relating to proceedings supplemental to execution," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be amended as indicated in the annexed page, and that as so amended the bill do pass:

##### AMENDMENTS TO HOUSE BILL NO. 76.

(References are to printed bill.)

First amendment: Strike out the parentheses inclosing the word "of," in line 2 of section 2, and retain said word "of" as it stands.

Second amendment: Strike out the word "take(n)," in line 5 of section 4, and substitute therefor the word "taken."

Third amendment: Insert immediately following section 4 the following new section, to be numbered section 5:

"SEC. 5. Upon an examination made under this act, the answer of the party or witness examined must be under oath. A corporation must attend by and answer under the oath of an officer thereof, and the judge may, in his discretion, specify the officer. Either party may be examined as a witness in his own behalf and may produce and examine other witnesses, as upon the trial of an action. The judge or referee may adjourn any proceedings under this act from time to time as he thinks proper."

Fourth amendment: Substitute the word "act" for the word "article" where the same occurs in line 2 of section 7 of the bill.

Fifth amendment: Beginning with and including the word "as," where the same occurs for the last time in line 2 of section 12, strike out all down to the end of line 5 in said section and insert in lieu thereof the words "by delivering to the person to be served a certified copy of the original order and a copy of the affidavit on which it was made."

Sixth amendment: Immediately after the word "referee's," where the same occurs in line 2 of section 15, insert the words "fees and."

Seventh amendment: Add to section 18, after the termination thereof, the following: Where the judgment debtor to be examined under this act is a corporation, the court may cause such corporation to appear and be

examined by making like order or orders as are prescribed in this act, directed to any officer or officers thereof.

Eighth amendment: Strike out from and including the word "apply," where it occurs in line 1 of section 25, down to and including the word "it" in line 2 of said section.

Ninth amendment: Strike out the word "clerk," where it occurs in lines 5, 9 and 10 of section 32, and insert in lieu thereof in each of said lines the word "auditor."

Tenth amendment: Renumber sections 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, as they appear in the printed bill, so that the same shall be numbered respectively 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24.

Eleventh amendment: Strike out all of the parenthetical numbers following the original section numbers in said bill, to wit, the following: (24), (25), (26), (27), (28), (29), (30), (31), (32) and (33).

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Mentzer, the bill was referred to the Engrossing Committee to engross, and with orders to print.

On motion, the report was adopted.

#### REPORT OF COMMITTEE ON FEDERAL RELATIONS.

##### MAJORITY REPORT.

MR. SPEAKER:

Your Committee on Federal Relations, to which was referred House concurrent resolution No. 6, in relation to the circulating medium, respectfully reports the House concurrent resolution back to the House with the recommendation that it do not pass.

A. B. WEED,  
C. M. PIERCE,  
F. B. TURPIN.

##### MINORITY REPORT.

MR. SPEAKER:

Your Committee on Federal Relations, to which was referred House concurrent resolution No. 6, in relation to the circulating medium, respectfully reports the House concurrent resolution back to the House with the recommendation that the resolution be adopted.

C. H. SCOTT.

The speaker called Mr. Hoole to the chair.

House concurrent resolution No. 2, by Mr. Collin: In relation to the circulating medium, reported from Committee on Federal Relations with a majority and minority report, was taken up. Mr. Mentzer moved that consideration of the resolution be indefinitely postponed.

The House refused to postpone indefinitely by the following vote: Yeas 25, nays 44, absent and not voting 9.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Pacific, Cameron, Cowan, Farish, Foster, Heliker, Hurd, Karr, Keller, Kelly, Mead, Meany, Mentzer, Merchant, McElwain, McKenzie, McMurphy, Nash, Neergaard, Pierce of Klickitat, and Washburn.

Nays: Messrs. Baker, Collin, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Gilman, Green, Greenberg, Hamill, Hoole, Judson, Kline, Leo, Letterman, Ludden, Mays, Moore, Morrison, Mulkey, McMillan, McNew, Nelson, Payne, Pierce of Lewis, Rinehart, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Webb, Weed, Wheeler, White, and Woodworth.

Absent: Messrs. Burton, Bush of Chehalis, Roscoe, Roth, Smith of Okanogan, Turpin, Westfall, Winchell, and Mr. Speaker.

On motion of Mr. Collin, the resolution was made a special order for Tuesday, February 14, at 2 o'clock p. m., by a divisional vote of 32 yeas to 21 nays.

#### REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

MR. SPEAKER:

We, your Committee on Privileges and Elections, to whom was referred House bill No. 46, entitled "A bill proposing amendments to the constitution, and providing for the submission thereof to the qualified electors of this state for approval at the next general election, to be held in November, 1894," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

N. W. BUSH, Chairman.

We concur in this report:

P. B. EGBERT,  
C. J. MOORE,  
WM. PAYNE,  
O. B. NELSON,  
JOHN LEO.

Mr. Baker presented the following amendments: To strike out the word "yes," in section 3, line 5; the word "no," in line 7; the word "yes," in line 9, and the word "no," in line 11.

Mr. Scott moved the adoption of the amendment.

Mr. Morrison moved to refer House bill No. 46 to the Judiciary Committee. The motion prevailed.

Mr. Bush, of Chehalis, came in at this time and wished to be recorded present.

## REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 114, entitled "A bill for an act in relation to garnishments," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be amended in the particulars indicated in the attached pages, and that as so amended the bill do pass:

First amendment: Strike from and including the word "and," in line 6 of section 1, down to and including the word "debt," in line 7 of said section.

Second amendment: Strike out all of section 4, and insert in lieu thereof the following:

"SEC. 4. When the foregoing requisites have been complied with, the clerk shall docket the case in the name of the plaintiff as plaintiff and of the garnishee as defendant, and shall immediately issue a writ of garnishment directed to the garnishee commanding him to appear before the court in which it is issued within twenty days after the service of the writ upon him, if the same be served upon him within the county in which the same is issued, or within thirty days if served in any other county in this state, and to answer on oath what, if anything, he is indebted to the defendant and was when such writ was served, and what personal property or effects, if any, of the defendant he has in his possession or under his control, or had when such writ was served."

Third amendment: Strike out all of section 6 and insert in lieu thereof the following:

SEC. 6. Said writ may be substantially in the following form:

*The State of Washington, To A B, Greeting:*

WHEREAS, In the superior court of the State of Washington, in and for ——— county, in a certain cause wherein C D is plaintiff and E F is defendant, the plaintiff claiming an indebtedness against the said E F of ——— dollars, besides interest and costs of suit, has applied for a writ of garnishment against you:

NOW, THEREFORE, You are hereby commanded to be and appear before the said court within twenty days after the service upon you of this writ, if served within ——— county, and within thirty days after the service of this writ upon you if served in any other county of the state, then and there to answer upon oath what, if anything, you are indebted to the said E F, and where and when this writ was served upon you, and what effects, if any, of the said E F you have in your possession or under your control, and had when this writ was served (and if the garnishee be an incorporated or joint stock company in which the defendant is alleged to be the owner of shares, or interested therein, then the writ shall proceed: And further to answer what number of shares, if any, the said E F owns in said company, and owned when this writ was served upon you).

Fourth amendment: Add to section 13 thereof, the following:

*Provided, however,* If it shall appear from the answer of the garnishee, and the same is not controverted, or if it shall appear upon the trial hereinafter provided for, that the garnishee is indebted to the principal defendant in any sum, but that such indebtedness is not matured and is not due and payable, the court shall make an order requiring the garnishee to pay such sum into court when the same becomes due, the date when such payment is to be made to be specified in said order, and in default thereof that judgment shall be entered against the garnishee for the sum of such indebtedness so admitted or found due. In case the garnishee shall pay said sum at the time specified in said order, said payment shall operate as a discharge, otherwise judgment shall be entered against him for the amount of such indebtedness, which judgment shall have the same force and effect and be enforced in like manner as other judgments provided for in this act: *Provided further,* That if judgment shall be rendered in favor of the principal defendant, or if any judgment rendered against him be satisfied prior to the date of payment specified in said order, the garnishee shall not be required to make the payment hereinbefore provided for, nor shall any judgment in such case be entered against him.

Fifth amendment: Insert after the word "rendered," where it occurs in line 1 of section 23, the words "by any person having a family dependent upon him for support."

Sixth amendment: Substitute the word "sixty" for the word "ninety," where the same occurs in line 1 of section 23.

Seventh amendment: Insert after the word "trial," where it occurs in line 3 of section 23, the words "or by the answer of the garnishee when not controverted as hereinbefore provided."

Eighth amendment: Strike out the word "the," where it occurs for the third time in line 3 of section 23, and insert in lieu thereof the word "such."

Ninth amendment: Substitute "controverted" for "contested," in line 5 of section 24.

Tenth amendment: Strike out the whole of section 29.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Wheeler, the report was adopted.

Mr. Judson moved to amend House bill No. 114 by striking out section 26 entirely.

The amendment was lost.

Mr. Scott moved to amend by striking out all of section 24 of House bill No. 114.

The amendment was lost.

On motion of Mr. Gilman, House bill No. 114, was referred to the Committee on Engrossed Bills with orders to engross and print, and it was made a special order for Friday, February 10, at 10 o'clock A. M.

REPORT OF COMMITTEE ON PENITENTIARY AND REFORM SCHOOL.

MR. SPEAKER:

We, your Committee on Penitentiary and Reform School, to whom was referred House bill No. 129, entitled "An act to authorize the board of penitentiary directors at Walla Walla penitentiary to grant rights-of-way for railroad purposes over penitentiary grounds located at Walla Walla," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the penitentiary visiting committee, and await their report.

Respectfully submitted.

JOE MERCHANT, Chairman.

We concur in this report:

A. E. MEAD,  
S. W. HAMILL,  
R. D. SPECK,  
P. B. EGBERT,  
C. M. PIERCE,  
A. S. MCKENZIE,  
JOHN F. GREEN,  
J. H. RINEHART.

Referred as requested.

House bill No. 29, "An act to authorize the formation of township organization and to regulate the same," was, on motion of Mr. Keller, referred to Committee on Judiciary.

House bill No. 3, by Mr. Karr, An act to amend section 1 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," was recommended to Committee on Military Affairs and Soldiers' Home.

REPORT OF COMMITTEE ON FORESTRY, AGRICULTURE AND HORTICULTURE.

MR. SPEAKER:

We, your Committee on Forestry, Agriculture and Horticulture, to whom was referred House bill No. 24, entitled "An act to amend sections 1, 4, 6, 7, 8, 9, 10, 11, 13 and 14 of an act entitled 'An act to create a state board of horticulture, and appropriate money therefor,'" have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it pass with the following amendments:

Amend section 4 by striking out the words "unless exceedingly urgent necessity demands it, which shall be determined by the board," after the word "district," in line 23 (line 15 of printed bill).

Amend section 7 by striking out the words "one hundred dollars" and inserting the words "seventy-five dollars" after the word "exceed," in line 15 (line 10 of printed bill).

Amend section 8 by striking out the words "five dollars" and inserting



the words "four dollars" after the words "sum of," in line 8 (line 6 of printed bill).

Amend section 9 by striking out the words and figures "seventy-five hundred dollars (\$7,500)" and inserting the words and figures "sixty-five hundred dollars (\$6,500)," in lines 4 and 6 (lines 3 and 5 of printed bill).

Respectfully submitted.

ALEX. CAMERON, Chairman,

C. J. MOORE,

A. S. MCKENZIE,

M. ANDERSON,

J. B. SMITH,

WM. N. MCNEW.

JAS. A. KARR.

On motion, the report of the committee was adopted by a divisional vote of 36 yeas to 10 nays.

On motion of Mr. Nash, House bill No. 24 was recommitted to Committee on Forestry, Agriculture and Horticulture.

#### REPORT OF COMMITTEE ON FORESTRY, AGRICULTURE AND HORTICULTURE.

MR. SPEAKER:

We, your Committee on Forestry, Agriculture and Horticulture, to whom was referred House bill No. 62, entitled "An act for the detention of domestic animals doing damage, and giving a lien for damages upon such animals," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass, with the following amendment: Amend section 1, line 4, original bill, by striking out words "cultivated or uncultivated meadow lands or timber, either fenced in or not fenced in," substituting therefor the words: "Enclosed by lawful fence."

Respectfully submitted.

ALEX. CAMERON, Chairman.

We concur in this report:

M. ANDERSON,

C. J. MOORE,

J. B. SMITH,

WM. N. MCNEW,

JAS. A. KARR.

On motion, the report was adopted.

Mr. Mays presented an amendment striking out all of sections eight (8) and ten (10) of House bill No. 62.

The amendment was lost.

Mr. Gilman presented the following amendment to section 9 of House bill No. 62: "*Provided, however,* That any party considering himself aggrieved shall have the right of appeal to the superior court as in other cases."

The amendment was adopted.

Mr. Mead moved that the rules be suspended, the bill be considered engrossed, read the third time and placed upon its final passage. The motion prevailed.

House bill No. 62 was passed by the following vote: Yeas 62, nays 4, absent and not voting 12.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Temple, Tucker, Washburn, Webb, Weed, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Green, Mays, Speck, and Wheeler.

Absent: Messrs. Baker, Burton, Roscoe, Roth, Sallee, Scott, Smith of Okanogan, Tull, Turpin, Westfall, and Winchell.

Title was read and approved.

On motion of Mr. Hurd, House bill No. 67, by Mr. Hoole, An act to amend section 1296 of Hill's Code of an act providing for the relief of indigent soldiers, sailors and marines, was recommitted to Committee on Military Affairs and Soldiers' Home by a divisional vote, 36 yeas and 6 nays.

#### REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL AND RAILROADS.

MR. SPEAKER:

Your Committee on Corporations other than Municipal and Railroads, to which was referred House bill No. 109, entitled "An act in relation to the business of logging," respectfully reports the bill back to the House, with the recommendation that it be indefinitely postponed.

R. C. WASHBURN, Chairman.

On motion of Mr. Karr, the report of the committee was adopted, and House bill No. 109 was indefinitely postponed.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 115, entitled "An act amending section 8 of an act entitled 'An act to

secure creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' approved March 6, 1890, and repealing section two thousand and thirty-two (2032) of the Code of Washington Territory of A. D. 1881, and fixing the compensation of assignees for the benefit of creditors," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Tucker, the rules were suspended, the second reading was considered the third reading, the bill was considered engrossed, and placed on its final passage.

House bill No. 115, passed by the following vote: Yeas 67, nays none, absent and not voting 11.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Baker, Burton, Kline, McMillan, Neergaard, Roscoe, Roth, Smith of Okanogan, Turpin, Westfall, and Winchell.

The title of the bill was read and approved.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 150, entitled "An act in relation to making a declaration of forfeiture of certain contracts," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be amended as follows:

First amendment: Strike out the word "all" where the same occurs in line 1 of section 1 of the printed bill, and insert in lieu thereof the word "when."

Second amendment: In line 4 of section 1, strike out the word "effected" and the parentheses inclosing the word "affected."

Third amendment: Beginning with and including the word "or," where it last occurs in line 4 of section 1 of the printed bill, and strike out all down to and including the word "issues," where it occurs in line 6 of said section.

Fourth amendment: Strike out the words "some of," in line 2 of section 2.

Fifth amendment: Strike out all of section 5.

And that as so amended the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report was adopted.

House bill No. 150 was read the third time, and passed by the following vote: Yeas 64, nays 4, absent and not voting 10.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Wheeler, White, and Mr. Speaker.

Nays: Messrs. Judson, Mays, McElwain, and Woodworth.

Absent: Messrs. Burton, Kline, Mulkey, Neergaard, Roscoe, Roth, Smith of Okanogan, Turpin, Westfall, and Winchell.

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

Mr. Sallee moved to adjourn. The House refused to adjourn.

#### REPORTS OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 153, entitled "An act providing that justice of the peace courts shall have jurisdiction of proceedings in forcible entry, forcible detainer and unlawful detainer of real property," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that, as the same is unconstitutional, it be indefinitely postponed.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report was adopted, and House bill No. 153 was indefinitely postponed.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 146, entitled "An act providing for the foreclosure of chattel mortgages," have had the same under consideration, and we respectfully re-

port the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report was adopted, and the bill indefinitely postponed.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 164, entitled "An act providing for the transcribing of county records," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as follows:

First amendment: Insert after the word "books" where it occurs in line 5 of section 1 of the printed bill the words "to be."

Second amendment: Beginning with and including the word "this" where it occurs for the second time in line 3 of section 4 and strike out all the remainder of said section. •

And we recommend that as so amended the bill do pass:

Respectfully submitted.

A. E. MEAD, Chairman.

The report of the committee was adopted.

Mr. Mead moved that the rules be suspended, the bill be considered engrossed and read third time, and placed on its final passage.

The motion prevailed, and House bill No. 164 passed by the following vote: Yeas 70, nays none, absent and not voting 8.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Burton, Meany, Neergaard, Roscoe, Roth, Smith of Okanogan, Turpin, and Winchell.

The title was read and approved.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 172, entitled "An act relating to the possession, rents and profits of

real estate and buildings during the time allowed for redemption from execution sale," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

Mr. Mead moved that the rules be suspended, the bill be considered engrossed and read the third time, and placed on its final passage.

The motion prevailed and the bill passed by the following vote: Yeas 60, nays 10, absent and not voting 8.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Scott, Shadle, Shelton, Smith of Douglas, Smithson, Speck, Tucker, Tull, Weed, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Green, Mays, McElwain, Nash, Sallee, Sherman, Temple, Washburn, Webb, and Wheeler.

Absent: Messrs. Burton, Neergaard, Roscoe, Roth, Smith of Okanogan, Turpin, Westfall, and Winchell.

The title of the bill was read and approved.

Mr. Tull moved to adjourn.

The House refused to adjourn.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred Senate bill No. 51, entitled "An act fixing the maximum sum to be allowed by the board of county commissioners for the board of prisoners confined in the county jails," have had the same under consideration, and we respectfully report the same back to the House, with recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. McMillan, the rules were suspended, the bill was read the second time in full and third time by title and placed on its final passage.

Senate bill No. 51 was passed by the following vote; Yeas 68, nays 0, absent and not voting 10.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, An-

derson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Burton, Collin, Neergaard, Rinehart, Roscoe, Roth, Smith of Okanogan, Turpin, Westfall, and Winchell.

The title of the bill was read and approved.

On motion of Mr. Rinehart, the House adjourned at 5:30 o'clock P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

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## THIRTIETH DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Tuesday, February 7, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.

The roll was called; all the members present.

On motion of Mr. Wheeler, the reading of the journal was dispensed with, and the same was considered as read and approved.

### REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

MR. SPEAKER:

We, your Committee on Privileges and Elections, to whom was referred the election contest case in the Thirty-third representative district, entitled Gaskill vs. Edwards, have investigated same by taking testimony of ex-County Auditor W. H. Hollis and Auditor R. A. Ketner, relative to the reception and custody of ballots cast, and submit the testimony and pro-

ceeding in the case to date, that the House may deal with the matter as may, in its judgment, be deemed best.

A majority and minority report of the committee is also filed.

N. W. BUSH, Chairman.

Mr. Ludden presented the following resolution, and moved that it be adopted:

*Resolved*, That the contested election case of Gaskell vs. Edwards be recommitted to the Committee on Privileges and Elections, with instructions to investigate the case and report their findings to the House.

The House refused to adopt the resolution.

Mr. Nash moved that the consideration of the report of the Committee on Privileges and Elections in the Gaskell vs. Edwards case be made a special order for Wednesday, February 8, at 10 o'clock A. M., and that the chairman of the Committee on Privileges and Elections and Mr. Leo make a brief report of the issues in the pleadings and findings in regard to the evidence.

It was so ordered.

#### SPECIAL ORDER.

House bill No. 66, by Mr. Anderson, of Whatcom, An act to establish a state normal school in the county of Whatcom, special order for to-day, was taken up.

On motion of Mr. Anderson, of Whatcom, the rules were suspended, the bill was considered engrossed, and was read the third time, and passed by the following vote: Yeas 67, nays 9, absent and not voting 2.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Denn, Durant, Egbert, Farrish, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Karr, Keller, Kelly, Leo, Letterman, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, and Mr. Speaker.

Nays: Messrs. Crockett, Edmonds, Edwards, Foster, Judson, Ludden, Shelton, Smith of Okanogan, and Woodworth.

Absent: Messrs. Heliker and Kline.

The title of the bill was read and approved.



## REPORT OF COMMITTEE ON FISHERIES AND GAME.

MR. SPEAKER:

We, your Committee on Fisheries and Game, to whom was referred House bill No. 59, entitled "An act regulating fish traps, pound nets, weirs, set net, fish wheels or other fixed appliances for catching salmon in the waters of the Columbia river or its tributaries, for providing for the licensing thereof and the disposition of the funds arising therefrom, and declaring an emergency," would respectfully report the same back with a substitute, and recommend that the substitute do pass.

We would also make the following additional report:

At the joint meeting of the House and Senate Committees on Fisheries held last evening, all the members of both committees being present, as well as representatives of the fishing interests of Puget Sound and the Columbia river, it was unanimously decided to urge the passage of this substitute bill without delay, owing to the fact that legislation on this subject is demanded at once, and owing to the further important fact that, for obvious reasons, this bill should become a law before the meeting of the joint committee from the legislatures of Oregon and Washington on fisheries.

Therefore, your committee asks that this substitute bill be passed at once.

Respectfully submitted.

A. S. BUSH, Chairman.

We concur:

J. C. HORR,  
B. F. SHAW,  
F. H. RICHARDS,  
N. W. BUSH,  
MCELWAIN,  
BROCK,  
CROCKETT,  
MOORE,  
COWAN.

On motion of Mr. Bush, of Pacific, the report was adopted, and the substitute for House bill No. 59 was numbered House bill No. 254.

Mr. Gilman presented the following amendment, which was adopted:

Insert after "transferred" in line 17, section 1, the words "to any resident and citizen of this state."

On motion of Mr. Webb, the bill was recommitted to the Committee on Fisheries and Game with instructions to correct.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 7, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 69, entitled "An act requiring the appointment of police matrons in certain cities."

Also, Senate concurrent resolution No. 13, Providing for appointing joint committee to visit the state penitentiary and reform school.

Also, Senate bill No. 7, Establishing municipal courts in cities having more than 20,000 inhabitants.

Also, Senate bill No. 85, An act for the prevention of cruelty.

The Senate has concurred in House memorial No. 3, For the improvement of the Ozette and Quillayute rivers.

Also, House memorial No. 2, To prevent the spread of infectious diseases.

The president of the Senate has signed Senate concurrent resolutions Nos. 10 and 11.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 7, 1893.

MR. SPEAKER:

I am directed by the Senate to suggest to the House that under rule 1 of joint rules the House should have notified the Senate of its refusal to concur in amendment to House bill No. 16, instead of appointing a committee on conference. This would give the Senate a chance to recede from their position if they so desired. In case of their refusal to recede it would then be in order for the Senate to notify the House of appointment of conference committee on their part.

ALLEN WEIR, Secretary.

The speaker signed Senate memorial No. 2, Relative to the death of Hon. James Gillespie Blaine.

Also, Senate concurrent resolution No. 10, Relative to the appointment of a joint committee to visit the penitentiary and the reform school.

Also, Senate concurrent resolution No. 11, Relative to the appointment of a joint committee to visit the state hospitals of the insane, in open session of the House.

#### REPORT OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

MR. SPEAKER:

Your Committee on Appropriations and Claims, to whom was referred House bill No. 71, entitled "An act in relation to county, school, city and town warrants, and the manner of their payment," respectfully reports the bill back to the House with the recommendation that it be amended by striking out the word "twenty," in line 2, section 2, and substituting the word "ten;" also, in same line, by substituting the words "allowance by" for the words "adjournment of," and with these amendments the bill is recommended to pass.

G. W. TEMPLE, Chairman.

On motion, the report was adopted.

Mr. Ludden presented the following amendment: Strike out the words "the adjournment of any county commissioners' court," in lines 2 and 3, and substitute the words "the date" in lieu thereof in lines 2 and 3 of section 2 of the printed bill.

On motion of Mr. Mentzer, the amendment was adopted.

Mr. Nash moved to strike out the words "legal rate of," in line 2, section 1, of the printed bill.

The amendment was adopted.

Mr. Temple presented the following amendment: Strike out "at which," in third line, section 2, and amend by inserting word "of;" also, strike out "shall have been made," which would read "and after the date of the allowance," etc.

On motion, the amendment was adopted.

On motion of Mr. Wheeler, the sergeant-at-arms was instructed to inform the Senate that the House is ready to meet with them in joint session.

#### JOINT SESSION.

The Senate appearing at 12 o'clock noon, the speaker invited the honorable body to seats within the bar, and the president to preside over the joint convention.

The roll was called. All present except Senators Edens, Forsyth, Kellogg, and Smith.

Mr. Hoole moved that the rules be suspended, the reading be dispensed with and the journal stand approved.

The motion prevailed.

Senators Kellogg and Smith were paired for the day.

The president announced that no election of United States senator had occurred at yesterday's session, and directed the clerk to call the roll for the fifty-first senatorial ballot.

#### FIFTY-FIRST JOINT BALLOT. •

John B. Allen received 48 votes.

George Turner received 23 votes.

C. W. Griggs received 27 votes.

C. W. Young received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Farrish, Forrest, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kelly, Ludden, Kinnear, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard,

O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had received the necessary majority to elect him United States senator, and directed the clerk to call the roll for the fifty-second ballot.

#### FIFTY-SECOND JOINT BALLOT.

John B. Allen received 48 votes.

George Turner received 23 votes.

C. W. Griggs received 27 votes.

C. W. Young received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Farrish, Forrest, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline,

Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had received a sufficient number of votes to elect a United States senator and, therefore, at 12:20 P. M. the joint session was dissolved, to meet to-morrow at 12 o'clock noon.

Mr. Anderson, of Pierce, moved that the House take a recess to 2 o'clock this afternoon.

The House refused to sustain the motion.

Consideration of House bill No. 71 was then taken up.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and read the third time, and passed by the following vote: Yeas 59, nays 16, absent and not voting 3.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Burton, Bush of Pacific, Cameron, Collin, Durant, Egbert, Gilman, Green, Greenberg, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Morrison, McElwain, McKenzie, McMillan, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tall, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Bush of Chehalis, Cowan, Crockett, Denn, Edmonds, Edwards, Farrish, Foster, Hamill, Moore, Mulkey, McMurphy, Neergaard, Scott, and Tucker.

Absent: Messrs. Brock, Leo, and Rinehart.

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

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of House bill No. 240, entitled "An act relating to authorizing cities and towns to purchase, construct and maintain water works, systems of sewerage, gas and electric light plants, and to issue bonds to pay therefor, and declaring an emergency," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

The speaker signed the above bill in open session.

The Committee on Fisheries and Game made an oral report recommending the passage of House bill No. 254, An act regulating fish traps, etc., and declaring an emergency, said bill being a substitute for House bill No. 59.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time, and passed by the following vote: Yeas 69, nays 4, absent and not voting 5.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Gilman, Green, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Farrish, Foster, Mays, and Scott.

Absent: Messrs. Baker, Brock, Greenberg, Leo, and McMillan.

The emergency clause passed by the following vote: Yeas 67, nays 3, absent and not voting 8.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Burton, Bush of Chehalis, Bush of Pacific, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Gilman, Green, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Foster, Mays, and Scott.

Absent: Messrs. Baker, Brock, Cameron, Collin, Farrish, Greenberg, McMillan, and Payne.

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

## REPORT OF COMMITTEE ON ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Engrossed Bills respectfully reports that the engrossed copy of House bill No. 114, entitled "An act in relation to garnishments;" House bill No. 76, entitled "An act relating to proceedings supplemental to execution," have been carefully compared with the original copies thereof, and found correctly engrossed.

Respectfully submitted.

J. B. McMILLAN, Chairman.

## INTRODUCTION OF BILLS.

The following bills were introduced and read first time, and referred to their committees:

House bill No. 255, by Mr. Heliker, of King: An act to amend sections 2390, 2385 and 2386 of the Code of 1881 (the same being sections 1361, 1386 and 1387 respectively of Hill's Code), and relating to marriage licenses and certificates.

Referred to Committee on Medicine.

House bill No. 256, by Mr. McMillan: An act relating to county surveyors.

Referred to Committee on Counties.

House bill No. 257, by Mr. Greenberg, of Spokane: An act to amend section 9 of an act entitled "An act to regulate and license insurance business in this state," approved March 27, 1890.

Referred to Committee on Insurance.

House bill No. 258, by Mr. McElwain, of King (by request): An act to repeal chapter 159 of the Code of Washington of 1881, relating to the quarantine of vessels.

Referred to Committee on Medicine.

House bill No. 259, by Mr. Winchell, of King: An act to establish a system of public schools in cities of ten thousand or more inhabitants, and to provide for properly maintaining, governing and grading the same.

Referred to Committee on Education.

House bill No. 260, by Mr. Rinehart, of King: An act to amend section 8, chapter 153, of the Session Laws of 1891, State of Washington, regulating the practice of pharmacy, approved March 9, 1891.

Referred to Committee on Medicine.

House bill No. 261, by Mr. McElwain, of King: An act to protect salmon and other food fishes in the waters of Puget Sound, and in

all streams flowing into Puget Sound, and declaring an emergency. Referred to Committee on Fisheries and Game.

House bill No. 262, by Mr. Gilman, of King: An act to enable cities and towns to exercise the right of eminent domain for the taking and damaging of land and property for public purposes, providing a method for making compensation therefor, and providing for special assessments in certain cases upon property benefited, and declaring an emergency.

Referred to Committee on Municipal Corporations.

Mr. Mulkey was excused for Wednesday.

On motion of Mr. McNew, the House adjourned at 1:15 o'clock P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

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## THIRTY-FIRST DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Wednesday, February 8, 1893. }  
10 o'clock A. M. }

The House was called to order at 10 o'clock A. M.; the speaker presiding.

The roll was called; all members were present except Mr. Meany.

On motion of Mr. Tucker, the further reading of the journal was dispensed with, and the same was considered read and approved.

### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 7, 1893.

MR. SPEAKER:

The Senate has passed Senate concurrent resolution No. 14, To provide for the purchase of 350 copies of Abbott's "Real Property Statutes of Washington Territory from 1843 to 1889."

Senate bill No. 53, Relating to the state library.

The Senate has refused to pass over the governor's veto House bill No. 16 (of 1891), Requiring railroad corporations to fence their tracks.



House bill No. 128 (of 1891), An act to make time checks negotiable.

And House bill No. 156 (of 1891), Requiring railroads to maintain connections with other lines of railroad.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

SPECIAL ORDER.

The hour of 10 o'clock having arrived, the House proceeded to consider the contested election case of Gaskell vs. Edwards.

On motion of Mr. Leo, the pleadings in the case were considered before the evidence.

Mr. Washburn presented the following resolution:

*Resolved*, That further reading of the papers in the Gaskell-Edwards contest case be dispensed with, and that said contest, with all papers and reports relating thereto, be re-referred to the Committee on Privileges and Elections, with instructions to thoroughly investigate all questions bearing on such case, count the ballots cast for representative at the election of November 8, 1892, and report in full to this House.

Mr. Egbert moved to lay the resolution on the table.

The yeas and nays were called for, and the resolution was laid on the table by the following vote: Yeas 37, nays 34, absent and not voting 7.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Burton, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Egbert, Foster, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, Mentzer, Moore, Mulkey, McMillan, Nelson, Payne, Pierce of Klickitat, Scott, Shelton, Sherman, Smith of Douglas, Temple, Tucker, Tull, Turpin, White, Winchell, and Woodworth.

Nays: Messrs. Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Farrish, Greenberg, Heliker, Hoole, Hurd, Karr, Keller, Ludden, Mead, Merchant, Morrison, McElwain, McKenzie, McMurphy, McNew, Nash, Pierce of Lewis, Rinehart, Roscoe, Sallee, Shadle, Smithson, Speck, Washburn, Webb, Weed, Westfall, Wheeler, and Mr. Speaker.

Absent: Messrs. Edwards, Gilman, Kelly, Meany, Neergaard, Roth, and Smith of Okanogan.

On motion of Mr. Hoole, the further reading of the evidence in the Gaskell vs. Edwards case was deferred until to-morrow (Thursday) at 10 o'clock A. M.

On motion of Mr. Hoole, the House took a recess at 11:50 until 11:55 A. M.

The speaker called the House to order at 11:55 A. M.

## JOINT SESSION.

The senate appearing, the speaker invited the honorable senators to seats within the bar, and the president to preside over the joint body.

The roll was called. All were present except Senators Claypool, Kellogg, and T. J. Smith, and Mr. Meany.

On motion of Senator Horr, the reading of yesterday's joint journal was dispensed with, and the same stood approved.

Pairs for to-day—Senators Claypool and Kinnear, Smith and Kellogg, and Messrs. Nash and Meany.

The president announced that no election of United States senator had occurred at yesterday's session, and directed the clerk to call the roll for the fifty-third joint ballot.

## FIFTY-THIRD JOINT BALLOT.

Mr. Heliker nominated the Hon. M. P. Hurd, of Skagit county, for the position of United States senator.

Hr. Hurd reciprocated the honor by nominating the Hon. E. P. Heliker, of King county, for United States senator.

John B. Allen received 47 votes.

George Turner received 20 votes.

C. W. Griggs received 27 votes.

C. W. Young received 9 votes.

R. O. Dunbar received 1 vote.

M. P. Hurd received 1 vote.

E. P. Heliker received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Hoole, Horr, Karr, Keller, Kelly, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Cooper, Easterday, Greenberg, Helm, Ide, McMillan, Mentzer, Moore, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman,

Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

Mr. Heliker voted for M. P. Hurd.

Mr. Hurd voted for E. P. Heliker.

The president announced that no person had received the necessary majority to elect a United States senator, and instructed the clerk to call the roll for the fifty-fourth joint ballot.

#### FIFTY-FOURTH JOINT BALLOT.

John B. Allen received 48 votes.

George Turner received 21 votes.

C. W. Griggs received 27 votes.

C. W. Young received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kelly, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)

Mr. Bush (N. W.) voted for R. O. Dunbar.

There being no election the president dissolved the joint con-

vention at 12:20 o'clock P. M., to meet to-morrow (Thursday) at 12 o'clock noon.

On motion of Mr. Roscoe, the House took a recess at 12:25 P. M. until 2 o'clock P. M.

#### AFTERNOON SESSION.

The House was called to order at 2 o'clock P. M. by the speaker. The roll was called. All present except Mr. Meany.

The speaker announced the following committees to visit state institutions on the part of the House to act in conjunction with Senate committees:

- Hospital for Insane: Messrs. McNew, Judson, and Heliker.
- School for Defective Youth: Messrs. Tull, Cowan, and Edwards.
- Penitentiary: Messrs. Merchant, Rinehart, and Hamill.
- Reform School: Messrs. Pierce of Lewis, Speck, and Egbert.
- State University: Messrs. Meany, Smithson, and Turpin.
- Normal School: Messrs. Westfall, Winchell, and Shadle.

On motion of Mr. Gilman, the chief clerk was instructed to notify the Senate that the House had refused to concur in Senate amendment to House bill No. 16, and request them to recede from their amendments to said bill.

#### PETITIONS, ETC.

Two petitions from taxpayers in Lewis county, for amending road law so as to provide for the payment of road taxes in labor or money; free text books, and redemption of taxes in ten years, etc., were referred to Committee on Labor and Labor Statistics.

Mr. Cowan presented a petition from Columbia Council, Patrons of Husbandry, praying for constitutional amendment for female suffrage.

Referred to Committee on Privileges and Elections.

Mr. Merchant presented a petition from the Washington Equal Suffrage Association, protesting against the passage of House bill No. 123, and House bill No. 82.

Referred to Committee on Judiciary.

STATE OF WASHINGTON, HOUSE OF REPRESENTATIVES,  
OLYMPIA, February 7, 1893.

MR. SPEAKER:

I find that it will not be possible for me to serve on the investigating committee of the agricultural college. I therefore ask you to relieve me.

Yours, etc., C. L. WEBB.

The resignation of Mr. Webb was accepted, and the speaker appointed Mr. McElwain in place of Mr. Webb as a member of the agricultural college special committee.

Mr. Baker moved that the House take from the table and consider House concurrent resolution No. 2, Relating to the free coinage of silver.

The motion prevailed.

## REPORT OF COMMITTEE ON FEDERAL RELATIONS.

## MAJORITY REPORT.

MR. SPEAKER:

Your Committee on Federal Relations, to whom was referred House concurrent resolution No. 2, "Relating to the free coinage of silver," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be not adopted.

Respectfully submitted.

A. B. WEED, Chairman,

E. P. HELIKER,

F. B. TURPIN,

C. M. PIERCE.

## MINORITY REPORT.

MR. SPEAKER:

The undersigned, a member of your Committee on Federal Relations, to whom was referred House concurrent resolution No. 2, "Relating to the free coinage of silver," has had the same under consideration, and I respectfully report the same back to the House, with the recommendation that it be adopted.

Respectfully submitted.

C. H. SCOTT.

Mr. Baker moved that the minority report be adopted.

The roll was called, and resulted as follows: Yeas 31, nays 42, absent and not voting 5.

Yeas: Messrs. Baker, Burton, Collin, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Judson, Keller, Kline, Leo, Letterman, Mays, Moore, Mulkey, Payne, Roscoe, Scott, Shelton, Smith of Douglas, Tull, Webb, and White.

Nays: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Farrish, Heliker, Hurd, Karr, Kelly, Ludden, Mead, Mentzer, Merchant, Mor-

rison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Shadle, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Weed, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Cowan, Meany, Sherman, and Smith of Okanogan.

#### INTRODUCTION OF BILLS.

The following House bills were introduced, read first time, ordered printed, and referred to committees:

House bill No. 263, by Mr. Shadle: An act to prevent the making of deficiencies in the public institutions and departments of the State of Washington, and providing for an emergency board.

Referred to Judiciary Committee.

House bill No. 264, by Mr. Bush, of Chehalis (by request): An act relating to liens on logs, spars, piles, lumber, shingles and other timber, repealing sections 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955 and 1956 of the Laws of Washington of 1891, the same being sections 1676, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1689, 1690, 1691, 1692, 1693 and 1694 of Hill's Annotated Statutes and Code of Washington, and declaring an emergency.

Referred to Committee on Commerce.

House bill No. 265, by Mr. Sallee: An act to prohibit minors from entering saloons and places where intoxicating liquors are sold or offered for sale, and houses of prostitution or places where gambling is conducted, whether public or otherwise, and declaring an emergency.

Referred to Committee on Education.

House bill No. 266, by Mr. Brock: An act to amend sections 17, 18, 19, 20 and 23 of an act entitled "An act providing for the printing and distributing of ballots at public expense, and to regulate voting at state and other elections," approved March 19, 1890.

Referred to Committee on Privileges and Elections.

House bill No. 267, by Mr. Morrison: An act in relation to insurance, and to amend the act entitled "An act to regulate and license insurance business in this state," approved March 27, 1890, by adding a section thereto.

Referred to Committee on Insurance.

House bill No. 268, by Mr. Denn: An act to provide for the sale and disposal of the lands granted by the United States to the State of Washington for the erection of capitol buildings, and declaring an emergency.

Referred to Committee on Public Buildings and Grounds.

House bill No. 269, by Mr. Anderson, of Whatcom: An act in relation to evidence in actions and judicial proceedings.

Referred to Judiciary Committee.

House bill No. 270, by Mr. Anderson, of Whatcom: An act regulating pleadings in certain cases in actions and judicial proceedings.

Referred to Judiciary Committee.

House bill No. 271, by Mr. Ludden: An act in relation to the manner of commencing civil actions and amendatory of sections 173 and 175 of the Civil Code of Procedure, and declaring an emergency.

Referred to Judiciary Committee.

House bill No. 272, by Mr. Moore: An act to regulate the employment of the members of the faculty of the Washington state agricultural college.

Referred to Committee on Agricultural College.

House bill No. 273, by Mr. Scott: An act fixing a maximum rate of charges for the transportation of the articles herein enumerated, and providing penalties for the violation of this act, by common carriers in the State of Washington.

Referred to Committee on Railroads.

House bill No. 274, by Mr. Letterman: An act providing for the board of directors to consist of five members in school districts having 300 or more children of school age, and not within an incorporated city of 10,000 inhabitants or more.

Referred to Committee on Education.

House bill No. 275, by Mr. Weed: An act creating a code commission to compile laws and statistics pertaining to irrigation. (Substitute for House bill No. 81.)

Referred to Committee on Irrigation.

House bill No. 276, by Mr. Hurd: An act to regulate the fees and compensations of officers and other persons.

Referred to Committee on Judiciary.

House bill No. 277, by Mr. Hurd: An act to regulate fees of

county clerks as *ex officio* clerks of the superior courts of the State of Washington.

Referred to Committee on Judiciary.

The following Senate bills were read first time, and referred to committees:

Senate bill No. 7, by Senator Claypool: An act to amend sections 2, 4, 8, 11, 13 and 14 of an act entitled "An act creating and establishing municipal courts in cities of the State of Washington having more than twenty thousand inhabitants, defining and prescribing their jurisdiction, regulating their practice and procedure, and providing judges and clerks therefor, and declaring an emergency."

Referred to Committee on Municipal Corporations.

Senate bill No. 69, by Senator Kinnear (by request): An act requiring the appointment of police matrons in certain cities, designating their duties and directing their compensation.

Referred to Committee on Municipal Corporations.

Senate bill No. 85, by Senator Eshelman: An act for the prevention of cruelty to children, animals, fowls and birds, and providing punishment therefor.

Referred to Committee on Education.

Senate bill No. 53, by Senator Eshelman: An act relating to the state library.

Referred to the Committee on Public Buildings and Grounds.

Senate concurrent resolution No. 13, by Senator Donahoe: Committee to visit reform school at Chehalis.

Referred to Committee on Penitentiary and Reform School.

Senate concurrent resolution No. 14, by Senator Campbell: For purchase of Abbott's real property statutes.

Referred to Committee on Appropriations.

#### REPORTS OF COMMITTEE ON FORESTRY, AGRICULTURE AND HORTICULTURE.

MR. SPEAKER:

We, your Committee on Forestry, Agriculture and Horticulture, to whom was referred House bill No. 57, entitled "An act for the appointment of a state veterinary surgeon and defining his duties," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do not pass.

Respectfully submitted.

ALEX. CAMERON, Chairman.

We concur in this report:

A. S. MCKENZIE,  
M. ANDERSON,  
WM. N. MCNEW,  
J. B. SMITH.



On motion, the report of the committee was adopted.

MR. SPEAKER:

We, your Committee on Forestry, Agriculture and Horticulture, to whom was referred House bill No. 69, entitled "An act relating to injury to domestic animals," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

ALEX. CAMERON, CHAIRMAN.

We concur in this report:

A. S. MCKENZIE,

M. ANDERSON,

WM. N. MCNEW,

J. B. SMITH.

On motion of Mr. Rinehart, the chief clerk was instructed to add the necessary enacting clause to House bill No. 69.

On motion of Mr. Mead, the rules were suspended, and House bill No. 69, by Mr. Sallee: An act to amend section 59, chapter 2 of crimes against property, of the laws of the State of Washington, as compiled and arranged by William Lair Hill under an act of the legislature of the State of Washington, approved February 18, 1890, entitled "An act to appoint a commissioner to compile, rearrange and annotate the laws of Washington, and to provide for publication and distribution thereof and the payment therefor," was considered engrossed, and was read third time and passed by the following vote: Yeas 49, nays 24, absent and not voting 5.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Gilman, Greenberg, Heliker, Hoole, Hurd, Karr, Keller, Leo, Ludden, Mays, Mead, Merchant, Moore, Morrison, McElwain, McMillan, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Shadle, Smith of Douglas, Smithson, Speck, Tucker, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Brock, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Hamill, Judson, Kelly, Kline, Lettman, Mentzer, Mulkey, McKenzie, McMurphy, Neergaard, Scott, Shelton, Temple, and Tull.

Absent and not voting: Messrs. Crockett, Meany, Roscoe, Sherman, and Smith of Okanogan.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 8, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 16, entitled "An act relating to liens upon manufactured lumber."

The Senate has refused to concur in House concurrent resolution No. 11, Appointing a joint committee to visit penitentiary, and House concurrent resolution No. 12, Appointing a joint committee to visit insane asylum and school for defective youth.

The Senate has passed House bill No. 254, Relating to fisheries on the Columbia river and Puget Sound.

The president of the Senate has signed Senate bill No. 49.

And the same are herewith transmitted to the House.

The Senate has receded from its amendment striking out the words "or sub-contractor," from House bill No. 16.

ALLEN WEIR, Secretary.

The speaker signed Senate bill No. 49 in open session of the House.

## REPORT OF COMMITTEE ON FORESTRY, AGRICULTURE AND HORTICULTURE.

MR. SPEAKER:

We, your Committee on Forestry, Agriculture and Horticulture, to whom was referred House bill No. 75, entitled "An act to prevent the spread of contagious or infectious diseases among cattle, horses and other domestic animals," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass, with the following amendments:

First amendment: Amend section 1, line 8, printed bill, by striking out the word "village."

Second amendment: Amend section 2, line 4, by striking out the word "village" after the word "town."

Third amendment: Amend section 7, line 5, by striking out the word "village" after the word "town."

Fourth amendment: Amend section 6, line 2, printed bill, by striking out the word "village."

Fifth amendment: Amend section 7, line 5, printed bill, by inserting the words "in the county jail," after the word "year."

Sixth amendment: Amend section 8, line 6, printed bill, by inserting the words "in the county jail," after the word "year."

Seventh amendment: Amend section 12, line 2, printed bill, by striking out the word "village."

Eighth amendment: Amend section 14, line 5, printed bill, by striking out the word "village."

Ninth amendment: Amend section 16, line 3, printed bill, by inserting the words "in the county jail," after the word "year."

Tenth amendment: Amend the bill by adding the following, to be known as section 23:

SEC. 23. That it shall be the duty of the professor of veterinary surgery at the state agricultural college to answer and obey all calls of the state board of health, and he shall be allowed traveling expenses and two hundred dollars per year in addition to the salary already allowed him as professor of veterinary surgery in the agricultural college; said veterinary surgeon to be considered in the employ of the state during the entire twelve months of each year.

Eleventh amendment: Add a new section, to read as follows:

SEC. 24. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Respectfully submitted.

ALEX CAMERON, Chairman.

We concur in this report:

A. S. MCKENZIE,

C. J. MOORE,

WM. N. MCNEW,

J. B. SMITH.

On motion of Mr. Rinehart, the report of the Committee on Agriculture was adopted.

Mr. Rinehart moved that the rules be suspended, the bill be read the third time, considered engrossed, and placed on its final passage.

The motion prevailed by a divisional vote of 41 yeas to 15 nays, and House bill No. 75, by Mr. Rinehart, An act to prevent the spread of contagious or infectious diseases among cattle, horses and other domestic animals, passed by the following vote: Yeas 53, nays 20, absent 5.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Crockett, Denn, Farrish, Foster, Gilman, Greenberg, Heliker, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Shadle, Shelton, Smith of Douglas, Smithson, Tucker, Washburn, Weed, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Cowan, Durant, Edmonds, Edwards, Egbert, Green, Hamill, Judson, Ludden, Mulkey, Nelson, Payne, Scott, Smith of Okanogan, Speck, Temple, Tull, Turpin, and Westfall.

Absent: Messrs. Hurd, Meany, Roscoe, Sherman, and Webb.

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

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of House bill No. 254, entitled "An act regulating fish traps, pound nets, weirs, set nets, fish wheels or other fixed appliances for catching salmon on the waters of the Columbia river and its tributaries and Puget Sound; for providing for the licensing thereof and the disposition of the funds arising therefrom, and declaring an emergency," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

The speaker signed House bill No. 254 in open session of the House.

A communication from J. H. Price, secretary of state, in reference to newspapers that published official notices of "proposed constitutional amendment," was, on motion of Mr. Washburn, referred to Committee on Appropriations and Claims.

#### REPORTS OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

MR. SPEAKER:

Your Committee on Appropriations and Claims, to whom was referred House bill No. 85, entitled "An act to provide for the appointment of attorneys to defend indigent persons charged with felony," respectfully reports the bill back to the House with the recommendation that, with the accompanying amendment, it do pass:

Amended by striking out the word "fifteen" in line five of section 1, and substituting the word "ten."

On motion of Mr. Wheeler, the bill was indefinitely postponed.

MR. SPEAKER:

We, your Committee on Appropriations and Claims, to whom was referred House bill No. 118, entitled "An act aiding indigent persons in the prosecution of suits at law in the courts of the state," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do not pass.

Respectfully submitted.

G. W. TEMPLE, Chairman.

On motion of Mr. Mentzer, the report of the committee was adopted.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER.

We, your Committee on Judiciary, to whom was referred House bill No. 162, entitled "An act to amend section 2695 of the Code of Washington

of 1881, the same being section 298 of Hill's Annotated Statutes and Codes of Washington," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be amended as follows:

First amendment: Amend the title thereof by inserting before the word "Hill's," where the same occurs in said title, the words "volume one of."

Second amendment: Insert immediately after the word "of," where the same occurs in line 2 of section 1, the words "volume one of."

Third amendment: Substitute the word "from" for the word "in" where it occurs in line 13 of section 1 of said bill.

And we recommend that as so amended the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report of the committee was adopted.

On motion of Mr. Mead, the rules were suspended, and House bill No. 162, An act to amend section 2695 of the Code of Washington of 1881, the same being section 298 of Hill's Annotated Statutes and Codes of Washington, was considered engrossed, and was read third time, and placed on final passage, and passed by the following vote: Yeas 65, nays none, absent 13.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Rinehart, Roth, Shadle, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Baker, Collin, Gilman, Heliker, Meany, Moore, Neergaard, Pierce of Lewis, Roscoe, Sallee, Scott, Sherman, and Winchell.

On motion of Mr. Nash, the title was amended to read as follows: "An act to amend section 2695 of the Code of Washington of 1881, the same being section 298 of volume 1, Hill's Annotated Statutes and Codes of Washington, relating to appeals to the superior court from any decision or order of the board of county commissioners."

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 163, entitled "An act relative to filling vacancy in board of county

commissioners, approved November 23, 1883, the same being section 274 of Hill's Annotated Statutes and Codes of Washington," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as follows:

First amendment: Amend the title thereof by inserting immediately after the word "of," where the same occurs in the second line of said title, the words "volume 1 of."

Second amendment: Insert immediately after the figures "1883," where the same occur in line 2 of section 1 of said bill, the words "the same being section 274 of volume 1 of Hill's Annotated Statutes and Codes of Washington."

Third amendment: Strike out from and including the word "provided," where the same occurs in line 9 of section 1 thereof, to the end of said section.

And we recommend that, as so amended, the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report as amended was adopted.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time, and placed on final passage.

The bill passed by the following vote: Yeas 60, nays 7, absent and not voting 11.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Crockett, Denn, Durant, Edmonds, Egbert, Fariish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mead, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Shadle, Shelton, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Edwards, Judson, Kline, Mays, Mulkey, and Smith of Okanogan.

Absent: Messrs. Collin, Cowan, Hurd, Meany, Neergaard, Payne, Roscoe, Sallee, Scott, Sherman, and Winchell.

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

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 171, entitled "An act to amend section 2 of an act entitled 'An act

providing for the payment of certain expenses of and the manner in which the salaries of the judges of the supreme and superior courts shall be paid, and declaring an emergency to exist,' approved January 27, 1890, and declaring an emergency to exist for the passage of this amendatory act," respectfully reports the bill back to the House with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Hoole, the rules were suspended and House bill No. 171, by Mr. Hoole: An act to amend section 2 of an act entitled "An act providing for the payment of certain expense of, and the manner in which salaries of the judges of the supreme and superior courts shall be paid, and declaring an emergency to exist," approved January 27, 1890, and declaring an emergency to exist for the passage of this amendatory act, was considered engrossed, and was read third time, and placed on final passage.

The bill passed by the following vote: Yeas 70, nays 2, absent 6.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Lewis, Rinehart, Roth, Sallee, Scott, Shadle, Shelton, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn; Webb, Weed, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Mays, and Pierce of Klickitat.

Absent: Messrs. Meany, Neergaard, Roscoe, Sherman, Smith of Okanogan, and Winchell.

The emergency clause passed by the following vote: Yeas 71, nays none, absent 7.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Shadle, Shelton, Smith of Douglas,

Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Meany, Neergaard, Roscoe, Scott, Sherman, Wheeler, and Winchell.

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

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 187, entitled "An act in relation to documentary evidence," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as follows:

First amendment: Strike out the words "or proved," where the same occur in line 2 of section 1 thereof.

Second amendment: Insert the word "voluntarily" immediately before the word "executed," where the same occurs in line 8 of section 2 of said bill.

Third amendment: Insert the word "voluntarily" before the word "executed" in line 15 of section 2 of said bill.

Fourth amendment: Strike out all of section 6 in said bill.

And that as so amended the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report of the committee was adopted.

On motion of Mr. Morrison, the rules were suspended and House bill No. 187, "An act in relation to documentary evidence," was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 68, nays 2, absent 8.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Denn, Edmonds, Edwards, Farrish, Foster, Gilman, Green, Greenberg, Heliker, Hoole, Hurd, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Scott, Shadle, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Durant and Egbert.



Absent: Messrs. Crockett, Hamill, Judson, Kline, Meany, Neergaard, Roscoe, and Sherman.

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

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of the following have been carefully compared with the original copy thereof, and found correctly enrolled:

House concurrent resolution No. 5, Relating to the election of United States senators by the popular vote.

House memorial No. 2, Relating to protection from infectious diseases.

House memorial No. 3, A petition to the congress of the United States asking for an appropriation for the improvement of the Ozette river and the harbor at the mouth of the Quillayute river.

Respectfully submitted.

J. B. McMILLAN, Chairman.

The speaker signed House concurrent resolution No. 5, House memorial No. 2 and House memorial No. 3 in open session of the House.

#### REPORT OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

MR. SPEAKER:

Your Committee on Appropriations and Claims, to which was referred Senate bill No. 32, entitled "An act for the relief of S. F. Albert, ex-sheriff of Wahkiakum county," respectfully reports the bill back to the House with the recommendation that it do pass.

G. W. TEMPLE, Chairman.

On motion of Mr. Brock, the rules were suspended, and Senate bill No. 32, An act for the relief of S. F. Albert, ex-sheriff of Wahkiakum county, was read third time, and placed on final passage.

The bill passed by the following vote: Yeas 70, nays 4, absent 4.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Scott, Shadle, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Temple, Tucker, Tull, Turpin, Washburn,

Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Greenberg, Ludden, Sallee, and Speck.

Absent: Messrs. Meany, Neergaard, Roscoe, and Sherman.

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

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred Senate bill No. 78, entitled "An act to define and fix the penalty where the defendant may be found guilty in all criminal actions tried by the superior courts of this state, and repealing all acts and parts of acts in conflict with this act," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

Senate bill No. 78 was read second time.

On motion of Mr. Mead, the rules were suspended, and Senate bill No. 78, by Senator Forrest, An act to define and fix the penalty where the defendant may be found guilty in all criminal actions tried by the superior courts of this state, and repealing all acts and parts of acts in conflict with this act, was read third time, and placed on final passage.

The bill passed by the following vote: Yeas 65, nays 8, absent and not voting 5.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Heliker, Hoole, Hurd, Karr, Keller, Kline, Leo, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McMillan, McMurphy, McNew, Nash, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Scott, Shadle, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Tucker, Tull, Washburn, Webb, Weed, Westfall, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Hamill, Judson, Kelly, McKenzie, Nelson, Shelton, Temple, and Turpin.

Absent: Messrs. Meany, Neergaard, Roscoe, Sherman, and Wheeler.

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

On motion of Mr. Hoole, the House adjourned at 4:45 P. M.

J. W. ARRASMITH, *Speaker.*

T. G. NICKLIN, *Chief Clerk.*

## THIRTY-SECOND DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Thursday, February 9, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.

The roll was called; all the members were present except Messrs. Gilman and Kelly.

Mr. Wheeler moved that the reading of the journal be dispensed with, and that the same stand approved.

Division was called for and the house refused to adopt the motion by the following vote: Yeas 23, nays 24.

Yesterday's journal was then read and approved as read.

### SPECIAL ORDER.

The hour for consideration of the contest case of Gaskell vs. Edwards, special order for 10 A. M. to-day, having arrived, the House took up the matter for consideration.

### REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

#### MAJORITY REPORT.

*To the Honorable, the House of Representatives, in the matter of the contested election between W. W. Gaskell and J. O. Edwards:*

We, the undersigned members of your Committee on Privileges and Elections, respectfully submit the following report:

That, pursuant to proceedings theretofore regularly had in the above entitled cause, the parties thereto, with their respective counsel, appeared before your committee on the 2d day of February, 1893, to proceed with the trial of the cause.

The committee being called to order by its chairman, contestant, with consent of contestee, filed a supplemental petition, and contestee thereupon filed his amended answer, and, the issue being joined, contestee made a motion for dismissal, on the ground that the petition did not state a cause of action against the contestee, which motion was opposed by contestant. Motion noted for future action by the House, and the committee then proceeded to take the evidence.

Mr. Hollis, ex-auditor, and Mr. Kettner, present auditor of Pierce county, were each sworn and testified on behalf of the contestant.

The testimony of said witnesses was for the purpose, of showing how the ballots cast in the representative district, the result of the election wherein is here in controversy, were kept and cared for from the time they were cast until offered in evidence in this case and with a view to establish their admissibility and competency as evidence. Said members of your committee further report that, upon the conclusion of the testimony for said witnesses, counsel for contestant stated that he had no further evidence to offer as to the competency and admissibility of such ballots as evidence in the cause.

And further report that said testimony shows that after the general election of November 8, 1892, the ballots from some of the precincts from said district, cast at said election, were delivered to the auditor by alleged clerks of election, who are persons unauthorized by law to have the custody of ballots for any purpose.

That there is no evidence whatever as to how any of said ballots were kept or cared for from the time they were cast until delivered to the auditor; that the ballots from several precincts were not strung or enclosed in sealed envelopes as required by law.

That for about two weeks, between November 9, 1892, and November 28, 1892, said ballots were stored in the auditor's record vault, which vault was always open during business hours and accessible to any person desiring to enter the same; that from about November 28, 1892, to February 2, 1893, said ballots being placed in wooden boxes and placed under a desk in the public reception room of the auditor's office, where they were easily accessible to every person desiring to handle said ballots or tamper with the same; that from January 9, 1893, when he assumed his office, until February 2, 1893, Mr. Kittner, the present auditor of the county, did not know where said ballots were, and was not aware that they were packed in said ballot boxes and stored in said public room in said office; that said auditor's office is in charge of a janitor, who has a key to the same and free access to the same from 5 o'clock P. M., the hour of closing business, to 8 o'clock A. M., the hour of opening said office for business; that one of the auditor's deputies also has a key to said office, and that it is unknown how many others have keys to said office.

That the keys to said ballot boxes, in which said ballots were placed, have at all times since January 9, 1893, been in an open drawer in a desk in said auditor's office and accessible to any employé, the janitor, or most any person desiring to use the same.

That the door key to said auditor's office is a common Yale key, easily

duplicated; that, when offered in evidence, many of the packages and envelopes containing the ballots were open, torn, mutilated, unsealed and in bad condition; and that, in their opinion, the careless, improper and negligent manner in which said ballots were at all times kept and cared for and exposed to wrongful meddling and tampering, renders it impossible to now determine with reasonable certainty whether the ballots here offered in evidence are the identical ballots cast at said election, or, if they be the identical ballots cast, whether all and each of said ballots now indicate on their face, as they did when voted, for whom they were cast, as between the contestant and contestee, and are, therefore, of the opinion that said ballots are wholly inadmissible, incompetent and worthless as evidence in this case; and it appearing to said members of your committee that upon the issues in said case, made by the pleadings therein, the contestant cannot establish his alleged right to a seat as a member of the House without said ballots being admitted in evidence and recounted, we therefore respectfully recommend that further proceedings in this case be discontinued and that the case be dismissed.

JOHN LEO,  
WM. PAYNE,  
C. J. MOORE,  
P. B. EGBERT,

Members of Committee.

#### MINORITY REPORT.

Comes now, a minority of your Committee on Privileges and Elections, and submit the following report:

The contestant in this case, W. W. Gaskell, has filed, and your committee has in its possession, a sworn petition, alleging amongst other things—

1. That at the general election on November 8, 1892, in the Thirty-third representative district of the State of Washington, he, the said Gaskell, actually received a plurality of all the ballots cast, and that he received more votes than Mr. Edwards; that as a matter of fact there was no tie in that district as shown by the calculations of the canvassing board, and that having received a plurality of all the votes cast, he, Gaskell, claims to be elected.

2. He also alleges in his petition that Edwards is not a citizen of the United States, and is not qualified to act in the legislature.

3. The further allegation is made that many persons voted for Edwards who were not legal voters, and that if the whole number of these illegal votes cast for Edwards was subtracted from the number claimed for him, that then Gaskell would be elected and entitled to his seat.

4. It is also alleged that the election officers failed to attach the oaths and certificates to the returns from certain precincts, and that these informalities invalidate certain returns from precincts giving Edwards a majority, and if these precincts were thrown out Gaskell would be also elected.

5. There are other allegations of mistake and illegal voting, as well as

improper counting of the votes, by which the votes for Edwards were increased so as to equal those cast for Gaskell, but the above allegations comprise essentially the case set out by Gaskell's pleadings.

On behalf of Mr. Edwards an answer has been filed denying the allegations of the petition of Gaskell, and setting up that at the election of November 8, 1892, a tie existed between them, and that by reason thereof a special election was called, and on January 7, 1893, Edwards was elected without opposition, being the only candidate at that election, and being the nominee on both the democratic and populist tickets.

This committee, before the case was called for trial, adopted rules of procedure, which are hereto attached and made part hereof, and which bound this committee to the usual rules in courts in trial causes. The committee further determined that it was not the court to render a decision, but was acting rather in the nature of a referee to take testimony and report the same to this House with its recommendations.

The cause came on regularly for trial on February 2, 1893, both parties having full notice and having been previously served with copies of all proceedings. Both parties appeared in person and by attorney. The trial began by the introduction by the contestant of the ex-auditor of Pierce county, who testified positively as to the receipt by him of the ballots after the elections, from each of the election precincts in the Thirty-third representative district, except from Mountain precinct, where no election was held. He testified that the returns were in every case made by one of the election officers; that the returns were kept in the vault in his office until after they were canvassed, and that then they were placed in large, strong wooden boxes, and securely locked up and put under the long desk in the main room of the auditor's office, where five clerks, including his chief deputy, work each day, and also in which room the public make examinations of the records. His statements are all positive and clear as to the careful preservation of these ballots and returns under lock in his office up to the moment when he went out of office on January 9, 1893.

He also testified that some one or more (the number nor precincts being not very definitely stated) of the bundles of ballots were unsealed when delivered to him by the election officers, but he clearly and positively testifies that no mutilation or change was made in any of the ballots after delivery to him.

The present auditor, who went into office on January 9, 1893, was also then introduced as a witness, and he testified that no change had been made in these ballots or returns since his term began. He testified that he had brought the returns to Olympia, that he opened these boxes for the first time on the morning of February 2, 1893, after being served with subpoena to attend before this committee, and that he found it necessary in determining what ballots came from some of these precincts to open some of the outside wrappers, but that he did not examine the ballots and that no changes were made in any of them in any way. It is clearly shown by the testimony of these two men, and is not disputed by any one, that your committee now has before it the original ballots cast at the gen-

eral election in the Thirty-third representative district of Washington, and that no changes or mutilations have in any way been made in them.

When the contestant had so far proceeded with his case as to offer these ballots in evidence, the contestee made every effort to prevent them from being received and counted, and at this point in the case a motion was made by a member of this committee to report the testimony taken to that time to the House, and stop further proceedings until the House should order it continued. This motion was carried over the protest of the contestant, and over his demand to be allowed to go on with his case and to introduce other evidence to show the truth of allegations made by him. The committee adjourned and stopped the further trial, however, and this minority think this action was wrong and that the investigation should have proceeded to a finish.

1. The committee should have proceeded under the rules adopted by it, accepted the testimony offered subject to objections by the other side, and then reported the facts, testimony and its conclusions to this House.

2. The committee's action was illegal in quitting the examination and trial in the middle of contestant's case before his evidence was in and his case closed, because the said action was in violation of its own rules adopted for its guidance, and in violation of all principle, rule and legal procedure. It quitted the case with the grave charge hanging over the contestant Edwards that he is not a citizen of the United States; that there was not a tie, and that Gaskell had received a plurality of the votes cast at the general election, and that he was thereby elected. Even if it should be held by this House that the ballots ought not to be counted, still the other allegations of the complaint stand unanswered, and the committee's action in adjourning before proof on the other allegations is unprecedented. It is as if a referee should find himself carried away by fear that a friend in a case before him was losing and should adjourn the hearing in the middle of the case and decline to go further.

We say to this House that the ballots and election returns now in charge of this committee, we believe from the evidence furnished, are the identical ballots and election returns from the precincts comprising the Thirty-third representative district, and that they are competent evidence and should be counted. There is no allegation on the part of the contestee that they are not the ballots and returns from this district, his pleadings do not make that allegation, and as a matter of law it must be admitted that they are. They are public records, come from the proper officer's custody, who testifies as to their care and preservation, and the presumptions are also, therefore, in their favor. And that the presumption of law is that public officers do their duty under the law until the contrary is affirmatively shown by competent evidence.

In conclusion, this minority of your committee respectfully recommend:

1. That the whole matter be referred back to this Committee on Privileges and Elections, with instructions to proceed with the hearing and to take all testimony, subject to objections reserved to it; and

2. That the said ballots be counted by the committee, and that a full

report of all the committee's action, together with all the testimony and the committee's conclusions, be reported to this House at as early a day as is practicable with the labor to be performed.

N. W. BUSH, Chairman,

J. S. SALLEE,

Minority of Committee.

I concur in the minority report, except that according to the evidence before the committee the ballots offered in evidence were not properly and carefully kept, neither by the former auditor, Mr. Hollis, nor the present auditor, Mr. Ketner. I desire the House to decide on their admissibility before proceeding further in the case. O. B. NELSON.

#### RULES OF CONDUCT.

On the call of the chairman of the House Committee on Elections and Privileges, the committee met in the state library rooms on the above date and were called to order by the chairman.

Present: Members of the Committee on Privileges and Elections, House of Representatives; N. W. Bush, chairman.

Whereupon the following rules for the government of the conduct and business of the committee were presented by Mr. Leo, a member of the committee, and by the committee adopted:

1. The rules of the common law in relation to the competency of evidence are adopted as the rules to govern this committee in that respect.

2. All evidence taken in any contested case which comes before the committee, before the session began, wherein the rules governing contested cases in the courts have been substantially followed, will be received by this committee when not otherwise objectionable, but the committee reserve the right to pass upon the competency of any evidence objected to.

3. All dilatory motions shall be made by the parties on the first calling of each case, or notice thereof given in writing. Copies of pleadings, motions and notices must be served on the adverse party. The committee will extend the time to make dilatory motions only in furtherance of substantial justice. Parties shall have three days to answer pleadings, after service thereof, excepting motions or notices and notices of the service thereof, except motions and notices of an interlocutory nature interposed during the trial of cases.

4. The rules of the superior court of the state as to the introduction of evidence and agreement by counsel are hereby adopted as the rules of this committee in those respects.

5. Each party to any contest or proceeding before this committee may be represented by counsel. As each case arises the time allotted to counsel or parties for agreement may be fixed by the committee.

6. The committee will convene upon call of the chairman, or in his absence by the concurrence of the other members of the committee.

7. Evidence taken before any justice of the peace, notary public or court commissioner, upon due and sufficient notice to the adverse party, shall be considered in any cause as admitted in evidence; the committee,



however, reserves the right to pass on the weight to be given the testimony of each witness at the time its report is made to the House of Representatives.

8. All matters not herein provided for and arising during the progress of any case or proceeding shall be determined by the committee.

Adopted January 23, 1893.

N. W. BUSH, Chairman.

#### EVIDENCE.

Committee: Messrs. Bush of Chehalis, Chairman, and Nelson, Leo, Sallee, Payne, Moore and Egbert.

FEBRUARY 2d, 4 P. M.

Board convened; Mr. Bush in the chair.

Present: Messrs. Bush, chairman, and Nelson, Leo, Sallee, Moore and Egbert.

Absent: Mr. Payne.

Appearances: W. W. Gaskell appeared in person, and by his attorney, James Wickersham; J. O. Edwards appeared in person, and by his attorney, Govnor Teats.

The contestee having received permission to do so, filed an amended answer, to the answer theretofore filed by him in the matter of this contest.

Mr. Wickersham, on behalf of the contestant, moved to amend the contestant's petition herein by inserting as a separate paragraph the following: That the said J. O. Edwards is not now and was not at the time of the general election of November 8th, 1892, a citizen of the United States, and was not eligible by reason thereof to be elected as a representative of the State of Washington from said district.

And further moves to amend the same by inserting a new paragraph as follows: That the contestant received a plurality of all votes cast at the said election on November 8th, 1892, and was thereby elected.

Which foregoing amendments were allowed to be made.

A motion to dismiss was then made by attorney for contestee, and, after argument, the same overruled, on motion of Mr. Leo.

W. H. HOLLIS, sworn on behalf of contestant, testified as follows:

By Mr. TEATS: Motion to dismiss on the grounds that the contestant has not complied with the proceedings made and provided by the legislature to contest the seat of the member in the House.

Motion overruled, on motion by Mr. Leo.

By Mr. WICKERSHAM: Q. What is your name? A. W. H. Hollis.

Q. Where do you reside? A. I reside in Tacoma, Washington.

By Mr. TEATS: I object to the introduction of any testimony for the reason, first, that complaint does not state cause wherein a defendant can be ousted and plaintiff seated, and that from the fact set forth in the complaint the defendant is entitled to his seat and the plaintiff has no cause of complaint, and that a special election of a member of the House has a right to contest a tie vote, and a seat of a member who has obtained the same by virtue of his special election in which the contestant did not participate. The said contestant has not complied with the procedure laid down by the legislature for the contesting of a member's seat.

Q. What is your occupation? It is admitted by the attorney for the contestant that Mr. Hollis was the qualified and acting auditor of Pierce county, Washington, for the two years next preceding January 9, 1893.

Q. As such auditor, did you receive any election returns for the general election of November 8, 1892, from the Thirty-third representative district? A. I did.

Q. What did you do with them? A. I filed them, stored them away in the vault until the meeting of the canvassing board.

Q. Were the election returns received from each precinct in the district? A. Yes, with the exception of one precinct, and there was no election in it.

Q. Were the ballots received from each precinct also? A. Yes sir; what purported to be ballots were received; they were in sealed packages which were not broken.

Q. You may state who had the custody of these ballots and election returns from the time of the receipt to the time you went out of office. A. They were in my custody.

Q. You may state whether or not any changes or alterations were made in any of the ballots during the time they were in your possession. A. There was none.

Q. Were any changes or alterations made in any of the election returns while in your possession? A. There was not.

Q. Would you be able to recognize packages containing these ballots and election returns from these different precincts? A. Yes sir, I think I would.

Q. You may now examine the packages before the committee and state whether or not they are the identical packages containing the ballots and election returns from the different precincts in the Thirty-third representative district of the State of Washington. A. (Packages examined.) I recognize them as being the packages.

Q. Mr. Hollis, some of these packages appear not to have been sealed up. You may state what condition they were in when received by you from the different precinct's election officers. (Objection by contestee for the reason that he has already said they came to him sealed.) A. I should have stated in connection, that ballots from some of the precincts in different parts of the county came to me without being strung or sealed in packages as required by law.

Q. Are they not in the same condition now as when received by you? A. Yes, sir; I think they are.

Q. Were or were not any changes made in any of them while in your possession? A. There were not to my knowledge.

#### CROSS EXAMINATION

By Mr. TEATS: Q. Do you mean in the returns or in the ballots when you say no changes were made? A. No changes were made in either ballots or returns to my knowledge.

Q. What did you do with the ballots that came to you unstrung and unsealed? A. Those that came unstrung and unsealed came in the ballot boxes; that is my recollection now.

Q. From what precincts? A. I could not say from what precincts; I could not speak from memory.

Q. What did you do with them? A. I kept them in the ballot boxes in which they came until the meeting of the canvassing board.

Q. What did you do with the ballots then? A. After the board adjourned, and by the instructions of the board, I placed them with the other ballots in boxes and locked them up.

Q. Did you do any of them up? A. No, sir.

Q. I see that, Mr. Hollis, that all these packages of ballots are either done up or show signs of having been done up; do you know who did it? A. I do not; they are just as they came to me. I might state further that with the exception of cracks in sealing wax which would result from handling.

Q. You did not handle them, did you? A. I did when they were delivered to me, and when before the canvassing board and when packing them away.

Q. Some of them might have been broken since you left the office and gave them over to your successors, could they not? A. It could have been done.

Q. You won't swear positively, Mr. Hollis, that the unbroken packages that you have just examined were broken at the time you received them from the different precincts. A. I'll swear I did not seal any of them up after they came to me.

Q. Were all the packages that are now broken, which you have just examined, broken when you received them from the different precincts? A. I never broke any of them; none were broken by me.

Q. That is not an answer, Mr. Hollis; can you not answer that more directly? A. Well, I could not remember positively just whether they were broken as they are now when they came in or not; it is a very hard matter when thirty or forty coming together to remember and say whether they are or not.

Q. Mr. Hollis, is it not a fact that one of your deputies received and marked all of these returns and ballots, and you practically had nothing to do with it? A. No, sir; he received some of them and I received some of them; and they were all put in a package together.

Q. What is the name of your deputy who received some of them? A. A. A. Swope.

Q. Those you received you put the filing mark on, and those he received he put his filing mark on? A. Yes, sir; it is all the same mark.

Q. When you received those broken packages you noticed at the time their condition did you not, and noted the same upon the package? A. I noticed, but did not note it on the package.

Q. Did Mr. Swope note it on the package? A. No, sir; not to my knowledge.

Q. Then how could you tell whether these packages were broken or unbroken when you received them, you making no memoranda? A. Well, the packages were not meddled with in any way, the seals were not broken; no broken seals were mended. I received them just as they came to me.

Q. Well, say for instance, Mr. Hollis, the returns from Carbonado, came with seals broken partly, could you swear to the fact or not? A. No, sir; I could not.

Q. Then what do you mean when you stated in your evidence before that you refreshed your memory or were guided by the memoranda on the package? A. I simply meant this, that as some of the precincts came to me entirely unsealed, in this Carbonado precinct I cannot remember whether they came to me sealed properly or improperly, or whether they were sealed at all or not.

Q. Could you say anything as to Wilkeson or any other precinct in that district? A. I think Wilkeson was sealed; South Prairie was; I do not know whether Buckley was or not; I think not?

Q. Could you say as to Orting? A. No, sir; I could not.

Q. Do you mean by saying sealed that they were placed in the envelope and sealed with wax? A. Yes, sir; that's what I mean; they were either in the envelope or rolled in a paper, and that paper sealed with wax or the knot of the string with which it was tied.

Q. I will show you a bunch of ballots entitled Wilkeson ballots (package shown); there is no string sealed or seal on that, Mr. Hollis. A. No, sir; there don't appear to be.

Q. Can you say whether they were received at your office sealed or unsealed? A. I can say they were in the same condition when I turned them over to my successor as when they were received by me.

Who tied that package up, do you know, Mr. Hollis? A. No, sir; I do not.

Whose note is that upon the package, do you know, Mr. Hollis? This is the Wilkeson ballot. No, sir; I do not.

Q. You can't say, Mr. Hollis, whether or not that Wilkeson package of ballots is at this time in the same condition as when you turned it over to your successor? A. No, sir; I recognized it as the same package by the file mark.

Q. But you cannot say whether it has been undone or not? A. No, sir; I can not.

Q. You were one of the canvassing board were you not? A. I was.

Q. And they canvassed the returns from the Thirty-third representative district? A. Yes, sir.

Q. And declared the result? A. Yes, sir.

Q. Please state the result in reference to the vote. A. My recollection is that Gaskell received 714 votes, and Mr. Edwards 714 votes.

Q. You stated, as I believe, that after the canvass of the returns by the canvassing board you placed all of the ballots in a box; do you mean of the whole county? A. Yes, sir; they were placed in one box or may be two boxes.

Q. After placing them there, have you seen them since? A. No, sir; not until to-night.

Q. Can you tell the condition of the package received by you from Derringer, whether it was broken or not? A. No, sir; I could not.

Q. Nor from Lake Tappa? A. I think from Lake Tappa it did not come in in very good condition.

Q. Do you know whether it was mailed to you or delivered? A. I think it was brought to me by Mr. Crawford. I think his initials are A. L. Crawford.

Q. Was it delivered to you personally? A. I do not remember.

Q. What was the matter of the package? A. I could not say the precise condition it was in; very likely the seal was broken.

Q. Was it such condition that the ballots could be taken out? A. I do not know.

RE-DIRECT EXAMINATION.

Q. Were the packages in the same condition or not, when they were delivered to your successor, as they were when received by you? A. Well, they were. All packages received, all ballots were received in packages and put in boxes in exactly the same condition as received, with the exception of what would result from the necessary handling of them, and with the further exception of those that came in the ballot boxes.

Q. Were any changes whatever made in either the ballots or election returns after their receipt by you? A. None whatever to my knowledge.

Q. Mr. Hollis, on the back of these packages I find the words "Filed Nov. 9th, 1892, W. H. Hollis, County Auditor," what do these words mean? A. They denote the time that they were received at the office.

Q. Was that file mark put on each package received by you? A. Yes, sir; except when received in boxes, and then in that case on the box.

Q. Were similar file marks placed upon all election returns? A. Yes, sir.

By Mr. LEO: Q. You have stated, Mr. Hollis, that some of the ballots were received by you in boxes, were any of the ballots from any of the precincts of the 33d representative district sent to you in boxes? A. Well, I don't remember positively. It seems to me the return from Buckley came in a box, but not loose. My recollection is they were tied with a string.

Q. Now, from what number of precincts were the ballots sent to you by mail, I speak now of the Thirty-third district? A. I don't think any came by mail; the whole county over they brought in by some member of the election board.

Q. Can you state of your own knowledge whether ballots were brought in in every instance either by the inspector or one of the judges of election in the precincts from which they come? A. I don't remember of an instance where they were not brought in by some member of the election board, either an inspector, judge or clerk.

Q. Can you tell in how many instances they were brought in by a clerk? A. No, sir.

Q. Do you remember positively that they were brought in in one or more precincts of the Thirty-third district by a clerk of election? A. No, sir, I do not.

Q. Did you, when you received the ballots from any given precinct, make any note or memorandum on the box, package or envelope by whom delivered? A. No, sir.

Q. All you know about that at the present time is what you know of

your personal recollection? A. No, sir; I can state we kept the names of all those to whom we paid the per diem and mileage on file with the commission, and they are now a part of the commissioner's record.

Q. Now, Mr. Hollis, aside from the inference to be drawn from the condition and appearance of each box, package or envelope containing the ballots in question, have you any personal knowledge as to what security those ballots were surrounded with from the time they were counted by the inspector and judges of election in the various precincts until they were delivered to you, with a view to their safe preservation and to prevent any tampering therewith? A. No, I have no knowledge except from the credibility of the persons delivering them.

Q. You do not know as a matter of fact whether the ballots that were delivered to you, as you have heretofore described, were in any instance the identical ballots voted in the various precincts of this Thirty-third district? A. No.

Q. Now, you have spoken, Mr. Hollis, of placing those packages, envelopes and boxes containing what purported to be the ballots voted at the different election precincts of the Thirty-third district in a vault, after they were received by you, to what vault do you refer? A. To the vault where the records are kept in the county auditor's office.

Q. Is that vault kept open during the business hours, and accessible to any one desiring to enter it? A. Yes, sir.

Q. Was it so open and accessible during the business hours of each business day from the time you deposited the ballots therein until the expiration of your term of office, January 9, 1893? A. Well, the boxes in which the ballots were put after the ballots were counted by the canvassing board could not be put in the vault because they were too bulky.

Q. The ballots, then, were in this vault between the time you received them and the count of the canvassing board? A. Yes, sir; during that time.

Q. How long a time was that? A. I can't tell you the exact date; the board adjourned on the 28th of November, I think; I could not be positive as to that.

Q. About two weeks? A. Yes, about two weeks.

Q. Where were the boxes, in which the ballots were placed, after the canvass, stored? A. They were stored in the main room in the county auditor's office, under one of the desks.

Q. By the main room you mean the room that is open to the general public? A. Yes, sir.

Q. How were those boxes fastened? A. They were locked with a padlock.

Q. What kind of boxes are they; of what material are they made? A. Made out of wood.

Q. Now, are you able to state what proportion of those ballots were received by you personally, and what proportion by your deputy, Mr. Swope? A. No, I could not. They were placed at the door leading into my office, where I could have supervision of them.

Q. As far as your knowledge extends in the matter, the ballots in ques-

tion were delivered by you to your successor in office in the same condition in all respects as when you received them? A. Yes, sir.

By CHAIRMAN BUSH: Q. At the time that the canvassing board canvassed the returns and votes, were any of these packages of ballots in question opened and counted by them. A. No, sir; not any of them.

Q. The canvassing board simply made their canvass from the returns of the various precinct officers, did they not? A. Yes, sir.

By Mr. EGBERT: Q. Mr. Hollis, do you know how many official ballots were sent to the Thirty-third representative district? A. I do not remember the exact number; the law requires six ballots for each registered voter. The law was complied with.

Q. Are ballots not used returned to your office? A. No, sir; I think there were one or two precincts returned unused ballots; I do not know that there were.

Q. There, then, are at least one thousand official ballots not returned to you? A. The law don't require that they should be returned.

Q. Were these ballots left so that any person could get them after the election was over? A. I do not know whether they were or not.

#### RE-CROSS EXAMINATION.

By Mr. TEATS: Q. Did you say, Mr. Hollis, that the votes from Buckley were received by you loose in the ballot box. A. No, sir; I did not.

Q. From any other precinct in that district? A. My recollection now is that the ballots from Buckley come in a box tied with a string. (Witness shown ballots.)

Q. As county auditor, after the canvassing board had declared the election between the contestant and contestee a tie, did you notify the governor of the fact? (Objected to as immaterial and because there is no law requiring such notice to be given.) A. I did at the suggestion of Mr. Teats, and after consulting with the prosecuting attorney.

Q. Did you receive from the governor a writ of election for a special election for the election of a representative from the 33d district, and at about what time did you receive it? A. About eleven days before the election was called. It was called on the 7th of January, 1893, and I received the writ about the 28th day of December.

It is hereby admitted by the parties herein that, by virtue of the writ of election issued by the governor as stated in the evidence above, a special election was held on the 7th day of January, 1893, in the 33d representative district, in pursuance of the writ of election issued by the governor.

Q. For what office was that special election called? A. For the office of representative.

Q. For that district? A. Yes, the 33d.

Q. How many candidates were there, and upon what ticket voted for in that election? A. Only one ticket nominated—two certificates were filed, but there was but one name printed on the ticket.

Q. By what parties and who was the candidate? A. By the people's party and the democratic party; Mr. Edwards was the candidate.

Q. The contestee? A. Yes, sir.

Q. You were not auditor when the returns of that election were made?  
A. No, sir.

(Signed) W. H. HOLLIS.

The committee here adjourned until to-morrow at 2 o'clock P. M.

The committee met this day, February 3d, 1893, at 2 P. M., pursuant to adjournment of yesterday, at the committee rooms at the court house for the trial of the contest between W. W. Gaskell and J. O. Edwards for a seat in the House of Representatives.

Present: Chairman Bush, Messrs. Nelson, Leo, Sallee, Payne, Moore, and Egbert.

It is agreed, by and between counsel for the contestant and contestee, that R. A. Ketner is the duly elected, qualified and acting county auditor of Pierce county, Washington, and that he assumed and took charge of his office January 9th, 1893.

R. A. KETNER, being first duly sworn, testified as follows:

Q. What is your name? A. Richard A. Ketner.

Q. Have you examined the packages produced before the committee last night, and examined by Mr. Hollis? A. I have not, any more than to take them out of the boxes in which they have been placed by Mr. Hollis, and placing the packages in the trunk. I simply took them out of the boxes and placed them in this trunk for the purpose of bringing them on here.

Q. Are these the same packages that you took out of the boxes? A. They are the same, to the best of my knowledge and belief. I know of no way that they could have been taken out of the trunk without my knowledge.

Q. When did you take them out of the boxes and put them in the trunk? A. On the morning of February 2d, between the hours of 9 and 10 o'clock.

Q. Had you been previously served with a subpoena to produce them? A. Yes; I was subpoenaed at 9 o'clock in the morning, and immediately started to get them here.

Q. Where were these boxes containing these returns kept? A. In the main room of the auditor's office, what might commonly be known as the reception or public room of the office?

Q. How many clerks, if any, work in that room? A. In the employ of the auditor four, and my principal deputy.

Q. Were these boxes locked? A. They were.

Q. Had they been opened since you went into office until you opened them yesterday morning? A. I think not, for the reason that the bunch of keys fitting the padlocks of these boxes was kept in my private desk.

Q. Are these packages in the same condition now as when you took them out of those boxes? A. No.

Q. What change has been made? A. I found when I started to get the returns together, that instead of being all in one box they were distributed among some six or eight boxes and mixed up with the other returns from the other precincts of the county.



Q. What I mean, Mr. Ketner, is, has there been any mutilation or changes made in or on any of these papers since you took them out of the boxes? A. If you mean the ballots, no; if you mean the envelopes or packages, yes.

Q. What changes have taken place in any of the envelopes? A. My subpoena required that I produce the ballots cast at the November, 1892, election for representative of the Thirty-third district. I found several packages that had no distinguishing mark upon them whereby I could tell in which precinct they had been cast, finding a large number of packages that were broken open, in order to find out the package containing the Nesqually and Morse precinct I opened the end of the envelope or package.

Q. Did you or did you not make any other or further change in these packages? A. None whatever.

Q. How old are you, Mr. Ketner? A. Forty-three on the 26th of January last.

Q. What are your politics? A. I am a democrat.

Q. Have any changes been made in the packages containing the election returns? I mean now not the ballots, but the other packages. A. I don't understand the question. If you mean did I open any of them I would have to qualify by saying yes, as I had to open some of them as stated in looking up the packages wanted; as there was nothing on the outside of some of the envelopes or packages to indicate what precinct the package was from. And rather than bring all the ballots of the entire county, I wanted to make an explanation to the committee to justify the act of opening them.

Q. When you say of opening them, do you simply mean the outside wrappers? A. Yes, in order that I might see the name of the precinct stamped upon the ballots.

Q. With the exceptions you have mentioned, were there any other changes made by you? A. No, sir.

#### CROSS EXAMINATION.

Mr. TEATS: Q. Did you ever see any of the packages containing the election returns of last election in Pierce county before you opened the box as you have stated? A. No, sir.

Q. You were not present during the time the canvassing board was canvassing returns after the November election. A. I was not.

Q. You stated that the packages in the several boxes were not in the same condition as now, and will you now state the real condition the packages were in at the time you opened the boxes? A. My former answer was to the entire question; further on in the examination I stated the envelopes in the Nesqually and Morse precincts had been opened. Otherwise the packages were in the same condition that they were when I opened the boxes.

Q. They were open when you found them—I mean the packages from Nesqually and Morse precincts. A. No, sir, they were not; I have stated that I opened the packages of those two precincts to find out whether they were of precincts in the Thirty-third representative district.

Q. Otherwise the packages that you have here were in the same condition when you found them in the boxes as they are now. A. Yes.

Q. What packages of ballots or returns were not marked so as to distinguish the precincts—I mean what precincts? A. I can't answer that question. I have no list of them. There were several of them.

Q. Did you mark them after you ascertained the precincts to which they belonged? A. I did the two before mentioned. I did not the others that had not been opened.

Q. Were all the other packages from the Thirty-third district marked, except the Nesqually and Morse precincts? A. I think they were. In Wilkeson, if I remember correctly, it was marked Wilkeson precinct. In the Buckley returns, I think they were done up without a wrapper. I think the stamp on them indicated they were from Buckley. I rushed through to get them over here by the ten o'clock train, or I could have taken more notice. The ballots were all mixed up together and I had to open every box in the office in order to find them all.

Q. Did you find any of the ballots outside of the packages? A. Not of this district.

Counsel for contestant agrees that counsel for contestee may at this time examine Mr. Ketner as his own witness.

#### DIRECT EXAMINATION.

Mr. TEATS: Q. Were you one of the canvassing board who canvassed the returns of the special election held in the Thirty-third district to which Mr. Hollis has testified? A. Personally I was not; my principal deputy acted for me.

Q. Can you testify as to the result of that election? A. Mr. Edwards was declared duly elected; I issued him a certificate of election.

Mr. LEO: Q. Can you state about how many people daily visit the office of the auditor of Pierce county in the reception room? A. In the neighborhood of a hundred, probably.

Q. Were any of the employes of the office especially directed or instructed by you to watch or guard the boxes in that reception room containing the packages and ballots in question? A. No, sir; as a matter of fact I never knew that these boxes contained election returns or ballots until I was subpoenaed and made inquiries as to where they were kept; never having given a receipt for them nor having my attention called to them.

Q. You of course know nothing at all about how the ballots in question were kept or cared for from the time they were cast until the auditor's office was turned over to you by your predecessor, Mr. Hollis. A. I do not.

#### CROSS EXAMINATION.

Mr. WICKERSHAM: Q. In this room, this large room where these boxes were stored, how many of your employes work daily? A. Five, including my principal deputy.

Q. What business is transacted in that room? A. The filing of bills, instruments for record, bookkeeping, the making of certified copies of in-

struments, indexing, and the examination by the public of the records, and so on.

Q. Is it not a fact that all the records of your office are spread out in that room for examination by the public, when required, out of the vault?

A. Yes, sir.

Q. What receipt of any kind did you give to Mr. Hollis when you took charge of the office? A. I have not given Mr. Hollis, so far, a receipt for anything.

Q. Is it not true, Mr. Ketner, that all the records in your office have been reasonably and properly cared for since you took charge of them?

A. Yes, sir.

RE-DIRECT EXAMINATION.

Mr. TEATS: Q. There is usually quite a number of persons at work on the records, and in search, searching the records in and around those ballot boxes, are there not? A. Yes, sir.

Q. There are also a number of persons who make a business of taking the records for abstract purposes, and are there more or less of the time, are there not? A. Yes, sir.

Q. The acts of persons coming into the outside office are not always noticed, are they Mr. Ketner? A. I should say not particularly so, unless something of a suspicious nature should arouse it.

Q. About what were the sizes of those boxes from the smallest to the largest? A. There were two sizes, the smallest I should say about twelve inches square and two feet high, and the large ones about two feet square, probably thirty-six inches or three feet high, I never measured them.

Q. Were they of inch or half-inch boards? A. They were what is commonly known as an inch board.

Q. Nailed together? Yes, sir.

Q. What kind of hinges and top did they have on? A. Positively I could not say whether they are strap hinges or butts.

Q. Could you say whether the hinges were screwed on the top of the lid or not so that the screws could be taken off without taking off the lid?

A. I could not, no.

Q. Were the locked boxes so made that the boards could readily be taken off with the proper machine? A. I think they could, although I think the boxes are substantially made.

By Mr. BUSH: Q. Do you recollect how many precincts there are in the Thirty-third representative district? A. There are twenty.

Q. Are these the ballots you have here, that purport to be all the ballots from those precincts? A. Yes, sir.

By Mr. MOORE: Q. That trunk that you have the ballots in, was it out of your sight any time after you left the office until your arrival in this city? A. Yes, sir.

Q. At what time? A. From the time of my getting on the cars at Tacoma and getting off the cars at Olympia.

Q. In whose charge was this trunk during that time? A. In charge of the employees of the Northern Pacific Railroad Company.

Q. Was the trunk locked up while in their charge? A. No, sir.

By Mr. WICKERSHAM: Q. How was it fastened? A. Fastened with end clasps.

Q. Any other way? A. Tied with rope as you see it now. I want to say right here in explanation that I could find no key in the office and purchased rope with which to fasten it.

Q. Have you cared for the trunk since the arrival here? A. I have, by placing it in the vault of the sheriff's office in this court house, where it was locked up.

By Mr. EGBERT: Q. Would it not have been possible for some person to have had access to these ballots when you did not know what they were or what the boxes contained? A. Yes, sir; such a thing could be possible.

Q. Did you accompany the trunk from the depot here to the court house? A. I did not, I gave the check to the baggage man and told him to deliver it at the court house here and then put it in the sheriff's vault.

Q. Could it not have been possible that the contents of this trunk could have been changed from the time of its arrival until it was placed in the vault? A. Yes, sir; I think all things are possible but not very probable.

By Mr. LEO: Q. Who has charge of the auditor's office nights? A. The janitor has charge.

Q. Has the janitor a key to the auditor's office? A. He has.

Q. Do you know of any one else aside from the janitor, the auditor or somebody employed by the auditor who has a key to that office? A. I do not.

Q. How many of the employes have keys to the office? A. My principal deputy and possibly the clerk of the board of county commissioners. I don't know positively if he has, he is one of my deputies.

Q. You know positively of three who have keys to the auditor's office; yourself, your deputy and the janitor. A. Yes.

Q. And you don't know how many others may have keys to that office. A. No, I do not, I could not say, there may be a hundred, but there are no others to my knowledge.

Q. During what hours each day is the janitor in charge of the auditor's office? By day I mean each twenty-four hours. A. My office hours are from eight in the morning until five in the evening. He has a room in the court house and is there all the time.

Q. Has he, as janitor, charge of the auditor's office from five o'clock in the evening until eight o'clock in the morning? A. Yes, together with all other offices in the building in connection with his position as janitor.

Q. Is the private desk of yours in which the keys of the ballot boxes were kept always locked in your absence, or is it locked at all? A. It has not been locked at all for the reason that there was no key to the desk. When I took the office I found a bunch of keys, but did not know what they were for until yesterday, that those were the keys of the boxes.

Q. How is your private desk that you speak of located with reference to the main or reception room of the auditor's office? A. It's in a room off to one side of the reception room.

Mr. Ketner explained by drawing plan of the office to show the position of the desk spoken of. It is appended and marked Exhibit A.

Q. Now is the door between the main office or reception room and the room in which your private desk stands usually locked or locked at all? A. I simply answer that question by saying it is not locked at all. Occasionally some one comes to see me on private business and I'll turn the catch, but generally it is not locked at all.

Q. Is the key in the outside door of the auditor's office an ordinary door key, or are there any peculiarities about it that would render it difficult to duplicate? A. It is a Yale key, but of course can be duplicated by a man who understands making keys, or locksmith.

Q. What is the custom in your office upon the close of business each day with reference to using the reception room, or locking up in the record vault property of particular value? A. All of the books in the office are put in the vault at five o'clock and locked up.

Q. Would you consider this reception room a proper place to keep articles requiring preservation, with a view to prevent such articles being improperly tampered with? A. I would not.

By Mr. SALLEE: Q. If the same janitor who has charge of the auditor's room has not charge of the sheriff's and treasurer's rooms, and has he the same access to them that he has to the auditor's room? A. He has.

(Signed) R. A. KETNER,

County Auditor Pierce County, Washington.

Mr. Wickersham, attorney for contestant, now offers in evidence that package of ballots from the First precinct of Puyallup in the Thirty-third representative district. To the offer the attorney for contestee objects, on the ground first, that the said ballots were not properly preserved and cared for by the auditor of Pierce county so as to prevent tampering of the same, and now offers further proof upon that point by the testimony of Mr. Judson.

Counsel for contestant objects to the introduction of this testimony, as it is only proper in rebuttal when the defendant begins his case. Counsel argued in defense of his offer.

Attorney for contestee then made a second objection, that the evidence offered is immaterial, irrelevant and incompetent.

Counsel for contestant now offers in testimony the package of ballots from the second precinct of Puyallup, Sumner precinct, Reservation precinct, Morse precinct, Lake Tapps precinct, Alderton precinct, Brecken precinct, McMillan precinct, Rhodes Lake precinct, Buckley precinct, South Prairie precinct, Orting precinct, South Orting precinct, Carbonado precinct, Wilkeson precinct, Kaponsin precinct, Nisqually precinct, and Derringer precinct, and each and every of the ballots contained in each of said packages, and demands that the same be examined and counted in so far as the votes cast for Mr. Gaskell and Edwards are each interested, and makes the same offer and demand of the packages of ballots from the first precinct of Puyallup, and of each of the said ballots. To each offer and to each and all of the packages and the ballots contained in the same, the contestee objects for the reason that the said packages and the ballots therein contained have not been properly preserved, and that the same

could not have been tampered with without the same had been kept in an improper place where the same could have been reached by any one desiring, since the reception of the same by the auditor to the present time, and makes a general objection to each and all of the packages, for the reason that the same are incompetent and immaterial, and as to some of the packages from some of the precincts makes the following objection: As to the package of ballots or purported ballots from Lake Tapps precinct, as the same now appears, is open and shows signs of being tampered with, and it is further incompetent that the same at the time of offering, is sealed. As to the pretended ballots of Reservation precinct the same objection is made, and all the objections made above as to Lake Tapps precinct, and the further objection that the same is incompetent for the reason that the said pretended ballots are not enclosed in a sealed envelope, and bear no mark or writing upon the package or wrapper designated by law, and that there is no evidence before the committee to show that the pretended ballots so offered from said precinct are the same ballots cast in said precinct. As to the pretended ballots from Morse precinct, the general objection is made above as to the pretended ballots from Lake Tapps precinct and to the other special objections that the said package does not contain any mark or brand as to what precinct it may belong, and that there is no evidence before this committee to show that these are the true ballots cast in the said Morse precinct. And for special objection to the pretended ballots from South Prairie precinct the contestant makes the same objection made to the pretended ballots in the said Lake Tapps precinct, and for the further objection that the said ballots are not enclosed in any wrapper and has no evidence showing that the same are the true and correct ballots cast in South Prairie, and had not been strung and is not strung on a string as made and provided by law. And as to the package of pretended ballots from Buckley precinct, there is no mark on the same and no evidence before the committee that these are the true and correct ballots cast in said Buckley precinct, and that the same are not sealed as provided by law. As to the package of pretended ballots from McMillan precinct the same objections are made as stated against the package from Lake Tapps precincts, and that the same do not contain any evidence or mark to show that the same are the true and proper ballots cast in said precinct, and that the same are not strung on a string according to law, and that the same show evidence of having been tampered with, the same having once been sealed and now broken.

Here Mr. Wickersham interposed the following protest:

Comes now the contestant, by James Wickersham, and protests against that statement made by Mr. Teats in his objection to Reservation precinct, that the same was open, for the reason that the said package was opened by Mr. Ketner, the auditor, witness before this committee.

Filed February 3, 1893.

JAMES WICKERSHAM.

And the contestee makes the further general objection that each and all of the packages offered are incompetent and should not be received as evidence in the case, for the reason that there is no evidence before the committee of the same having been properly transmitted to the auditor

of the election board, and no evidence showing that the same were in proper custody from the time of the election to the time of filing the same with the auditor; and the contestee at this time further offers proof of the incompetence of the said packages as evidence in the case; to show further, that during a period of three weeks, from about the 16th of November to about the 28th of November, the said packages offered in evidence, together with the returns made by the board of election, were not properly kept by the auditor of Pierce county from handling by others than those having the custody of the same, and that the said packages were in a place where any one who wished might carry them away and tamper with the same at their pleasure.

Whereupon the attorney for contestant filed the following protest:

Comes now the contestant, by his attorney, James Wickersham, and protests against the objections made by the attorney for the contestee, put into this record, against the introduction of the ballots herein offered as evidence, for the reason that said objections are full of false and misleading statements not based upon the facts as they appear on the introduction of the said ballots, packages and returns, and intended to confuse the committee and the House of Representatives.

Dated February 3, 1893.

JAMES WICKERSHAM,  
Attorney for Gaskell.

After argument motion by Leo, that committee take recess until 7:30 o'clock. Carried.

Committee reassembled pursuant to adjournment.

Present: Bush, chairman; Leo, Sallee, Nelson, Payne, Moore, Egbert.

After discussion between members of the committee, Mr. Moore moved that we now proceed no further with this investigation until we report to the House, and that evidence already taken be submitted to the House. Seconded by Egbert.

At this point attorney for contestant protests against the proposed action of the committee because he has not yet finished introducing his testimony, and has not yet closed his case.

Motion of Mr. Moore to stop proceedings carried by the following vote:

Yeas: Leo, Moore, Nelson, Egbert, and Payne.

Nays: Bush, Sallee.

Committee then adjourned subject to call of the chair.

Mr. Mentzer moved that the majority report of the Committee on Privileges and Elections be adopted.

Mr. Hurd moved that further consideration of the Gaskell-Edwards contest case be deferred until 2 o'clock this afternoon.

The motion prevailed, and consideration was postponed.

Mr. Webb presented the following resolution, which was adopted:

WHEREAS, The excessive heated condition of the House of Representatives is such that it is detrimental and injurious to the health of this wise and august body of statesmen; and

WHEREAS, Should the State of Washington, through this heated condi-

tion, lose one of its celebrated statesmen, it would be an irreparable loss: therefore, be it

*Resolved*, That the assistant watchman be and is hereby authorized to purchase two (2) thermometers and place them in suitable places in the hall of the House of Representatives, and that it be the duty of the assistant watchman to see that the temperature of this house shall not be lower than 68 degrees or higher than 75 degrees Fahrenheit; be it further

*Resolved*, That the assistant watchman present the bill to the Hon. J. B. McMillan, of Skagit county, and C. L. Webb, of King county, who are hereby requested to liquidate the same.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 80, entitled "An act relating to the licensing of insurance business."

Also, Senate bill No. 96, Relating to notaries public.

Also, Senate bill No. 117, Securing secrecy in transmitting messages.

Also, Senate memorial No. 1, In relation to the survivors of the Indian war of 1855-56.

Also, Senate concurrent resolution No. 15, Providing for joint committee to investigate the World's Fair Commission.

The Senate has refused to concur in House concurrent resolution No. 9.

▲The president of the Senate has signed Senate bill No. 51, House bill No. 240, and Senate concurrent resolution No. 8.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The speaker signed House bill No. 240 and Senate bill No. 51 in open session of the House.

#### JOINT SESSION.

The Senate appeared at 12 o'clock noon, to meet the House in joint session.

The speaker invited the honorable senators to seats within the bar and the president of the Senate to preside.

The roll was called; all the senators and representatives were present except Senators Kellogg and Smith, and Messrs. Hamill and Kelly.

The pairs for today were: Senators Kellogg and Smith, Senators Miller and Horr, Messrs. Kelly and Shadle.

On motion of Mr. Hurd, the rules were suspended, and the journal of yesterday was considered as read and approved.

The president announced that no election of United States sena-



tor had occurred at yesterday's session, and instructed the clerk to call the roll for the fifty-fifth joint ballot.

## FIFTY-FIFTH JOINT BALLOT.

John B. Allen received 48 votes.

George Turner received 22 votes.

C. W. Griggs received 26 votes.

C. W. Young received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Karr, Keller, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Sherman, Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutcheson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had received the necessary majority to elect a United States senator, and directed the clerk to call the roll for the fifty-sixth ballot.

## FIFTY-SIXTH BALLOT.

John B. Allen received 48 votes.

George Turner received 22 votes.

C. W. Griggs received 26 votes.

C. W. Young received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron,

Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Karr, Keller, Kinneer, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Sherman, Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that there was no election of United States senator, and dissolved the joint session at 12:20 P. M. to meet to-morrow.

On motion of Mr. Mead, the House took a recess at 12:22 P. M. until 2 o'clock.

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#### AFTERNOON SESSION.

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The House resumed after recess at 2 o'clock P. M.; the speaker presiding.

The roll was called, Mr. Speck being the only member absent.

Mr. Mentzer moved that the House reconsider the vote whereby Senate bill No. 78, by Senator Forrest, An act to define and fix the penalty where the defendant may be found guilty in all criminal actions tried by the superior courts of this state, and repealing all acts and parts of acts in conflict with this act, passed yesterday.

The motion prevailed.

The speaker announced the following changes in the appointment of special committees:

Mr. Cowan to succeed Mr. Crockett on committee to visit School for Defective Youth.

Mr. Gilman to succeed Mr. Cowan on committee to meet joint committee from Oregon in relation to Fisheries.

The House again took under consideration the Gaskell-Edwards election contest case.

The roll was called on the question of the adoption of Mr. Mentzer's motion to adopt the majority report. The majority report was adopted by the following vote: Yeas 46, nays 30, absent and not voting 2.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Burton, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Egbert, Foster, Gilman, Green, Hamill, Judson, Karr, Keller, Kline, Leo, Letterman, Mays, Mentzer, Moore, Mulkey, McMillan, McNew, Neergaard, Nelson, Payne, Pierce of Klickitat, Roscoe, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Temple, Tucker, Tull, Turpin, Westfall, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Farrish, Greenberg, Heliker, Hoole, Hurd, Kelly, Ludden, Mead, Meany, Merchant, Morrison, McElwain, McKenzie, McMurphy, Nash, Pierce of Lewis, Rinehart, Roth, Sallee, Shadle, Washburn, Webb, Weed, Wheeler, and Winchell.

Absent or not voting: Messrs. Edwards and Speck.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of House bill No. 16, entitled "An act to amend section 1680 of the first volume of Hill's Annotated Statutes and Codes of Washington; the same being section 1942 of the Code of Washington of 1881, relating to the giving of liens upon manufactured lumber to persons performing labor in the manufacture of the same," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

The speaker signed House bill No. 16, House bill No. 254, and Senate joint resolution No. 8, in open session of the House.

#### PETITIONS AND MEMORIALS.

Mr. Anderson, of Whatcom, presented a petition from board of directors of school district No. 1, Whatcom county, praying for amendments to the school law.

Referred to Committee on Education.

Petition from taxpayers for various subjects.

Referred to Committee on Labor and Labor Statistics.

#### REPORT OF COMMITTEE ON MILITARY AFFAIRS AND SOLDIERS' HOME.

MR. SPEAKER:

We, your Committee on Military Affairs and Soldiers' Home, to whom was referred House bill No. 3, entitled "An act to amend section 1 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;'" and House bill No. 67, by Mr. Hoole, entitled "An act to amend section 1296 of Hill's Code of an act providing for the relief of indigent soldiers, sailors and marines," have had the same under consideration, and we respectfully report the same back to the House with a substitute, and recommend that the substitute do pass.

Respectfully submitted.

C. M. PIERCE, Chairman.

House bill No. 278, substitute for House bill No. 3 and House bill No. 67, was read and ordered to take its place on calendar.

#### REPORTS OF COMMITTEE ON MILEAGE AND CONTINGENT EXPENSES.

MR. SPEAKER:

Your Committee on Mileage and Contingent Expenses, to whom was referred sundry contingent expense accounts, have had the same under consideration, and recommend that the accounts be allowed.

Respectfully submitted.

H. F. SMITH, Chairman.

Following is an itemized statement of said bills:

A. Ellis, account allowed.....	\$239 50
Ernest G. Hartshorn, account allowed.....	4 00
I. Harris & Sons, account allowed.....	922 62
Bilger & Going, account allowed.....	56 73
Dent & Jewell, account allowed.....	49 60
W. B. Mitchell, account allowed.....	10 00
M. O'Connor, account allowed.....	170 00
Bilger & Going, account allowed.....	44 00
Bilger & Going, account of January 6th allowed.....	78 65
Gurney Cab & Transfer Company, account allowed.....	8 00
Springer & White, account allowed.....	27 44
Martin & McGrath, account allowed.....	53 15
W. W. Work, account allowed.....	171 60

On motion, the report was adopted.

Mr. Smith, of Okanogan, moved that the Committee on Mileage and Contingent Expenses be allowed a committee clerk.

The motion was not adopted.

Mr. Gilman moved that the Committee on Mileage and Contingent Expenses have a committee clerk of another group of com-

mittees to do the clerical work, and the chairmen of the different committees select the clerk for that purpose.

The motion prevailed.

Senate bill No. 78, by Senator Forrest: "An act to define and fix the penalty where the defendant may be found guilty in all criminal actions tried by the superior courts of this state, and repealing all acts and parts of acts in conflict with this act," was made a special order for Monday, February 13th, at 2 o'clock P. M.

On motion of Mr. Roscoe, House bill No. 10, "An act to repeal sections fifty-nine (59), sixty (60), sixty-one (61), sixty-two (62), sixty-three (63), sixty-four (64), sixty-five (65), sixty-six (66) and sixty-seven (67) of an act entitled 'An act to provide for the assessment and collection of taxes in the state of Washington, and declaring an emergency,'" was made a special order for Monday, February 13th, at 2 o'clock P. M.

The following communication was read by the clerk:

MR. SPEAKER:

A committee from the Washington State Labor Congress desires to present some recommendations to your honorable body for consideration, and requests an audience.

THOS. J. MILLER,  
Chairman of Committee.

Mr. Rinehart moved that the House of Representatives accord the delegates of the Labor Congress of the State of Washington the privileges of the floor of the House.

Mr. Meany moved, as a substitute, that the delegates of said congress appear before the committees having the bills the congress is interested in to make their statements.

Mr. Hoole moved that the House go into committee of the whole in order to give the proper audience to the delegates.

The motion prevailed.

The speaker invited Mr. Hoole to the chair.

On motion of Mr. Hurd, the delegates were invited within the bar of the House.

The speaker appointed Messrs. Hurd, Mentzer and McMillan as committee to escort the delegates to seats in the House.

## ADDRESSES OF STATE LABOR CONGRESS.

Mr. Charles A. Maskrey addressed the Committee of the Whole House as follows:

*Mr. Speaker and Gentlemen of the House of Representatives:*

The State Labor Congress, composed of representatives from the several branches of organized labor of this state, having appointed us a committee to present to you the result of its deliberations, feeling that the laboring classes are suffering from laws on our statute books inimical to their interests, and from the lack of laws that should be enacted to protect them in their rights guaranteed them in the declaration of rights in our state constitution, and having full and perfect confidence that requests will be granted when brought to your notice if you are convinced they are just, and having endeavored to present nothing that is not reasonable and just, we present for your careful consideration the following:

We earnestly request the passage of the following bills: House bills Nos. 21, 34, 38, 107, 121, 132, 194, and we strenuously oppose the passage of House bill No. 270 and Senate bill No. 157.

We recommend the passage of Senate bill No. 92, with such amendments as will make the commissioner of labor appointive by the governor until the next general election of state officers, and thereafter elected by the people for the term of two years.

We recommend the passage of Senate bill No. 76, with the addition of the following section: Sec. 3. *Provided*, This act shall not be construed to prevent the employment of expert professional service.

We recommend the passage of Senate bill No. 9, with the amendment that all briefs filed shall be printed and of the kind, size and dimensions as at present prescribed by the rules of the supreme court. This amendment refers particularly to sections 26 and 53 of said Senate bill No. 9.

We recommend the reenactment of the road law as it was prior to 1890.

We also request the introduction and passage of the following bills:

## AN ACT

To prevent the letting of sub-contracts upon public works.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. That no person, firm or corporation holding a contract for the construction of any public improvement for the State of Washington, or any county or municipality therein, shall assign or sublet said contract or any part of the work to be done under said contract: *Provided*, The provisions of this act shall not be construed to prevent the letting by said contractor of a contract or contracts for the furnishing of material to be used in said improvements: *And provided further*, That this act shall not be construed to prevent counties or municipalities from doing their work by the day.

SEC. 2. Any contractor violating the provisions of this act shall forfeit to the state, county or municipality, as the case may be, not less than 50 per cent. of the contract price for the whole of his contract.

SEC. 3. The provisions of this act shall not be construed to apply to any contracts entered into before the passage of this act.

SEC. 4. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

## AN ACT

To prevent foreign or alien seamen from handling all cargoes of vessels in the various waters of the State of Washington.

SECTION 1. That any agreement or contract made with any ship owner, master, agent or stevedore to engage foreign seamen or alien laborers in the handling of all cargo or cargoes, including ballast, on the wharves, warehouses, elevators and waters of the State of Washington shall be deemed illegal, and a violation of the alien laws.

SEC. 2. That any party or parties violating this act shall, on conviction of this offense, be held guilty of a misdemeanor and punished by a fine of not less than one hundred dollars or more than five hundred dollars, or imprisonment of not less than three calendar months or more than six calendar months, or both.

SEC. 3. That a duly appointed officer, whether holding another office or not, shall have the power vested in him to bring any or all offenders violating this act to a court of justice to receive such penalty as the said court may deem necessary to inflict.

## AN ACT

Regulating the hours of labor on state, county and municipal work.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. That the services and employment of all laborers and mechanics who are now or may be hereafter employed by the State of Washington, or any county or municipal government therein, or by any contractor or sub-contractor upon any of the public works of the State of Washington, or of any county or municipality therein, is hereby limited and restricted to eight hours in any one calendar day; and that it shall be unlawful for any officer of the State of Washington, or of any county or municipality therein, or any contractor or sub-contractor whose duty it shall be to employ, direct or control the services of such laborers or mechanics, to require or permit any such laborer or mechanic to work more than eight hours in any one calendar day except in cases of extraordinary emergency.

SEC. 2. That any officer or agent of the State of Washington, or of any county or municipality therein, or of any contractor or sub-contractor, whose duty it shall be to employ, direct or control any laborer or mechanic employed upon the public works of the State of Washington, or of any county or municipality therein, who shall intentionally violate the provisions of this act, shall be deemed guilty of a misdemeanor, and for each and every offense shall, upon conviction, be punished by a fine not less than three hundred dollars nor more than one thousand dollars, or by imprisonment for not less than three months nor more than twelve months, or by both such fine and imprisonment, in the discretion of the court having jurisdiction thereof.

SEC. 3. The provisions of this act shall not be so construed as to in any manner apply to or affect contractors or sub-contractors, or to limit the hours of daily service of laborers or mechanics engaged upon any public works for which contracts were entered into prior to the passage of this act.

## AN ACT

Defining a legal working day.

*Be it enacted by the Legislature of the State of Washington:*

That whenever suit is instituted for the collection of wages for labor performed or services rendered, in ascertaining the amount due for such labor or services, eight hours shall be construed to be a full working day when there is no express contract between the parties to the contrary.

## AN ACT

In relation to negligence.

*Be it enacted by the Legislature of the State of Washington:*

SECTION 1. Every corporation or person shall be liable for all damages sustained by any person, including employes of such corporation or person, in consequence of the neglect of agents, or by any mismanagement of the employes of such corporation or person, and in consequence of the willful wrongs, whether of omission or commission, of such agents or other employes; and such wrongs as are in any manner connected with the use

and operation of any railroad, steamboat, mills or machinery on or about which they shall be employed; and no contract which restricts such liability shall be legal or binding.

SEC. 2. In all actions of negligence or for damages done to person or property, proof of the injury inflicted shall be *prima facie* evidence of negligence.

WHEREAS, There is great danger to travelers when riding upon street railway cars which are not provided with weather guards or vestibules, as well as an almost unbearable inconvenience and hardship upon the operators of said cars; and

WHEREAS, The ordinary work day of the street railway operator at present is longer than there is any necessity for, and that operators working such long hours exposed to the inclemency of the weather are unable at all times to attend properly to their duties, thus endangering life and limb of passengers and destruction of valuable property:

Therefore we urge the passage of the following bill:

#### A BILL.

AN ACT requiring railroad companies and others to provide weather guards on street cars, and providing a penalty for violation thereof.

*Be it enacted by the legislature of the State of Washington:*

SECTION 1. All railway corporations, companies or individuals owning managing or operating any street railway or line in the State of Washington, shall provide, during the rainy or winter season, all cars run on its or their respective roads with good, substantial and sufficient vestibules or weather guards for the protection of the employes of such corporation, company or individual.

SEC. 2. The vestibules or weather guards provided for in section 1 hereof shall be so constructed as to protect the employes of such company, corporation or individual from the wind, rain or snow during the rainy or winter season.

SEC. 3. Any such railroad company, corporation or individual, as mentioned in the preceding sections, failing to comply with the provisions of this act, shall forfeit and pay to the State of Washington a penalty of not less than fifty dollars nor more than two hundred and fifty dollars for each and every violation of this act, and each period of ten days that any such company, corporation or individual shall fail to comply with the provisions of this act, or for each car used by such corporation, company or individual not in conformity with this act, shall be taken and deemed to be a separate violation of this act; and all moneys collected under and by virtue of the provisions of this act shall be paid into the common school fund of the State of Washington.

SEC. 4. It shall be the duty of the prosecuting or county attorneys of the various counties of this state to see that the provisions of this act are complied with.

The Labor Congress has also adopted the following resolutions:

*Resolved*, That this congress declares itself in favor of mutual fire insurance, which our present laws prohibit, and we respectfully ask that such laws be repealed.

*Resolved*, That this congress favors the system of the state furnishing free text books to the children attending the common schools, and that the printing of such text books should be done in this state after the expiration of the present contract.

WHEREAS, That is the most perfect government in which an injury to one is the concern of all: therefore, be it

*Resolved by this Labor Congress*, That we demand of the legislature now in session that measures be passed providing for the initiative and referendum system of legislation being adopted in this state.

*Resolved*, That we favor a law making it compulsory on all employers to pay the wages of their employes in cash each week, and a law making it a misdemeanor to dismiss, discharge or refuse employment to any person because of his affiliation with any organization not organized in violation of law.

WHEREAS, A bill has been introduced in the legislature entitled "An act to protect laborers in their right to labor, and to punish obstructionists;" and

WHEREAS, Such a bill, notwithstanding its innocent title, is calculated to prevent workmen from exercising rights which are secured even under despotic governments: therefore, be it

*Resolved*, That we consider the passage of such a bill an infringement of man's natural rights.



*Resolved*, That this congress is opposed to any legislation giving any person, firm or corporation control of the streams, creeks or watercourses in this state, whether the said control is desired for boom purposes or purposes of improvement in such streams, creeks or watercourses.

In addition to the foregoing, the Labor Congress has also deliberated upon measures particularly affecting the miners of the state, and the importance of this industry, and the great risks which miners incur in following their vocation warrants the congress in presenting a separate statement to this body, which will be given by Mr. Norton.

All of which is respectfully submitted.

THOS. J. MILLER, *Chairman*.

GEO. L. MCMURPHY, *Secretary*.

CHAS. A. MASKREY, *Asst. Secretary*.

J. W. MUSGROVE.

H. B. SMEDLEY.

D. CROMBIE.

J. R. ELSWICK.

G. METZGER.

JAS. DOHERTY.

C. F. RENSCH.

D. M. MCCARTNEY.

E. D. WALLACE.

FRED J. WARE.

R. H. NORTON.

FRANK JINKS.

Mr. R. H. Norton delivered the following address to the Committee of the Whole House:

*To the House of Representatives of the State of Washington, in Legislative Session Assembled:*

The Labor Congress unanimously recommend the following new measure and amendment to an already existing measure for enactment into law by the legislature of the State of Washington:

1. That section 9 of chapter LXXXI of the Laws of 1891, entitled "An act relating to the proper ventilation of coal mines, and providing the manner of appointment of inspectors," be amended to read as follows:

"SEC. 9. The owner, agent or operator of every coal mine, whether operated by shaft, slope or drift, shall provide and maintain in every coal mine a good and sufficient amount of ventilation for such persons as may be employed therein, the amount of air in circulation to be in no case less than one hundred (100) feet for each person per minute, and that in all mines where two or more levels are worked it shall be unlawful to ventilate more than one such level with the same current of air, but that proper air crossings and regulators shall be erected and the currents of air split, so that the workings on each level shall be ventilated by separate and distinct currents of air, and said currents of air shall be forced and circulated to the face of every working place throughout the mine, so that said mine shall be free from standing powder smoke and gases of

every kind. It shall be the duty of the inspector of mines to visit each working place in every mine in his district at least once in three months, and measure the ventilation therein, and investigate any complaint the miners may have to make; and any inspector receiving notice of any infringement of this act is to at once proceed to the mine where the alleged infringement has occurred and investigate the same; and any neglect or refusal on his part to act as above shall be sufficient cause for his removal from office in the manner provided for in this act. In all mines where fire damp is generated every working place where the same is known or thought to exist shall be examined every morning with a safety lamp by a competent person, and a workman shall not enter the mine until the said mine or part thereof and his working place are reported to be safe. The person who makes such examination shall establish proof of the same by marking plainly the date thereof at the face of each working place. Whenever the inspector shall find men working without sufficient air, or under any unsafe conditions, he shall at once notify the superintendent of the mine, or, in his absence, the person immediately in charge thereof, in writing, of the facts, and such superintendent or person in charge shall at once remove such men from such places where such conditions exist. At the expiration of one (1) year from and after the passage of this act it shall not be lawful to use a furnace for the purpose of ventilating any coal mine in this state."

This amendment is recommended, as it will undoubtedly tend to diminish the loss of the lives of miners from explosion, at a reasonable cost to the owners and operators of said mines, and in view of the appalling disaster on the 10th of May, 1892, at Roslyn, the amendment is a just and equitable one, as, without any imputation upon any one connected with that unfortunate occurrence, the fact is admitted by all that if the air had been split, as provided for in the proposed amendment, fully two-thirds of the lives lost in the explosion at Roslyn would not have been jeopardized. Whilst recognizing and admitting the fact that with our present knowledge these dreadful calamities cannot be averted entirely, it is incumbent upon us to provide all reasonable and well recognized safeguards for the protection of the lives of our coal miners.

House bill 134, with two amendments, is also earnestly recommended for passage by your honorable body. The iniquities and injustice of the present system are a blot upon the fair name of our state, and a menace to the liberties of our people; and it is against the spirit of the constitution of the United States to compel any class of citizens to purchase the necessities of life at any one place or in any particular manner, and especially when carried to the extreme now practiced in this state.

R. H. NORTON,

From Committee on Mines and Mining.

Mr. McMillan moved that the addresses read by delegates to the labor congress be ordered printed, segregated and referred to proper committees.

The motion was adopted.

Messrs. Hurd, Roscoe and Speck were excused for the afternoon.

Mr. Hoole, chairman of the committee of the whole, reported that the labor congress had been invited to leave copies of their manuscripts with the House so that they could be printed and sent to the proper committees.

On motion, the report was adopted.

Mr. McMillan presented the following resolution:

WHEREAS, The communications just read before this House contain valuable information affecting the interests of the people of this state: therefore,

*Be it resolved*, That 5,000 copies of the communications from the state labor organization be ordered printed, and that one-half of the number thereof be placed at the disposal of said organization, and that the remainder be placed at the disposal of the legislature.

The House refused to adopt the resolution.

Mr. Meany moved that the rules be suspended, and Senate concurrent resolution No. 15, relating to the investigation of World's Fair commission, be concurred in. The motion prevailed and the House concurred in the resolution.

Mr. Meany presented the following resolution:

WHEREAS, The guests of a committee of the whole House of Representatives of the State of Washington, the committee of the Washington State Labor Congress, has seen fit to incorporate in a report comprising many valuable and helpful suggestions an aspersion upon a member of this House: therefore,

*Resolved*, That we repudiate such an aspersion, as even a member of this House would not be allowed to call in question the motive of one of its own members in introducing any bill or debating any question properly brought before this body.

On motion, the resolution was adopted.

Mr. Roth moved that the vote by which the labor congress messages were adopted be reconsidered. The motion prevailed.

Mr. Morrison moved that the chief clerk of the House be directed to eliminate from the petition and recommendation presented to this House by the labor congress of the State of Washington, portions of the matter reflecting on a member of this House, and when so corrected the same be printed.

The motion prevailed.

#### INTRODUCTION OF BILLS.

The following House bills were introduced, read first time, ordered printed, and referred to committees:

House bill No. 279, by Mr. Hurd: An act to permit superior court judges to grant authority to administrator of intestate estates to mortgage real estate for certain purposes, and, if necessary, appoint special administrator therefor.

Referred to Judiciary Committee.

House bill No. 280, by Mr. Greenberg: An act relating to costs in certain actions.

Referred to Judiciary Committee.

House bill No. 281, by Mr. Nelson (by request): An act to amend section 1650 of volume 1 of Hill's Statutes and Codes of the State of Washington (the same being section 1991 of the Code of Washington of 1881), relating to the foreclosure of chattel mortgages.

Referred to Judiciary Committee.

House bill No. 282, by Mr. Temple: An act to provide for the payment of time checks.

Referred to Judiciary Committee.

House bill No. 283, by Mr. Ludden: An act granting a bounty for the production and manufacture of sugar in the State of Washington.

Referred to Committee on Agricultural College.

House bill No. 284, by Mr. Heliker: An act to amend section 2186 of the Code of 1881, relating to quarantine.

Referred to Committee on Medicine and Hygiene.

House bill No. 285, by Mr. McMillan: An act to amend title 27 of Hill's Code, entitled "Of protection to the lumbering interests."

Referred to Committee on Commerce.

House bill No. 286, by Mr. Karr: An act relating to corporations organized to drive logs and other timber products and defining their powers and duties.

Referred to Committee on Corporations.

House bill No. 287, by Mr. Shelton: An act providing for liens upon logs, lumber, etc.

Referred to Committee on Commerce and Manufactures.

House bill No. 288, by Mr. Ludden: An act relating to costs upon motions and demurrers in the superior court.

Referred to Committee on Judiciary.

House bill No. 289, by Mr. McMurphy: An act relating to salaries of county officers, and amending Hill's Annotated Statutes and Codes of Washington.

Referred to Committee on Compensation and Fees.

House bill No. 290, by Mr. Hurd: An act regulating the fees of court stenographers, also defining their duties and prescribing a penalty for making illegal charges.

Referred to Committee on Compensation and Fees.

House bill No. 291, by Mr. Tull: An act defining forcible entry, forcible detainer and unlawful detainer of real property, and providing remedies therefor by summary proceedings.

Referred to Committee on Judiciary.

House bill No. 292, by Mr. Mentzer: An act to provide for the location and erection of a capitol building, and declaring an emergency.

Referred to Committee on State Buildings and Public Grounds.

House bill No. 293, by Mr. McKenzie: An act to provide for the sale of lands granted to State of Washington, for the purpose of erecting public buildings at the state capital, and for the preservation of said lands and the proceeds thereof.

House bill No. 294, by Mr. White: An act to amend section 17 of an act entitled "An act to regulate and license insurance business in this state," adopted and approved March 27, 1890.

Referred to Committee on Insurance.

House concurrent resolution No. 13, by Mr. Smith, of Douglas: Relating to free coinage of silver.

Referred to Committee on Federal Relations.

The following Senate bills were read first time, and referred to following committees:

Senate bill No. 80, by Senator McCroskey: An act to amend section 20 of an act entitled "An act to regulate and license insurance business in this state," approved March 27, 1890.

Referred to Committee on Insurance.

Senate bill No. 96, by Senator Dyer: An act to amend sections 333 and 337 of title 6, chapter 1 of volume 1 of the General Statutes and Codes of the State of Washington as arranged and annotated by William Lair Hill, relating to notaries public, and declaring an emergency to exist.

Referred to Committee on Judiciary.

Senate bill No. 117, by Senator Forrest: An act to secure secrecy in the transmission of telegraph and telephone messages, and declaring an emergency.

Referred to Committee on Corporations other than Municipal and Railroads.

Senate memorial No. 1, by Senator Easterday: In relation to the survivors of the Indian war of 1855 and 1856 in the Territory (now state) of Washington.

#### REPORT OF COMMITTEE ON FISHERIES AND GAME.

MR. SPEAKER:

We, the joint Committee of Senate and House, to whom was referred House bill No. 251, entitled "An act to repeal section four (4) of an act entitled 'An act to protect salmon and other food fishes in the State of Washington, and upon all waters upon which this state has jurisdiction and concurrent jurisdiction,' approved February 11, 1890, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

A. S. BUSH, Chairman,  
EUGENE BROCK,  
N. W. BUSH,  
W. P. McELWAIN,  
C. J. MOORE,  
WALTER CROCKETT,  
R. T. COWAN,  
House Committee.  
B. F. SHAW,  
FRANK H. RICHARDS,  
Senate Committee.

On motion, the report was adopted.

On motion of Mr. Ludden, the rules were suspended, the bill was considered engrossed, and was read second and third time and placed on final passage.

The bill passed by the following vote: Yeas 62, nays 0, absent 16.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Farrish, Foster, Gilman, Green, Hamill, Heliker, Hoole, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Temple, Tucker, Tull, Turpin, Weed, Westfall, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Collin, Egbert, Greenberg, Hurd, Kline, Merchant, McMillan, Nash, Roscoe, Roth, Sallee, Shadle, Speck, Washburn, Webb, and Wheeler.

The emergency clause passed by the following vote: Yeas 59, nays 0, absent 19.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Burton, Bush of Chehalis, Bush of Pacific, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Farrish, Foster, Gilman, Green, Heliker, Hoole, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMurphy, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Temple, Tucker, Tull, Turpin, Weed, Westfall, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Brock, Cameron, Collin, Egbert, Greenberg, Hamill, Hurd, Kline, Mulkey, McMillan, McNew, Nash, Roscoe, Roth, Sallee, Speck, Washburn, Webb, and Wheeler.

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

Mr. McElwain moved that the rules be suspended, and the chief clerk be instructed to transmit House bill No. 251 to Senate immediately.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1893.

MR. SPEAKER:

The President of the Senate has signed House bill No. 254, Relating to fisheries on the Columbia river and on Puget Sound.

And the same is herewith returned to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Ludden, the House adjourned at 4:30 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## THIRTY-THIRD DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Friday, February 10, 1893. }  
10 o'clock A. M. }

The House was called to order at 10 o'clock A. M.; the speaker presiding.

The roll was called. All the members were present.

On motion of Mr. Brock, reading of the journal was dispensed with, and the same was considered read and approved.

### SPECIAL ORDERS FOR 10 O'CLOCK.

House bill No. 76, by Mr. Nash, An act relating to proceedings supplemental to execution, was taken up.

On motion of Mr. Nash, the printed bill was substituted and considered in lieu of the original.

On motion of Mr. Nash, typographical errors in the printed bill were corrected as follows: Section 11, line 6, "take" changed to "make;" section 32, line 9, "if" changed to "is;" section 33, line 18, "presenting" changed to "prescribing."

On motion of Mr. Nash, all after section 35 was stricken out.

Mr. Temple moved to amend by inserting the word "ten" in line 1 of section 1, in place of the word "five."

The amendment was lost.

Mr. Egbert moved to amend line 1 of section 1 by inserting "twenty-five" where the word "five" occurs.

The amendment was lost.

Mr. Mays moved to amend line 15 of section 1 by inserting the word "not" after the word "may."

The amendment was lost.

On motion of Mr. Nash, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill failed to pass by the following vote: Yeas 35, nays 35, absent 8.



Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Gilman, Heliker, Karr, Kelly, Leo, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, McElwain, McKenzie, Nash, Neergaard, Nelson, Pierce of Klickitat, Rinehart, Roth, Shadle, Sherman, Temple, Tucker, Washburn, Webb, Weed, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Burton, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Hamill, Hoole, Judson, Keller, Kline, Mays, Moore, Morrison, Mulkey, McMurphy, McNew, Payne, Pierce of Lewis, Sallee, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Tull, Turpin, and Westfall.

Absent: Messrs. Anderson of Pierce, Cameron, Greenberg, Hurd, McMillan, Roscoe, Speck, and White.

On motion of Mr. Judson, the vote by which House bill No. 76 failed to pass was reconsidered.

On motion of Mr. Nash, the bill was made a special order for Tuesday, February 14th, at 10 o'clock A. M.

House bill No. 114, by Mr. Gilman, An act in relation to garnishments.

On motion of Mr. Gilman, unanimous consent was given to make the following corrections to the printed bill:

Section 2, line 3, strike out "officers," insert "clerk;" section 4, line 4, strike out "in," insert "from;" section 6, line 11, strike out "the," insert "this;" section 8, line 2, strike out "execute the same by delivering a copy thereof to the garnishee," and insert in lieu thereof "serve the same on the garnishee in like manner as summons is served;" section 24, line 5, strike out "contested" and insert "controverted;" section 27, line 1, strike out "acts," insert "action;" section 20, line 4, strike out "particular," insert "particulars;" section 14, line 14, strike out "garnishment," insert "garnishee;" section 23, line 5, insert after "wages," "or salary;" section 23, line 1, insert after "wages," "or salary."

Mr. Gilman moved that the reprinted bill and amendments be considered in place of the original bill.

The motion prevailed.

Mr. Egbert presented the following amendment:

In section 23, line 2, strike out the word "sixty" and insert "ninety" in lieu thereof.

The amendment was lost.

Mr. Judson presented the following amendment:

Strike out in line 1, section 23, of House bill No. 114 the words, "having a family dependent on him for support."

The amendment was lost.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 64, nays 10, absent 3:

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Farrish, Foster, Gilman, Hamill, Heliker, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Denn, Edwards, Egbert, Judson, Mays, Mulkey, McMillan, Scott, and Smith of Douglas.

Absent: Messrs. Green, Greenberg, Hurd, and White.

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

On motion of Mr. Burton, House bill No. 205, An act to provide for the selection of a depository for the county funds of each of the counties in this state, was made a special order for Saturday, February 11, at 10 o'clock A. M.

On motion of Mr. Sallee, the House took a recess at 11:50 for five minutes.

The House was called to order at 11:55 after a five minutes' recess.

#### JOINT SESSION.

The Senate being in waiting, the speaker invited the honorable senators to seats within the bar and the president to preside.

The roll was called; all present except Senators Kellogg, Richards, and T. J. Smith.

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

The following pairs were announced for to-day: Kellogg and Smith.

Pairs for Saturday: Rutter and Van Houten, Hutchinson and Frink, Winchell and Green, Rinehart and Hamill.

Until return of Committee on Fisheries: Messrs. Gilman and Bush of Pacific, Senators Dyer and Richards.

For Saturday and Monday: Messrs. Tull and Webb, Brock and Woodworth, Nash and Kelly.

Until Thursday: Senators Ide and O'Neill, Mr. Foster and Senator Gilbert.

Until committee returns: Messrs Mulkey and Weed.

The president announced that there being no election at yesterday's session the clerk was instructed to call the roll for the fifty-seventh ballot.

FIFTY-SEVENTH JOINT BALLOT.

John B. Allen received 49 votes.

George Turner received 22 votes.

C. W. Griggs received 27 votes.

C. W. Young received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had received the neces-

sary majority to elect a United States senator, and instructed the clerk to call the roll for the fifty-eighth joint ballot.

FIFTY-EIGHTH JOINT BALLOT.

John B. Allen received 49 votes.

George Turner received 22 votes.

C. W. Griggs received 27 votes.

C. W. Young received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Camerón, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had received the necessary majority to elect a United States senator, and dissolved the joint session at 12:25 P. M. to meet to-morrow (Saturday) at 12 o'clock noon.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 10, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 122, Providing for the number of ballots to be prepared for each precinct.

Also, Senate bill No. 114, An act amending sections 830 and 831 of the Code of 1881.

Also, Senate bill No. 111, An act relating to garnishments.

Also, Senate bill No. 20, Regulating special proceedings of a civil nature.

Also, Senate bill No. 67, Providing for a state normal school at Ellensburg.

Also, Senate bill No. 95, Relating to the lien of judgments on real estate.

Also, Senate bill No. 98, Relating to commissions to executors and administrators.

The Senate has indefinitely postponed action on House bill No. 172.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

Mr. Weed was granted leave of absence indefinitely.

Mr. Bush, of Chehalis, moved that the House take a recess until 2 o'clock P. M.

The motion prevailed.

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#### AFTERNOON SESSION.

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The House was called to order at 2 P. M. by the speaker.

The roll was called; all present except Messrs. Anderson (D. F.), Anderson (W. D. E.), Collin, Greenberg, Nelson, Pierce (C. M.), Smith (H. F.), Smithson, Tull, and Winchell.

Mr. Rinehart asked permission for leave of absence for the postmaster until Monday noon. The leave of absence was granted.

Mr. Collin was granted indefinite leave of absence on account of sickness.

Mr. Pierce, of Lewis, was granted leave of absence.

Mr. Smith, of Okanogan, was granted leave of absence.

Mr. Foster was granted leave of absence until Tuesday.

Mr. Winchell was granted leave of absence for Friday and Saturday.

#### PETITIONS, REMONSTRANCES, MEMORIALS, ETC.

By Mr. Neergaard: Petition from the taxpayers of Adams county, praying for railroad legislation, and against receiving more than legal rate of interest, etc.

Referred to Committee on Railroads.

By Mr. Moore: Petition from Columbia Council, Patrons of Husbandry, praying for laws requiring oleomargarine, butterine, etc., to be properly marked.

Referred to Committee on Agriculture.

By Mr. Temple (by request): Petition from taxpayers of Hazard, Spokane county, praying for a repeal of the poll tax law.

Referred to Committee on Revenue.

By Mr. Scott: Remonstrance against making a separate judicial district of Kitsap county.

Referred to Committee on Judiciary.

Mr. Ludden was called to the chair.

The following communication was presented by Mr. Egbert:

*To the Honorable the House of Representatives of the State of Washington:*

The State Labor Congress of Washington has unanimously adopted the following resolution:

*Resolved*, That the thanks of this congress are hereby extended to the Senate and House of Representatives of Washington, for the courtesy to our committee of the privileges of their floors to present our requests, and the patience with which they listened to the same.

GEO. L. McMURPHY, Secretary.

#### REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

MR. SPEAKER:

We, your Committee on Privileges and Elections, to whom was referred a petition from Garfield Farmers' Alliance, presented by Mr. Mays, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

N. W. BUSH, Chairman.

We concur in this report:

JOHN LEO,  
J. S. SALLEE,  
O. B. NELSON.

On motion of Mr. Mentzer, the report of the committee was adopted.

#### REPORT OF COMMITTEE ON RAILROADS.

MR. SPEAKER:

We, your Committee on Railroads, to whom was referred House bill No. 54, entitled "An act in relation to fencing and operating railroads," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be substituted by the bill herewith submitted.

Respectfully submitted.

W. R. HOOLE, Chairman.

We concur in this report:

R. J. NEERGAARD,  
O. B. NELSON,  
S. W. HAMILL,  
ALEX. CAMERON,  
D. F. ANDERSON,  
F. R. BAKER.

On motion of Mr. Mead, the report was adopted, and substitute (House bill No. 301) was read by title and ordered printed.

REPORT OF COMMITTEE ON ROADS AND HIGHWAYS.

MR. SPEAKER:

We, your Committee on Roads and Highways, to whom was referred House bills Nos. 1, 2, 43, 80, 127, 138 and 192, relating to amendments to road laws, have had them under consideration, and we respectfully report them back to the House, with a substitute, and recommend that the substitute pass. Petitions on the subject matter contained in the substitute are herewith returned to the House. We also recommend that the substitute reported herewith be printed.

Respectfully submitted.

ELLIS MORRISON, Chairman.

We concur in this report:

D. F. ANDERSON,

WM. PAYNE,

D. W. MCMURPHY,

STEPHEN JUDSON,

D. W. PIERCE,

A. E. MEAD,

S. W. HAMILL,

T. F. MENTZER,

W. H. LUDDEN.

On motion of Mr. Morrison, the report was adopted, and the substitute bill (House bill No. 302) was read by title and ordered printed.

The following request was read:

MR. SPEAKER—Your committee to visit the penitentiary at Walla Walla would respectfully ask leave of absence from Saturday evening until their labors are performed and completed.

Respectfully,

MERCHANT,

RINEHART,

HAMILL,

Committee.

Leave of absence was granted to above committee as per request.

Mr. Arrasmith was granted leave of absence for the afternoon.

Mr. Judson presented the following resolution, which was adopted:

*Resolved by the House,* That no action be taken prior to February 17, 1893, on House bills Nos. 63, 74, 93 and 194.

The following House bills were introduced, read first time, ordered printed, and referred to the committees.

House bill No. 295, by Judiciary Committee: An act to provide for the punishment of the crime against nature.

House bill No. 296, by Mr. McMillan: An act entitled "An act to amend sections 1679, 1682, 1685 and 1690 of Hill's Code, the same being sections 1941, 1944, 1947 and 1952 of the Code of Washington, 1881."

Referred to Committee on Commerce.

House bill No. 297, by Mr. Smith of Douglas: An act regulating the erection of mill dams.

Referred to Judiciary Committee.

House bill No. 298, by Mr. Baker: An act providing for the levy and collection of an inheritance tax.

Referred to Judiciary Committee.

House bill No. 299, by Mr. Ludden: An act to amend and reenact an act entitled "An act for the appraising and disposing of tide and shore lands belonging to the State of Washington," approved March 26, 1890.

Referred to Committee on Tide Lands.

House bill No. 300, by Mr. Ludden: An act to amend an act entitled "An act for the assessment and collection of taxes in the State of Washington.

Referred to Committee on Revenue and Taxation.

House bill No. 301, by Railroad Committee: An act to regulate the operating of railroads.

House bill No. 302, by Committee on Roads and Highways: Substitute for House bills Nos. 1, 2, 43, 80, 127, 138 and 192, an act relating to roads and highways.

House bill No. 303, by Mr. Judson: An act to authorize and regulate primary elections of voluntary political associations, to provide for punishment of frauds therein, and declaring an emergency.

Referred to Committee on Privileges and Elections.

House bill No. 304, by Mr. Nash: An act relating to the management, sale, leasing, encumbering of the estates of minors and persons incompetent to manage their affairs.

Referred to Committee on Judiciary.

House bill No. 305, by Mr. Kelly: An act providing for the compensation of persons and corporations for property damaged or destroyed by any individual, individuals, mob or riot.

Referred to Committee on Corporations.

House bill No. 306, by Mr. Sallee: An act to amend section 7 of an act for the appraising and disposing of the tide and shore lands



belonging to the State of Washington, approved March 26, 1890, and declaring an emergency.

Referred to Committee on Tide Lands.

House bill No. 307, by Mr. Morrison: An act providing for the changing of the name of the town of Slaughter to Auburn.

Referred to Committee on Municipal Corporations.

The following Senate bills were read first time and referred to committees:

Senate bill No. 20, by Senator Easterday: An act regulating special proceedings of a civil nature.

Referred to Judiciary Committee.

Senate bill No. 67, by Senator Helm: An act to provide for the construction of buildings for the Washington State Normal School at Ellensburg, and making an appropriation therefor.

Referred to Committee on Appropriations.

Senate bill No. 95, by Senator Easterday: An act relating to the lien of judgments upon real estate.

Referred to Judiciary Committee.

Senate bill No. 98, by Senator Kinnear: An act to amend section 1056, chapter 12 of volume 2 of the General Statutes and Codes of Washington, relating to commissions to executors and administrators.

Referred to Committee on Judiciary.

Senate bill No. 111, by Senator Claypool: An act in relation to attachments, garnishments and procedure therein, and declaring an emergency.

Referred to Judiciary Committee.

Senate bill No. 114, by Senator Claypool: An act amending sections 820 and 831 of the Code of Washington of 1881.

Referred to Judiciary Committee.

Senate bill No. 122, by Senator Roberts: An act to amend section 380, page 126, Hill's Statutes and Codes of Washington, entitled "An act providing for the number of ballots to be prepared for each precinct."

Referred to Committee on Privileges and Elections.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred the drafting of a bill providing for the punishment of the crime against nature, have

had the same under consideration, and we respectfully report to the House, with the recommendation that it do pass, a bill entitled "A bill for an act to provide for the punishment of the crime against nature," which the committee submits herewith.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Gilman, the bill was read by title, ordered printed and placed on the calendar as House bill No. 295.

House bill No. 278, substitute for House bill No. 3 and House bill No. 67, An act providing for the relief of indigent Union and Mexican soldiers, was read for information.

On motion of Mr. McMillan, the rules were suspended, the bill was considered engrossed, and was read a third time, and placed on final passage.

The bill passed by the following vote: Yeas 50, nays 11, absent 17.

Yeas: Messrs. Anderson of Whatcom, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Edmonds, Farrish, Foster, Gilman, Heliker, Hoole, Hurd, Karr, Keller, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McKenzie, McMillan, McMurphy, McNew, Nash, Pierce of Klickitat, Rinehart, Roscoe, Roth, Sallee, Shadle, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Washburn, Webb, Westfall, White, and Woodworth.

Nays: Messrs. Durant, Edwards, Egbert, Green, Judson, Kelly, Neergaard, Payne, Scott, Shelton, and Tull.

Absent: Messrs. Anderson of Whitman, Anderson of Pierce, Baker, Collin, Greenberg, Hamill, Kline, Mulkey, McElwain, Nelson, Pierce of Lewis, Smith of Okanogan, Turpin, Weed, Wheeler, Winchell, and Mr. Speaker.

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

#### REPORTS OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 4, entitled "An act in relation to the collection of delinquent personal property tax," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do not pass.

Respectfully submitted.

D. W. PIERCE, Chairman.

On motion of Mr. Karr, the report of the committee was adopted. Mr. Turpin was excused for the afternoon.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 12, entitled "An act abolishing the poll tax," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do not pass, as it is, in effect, the same as House bill No. 10.

Respectfully submitted.

D. W. PIERCE, Chairman.

On motion of Mr. Mentzer, the report of the committee was adopted, and the bill was indefinitely postponed.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 50, entitled "An act to amend section 2795 of chapter LIV of the Code of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do not pass, as the ground is covered by Senate bill No. 66.

Respectfully submitted.

D. W. PIERCE, Chairman.

On motion, the report was adopted.

#### REPORTS OF COMMITTEE ON EDUCATION.

MR. SPEAKER:

We, your Committee on Education, to whom was referred House bill No. 73, entitled "An act to amend an act establishing a general and uniform system of common schools in the State of Washington," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed, for the reason that the same subject is fully covered by House bill No. 142, which has passed the House.

Respectfully submitted.

C. F. WESTFALL, Chairman.

We concur in this report:

WINCHELL,  
EDMONDS,  
FARRISH,  
TUCKER,  
DURANT.

On motion of Mr. McNew, the report of the committee was adopted, and House bill No. 73 was indefinitely postponed.

MR. SPEAKER:

We, your Committee on Education, to whom was referred House bill No. 94, entitled "An act relating to school districts," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

C. F. WESTFALL, Chairman.

We concur in this report:

WINCHELL,  
DURANT,  
EDMONDS,  
FARRISH,  
TUCKER.

Mr. Mead moved that House bill No. 94 be amended by adding an enacting clause.

The amendment was adopted.

On motion of Mr. Mead the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 57, nays none, absent 21.

Yeas: Messrs. Anderson of Whatcom, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McKenzie, McMurphy, McNew, Nash, Neergaard, Pierce of Klickitat, Rinehart, Roscoe, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Washburn, Webb, Westfall, Wheeler, White, and Woodworth.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Baker, Collin, Greenberg, Hamill, Kline, Mulkey, McElwain, McMillan, Nelson, Payne, Pierce of Lewis, Roth, Scott, Smith of Okanogan, Tull, Turpin, Weed, Winchell, and Mr. Speaker.

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

#### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 107, entitled "An act relating to an act exempting homestead improvements in the sum of \$1,000 from taxation," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do not pass.

Respectfully submitted.

D. W. PIERCE, Chairman.

Mr. Mentzer moved that the report of the committee be adopted, and that House bill No. 107 be indefinitely postponed.

Mr. Baker called for the yeas and nays on the question of indefinite postponement.

The bill was indefinitely postponed by the following vote: Yeas 40, nays 22, absent 16.

Yeas: Messrs. Brock, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Edmonds, Farrish, Heliker, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mead, Meany, Mentzer,

Merchant, Moore, McKenzie, McMurphy, McNew, Nash, Neergaard, Payne, Pierce of Klickitat, Rinehart, Roth, Sallee, Shadle, Shelton, Smithson, Speck, Temple, Tucker, Washburn, Westfall, and Woodworth.

Nays: Messrs. Anderson of Whatcom, Baker, Burton, Crockett, Denn, Durant, Edwards, Egbert, Foster, Gilman, Green, Hoole, Mays, Morrison, McMillan, Roscoe, Scott, Sherman, Smith of Douglas, Webb, Wheeler, and White.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Collin, Greenberg, Hamill, Hurd, Mulkey, McElwain, Nelson, Pierce of Lewis, Smith of Okanogan, Tull, Turpin, Weed, Winchell, and Mr. Speaker.

House bill No. 120, by Mr. McNew: A bill in relation to sale of school land upon which there is improvements, was, on motion of Mr. McNew, recommitted to Committee on State, School and Granted Lands.

#### REPORT OF COMMITTEE ON MEDICINE, SURGERY AND HYGIENE.

Your Committee on Medicine, Surgery and Hygiene, to whom was referred House bill No. 159, entitled "An act for the protection of the public health, and to provide for certain boards of health and to regulate their duties," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it pass.

Respectfully submitted.

J. H. RINEHART, Chairman.

The bill was read the second time.

On motion of Mr. Heliker, the rules were suspended, and House bill No. 159, by Mr. Heliker, An act for the protection of the public health, and to provide for certain boards of health and regulate their duties, was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 62, nays 0, absent 16.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Heliker, Hoole, Hurd, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Payne, Pierce of Klickitat, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Washburn, Webb, Westfall, Wheeler, White, and Woodworth.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Collin, Greenberg, Hamill, Judson, Mulkey, McElwain, Nelson, Pierce of Lewis, Smith of Douglas, Tull, Turpin, Weed, Winchell, and Mr. Speaker.

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

Mr. Bush, of Chehalis, was excused for the afternoon.

Mr. Nash was excused for Saturday and Monday.

Mr. Woodworth was excused for the day.

Mr. Sallee presented the following resolution:

*Resolved*, That a committee of three be appointed by the chair to confer with the state printer as to having the bills of this House printed more promptly.

Mr. Meany moved to amend by having the Committee on Printing attend to the matter.

The amendment was adopted.

The resolution, as amended, was adopted.

Mr. Gilman requested that no action be taken on House bills Nos. 18 and 124 until next Wednesday.

On motion of Mr. Kelly, the House adjourned at 4 o'clock P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

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## THIRTY-FOURTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Saturday, February 11, 1893. }  
10 o'clock A. M. }

The House met at 10 o'clock A. M.; the speaker in the chair.

The roll was called; all the members present except Messrs. Brock, A. S. Bush, Collin, Foster, Gilman, Hamill, Nash, Roth, Tull, Weed, Winchell, and Woodworth.

On motion of Mr. Shadle, the reading of Friday's journal was dispensed with, and the same was approved.

Mr. Nelson and Mr. Greenberg were excused.

## INTRODUCTION OF BILLS.

The following House bills were introduced, read first time by title, ordered printed, and referred to committees:

House bill No. 308, by Mr. Mead: An act regulating the mode of impanelling petit jurors in the trial of causes in the superior, justice and other courts of this state, and the manner of exercising peremptory challenges.

Referred to Judiciary Committee.

House bill No. 309, by Mr. Mead: An act allowing cities of the third class, and towns of the fourth class, and other cities and towns of this state mentioned herein, to procure abstracts of instruments in writing filed with the county auditor for record.

Referred to Committee on Municipal Corporations.

House bill No. 310, by Mr. Hoole: An act for a reassessment by cities of the third class to pay for street improvements, where a former assessment has been declared, either by said city or court of competent jurisdiction, to have been void.

Referred to Committee on Municipal Corporations.

House bill No. 311, by Mr. Speck: An act in relation to the destruction of ground squirrel, and declaring an emergency.

Referred to Committee on Agriculture.

House bill No. 312, by Mr. Egbert: An act to establish the price for publishing legal notices, and defining the affidavits to be made thereto.

Referred to Committee on Printing.

House bill No. 313, by Mr. Roscoe: An act to provide for the publishing of county commissioners' proceedings, and fixing the compensation therefor, and declaring an emergency.

Referred to Committee on Compensation and Fees.

House bill No. 314, by Mr. Mead: An act to define what constitutes a libel, and to provide punishment for the same.

Referred to Judiciary Committee.

House bill No. 315, by Mr. McElwain: An act concerning and providing a form for certificates of acknowledgments of officers before whom all deeds and other instruments may be executed.

Referred to Judiciary Committee.

House bill No. 316, by Mr. McElwain: An act relating to the validity and execution of deeds, mortgages and other instruments of writing without subscribing witnesses.

Referred to Judiciary Committee.

House bill No. 317, by Mr. Merchant: An act taxing sleeping and dining cars.

Referred to Committee on Railroads.

House bill No. 318, by Mr. Meany: Requiring the superior court to pass upon the validity and constitutionality of laws enacted by the legislature of the State of Washington, and declaring an emergency.

Referred to Judiciary Committee.

House bill No. 319, by Mr. Edwards: An act to regulate pay days at all coal mines which employ over twenty-five persons, and declaring an emergency.

Referred to Committee on Mines and Mining.

House bill No. 320, by Mr. Kline: An act to create the county of Wenatchee, subject to the requirements of the state constitution in respect to the establishment of new counties, and to provide means for compliance with said requirements and for ascertaining the fact of such compliance, and to provide for the organization of said county thereupon, and declaring an emergency.

Referred to Committee on Judiciary.

Mr. Wheeler introduced the following resolution:

WHEREAS, The title of the State of Washington to certain portions of the lands granted by the United States for common school purposes has been questioned: therefore, be it

*Resolved*, That a committee of five be appointed to ascertain and report what legislation by congress is necessary to vest in this state a perfect title to said lands.

On motion of Mr. Morrison, the resolution was adopted.

The speaker appointed the following gentlemen as members of the special committee: Messrs. Wheeler, Sherman, Ludden, Farrish and Nash.

#### SPECIAL ORDER.

The hour having arrived, the House took up House bill No. 205, by Mr. Burton: An act to provide for the selection of a depository for the county funds of each of the counties of this state, special order for to-day.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 205, entitled "An act to provide for the selection of a depository for the county funds of each of the counties in the state," have had the same under consideration, and we respectfully report the same back to the



House, with the recommendation that it be amended as indicated in the sheet hereto attached; and that as so amended the bill do pass.

## AMENDMENTS TO HOUSE BILL NO. 205.

First amendment: Amend the title thereof by adding thereto the words, "and declaring an emergency."

Second amendment: Add to section 1 thereof the following words: "Provided, however, That this act shall not apply to counties in which there is no banking corporation, association or individual banker until such time as some bank shall be established in such county."

Third amendment: Strike out the word "incorporation" where the same occurs in line 4 of section 2 of the printed bill, and insert in lieu thereof the word "corporation."

Fourth amendment: Strike out the word "incorporation" where it occurs in line 5 of section 3 of the printed bill, and insert in lieu thereof the word "corporation."

Fifth amendment: Strike out the word "fund" where the same occurs in parenthesis in line 10 of section 3 of the printed bill.

Sixth amendment: Strike out the word "incorporation" where the same occurs in line 2 of section 4 of the printed bill, and insert in lieu thereof the word "corporation."

Seventh amendment: Strike out the word "incorporation" where the same occurs in line 2 of section 5 of the printed bill, and insert in lieu thereof the word "corporation."

Eighth amendment: Strike out the word "incorporation" where the same begins in line 10 and ends in line 11 of section 5 of the printed bill, and insert in lieu thereof the word "corporation."

Ninth amendment: Add to said bill a section to be numbered section 13, as follows:

SEC. 13. Whereas, there is at present no law in this state providing for a depository of county funds, and whereas, such a depository would be of great benefit to the counties of the state. Therefore, an emergency is hereby declared to exist, and this act shall take effect and be in force from and after its passage and approval by the governor.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Judson, the report of the committee with amendments was adopted.

On motion of Mr. Burton, the following amendment was adopted: Section 5, line 14 of printed bill, strike out "court;" insert in lieu thereof "commissioner."

On motion of Mr. Mays, the following amendments were adopted: Section 2, line 13, strike out "court;" insert "commissioners." Section 4, line 4, strike out "securities;" insert "sureties."

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 56, nays 10, absent 12.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Burton, Bush of Chehalis, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Greenberg, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Tucker, Turpin, Washburn, Webb, Wheeler, White, and Mr. Speaker.

Nays: Messrs. Cameron, Green, Ludden, Merchant, Nelson, Neergaard, Rinehart, Shadle, Temple, and Westfall.

Absent: Messrs. Brock, Bush of Pacific, Collin, Foster, Gilman, Hamill, Nash, Roth, Tull, Weed, Winchell, and Woodworth.

The emergency clause passed by the following vote: Yeas 58, nays 6, absent 14.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Burton, Bush of Chehalis, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Green, Greenberg, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Morrison, Mulkey, McElwain, McKenzie, McMillan, McNew, Nelson, Payne, Pierce of Klickitat, Roscoe, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Webb, Westfall, Wheeler, White, and Mr. Speaker.

Nays: Messrs. Merchant, McMurphy, Neergaard, Pierce of Lewis, Rinehart, and Shadle.

Absent: Messrs. Brock, Bush of Pacific, Collin, Foster, Gilman, Hamill, Kline, Moore, Nash, Roth, Tull, Weed, Winchell, and Woodworth.

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

#### REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER:

We, your Committee on Education, to whom was referred House bill No. 169, entitled "An act in relation to the apportionment of the school funds of the state," have had the same under consideration, and we re-

spectfully report the same back to the House, with the recommendation that it be indefinitely postponed, for the reason that the same subject is fully covered by House bill No. 141, which has passed the House.

Respectfully submitted.

C. F. WESTFALL, Chairman.

We concur in this report:

WINCHELL,  
EDMONDS,  
FARRISH,  
TUCKER,  
DURANT.

On motion of Mr. Judson, the report of the committee was adopted, and the bill indefinitely postponed.

On motion of Mr. Ludden, Senate bill No. 69 was taken under consideration.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 69, entitled "An act requiring the appointment of police matrons in certain cities, designating their duties and directing their compensation," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

W. H. LUDDEN, Chairman.

The bill was read for information.

Mr. Mentzer moved to amend section 5 by striking out "until her death" and insert "for a period of four years or until."

The amendment was adopted.

The clerk was instructed to add an emergency clause to the title.

Mr. Leo presented the following section, to be numbered seven (7), as an amendment, which was adopted:

SEC. 7. As the object of this act is to assure the proper treatment of females under arrest and while confined in prison, and whereas, no such law now exists within this state, and it is essential to such treatment, therefore an emergency is hereby declared to exist, and this act shall take effect and be in force from the time of its approval by the governor.

Mr. Egbert presented the following amendment:

Section 4, amend by inserting after the word "city," in line 3 of sec. 4, the words "who are citizens of the United States," following the word "standing."

The House refused to adopt the amendment.

Mr. Smith, of Douglas, presented the following amendment:

Section 3, line 3, strike out the word "man" and insert in lieu thereof "male person."

The amendment was not adopted.

On motion of Mr. Rinehart, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 60, nays 1, absent 17.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Burton, Bush of Chehalis, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Farrish, Green, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Westfall, Wheeler, White, and Mr. Speaker.

Nay: Mr. Egbert.

Absent: Messrs. Brock, Bush of Pacific, Foster, Gilman, Greenberg, Hamill, Kline, Nash, Roth, Smith of Okanogan, Tull, Turpin, Washburn, Webb, Weed, Winchell, and Woodworth.

The emergency clause passed by the following vote: Yeas 57, nays 0, absent 21.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Burton, Bush of Chehalis, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Egbert, Farrish, Heliker, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Westfall, Wheeler, White, and Mr. Speaker.

Absent: Messrs. Brock, Bush of Pacific, Collin, Edwards, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Nash, Roscoe, Roth, Smith of Okanogan, Tull, Turpin, Washburn, Webb, Weed, Winchell, and Woodworth.

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

On motion of Mr. McElwain, House bill No. 36 was made a special order for Tuesday, February 21, at 10 o'clock P. M.

Mr. McMillan presented the following resolution:

*Resolved*, That two members of the standing Committee on Agricultural College and School of Science be appointed to act with the three members who have been appointed on the investigating committee for the purpose of examining into the condition and needs of said college.

The House refused to adopt the resolution.

On motion of Mr. Pierce, of Lewis, the House took under consideration Senate bill No. 48.

#### REPORT OF COMMITTEE ON MILITARY AFFAIRS AND SOLDIERS' HOME.

MR. SPEAKER:

We, your Committee on Military Affairs and Soldiers' Home, to whom was referred Senate bill No. 48, entitled "An act authorizing the state treasurer to receive from the United States any sum of money for the benefit of the Washington State Soldiers' Home, under the provisions of the act of congress approved August 27, 1888, entitled 'An act to provide aid to state and territorial homes for the support of disabled soldiers and sailors of the United States,' and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

C. M. PIERCE, Chairman.

We concur in this report:

E. H. LETTERMAN,

A. WOODWORTH,

R. C. WASHBURN,

H. N. GREENBERG.

On motion of Mr. Mead, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 64, nays 0, absent 14.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Burton, Bush of Chehalis, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farish, Green, Greenberg, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Turpin, Westfall, Wheeler, White, and Mr. Speaker.

Absent: Messrs. Brock, Bush of Pacific, Collin, Foster, Gilman, Hamill, Nash, Shadle, Tull, Washburn, Webb, Weed, Winchell, and Woodworth.

The emergency clause passed by the following vote: Yeas 62, nays 0, absent 16.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Burton, Bush of Chehalis, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Green, Greenberg, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Meany, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Speck, Temple, Tucker, Turpin, Westfall, Wheeler, White, and Mr. Speaker.

Absent: Messrs. Brock, Bush of Pacific, Collin, Foster, Gilman, Hamill, McMillan, Nash, Smith of Okanogan, Smithson, Tull, Washburn, Webb, Weed, Winchell, and Woodworth.

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

Mr. Meany moved that the agricultural college investigation committee should be empowered to hire a stenographer at not to exceed \$6 per day.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1893.

MR. SPEAKER:

The president of the Senate has signed House memorial No. 2, Relating to the public health.

Also, House memorial No. 3, Relating to river and harbor improvements.

Also, House concurrent resolution No. 5, Providing for election of United States senator by popular vote.

The Senate has passed Senate bill No. 126, Relating to crimes against the person.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

#### JOINT SESSION.

The Senate appearing at 12 o'clock noon the speaker invited the honorable senators to seats within the bar and the president to preside over the joint session.

The roll was called. All present except Messrs. Brock, Bush

(A. S.), Collin, Foster, Gilman, Hamill, Nash, Tull, Webb, Weed, Winchell, and Woodworth; and Senators Campbell, Donahoe, Dyer, Eshelman, Forsyth, Frink, Gilbert, Horr, Hutchinson, Ide, Kellogg, Kinnear, O'Neill, Richards, Rutter, Shaw, and Smith (T. J.).

On motion of Senator Claypool, the reading of yesterday's joint journal was dispensed with, and the same stood approved.

The following pairs were announced:

For to-day (Saturday)—Mr. Smith (H. F.) and Senator Forsyth, Mr. Hamill and Mr. Rinehart, Senator Claypool and Senator Kinnear, Senator Edens and Mr. Collin, Senator Campbell and Senator Roberts, Senator Kellogg and Senator Smith (T. J.), Senator Brown and Senator Eshelman, Senator Shaw and Senator Horr.

For Monday—Senator Helm and Senator Rutter, Mr. Tull and Mr. Webb, Mr. Brock and Mr. Woodworth, Mr. Nash and Mr. Kelly.

Until return of Fisheries Committee—Mr. Gilman and Mr. Bush (of Pacific), Mr. Weed and Mr. Mulkey, Senator Dyer and Senator Richards.

Until return of Penitentiary Committee—Mr. Hamill and Mr. Rinehart, Mr. Judson and Mr. Merchant, Mr. Foster and Senator Gilbert.

Until return of Agricultural College Committee—Mr. Nelson and Mr. Anderson (of Whitman), Mr. McElwain and Mr. Anderson (of Pierce), Senator Horr and Senator Shaw.

Until return of Committee on Hospitals for Insane—Mr. McNew and Mr. Moore.

Until return of Committee on Normal Schools—Mr. Heliker and Mr. Shadle, Senator Eshelman and Senator Brown.

For Monday and Tuesday—Mr. Ludden and Mr. Westfall, Mr. Payne and Senator Hastings.

Until Thursday—Senator Ide and Senator O'Neill.

The president announced that no person had received a majority of the votes cast for United States senator at yesterday's session, and instructed the clerk to call the roll for the fifty-ninth ballot.

FIFTY-NINTH JOINT BALLOT.

John B. Allen received 32 votes.  
George Turner received 16 votes.  
C. W. Griggs received 17 votes.  
C. W. Young received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Cameron, Farrish, Forrest, Hastings, Heliker, Hoole, Karr, Keller, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, Pierce (C. M.), Roth, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Wheeler, White, and Mr. Speaker.

Those voting for George Turner were: Cooper, Easterday, Greenberg, Helm, Hurd, McMillan, Mentzer, Moore, Nelson, Pierce (D. W.), Roscoe, Shadle, Sherman, Smithson, Temple, and Westfall.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Cowan, Crockett, Donahoe, Edmonds, Foss, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Payne, Shelton, and Turpin.

Those voting for C. W. Young were: Baker, Burton, Denn, Durrant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had been elected United States senator on the fifty-ninth ballot, and instructed the clerk to call the roll for the sixtieth joint ballot.

#### SIXTIETH JOINT BALLOT.

John B. Allen received 32 votes.

George Turner received 16 votes.

C. W. Griggs received 17 votes.

C. W. Young received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Cameron, Farrish, Forrest, Hastings, Heliker, Hoole, Karr, Keller, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, Pierce (C. M.), Roth, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Wheeler, White, and Mr. Speaker.

Those voting for George Turner were: Cooper, Easterday, Greenberg, Helm, Hurd, McMillan, Mentzer, Moore, Nelson, Pierce (D. W.), Roscoe, Shadle, Sherman, Smithson, Temple, and Westfall.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Cowan, Crockett, Donahoe, Edmonds, Foss, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Payne, Shelton, and Turpin.



Those voting for C. W. Young were: Baker, Burton, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had received the necessary majority to elect a United States senator, and dissolved the joint session at 12:30 P. M., to meet Monday at 12 o'clock noon.

Mr. Ludden was granted leave of absence for Monday and Tuesday.

Mr. Mead was excused until Monday.

On motion of Mr. Nelson, the agricultural college investigating committee was authorized to secure the services of the sergeant-at-arms to assist in procuring witnesses, etc.

#### PETITIONS, MEMORIALS, REMONSTRANCES, ETC.

By Mr. Hurd: Petition from the county officials in Skagit and other counties, praying for the election or appointment of census enumerators.

Referred to Committee on Judiciary.

Mr. Ludden presented the following petition, signed by 1,200 citizens, more or less:

*To the Honorable, the Members of the Senate and House of Representatives of the Legislature of the State of Washington, in Legislative Session now Assembled:*

HONORED AND HONORABLE SIRS—WHEREAS, Subdivision two (2) of section one thousand and twenty-two (1022) of the Code of General Laws of the State of Washington says that: "All lands used exclusively for public burying grounds or cemeteries, all church property used exclusively for public worship (shall be exempt from taxation) to an amount not exceeding five thousand dollars;" and,

WHEREAS, We believe that to tax church edifices, parsonages and institutions of learning, their necessary grounds and appurtenances, at all, is prejudicial to the interests of society and the state for the following reasons:

*First:* The aforesaid institutions are a gift from those who desire to benefit the public; are not established nor maintained with a view to private or corporate gain, and if taxed are liable to be sold and diverted to other uses.

*Second:* By putting the gift in jeopardy, we discourage liberal minded representatives of our various churches from bestowing their benefactions on many or any of our institutions in the great State of Washington, and they will build no magnificent churches nor colleges in a state that compels them to pay, annually, a tax on their gift to the people.

*Third:* From the fact that but one other state in the union taxes the church edifice, the impression produced on the minds of religious people in other states is unfavorable to our new and growing state.

*Fourth:* If the present law remains in force, no denomination can build and maintain church edifices or college buildings that will be creditable to them without becoming a secular rather than a religious corporation, and going into business for revenue.

Therefore, we, the undersigned citizens of the State of Washington, and residents of the state, being over twenty-one years of age, do pray that subdivision two (2) of section one thousand and twenty-two (1022), be amended so as to read as follows, to wit:

“All lands used exclusively for public burying grounds, or cemeteries; all church property used exclusively for public worship; parsonages belonging to any religious organization, when used exclusively as the residence of the minister or priest in charge of said religious organization, and institutions of learning; with the necessary grounds, furniture, libraries and equipments for the said churches, parsonages and institutions of learning.”

And your petitioners will ever pray.

Referred to Committee on Revenue and Taxation.

On motion of Mr. White, the House adjourned at 12:40 o'clock P. M., to meet Monday at 11:55 o'clock A. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## THIRTY-SIXTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Monday, February 13, 1893. }  
11:55 o'clock A. M.

The House was called to order at 11:55 A. M. by the speaker.

The roll was called. All present except Messrs. D. F. Anderson, W. D. E. Anderson, Brock, A. S. Bush, Collin, Foster, Gilman, Hamill, Heliker, Judson, Keller, Kelly, Ludden, Mead, Meany, Merchant, Morrison, Mulkey, McElwain, Nash, Rinehart, Smithson, Speck, Tull, Weed, Winchell, and Woodworth.

### JOINT SESSION.

The Senate being at the bar of the House, the Speaker invited them to seats within the bar and the president to preside over the joint session.

The roll was called. The following were absent: Senators Eshelman, Forrest, Gilbert, Hastings, Helm, Hutchinson, Ide, Kellogg, McManus, Rutter, T. J. Smith, Horr, and Messrs. D. F. Anderson, W. D. E. Anderson, Brock, A. S. Bush, Collin, Foster, Gilman, Hamill, Heliker, Judson, Keller, Kelly, Ludden, McElwain, McNew, Mead, Merchant, Moore, Nash, Nelson, Rinehart, Smithson, Tull, Webb, Weed, Winchell, Woodworth.

On motion of Mr. Shadle, the rules were suspended, the reading of the journal dispensed with and the journal approved.

Pairs for to-day (Monday) were announced as follows: Gilman and Bush of Pacific, Tull and Webb, Brock and Woodworth, Nash and Kelly, Hamill and Rinehart, Eshelman and Brown, Hastings and Payne, Nelson and Anderson of Whitman, Heliker and Shadle, McElwain and Anderson of Pierce, Horr and Shaw, Judson and Merchant, Helm and Rutter, Ludden and Westfall, McNew and Moore, Ide and O'Neill, Foster and Gilbert, Weed and Mulkey, Speck and Smithson, Edens and McManus, Green and Winchell, Brown and Eshelman, Miller and Mead, Frink and Hutchinson.

Hurd and Anderson of Whatcom, for Tuesday, Wednesday, Thursday and Friday.

The president announced that no election of United States senator had occurred at Saturday's joint session, and instructed the clerk to call the roll for the sixty-first ballot.

#### SIXTY-FIRST JOINT BALLOT.

John B. Allen received 25 votes.

George Turner received 13 votes.

C. W. Griggs received 14 votes.

C. W. Young received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (M.), Belknap, Cameron, Dyer, Farrish, Forsyth, Hoole, Karr, Kinnear, McKenzie, McMurphy, Meany, Morrison, Neergaard, Pierce (C. M.), Roberts, Roth, Sallee, Sergeant, Tucker, Van De Vanter, Washburn, Wheeler, White, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Hurd, McMillan, Mentzer, Pierce (D. W.), Richards, Roscoe, Sherman, Temple, and Van Houten.

Those voting for Chauncey W. Griggs were: Campbell, Cowan, Crockett, Donahoe, Edmonds, Foss, Kline, Leo, Letterman, Mays, McCroskey, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Denn, Durrant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had received the necessary majority to elect a United States senator, and directed the clerk to call the roll for the sixty-second joint ballot.

SIXTY-SECOND JOINT BALLOT.

John B. Allen received 25 votes.

George Turner received 13 votes.

C. W. Griggs received 14 votes.

C. W. Young received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Cameron, Dyer, Farrish, Forsyth, Hoole, Karr, Kinnear, McKenzie, McMurphy, Meany, Morrison, Neergaard, Pierce (C. M.), Roberts, Roth, Sallee, Sergeant, Tucker, Van De Vanter, Washburn, Wheeler, White, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Hurd, McMillan, Mentzer, Pierce (D. W.), Richards, Roscoe, Sherman, Temple, and Van Houten.

Those voting for Chauncey W. Griggs were: Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Kline, Leo, Letterman, Mays, McCroskey, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Denn, Durrant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

There being no election of United States senator, the president dissolved the joint session at 12:30 o'clock p. m., to meet to-morrow (Tuesday) at 12 o'clock noon.

On motion of Mr. Tucker, the rules were suspended, the reading of the journal dispensed with, and the journal approved.

On motion of Mr. Pierce, of Lewis, the House took a recess at 12:35 to 2 o'clock this afternoon.

## AFTERNOON SESSION.

The speaker called the House to order at 2 o'clock p. m.

The roll was called; all the members were present except Messrs. Anderson (D. F.), Anderson (W. D. E.), Brock, Bush (A. S.), Collin, Foster, Gilman, Hamill, Heliker, Judson, Ludden, Mead, Merchant, Mulkey, McElwain, McNew, Nelson, Payne, and Smith (H. F.).

The following communication was read:

LOS ANGELES, CAL., February 4, 1893.

*Hon. J. W. Arrasmith, Speaker, and Members of the House of Representatives of the State of Washington:*

GENTLEMEN—A congress of the western states and territories will meet at Ogden, Utah, on Monday, April 24th, of the present year. It is known as the Trans-Mississippi Congress, and has heretofore met at Galveston, Kansas City, Denver, Omaha and New Orleans.

The territory embraced in the representation of this congress is all that part of the United States west of the Mississippi river. The basis of representation authorizes the governor of each state and territory to appoint ten delegates; the county judge, board of supervisors, or county commissioners, as the case may be, to appoint one delegate from each county; the mayor of all towns and cities, one delegate for each 5,000 inhabitants or fractional part thereof; all commercial bodies in all towns and cities may appoint the same number as the mayor; this last includes chambers of commerce, real estate exchanges and all similar commercial bodies; all transportation companies, whether rail or steamship, one delegate each.

The object of this congress is to discuss all questions affecting the west that may be the subject of legislation at Washington, and to speak through its resolutions to the national congress.

Hence, irrigation, arid land, silver, public lands, the policy of the secretary of the interior, Pacific and Gulf coast defenses, and harbor improvements, and other important questions vitally affecting the interest of your state, come up in a body composed entirely of western men.

You are respectfully invited to be present at the next session of the congress, and as delegates, if selected in the manner above indicated, to take part in its proceedings.

Your attention is called to the importance of united action on the part of the west concerning many features essential to its prosperity and advancement, and to the advantage of subsequently expressing these same wishes through your legislative bodies.

Respectfully, L. BRADFORD PRINCE, *President.*

W. H. HARVEY, *Chairman Executive Committee.*

Mr. Roth, of Whatcom, presented a remonstrance from the citizens of Whatcom county against the passage of the bill to create an additional judge of the superior court in the counties of San Juan and Whatcom.

Referred to Committee on Judiciary.

By Mr. Hoole: Petition from John C. Fremont Post, No. 69, praying for laws to compel school districts to float the American flag over their school buildings.

Referred to Committee on Education.

By Mr. Hurd: Petition from D. A. Russell Post, No. 35, G. A. R., of Mt. Vernon, to have American flag on public school buildings.

Referred to Committee on Education.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 8, entitled "An act providing for the appointment of a state inspector of oils, and defining his duties and prescribing his compensation," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be referred to the Committee on Insurance.

Respectfully submitted.

A. E. MEAD, Chairman.

The bill was re-referred to the Committee on Insurance.

On motion of Mr. Wheeler, House bill No. 214 was recommitted to the Committee on Revenue and Taxation.

On motion of Mr. Turpin, Senate bill No. 88 was recommitted to the Committee on Privileges and Elections.

#### REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL AND RAILROADS.

MR. SPEAKER:

We, your Committee on Corporations Other than Municipal and Railroads, to whom was referred House bill No. 103, entitled "An act concerning the exercise of the right of eminent domain by corporations other than municipal corporations," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that the bill herewith submitted be a substitution therefor, and that the same do pass.

Respectfully submitted.

R. C. WASHBURN, Chairman.

There being no objections, the substitute bill, known as House bill No. 321, was considered in place of the original, and read in full for information.

On motion of Mr. Hoole, the substitute was ordered printed.

## REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 140, entitled "An act authorizing cities to make local assessments and reassessments," have had the same under consideration, and we respectfully report a substitute, and recommend that the substitute do pass.

Respectfully submitted.

MR. LUDDEN, Chairman.

The substitute bill was numbered 322, and was read first time, and took the place of the original bill on the calendar.

## INTRODUCTION OF BILLS.

The following House bills were introduced, read first time by title, and referred to the following committees:

House bill No. 321 (substitute for House bill No. 103), by Committee on Corporations Other than Municipal: An act concerning the exercise of the right of eminent domain by corporations other than municipal corporations.

House bill No. 322 (substitute for House bill No. 140), by Municipal Corporations: An act authorizing cities to make local assessments and reassessments.

House bill No. 323, by Mr. Hoole: An act extending the time for payment of taxes, remitting penalties, and declaring an emergency.

Referred to Committee on Revenue and Taxation.

House bill No. 324, by Mr. Scott: An act prescribing forms to be used in the sale of real estate for delinquent taxes.

Referred to Committee on Revenue and Taxation.

House bill No. 325, by Mr. Pierce, of Lewis (by request): An act to provide for the publication of laws passed by the Legislature in the newspapers.

Referred to Committee on Printing.

House bill No. 326, by Mr. Sherman: An act to aid free public libraries.

Referred to Committee on Public Library and Grounds.

House bill No. 327, by Mr. Washburn: An act in relation to the descent of real estate of deceased persons, and sales thereof by executors and administrators, and quieting title acquired by descent.

Referred to Judiciary Committee.

House bill No. 328, by Mr. Meany: An act providing for the division of the State of Washington into two congressional districts.

Referred to Committee on Federal Relations.

House bill No. 329, by Mr. Meany: An act requiring the weekly payment of wages.

Referred to Committee on Labor and Labor Statistics.

House bill No. 330, by Mr. Meany: An act preventing the coercion of employés.

Referred to Committee on Labor and Labor Statistics.

House bill No. 331, by Mr. Roth: An act to amend sections 107, 109, 113, 116, 124, 126, 132, 133, 134, 135 and 136.

Referred to Committee on Municipal Corporations.

House bill No. 332, by Mr. Leo: An act allowing a second appeal to the supreme court in certain cases, when persons have been convicted of felony, and declaring an emergency.

Referred to Judiciary Committee.

House concurrent resolution No. 14, by Mr. Smith: Relating to amendment of art. 1, sec. 9, of the constitution of the United States, regarding direct taxation of wealth.

Referred to Committee on Federal Relations.

On motion of Mr. Roth, House bill No. 331, An act relating to municipal corporations, was ordered printed immediately.

On motion of Mr. Leo, House bill No. 332, An act allowing an appeal the second time, was ordered printed immediately.

On motion of Mr. Morrison, Senate bill No. 78, by Senator Forrest, An act to define and fix the penalty where the defendant may be found guilty in all criminal actions tried by the superior courts of this state, and repealing all acts and parts of acts in conflict with this act, was postponed until Saturday, February 18, at 10 o'clock A. M.

#### SPECIAL ORDER.

The time having arrived the House took under consideration House bill No. 10, by Mr. Roscoe, An act to repeal sections fifty-nine (59), sixty (60), sixty-one (61), sixty-two (62), sixty-three (63), sixty-four (64), sixty-five (65), sixty-six (66) and sixty-seven (67) of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington, and declaring an emergency," special order for this afternoon.

#### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 10, entitled "An act to repeal sections fifty-nine (59), sixty



(60), sixty-one (61), sixty-two (62), sixty-three (63), sixty-four (64), sixty-five (65), sixty-six (66) and sixty-seven (67) of an act entitled 'An act to provide for the assessment and collection of taxes in the State of Washington, and declaring an emergency,' have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

D. W. PIERCE, Chairman.

On motion of Mr. Roscoe, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 45, nays 12, absent 21.

Yeas: Messrs. Anderson of Whatcom, Baker, Burton, Bush of Chehalis, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Greenberg, Hoole, Hurd, Karr, Keller, Letterman, Mays, Mentzer, Moore, Morrison, McKenzie, McMillan, McMurphy, Nash, Neergaard, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Scott, Shelton, Sherman, Smith of Douglas, Speck, Temple, Tucker, Tull, Weed, Westfall, Wheeler, White, Winchell, and Woodworth.

Nays: Messrs. Cameron, Green, Kelly, Kline, Leo, Meany, Sallee, Shadle, Turpin, Washburn, Webb, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Brock, Bush of Pacific, Collin, Foster, Gilman, Hamill, Heliker, Judson, Ludden, Mead, Merchant, Mulkey, McElwain, McNew, Nelson, Payne, Rinehart, Smith of Okanogan, and Smithson.

The emergency clause failed to pass by the following vote: Yeas 50, nays 7, absent 21.

Yeas: Messrs. Anderson of Whatcom, Baker, Burton, Bush of Chéhalis, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Farrish, Greenberg, Hoole, Hurd, Karr, Keller, Kelly, Letterman, Mays, Meany, Mentzer, Moore, Morrison, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Scott, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Egbert, Leo, Sallee, Shadle, Turpin, Washburn, and Webb.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Brock, Bush of Pacific, Collin, Foster, Gilman, Green, Hamill, Heliker, Judson, Kline, Ludden, Mead, Merchant, Mulkey, McElwain, McNew, Nelson, Rinehart, and Smith of Okanogan.

There not being two-thirds of all the members voting yea, the emergency clause failed to pass.

Mr. Webb was excused for the afternoon.

On motion of Mr. Tucker, the vote by which the House failed to pass the emergency clause of House bill No. 10, was reconsidered.

On motion of Mr. Tucker, the further consideration of the emergency clause was deferred until Friday, February 17, at 10 o'clock A. M.

#### REPORT OF COMMITTEE ON ROADS AND HIGHWAYS.

MR. SPEAKER:

We, your Committee on Roads and Highways, to whom was referred House bill No. 167, entitled "An act to prevent unnecessary destruction of and damage to public roads, highways and turnpikes, and to regulate the width of wagon tires or wheel bands to be used thereon, and to provide punishment for the violation of this act," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended by adding the words "*Provided*, That persons using wagons now in use in this state, or wagons bought from dealers in this state during the year 1893, shall not be liable under the provisions of this act," at the end of section two; and that with such amendment the bill pass.

ELLIS MORRISON, Chairman.

We concur in this report:

D. F. ANDERSON,  
WM. PAYNE,  
D. W. MCMURPHY,  
S. JUDSON.

House bill No. 167 was read the second time and the report of the committee, recommending amendments, was adopted.

On motion of Mr. Tull, House bill No. 167 was indefinitely postponed, by a divisional vote of 30 yeas to 16 nays.

Mr. Hurd was excused for several days.

#### COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, February 10, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN—I have this day approved and signed the following:

House bill No. 240, entitled "An act relating to and authorizing cities and towns to purchase, construct and maintain water works, systems of sewerage, gas and electric light plants, and to issue bonds to pay therefor, and declaring an emergency."

House bill No. 254, entitled "An act relating to fish traps, pound nets, weirs, set nets, fish wheels, or other fixed appliances for catching salmon on the waters of the Columbia river and its tributaries, and Puget Sound;

for providing for the licensing thereof, and the disposition of the funds arising therefrom, and declaring an emergency."

Respectfully, J. H. MCGRAW, Governor.

#### REPORT OF COMMITTEE ON ROADS AND HIGHWAYS.

MR. SPEAKER:

We, your Committee on Roads and Highways, to whom was referred House bill No. 173, entitled "An act to amend section 1 of an act entitled 'An act to amend section 2 of an act entitled "An act to authorize county commissioners to issue bonds for road purposes," approved March 22, 1890, and approved March 6, 1891,' and also to amend sections 1 and 5 of an act entitled 'An act to authorize county commissioners to issue bonds for road purposes,'" approved March 22, 1890, have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it pass.

Respectfully submitted.

ELLIS MORRISON, Chairman.

We concur in this report:

D. F. ANDERSON,

WM. PAYNE,

D. W. McMURPHY,

S. JUDSON.

House bill No. 173 was read the second time in full.

Mr. Roth presented the following amendment to House bill No. 173: Insert after the word "year," in the tenth line of section 1, the following: "And no voter other than a freeholder shall be entitled to vote at such special or general election."

The proposed amendment was lost.

Mr. Denn offered the following amendment: Strike out the word "one-fourth" in line six of section 1, and insert the word "majority" in lieu thereof.

The amendment was adopted.

Mr. Turpin presented the following amendment: Section 1, line 15, after the word "value" to read as follows: "And the interest on the same shall not be for more than the legal rate."

The amendment was adopted.

Mr. Bush, of Chehalis, presented the following amendment: Amend title by adding to the same, after the figures 1890, in the last line, the words: "And declaring an emergency."

The amendment was lost.

Mr. Cowan presented the following amendment: Amend line 11, section 1, by striking out the word "three-fifths" and inserting therefor "three-fourths."

The amendment was lost.

Mr. Mentzer presented the following amendment: That the whole of section 4 be stricken out.

The amendment was adopted.

Mr. Mays presented the following amendment: After 1891, at end of section 2: "*Provided*, That said district shall bear all the expenses of said elections when specially called."

The amendment was adopted.

Mr. Roth moved that the rules be suspended, the reading just had be considered the third, the bill be considered engrossed, and placed on its final passage.

The motion was lost by a divisional vote of 23 yeas to 6 nays. A quorum not voting, the bill was ordered to take its place on the calendar.

#### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 66, entitled "An act to fix the legal rate of interest," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that section 3 of the bill be stricken out, and with this amendment it do pass.

Respectfully submitted.

D. W. PIERCE, Chairman.

On motion, the report was adopted, and the bill was read the second time.

Mr. Baker moved to amend Senate bill No. 66, by striking out the word "eight," in line 1 of section 1, and inserting the word "six" in lieu thereof.

The House refused to adopt the amendment by the following vote: Yeas 14, nays 44, absent and not voting 20.

Yeas: Messrs. Baker, Cameron, Denn, Durant, Edmonds, Edwards, Egbert, Greenberg, Scott, Smith of Douglas, Smith of Okanogan, Smithson, White, and Winchell.

Nays: Messrs. Anderson of Whatcom, Burton, Bush of Chehalis, Cowan, Crockett, Farrish, Gilman, Green, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, McKenzie, McMillan, McMurphy, Nash, Neergaard, Pierce of Klickitat, Pierce of Lewis, Roth, Sallee, Shadle, Shelton, Sherman, Speck, Temple, Tucker, Tull, Turpin, Washburn, Weed, Westfall, Wheeler, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Brock, Bush of Pacific, Collin, Foster, Hamill, Heliker, Hurd, Jud-

son, Ludden, Merchant, Mulkey, McElwain, McNew, Nelson, Payne, Rinehart, Roscoe, and Webb.

Mr. Kelly presented the following amendment: Section 2, line 1, strike out "school warrants or other."

Mr. Nash presented the following amendment to the amendment: Strike out from section 2, the words "county, city or school warrants, or other."

The amendment to the amendment was lost.

Mr. Kelly's amendment was lost.

Mr. Shadle presented the following amendment: Amend section 2, strike out "school warrants or" in line one.

The amendment was lost.

Mr. Leo moved that the further consideration of Senate bill No. 66 be indefinitely postponed.

The House refused to indefinitely postpone the bill by the following vote: Yeas 10, nays 48, absent and not voting 20.

Yeas: Messrs. Bush of Chehalis, Cowan, Denn, Karr, Kelly, Leo, Sallee, Sherman, Smith of Okanogan, and Turpin.

Nays: Messrs. Anderson of Whatcom, Baker, Burton, Cameron, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Gilman, Green, Greenberg, Hoole, Keller, Kline, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, McKenzie, McMillan, McMurphy, Nash, Neergaard, Pierce of Klickitat, Pierce of Lewis, Roth, Scott, Shadle, Shelton, Smith of Douglas, Smithson, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Brock, Bush of Pacific, Collin, Foster, Hamill, Heliker, Hurd, Judson, Ludden, Merchant, Mulkey, McElwain, McNew, Nelson, Payne, Rinehart, Roscoe, and Speck.

Mr. McMillan moved to reconsider the vote by which the report of the committee was adopted.

The motion was lost.

Mr. McMillan presented the following amendment:

"SEC. 3. Any rate of interest agreed upon by parties to a contract, specifying the same in writing, shall be valid and legal."

The amendment was not adopted.

On motion of Mr. Mead, the rules were suspended, the bill was read third time, and placed on final passage.

The bill passed by the following vote: Yeas 49, nays 9, absent 20.

Yeas: Messrs. Anderson of Whatcom, Baker, Burton, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farish, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, McKenzie, McMillan, McMurphy, Neergaard, Pierce of Klickitat, Pierce of Lewis, Roth, Scott, Shelton, Smith of Douglas, Speck, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Bush of Chehalis, Kelly, Nash, Sallee, Shadle, Sherman, Smith of Okanogan, Smithson, and Turpin.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Brock, Bush of Pacific, Collin, Foster, Hamill, Heliker, Hurd, Judson, Ludden, Merchant, Mulkey, McElwain, McNew, Nelson, Payne, Rinehart, Roscoe, and Temple.

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

Mr. Nash moved that we do now adjourn.

The motion was lost.

Mr. Meany moved that the Judiciary Committee be excused from the session of the House.

The House refused to excuse them.

On motion of Mr. Meany, the House adjourned at 4:50 p. m.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

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## THIRTY-SEVENTH DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASHINGTON, Tuesday, February 14, 1893. }  
 10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.

The roll was called. All the members were present except Messrs. D. F. Anderson, W. D. E. Anderson, Collin, Foster, Hamill, Heliker, Hurd, Judson, Kelly, Ludden, Merchant, McElwain, McNew, Neergaard, Payne, Rinehart, and Shelton.

Mr. Egbert moved that the further reading of yesterday's journal be dispensed with, and that it stand approved.

The motion prevailed, and the journal was approved.

Mr. Mulkey was excused from attendance for an indefinite period, on account of sickness.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 14, 1898.

MR. SPEAKER:

The Senate has passed House bill No. 89, entitled "An act to quiet possession and confirm titles to land."

Also, House bill No. 100, Relating to costs in civil actions before justices of the peace.

Also, Senate bill No. 54, Regulating justices' fees.

Also, Senate bill No. 110, Relating to penal and reformatory institutions.

Also, Senate bill No. 115, An act relating to escheats.

Also, Senate concurrent resolution No. 12, Relating to state flower.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

#### SPECIAL ORDERS.

The hour of 10 o'clock having arrived, the House took up for consideration House bill No. 76, by Mr. Nash, An act relating to proceedings supplemental to execution, special order for this hour.

The roll was called, and the bill passed by the following vote: Yeas 50; nays 10, absent and not voting 18.

Yeas: Messrs. Brock, Bush of Chehalis, Bush of Pacific, Cowan, Crockett, Durant, Edmonds, Egbert, Farrish, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kline, Leo, Letterman, Mead, Meany, Moore, Morrison, McKenzie, McMillan, McMurphy, Nash, Neergaard, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Whatcom, Baker, Burton, Cameron, Denn, Edwards, Mays, Scott, Smith of Douglas, and White.

Absent: Messrs. Anderson of Whitman, Anderson of Pierce, Collin, Foster, Hamill, Heliker, Hurd, Judson, Kelly, Ludden, Mentzer, Merchant, Mulkey, McElwain, McNew, Nelson, Payne, and Rinehart.

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

## PETITIONS, MEMORIALS, ETC.

By Mr. Webb: Remonstrance from taxpayers of King county, against the appointment of an additional superior court judge in King county.

Referred to Committee on Judiciary.

Mr. Cowan presented a memorial from Philip Collins, in reference to the Western Washington Hospital for the Insane.

Referred to the Committee on Hospital for the Insane.

Mr. Hoole presented the following resolution:

*Be it resolved*, That the chief clerk is hereby instructed to request the secretary of state to transmit to both Houses of Congress, and to each of our representatives at Washington, a copy of all House memorials.

The resolution was adopted.

## REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER:

We, your Committee on Education, to whom was referred House bill No. 228, entitled "An act relating to an act providing for a school text book on money and finance," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. F. WESTFALL, Chairman.

We concur in this report:

WINCHELL,  
EDMONDS,  
SHADLE,  
FARRISH,  
SHELTON.

The House refused to adopted the report of the committee, and indefinitely postpone the bill, by the following vote: Yeas 20, nays 38, absent 20.

Yeas: Messrs. Anderson of Whatcom, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Crockett, Edmonds, Farrish, Green, Karr, Keller, Meany, Mentzer, Neergaard, Shadle, Tucker, Turpin, Washburn, Westfall, and Winchell.

Nays: Messrs. Baker, Burton, Cowan, Denn, Durant, Edwards, Egbert, Gilman, Greenberg, Hoole, Kline, Leo, Letterman, Mays, Mead, Moore, Morrison, McKenzie, McMillan, McMurphy, Nash, Pierce of Klickitat, Roscoe, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tull, Webb, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman,



Collin, Foster, Hamill, Heliker, Hurd, Judson, Kelly, Ludden, Merchant, Mulkey, McElwain, McNew, Nelson, Payne, Pierce of Lewis, Rinehart, Roth, and Weed.

House bill No. 228 was read the second time.

Mr. Meany moved that the House give unanimous consent to take under consideration House bill No. 318 at this time.

The motion prevailed.

#### REPORT OF COMMITTEE ON JUDICIARY.

##### MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 318, entitled "An act requiring the supreme court to pass upon the validity and constitutionality of laws enacted by the legislature of the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The bill was read in full the second time.

On motion of Mr. Tucker, the rules were suspended, the bill was considered engrossed, and was read third time, and placed on final passage.

The bill passed by the following vote: Yeas 54, nays 5, absent 19.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kline, Leo, Letterman, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McKenzie, McMurphy, Nash, Neergaard, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Shelton, Sherman, Smith of Okanogan, Speck, Temple, Tucker, Tull, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Burton, Mays, McMillan, Smith of Douglas, and Washburn.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Collin, Foster, Hamill, Heliker, Hurd, Judson, Kelly, Ludden, Mulkey, McElwain, McNew, Nelson, Payne, Rinehart, Shadle, Smithson, and Turpin.

The emergency clause failed to pass by the following vote: Yeas 50, nays 6, absent 22.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Ed-

monds, Edwards, Egbert, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kline, Leo, Letterman, Mead, Meany, Mentzer, Moore, Morrison, McKenzie, McMurphy, Nash, Neergaard, Pierce of Klickitat, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Webb, Weed, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Burton, Durant, Mays, McMillan, Smith of Douglas, and Washburn.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Collin, Farrish, Foster, Hamill, Heliker, Hurd, Judson, Kelly, Ludden, Merchant, Mulkey, McElwain, McNew, Nelson, Payne, Pierce of Lewis, Rinehart, Roscoe, Roth, and Westfall.

On motion of Mr. Meany, the House reconsidered the vote whereby the emergency clause was lost, and the second vote was ordered.

The emergency clause then passed by the following vote: Yeas 52, nays 6, absent and not voting 20.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kline, Leo, Letterman, Mead, Meany, Moore, Morrison, McKenzie, McMurphy, Nash, Neergaard, Pierce of Klickitat, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Tucker, Tull, Turpin, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Burton, Mays, McMillan, Smith of Douglas, Temple, and Washburn.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Collin, Foster, Hamill, Heliker, Hurd, Judson, Kelly, Ludden, Mentzer, Merchant, Mulkey, McElwain, McNew, Nelson, Payne, Pierce of Lewis, Rinehart, and Roth.

The title of the bill was read and approved.

On motion of Mr. Mead, the rules were suspended and the chief clerk was instructed to transmit the bill to the Senate, which duty was performed.

On motion of Mr. Mays, the House took a recess at 11:55 for five minutes.

The House was called to order at 12 o'clock noon by the speaker.

## JOINT SESSION.

The Senate being in waiting, the speaker invited the honorable body to seats within the bar, and the president to preside.

The roll was called. All present except Senators Cooper, Eshelman, Frink, Gilbert, Ide, Kellogg, McCroskey, McManus, T. J. Smith, and Van de Vanter, and Messrs. D. F. Anderson, W. D. E. Anderson, Collin, Foster, Hamill, Heliker, Hurd, Judson, Ludden, McElwain, McNew, Merchant, Moore, Nelson, Payne, and Rinehart.

Mr. Hoole moved that the reading of yesterday's joint journal be dispensed with, and that it stand approved.

It was so ordered, and the journal was approved.

The following pairs were announced: Mr. Hurd and Mr. Anderson of Whatcom, Mr. Nelson and Mr. Anderson of Whitman, Mr. McElwain and Mr. Anderson of Pierce, Mr. Ludden and Mr. Westfall, Mr. Judson and Mr. Merchant, Mr. McNew and Mr. Moore, Senator Ide and Senator O'Neil, Mr. Foster and Senator Gilbert, Mr. Hamill and Mr. Rinehart, Senator Eshelman and Senator Brown, Senator Hastings and Mr. Payne, Mr. Heliker and Mr. Shadle, Senator Kinnear and Senator Claypool, Senator Edens and Senator McManus, Senator Frink and Senator Hutchinson, Senator Van Houten and Senator Van de Vanter.

The president announced that no election had occurred at yesterday's session, and instructed the clerk to call the roll for the sixty-third joint ballot.

## SIXTY-THIRD BALLOT.

John B. Allen received 33 votes.

George Turner received 15 votes.

C. W. Griggs received 19 votes.

C. W. Young received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen, were: Belknap, Brock, Bush (A. S.), Cameron, Dyer, Farrish, Forrest, Forsyth, Hoole, Horr, Karr, Keller, McKenzie, McMurphy, Mead, Meany, Morrison, Neergaard, Pierce (C. M.), Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Easterday, Greenberg, Helm, McMillan, Mentzer, Nash, Pierce (D. W.), Richards, Roscoe, Sherman, Smithson, Temple, Tull, and Woodworth.

Those voting for Chauncey W. Griggs were: Campbell, Cowan, Crockett, Donahoe, Edmonds, Foss, Gilman, Green, Kline, Leo, Letterman, Mays, McCroskey, Miller, Mulkey, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had received the necessary majority to elect a United States senator, and instructed the clerk to call the roll for the sixty-fourth ballot.

#### SIXTY-FOURTH JOINT BALLOT.

John B. Allen received 33 votes.

George Turner received 15 votes.

C. W. Griggs received 19 votes.

C. W. Young received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Belknap, Brock, Bush (A. S.), Cameron, Dyer, Farrish, Forrest, Forsyth, Hoole, Horr, Karr, Keller, McKenzie, McMurphy, Mead, Meany, Morrison, Neergaard, Pierce (C. M.), Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Easterday, Greenberg, Helm, McMillan, Mentzer, Nash, Pierce (D. W.), Richards, Roscoe, Sherman, Smithson, Temple, Tull, and Woodworth.

Those voting for Chauncey W. Griggs were: Campbell, Cowan, Crockett, Donahoe, Edmonds, Foss, Gilman, Green, Kline, Leo, Letterman, Mays, McCroskey, Miller, Mulkey, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that there was no election of United States senator, and dissolved the joint session at 12:20 P. M., to meet to-morrow (Wednesday) at 12 o'clock noon.

Messrs. Winchell, Shadle and Westfall were excused for a sufficient period to visit the state normal schools.

Mr. Smith, of Okanogan, was granted permission to introduce a joint memorial.

On motion of Mr. Meany, the memorial was made a special order for 2 o'clock this afternoon, and the House took a recess until that time.

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#### AFTERNOON SESSION.

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The House was called to order at 2 o'clock p. m.; the speaker presiding.

The roll was called. All the members were present except Messrs. D. F. Anderson, W. D. E. Anderson, Collin, Hamill, Heliker, Hurd, Judson, Kelly, Ludden, Merchant, McElwain, McNew, Nelson, Payne, Rinehart, Westfall, and Winchell (excused).

#### INTRODUCTION OF BILLS.

The following House bills were introduced, read first time by title, and referred to the following committees.

House bill No. 333, by Mr. Hoole: An act relating to legal publication.

Referred to Judiciary Committee.

House bill No. 334, by Mr. Turpin: An act relating to fees for copying public records.

Referred to Committee on Compensation and Fees.

House bill No. 335, by Mr. Morrison: An act appropriating funds for the maintenance of the bureau of statistics, agriculture and immigration, and to enable said board to make a special effort to advertise this state at Chicago during the World's Fair, in order to promote immigration to this state.

Referred to World's Fair Committee.

House bill No. 336, by Mr. Morrison: An act to establish a bureau of statistics, agriculture and immigration, and declaring an emergency.

Referred to World's Fair Committee.

House bill No. 337, by Mr. Mead: An act prescribing that all fees which are paid salaried officers by virtue of their office shall be paid into the county treasury, and prescribing a penalty for a failure so to do.

Referred to Committee on Compensation and Fees.

House bill No. 338, by Mr. McKenzie: An act fixing the salary of justices of the peace and constables in cities of the third class having over five thousand inhabitants.

Referred to Committee on Municipal Corporations.

House bill No. 339, by Mr. Smith, of Okanogan: An act to create a lien for miners and laborers.

Referred to Committee on Mines and Mining.

House bill No. 340, substitute for House bill No. 23, by Judiciary Committee: An act concerning insane persons.

Judiciary Committee recommend passage.

House bill No. 341, by Mr. Denn: An act to secure the payment of cost in civil suits before justices of the peace.

Referred to Committee on Compensations and Fees.

The following Senate bills were read first time and referred to committees.

Senate bill No. 54, by Senator Dyer: An act regulating fees of justices of the peace for services rendered by them.

Referred to Judiciary Committee.

Senate bill No. 110, by Senator Miller: An act to amend section 1177 of chapter 2, title 12, volume 1, of the General Statutes and Codes of the State of Washington, relating to penal and reformatory institutions.

Referred to Judiciary Committee.

Senate bill No. 115, by Senator Dyer: An act relating to escheats.

Referred to Judiciary Committee.

Senate bill No. 126, by Senator Kinnear: An act to amend the penal code relating to crimes against the person.

Referred to Judiciary Committee.

House memorial No. 6, by Mr. Turpin: A memorial for coast defenses.

Read first time.

On motion of Mr. Hoole the memorial was read the second and third time, and was unanimously adopted.

House memorial No. 5, by Mr. Smith, of Okanogan: Praying for the establishment of additional light houses.

Read first time.

On motion of Mr. Smith, of Okanogan, the rules were suspended, the memorial was read the first, second and third times and was passed unanimously.

On motion of Mr. Smith, of Okanogan, House memorials Nos. 5 and 6 were taken to the Senate immediately by the chief clerk.

On motion of Mr. Egbert, House concurrent resolution No. 6, by Mr. Collin, In relation to the circulating medium, was made a special order for Monday, February 20th, at 2 P. M.

On motion of Mr. Hoole, House bill No. 63 was made a special order for Friday, February 17, at 10 o'clock A. M.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 23, entitled "An act concerning foreign and domestic guardians," have had the same under consideration, and we respectfully report the same back to the House with the accompanying substitute therefor, and we recommend that such substitute do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report was adopted.

The substitute for House bill No. 23 was numbered House bill No. 340, and took its place on the calendar after being read by title.

#### REPORTS OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

MR. SPEAKER:

We, your Committee on Appropriations and Claims, to whom was referred House bill No. 247, entitled "An act providing for the payment for services in selling school lands by Bickerton and Bell," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the Judiciary Committee.

Respectfully submitted.

G. W. TEMPLE, Chairman.

House bill No. 247 was referred as requested.

MR. SPEAKER:

We, your Committee on Appropriations and Claims, to whom was referred House bill No. 139, entitled "An act to appropriate money to pay deficiencies for supplies furnished for the Western Washington Hospital for Insane at Fort Steilacoom, State of Washington," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the Committee on Insane, with the request that they shall report to the Appropriation Committee at an early date.

Respectfully submitted.

G. W. TEMPLE, Chairman.

The bill was referred as recommended.

MR. SPEAKER:

Your Committee on Appropriations and Claims, to which was referred House bill No. 84, entitled "An act to amend sections 1063 of the Code of

1881, and 1271, volume 2, of Hill's Code, by providing for compensation of counsel appointed to defend indigent prisoners," respectfully reports the bill back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

G. W. TEMPLE, Chairman.

On motion of Mr. Temple, the report of the committee was adopted, and House bill No. 84 was indefinitely postponed.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 157, entitled "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 House, with the recommendation that it be referred to the Committee on Education.

Respectfully submitted.

A. E. MEAD, Chairman.

The request of the committee was granted.

#### REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER:

We, your Committee on Education, to whom was referred House bill No. 151, entitled "An act providing for free text books in common schools in the State of Washington, and appropriating money therefor, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed, as the subject is fully covered by House bill No. 9, now in the hands of the committee.

Respectfully submitted.

C. F. WESTFALL, Chairman.

We concur in this report:

WINCHELL,  
SHADLE,  
SHELTON,  
FARRISH,  
EDWARDS.

On motion, the report of the committee was adopted, and House bill No. 151 was indefinitely postponed.

MR. SPEAKER:

We, your Committee on Education, to whom was referred House bill No. 177, entitled "An act to establish a system of public schools in cities of ten thousand or more inhabitants, and to provide for properly maintaining, governing and grading the same, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed, for the reason that



the subject is fully covered by Senate bill No. 90, which has passed the Senate.

Respectfully submitted.

C. F. WESTFALL, Chairman.

We concur in this report:

WINCHELL,  
SHELTON,  
SHADLE,  
FARRISH,  
EDMONDS.

The report of the committee was adopted, and House bill No. 177 was indefinitely postponed.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 22, entitled "An act providing for an additional superior court judge for Whatcom county," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report of the committee was adopted, and House bill No. 22 was indefinitely postponed.

On motion of Mr. McMillan, the House took under consideration Senate bill No. 25.

#### REPORT OF COMMITTEE ON FORESTRY, AGRICULTURE AND HORTICULTURE.

MR. SPEAKER:

We, your Committee on Forestry, Agriculture and Horticulture, to whom was referred Senate bill No. 25, entitled "An act relative to commission merchants or persons selling agricultural products or farm produce on commission," respectfully reports the bill back to the House with the recommendation that it do pass.

ALEX. CAMERON, Chairman Committee.

On motion of Mr. McMillan, the rules were suspended, the bill was considered engrossed, and was read second and third time and placed on final passage.

The bill passed by the following vote: Yeas 57, nays none, absent 21.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Gilman, Green, Greenberg, Hoole, Karr, Kellèr, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKen-

zie, McMillan, McMurphy, Nash, Neergaard, Pierce of Klickitat, Pierce of Lewis, Roscoe, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Collin, Foster, Hamill, Heliker, Hurd, Judson, Kelly, Ludden, Merchant, McElwain, McNew, Nelson, Payne, Rinehart, Roth, Shadle, Smith of Okanogan, Westfall, and Winchell.

The emergency clause passed by the following vote: Yeas 58, nay 1, absent 19.

Yeas: Messrs. Anderson of Whatcom, Baker, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nay: Mr. Brock.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Collin, Foster, Hamill, Heliker, Hurd, Judson, Kelly, Ludden, Merchant, McElwain, McNew, Nelson, Payne, Rinehart, Shadle, Westfall, and Winchell.

The title was amended by adding the words "and declaring an emergency," and as amended the title was approved.

House bill No. 173, An act to amend the county road bond law, was read third time and placed on final passage.

The bill failed to pass by the following vote: Yeas 3, nays 55, absent 20.

Yeas: Messrs. Neergaard, Roth, and White.

Nays: Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMurphy, Nash, Pierce of Klickitat, Pierce of Lewis, Roscoe, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck,

Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Collin, Foster, Hamill, Heliker, Hurd, Judson, Kelly, Ludden, Meany, Merchant, McElwain, McMillan, McNew, Nelson, Payne, Rinehart, Shadle, Westfall, and Winchell.

On motion of Mr. Gilman, House bill No. 18, A bill for an act to submit to the qualified electors of the State of Washington, for their approval, at the general election to be held in November, 1894, an amendment to section 33 of article 2 of the constitution of the State of Washington, was made a special order for Friday, February 17, at 10 o'clock A. M.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 25, entitled "An act to enable cities and towns to validate certain warrants and other obligations and evidences of indebtedness on the part of such cities and 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 House with the recommendation that it be indefinitely postponed, for the reason that the subject is fully covered by Senate bill No. 26, which has passed the House.

Respectfully submitted.

LUDDEN, Chairman.

On motion of Mr. Gilman, the report of the committee was adopted.

#### REPORT OF COMMITTEE ON RAILROADS.

MR. SPEAKER:

We, your Committee on Railroads, to whom was referred House bill No. 27, entitled "An act requiring railroads to fence their tracks," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be amended as per amendments thereto attached, and as amended that it do pass:

That in section 1, in line 12, the word "horse" be stricken out and the word "horses" be substituted, and that in the same line and section the word "animal" be stricken out and the word "animals" be substituted therefor.

That in section 1, in line 10, after the word "railroad," there be inserted the words: "*Provided*, That the distance between such crossings shall not be greater than five miles."

Respectfully submitted.

We concur in this report:

W. R. HOOLE, Chairman.

R. J. NEERGAARD,  
O. B. NELSON,  
S. W. HAMILL,  
ALEX. CAMERON,  
D. F. ANDERSON,  
F. R. BAKER.

The report of the committee was adopted.

Mr. Mead presented the following amendment:

Strike out the words "running at large" in line 12 in section 1.

The amendment was adopted.

Mr. Neergaard presented the following amendment:

By inserting after the word "jurisdiction," in section 3, line 3, "for the value thereof or damages sustained."

The amendment was adopted.

Mr. Mead moved that the rules be suspended, the bill be read the third time as amended; that it be considered engrossed and placed on its final passage.

The motion prevailed, and House bill No. 27, An act requiring railroad companies to fence their tracks, passed the House by the following vote: Yeas 55, nays 0, absent 23.

Yeas: Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durrant, Edmonds, Edwards, Egbert, Farrish, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kline, Leo, Letterman, Mays, Mead, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, Nash, Neergaard, Pierce of Klickitat, Pierce of Lewis, Roscoe, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Collin, Foster, Hamill, Heliker, Hurd, Judson, Kelly, Ludden, Meany, Merchant, McElwain, McMurphy, McNew, Nelson, Payne, Rinehart, Roth, Shadle, Webb, Westfall, and Winchell.

On motion of Mr. Mead, the title of the bill was amended by adding the words "and providing for their liability in case of failure so to do."

#### REPORT OF THE COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 38, entitled "An act to amend section 1680 of the statutes of Washington relating to liens upon sawlogs manufactured into lumber," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed, for the reason that the subject matter of said bill is contained in House bill No. 16, heretofore adopted in this House.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report was adopted, and House bill No. 38 was indefinitely postponed.

## REPORTS OF JOINT COMMITTEE ON FISHERIES AND GAME.

MR. SPEAKER:

We, your Joint Committee on Fisheries and Game, to whom was referred House bill No. 82, entitled "An act to prohibit the catching of salmon or other food fishes by means of fish wheels," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

A. S. BUSH, Chairman.

We concur in this report.

EUGENE BROCK,  
N. W. BUSH,  
W. P. MCELWAIN,  
C. J. MOORE,  
WALTER CROCKETT,  
R. T. COWAN,  
of House Committee.

B. F. SHAW,  
FRANK H. RICHARDS,  
of Senate Committee.

The report was adopted.

MR. SPEAKER:

We, your Joint Committee on Fisheries and Game, to whom was referred House bill No. 95, entitled "An act making it a misdemeanor to buy, sell, handle or offer for sale, within the State of Washington, cans, cases or packages of fish that are not plainly branded or marked on their exterior," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended by striking out the word "buy" in line 1 of section 1 of the printed bill, and that the bill, as so amended, do pass.

Respectfully submitted.

A. S. BUSH, Chairman.

We concur in this report.

EUGENE BROCK,  
N. W. BUSH,  
W. P. MCELWAIN,  
C. J. MOORE,  
WALTER CROCKETT,  
R. T. COWAN,  
of House Committee.

B. F. SHAW,  
FRANK H. RICHARDS,  
of Senate Committee.

On motion of Mr. Webb, the report was adopted.

Mr. Baker presented the following amendment to section 1, line 1, of House bill No. 95: Strike out the word "handle."

The amendment was adopted.

Mr. Bush, of Pacific, moved to amend section 2 by striking out

the words "one hundred," and insert in lieu thereof the word "ninety-five."

The motion to amend prevailed.

On motion of Mr. Webb, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 56, nays 0, absent 22.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kline, Leo, Letterman, Mays, Mead, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Collin, Foster, Hamill, Heliker, Hurd, Judson, Kelly, Ludden, Meany, Merchant, McElwain, McNew, Neergaard, Nelson, Payne, Rinehart, Shadle, Westfall, White, and Winchell.

The title was amended by striking out the words "buy" and "handle."

As amended the title was approved.

On motion of Mr. Sherman, action on House bill No. 97, by Mr. Collin, An act relating to the election of United States senators, was deferred until next Tuesday, the bill to retain its place on the calendar.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 110, entitled "An act to prevent the sale or injury of mortgaged personal property, and to provide punishment for violations thereof," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as indicated in the attached page, and that as so amended, the bill do pass.

#### AMENDMENTS TO HOUSE BILL NO. 110.

First amendment: Amend the title thereof by striking out the words "sale or injury" where the same occur therein, and insert in lieu thereof the words "fraudulent disposition."

Second amendment: Strike out the whole of section 1 thereof and insert in lieu thereof the following section:

Section 1. That any mortgagor of personal property, or the successor in interest of such mortgagor, who, with intent to hinder, delay or defraud the mortgagee thereof, or his or her assigns or legal representatives, shall injure or destroy such property, or any part thereof, or shall conceal such property, or any part thereof, or shall remove the same, or any part thereof, from the county where it was situated at the date of the mortgage, before it is duly released, without the consent in writing of the mortgagee, or shall sell or dispose of the same, or any interest therein, where he parts with the possession thereof, without the consent in writing of the mortgagee, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for a period not to exceed six months, or by a fine of not more than twice the value of such property, or by both such fine and imprisonment.

Third amendment: Add to said bill an additional section, to be numbered section 2, as follows:

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Respectfully submitted.

A. E. MEAD, Chairman.

The report was adopted.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 53, nays none, absent 25.

Yeas: Messrs. Anderson of Whatcom, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Pierce of Klickitat, Pierce of Lewis, Roscoe, Sallee, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Baker, Collin, Cowan, Foster, Hamill, Heliker, Hurd, Judson, Kelly, Ludden, Merchant, McElwain, McNew, Neergaard, Nelson, Payne, Rinehart, Roth, Scott, Shadle, Westfall, White, and Winchell.

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

#### REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

MR. SPEAKER:

We, your Committee on Privileges and Elections, to whom was referred House Bill No. 124, entitled "An act to prevent and punish cor-

rupt practices at elections and to provide for publicity in election expenses, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

N. W. BUSH, Chairman.

We concur in this report:

JOHN LEO,

J. S. SALLEE,

O. B. NELSON.

Mr. Gilman presented the following amendment:

Insert the word "guilty" after the word "deemed," in section 20, line 2, of the original bill.

The amendment was adopted.

On motion of Mr. Gilman, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 43, nays 14, absent 21.

Yeas: Messrs. Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Gilman, Green, Karr, Keller, Leo, Letterman, Mays, Moore, Morrison, Mulkey, McKenzie, Nash, Neergaard, Roscoe, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Tucker, Turpin, Washburn, Webb, Weed, Wheeler, White, and Mr. Speaker.

Nays: Messrs. Anderson of Whatcom, Hoole, Kline, Mead, Mentzer, McMillan, McMurphy, Pierce of Lewis, Pierce of Klickitat, Roth, Sallee, Temple, Tull, and Woodworth.

Absent: Messrs. Anderson of Whitman, Anderson of Pierce, Collin, Foster, Greenberg, Hamill, Heliker, Hurd, Judson, Kelly, Ludden, Meany, Merchant, McElwain, McNew, Nelson, Payne, Rinehart, Shadle, Westfall, and Winchell.

#### REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL AND RAILROADS.

MR. SPEAKER:

We, your Committee on Corporations other than Municipal and Railroads, to whom was referred House bill No. 136, entitled "An act authorizing private corporations, other than religious, incorporated by the legislative assembly of the Territory of Washington prior to January 1, 1862, to issue notes, bonds, mortgages, or other evidences of indebtedness, and to secure the same by mortgage, trust deed, or by otherwise encumbering property," etc., have had the same under consideration, and we



respectfully report the same back to the House, with the recommendation that it pass.

Respectfully submitted.

R. C. WASHBURN, Chairman.

We concur in this report:

JOE MERCHANT,  
MILO KELLY,  
WM. R. WHITE,  
G. W. TEMPLE,  
GEO. W. KLINE,  
J. B. SMITH.

The bill was read the second time.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 54, nays 1, absent 23.

Yeas: Messrs. Anderson of Whatcom, Baker, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durrant, Edmonds, Edwards, Egbert, Farrish, Gilman, Green, Greenberg, Hoole, Karr, Kline, Leo, Letterman, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nay: Mr. Mays.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Brock, Collin, Foster, Hamill, Heliker, Hurd, Judson, Keller, Kelly, Ludden, Merchant, McElwain, McNew, Nelson, Payne, Rinehart, Scott, Shadle, Turpin, Westfall, and Winchell.

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

#### REPORT OF COMMITTEE ON COUNTIES.

MR. SPEAKER:

We, your Committee on Counties, to whom was referred House bill No. 148, entitled "An act relative to the qualifications and compensation of county commissioners," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass with the following amendments:

That section 1, in line 2, the words "seat of justice" be stricken out and the words "county seat" be substituted; and in line 9 of the original bill and 7 of the printed bill be stricken out the word "twenty," and the word "thirty" be substituted in lieu thereof; and in line 13 of the original bill and 10 in the printed bill the word "fifteen" be stricken out and the word "twenty-five" be substituted in lieu thereof.

That section 2 be amended by adding the following words: "*Provided*, That the provisions of this act shall not be construed as affecting the present law regarding the meeting of the board of commissioners for the purpose of equalizing the taxes of the various counties in this state."

That the whole of section 7 be stricken out, and substituting the following: "Each county commissioner in this state, before he enters upon the duties of his office, shall give a bond to the county with at least two sureties thereon, in the amount hereinafter specified; which bond and the sureties thereon shall be approved by a judge of the superior court of the proper county. The said bond, when so approved, shall be filed and recorded by said clerk in his office. Said bond shall be payable to the county, and the same shall be conditioned that such commissioner shall well and faithfully discharge the duties of his office, and not approve, audit or order paid any illegal, unwarranted or unjust claim against the county for personal services: *Provided*, That the county commissioners heretofore elected and who shall have already entered upon the duties of their office, shall have ninety days from and after the day this act goes into effect in which to make and file their bonds. The amount for which said bonds shall be given is as follows:

"In counties of the first, second, third, fourth and fifth classes, twenty thousand dollars (\$20,000).

"In counties of the sixth, seventh, eighth, ninth and tenth classes, fifteen thousand dollars (\$15,000).

"In counties of the eleventh, twelfth, thirteenth, fourteenth and fifteenth classes, ten thousand dollars (\$10,000.)

"In counties of the sixteenth, seventeenth, eighteenth, nineteenth and twentieth classes, seven thousand five hundred dollars (\$7,500).

"In counties of the twenty-first, twenty-second, twenty-third and twenty-fourth classes, five thousand dollars (\$5,000).

"In counties of the twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth and twenty-ninth classes, two thousand dollars (\$2,000)."

Respectfully submitted.

EUGENE BROCK, Chairman.

We concur in this report:

ALEX. CAMERON,  
J. S. SALLEE,  
F. M. TULL,  
G. W. TEMPLE,  
M. ANDERSON,  
JOHN F. GREEN,  
C. M. PIERCE,  
W. D. E. ANDERSON.

The bill was read the second time by title.

On motion of Mr. Tull, the report of the committee, with amendments, was adopted.

On motion of Mr. Neergaard, the bill was amended by inserting "a judge" instead of the words "the clerk."

Mr. Neergaard presented the following amendment:

Strike out the word "twelve" in last line of section one (1) and insert the word "twenty."

The amendment was adopted.

Mr. Leo presented the following amendment:

Add to section 6, "*Provided*, That nothing in this section contained shall be so construed as to deprive any county commissioner of the right to a trial by jury in any case wherein his claim has been in whole or in part disallowed by the judge."

The amendment was adopted.

Mr. McMillan presented the following amendment to line 7 of section 1:

Strike out the word "thirty" and insert "forty-four."

The amendment was lost.

Mr. Cowan presented the following amendment:

Strike out the words "fourteenth" and "fifteenth" in sections 1, 7 and 8.

The amendment was lost.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill was passed by the following vote: Yeas 53, nays 6, absent 19.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Crockett, Denn, Durrant, Edwards, Egbert, Farrish, Gilman, Green, Greenberg, Hoole, Karr, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Moore, Morrison, Mulkey, McKenzie, McMurphy, Nash, Neergaard, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Cowan, Edmonds, Keller, McMillan, Pierce of Klickitat, and Sherman.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Collin, Foster, Hamill, Heliker, Hurd, Judson, Kelly, Mentzer, Merchant, McElwain, McNew, Nelson, Payne, Rinehart, Shadle, Westfall, and Winchell.

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

Mr. Nash moved that House bills Nos. 88, 101, 140 and 331, all relating to municipal corporations, be made special order for Friday at 2 o'clock p. m.

The motion was lost.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. SPEAKER:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of House bill No. 89, entitled "An act to quiet possessions and confirm titles to land," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

The speaker signed House bill No. 89 in open session of the House.

On motion of Mr. Roscoe, the House adjourned at 5:10 p. m.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## THIRTY-EIGHTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Wednesday, February 15, 1893. }  
10 o'clock A. M.

The Speaker called the House to order at 10 o'clock A. M.

The roll was called. All the members were present except Messrs. D. F. Anderson, W. D. E. Anderson, Hamill, Heliker, Hurd, Judson, Ludden, Merchant, McElwain, McNew, Nelson, Rinehart, Shadle, Westfall, and Winchell (excused).

Mr. Karr moved that the reading of yesterday's journal be dispensed with, and that it stand approved.

It was so ordered and the journal was approved.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 99, entitled "An act granting certain state tide lands to the United States."

Also, Senate Memorial No. 6, Relating to the opening on Sundays of the World's Fair Exhibition.

Also, Senate Memorial No. 5, Providing for the establishment of an assay office at Spokane.

Also, House bill No. 251, Relating to protection of salmon and other food fishes.

Also, Senate bill No. 29, Providing for township organization.

Also, House bill No. 21, Providing for the enforcement of liens, with amendments to sections 1 and 17, as noted in the bill.

The president of the Senate has signed Senate bill No. 48.

The Senate has concurred in all of House amendments to Senate bill No. 69.

ALLEN WEIR, Secretary.

On motion of Mr. Wheeler, House bill No. 21, just returned from the Senate, was taken up and the amendments concurred in.

On motion of Mr. Wheeler, the House concurred in Senate amendments Nos. 1, 2 and 3 to House bill No. 21 separately.

On motion of Mr. Wheeler, the chief clerk was instructed to inform the Senate that the House had concurred in amendments to House bill No. 21. The chief clerk informed the Senate of the action of the House according to instructions.

## PETITIONS, MEMORIALS, ETC.

By Mr. Roscoe: Petition from Snohomish County Farmers' Alliance and Industrial Union praying for the enactment of laws in reference to stamping and selling butterine, loaning school funds at 4 per cent., etc.

Referred to Committee on Agriculture.

## INTRODUCTION OF BILLS.

The following House bills were introduced, read first time, and referred to committees:

House bill No. 342, by Mr. Mays: An act declaring it to be and fixing the 12th day of February as a legal holiday.

Referred to Committee on Education.

House bill No. 343, by Mr. Karr: An act to amend section 1596 of Hill's Annotated Statutes and Code of Washington.

Referred to Judiciary Committee.

House bill No. 344, by Mr. Washburn: An act relating to guaranty and surety bond companies.

Referred to Judiciary Committee.

House bill No. 345, by Mr. Morrison: An act to amend sections 848, 849, 889, 895, 901, 905, 954, 957 of the Code of 1891, in relation to probate matters.

Referred to Judiciary Committee.

House bill No. 346, by Mr. Cowan: An act to amend an act entitled "An act to establish a school for deaf, mute, blind and feeble minded youth of Washington Territory," approved February 3, 1886.

Referred to Committee on School for Defective Youth.

The following Senate bills were read first time and referred to committees.

Senate bill No. 29, by Mr. Gilbert: An act to provide for township organization.

Referred to Judiciary Committee.

Senate bill No. 99, by Senator Brown: An act amending Hill's Code in relation to tide lands.

Referred to Committee on Tide Lands.

Senate memorial No. 6, by Senator Dyer: In relation to opening the World's Fair on Sundays.

Referred to Committee on World's Fair.

Senate memorial No. 5, by Senator Hutchinson: In relation to the establishment of a United States assay office at Spokane.

Referred to Committee on Federal Relations.

On motion of Mr. Hoole, House bill No. 323 was taken up for immediate consideration.

House bill No. 323, by Mr. Hoole, An act extending the time for the payment of taxes, remitting penalties and declaring an emergency, was read the second time by title and then in full for information.

On motion of Mr. Hoole, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 55, nay 1, absent 22.

Yeas: Messrs. Anderson of Whatcom, Baker, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett,

Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Pierce of Klickitat, Pierce of Lewis, Roscoe, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Wheeler, Woodworth, and Mr. Speaker.

Nay: Mr. Brock.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Greenberg, Hamill, Heliker, Hurd, Judson, Ludden, Meany, Merchant, McElwain, McNew, Neergaard, Nelson, Payne, Rinehart, Roth, Shadle, Turpin, Westfall, White, and Winchell.

The emergency clause passed by the following vote: Yeas 58, nays 1, absent 19.

Yeas: Messrs. Anderson of Whatcom, Baker, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nay: Mr. Brock.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hurd, Judson, Ludden, Mead, Meany, Merchant, McElwain, McNew, Neergaard, Nelson, Rinehart, Shadle, Turpin, Westfall, and Winchell.

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

On motion of Mr. Hoole, the chief clerk transmitted House bill No. 323 to the Senate.

The speaker signed Senate bill No. 48 in open session of the House.

#### REPORT OF COMMITTEE ON FEES AND COMPENSATION OF STATE AND COUNTY OFFICERS.

MR. SPEAKER:

We, your Committee on Fees and Compensation of State and County Officers, to whom was referred House bill No. 156, entitled "An act to authorize boards of county commissioners to provide a suitable office for the prosecuting attorney of their county, and supplies therefor, and cer-

tain books," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as follows:

Amend section 1 to read: "Section 1. The boards of county commissioners of the several counties of the state shall provide a suitably furnished office for each of the county officers in their respective court houses, and shall provide necessary stationery therefor."

Strike out section 2.

Amend the title to read: "An act to authorize boards of county commissioners to provide suitable offices and stationery for the use of each county officer."

Respectfully submitted.

D. W. MCMURPHY, Chairman.

We concur in this report:

C. F. KELLER,  
F. W. D. MAYS,  
JOSEPH A. SHADLE,  
E. E. EDMONDS,  
JAS. A. KARR.

The report was adopted.

Mr. Gilman presented the following amendment:

Strike out at end of section 1 the words "and shall provide necessary stationery therefor."

The amendment was adopted.

On motion of Mr. Mead, the rules were suspended, the bill was read second time, considered engrossed, and was read third time, and placed on final passage.

The bill passed by the following vote: Yeas 54, nays 4, absent 20.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Foster, Gilman, Green, Greenberg, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Mentzer, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Pierce of Klickitat, Pierce of Lewis, Roscoe, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Cameron, Collin, Farrish, and Moore.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hoole, Hurd, Judson, Ludden, Meany, Merchant, McElwain, McNew, Neergaard, Nelson, Payne, Rinehart, Roth, Shadle, Westfall, and Winchell.

The title of the bill was amended by striking out the words "and stationery," and as amended the title was approved.



## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1893.

MR. SPEAKER:

The Senate has refused to concur in House amendment to Senate bill No. 66, and asks that the House recede from its action, and the same is herewith returned to the House.

ALLEN WEIR, Secretary.

Mr. Mentzer moved that the House recede from the amendment, as requested.

The motion prevailed.

## REPORT OF JOINT COMMITTEE ON FISHERIES AND GAME.

MR. SPEAKER:

We, your Joint Committee on Fisheries and Game, to whom was referred House bill No. 195, entitled "An act to amend an act entitled 'An act to protect salmon and other food fishes in the State of Washington and upon all waters upon which this state has jurisdiction and joint concurrent jurisdiction,'" have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

A. S. BUSH, Chairman.

We concur in this report:

EUGENE BROCK,  
N. W. BUSH,  
W. P. McELWAIN,  
C. J. MOORE,  
WALTER CROCKETT,  
R. T. COWAN,  
of House Committee.

B. F. SHAW,  
FRANK H. RICHARDS,  
of Senate Committee.

The report was adopted.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 323, entitled "An act extending the time for payment of taxes," and the same is herewith returned to the House.

ALLEN WEIR, Secretary.

## REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 212, entitled "An act to prevent attempts to commit burglaries, and

declaring the possession of burglar's tools with (with) intent to use the same for unlawful purposes to be a misdemeanor, and declaring a rule of evidence in such cases," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be amended as follows:

First amendment: Amend the title thereof by striking out the word "with," where the same occurs in parentheses in said title.

Second amendment: Strike out the word "mentioned," where the same occurs in parentheses in line 5 of section 2 of the printed bill.

And we recommend that as so amended, the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The report of the committee was adopted.

The bill was read the second time in full.

On motion of Mr. Mentzer, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 62, nays 1, absent 15.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nay: Mr. Denn.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hurd, Judson, Ludden, Meany, Merchant, McElwain, McNew, Rinehart, Shadle, Westfall, and Winchell.

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

On motion of Mr. Leo, the House took under consideration House bill No. 332, by Mr. Leo, An act allowing a second appeal to the supreme court in certain cases where persons have been convicted of felony, and declaring an emergency, and the printed bill was considered in place of the original.

The bill was read the second time by title.

On motion of Mr. Roth, the rules were suspended, the bill was

considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 59, nays 1, absent 18.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Scott, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nay: Mr. Durant.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hurd, Judson, Ludden, Merchant, McElwain, McNew, Nelson, Rinehart, Sallee, Shadle, Smith of Okanogan, Webb, Westfall, and Winchell.

The emergency clause passed by the following vote: Yeas 57, nays 1, absent 20.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kelly, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nay: Mr. Durant.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hurd, Judson, Kline, Ludden, Merchant, McElwain, McNew, Nelson, Rinehart, Sallee, Scott, Shadle, Washburn, Webb, Westfall, and Winchell.

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

The clerk was instructed to transmit the bill to the Senate at once.

House bill No. 230, by Joint Judiciary Committee, An act to

amend section 1 of an act to provide for the committing of juvenile offenders to the state reform school at Chehalis, approved March 7, 1891, the same being section 1227 of the first volume of Hill's Annotated Statutes and Codes of Washington, was read in full for information.

On motion of Mr. McMillan, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 56, nays 3, absent 19.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Scott, Shelton, Sherman, Smithson, Speck, Temple, Tucker, Tull, Turpin, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Denn, Mays, and Smith of Douglas.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hurd, Judson, Ludden, Merchant, McElwain, McNew, Nelson, Rinehart, Sallee, Shadle, Smith of Okanogan, Washburn, Webb, Westfall, and Winchell.

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

On motion of Mr. Mead, the House took a recess at 11:50 until 12 o'clock noon.

The House was called to order by the speaker at 12 o'clock noon.

#### JOINT SESSION.

Twelve o'clock noon having arrived and the Senate being in waiting, the speaker invited the honorable senators to seats within the bar and the president to preside over the joint session.

The joint roll showed that all the senators and representatives were present except Senators Brown, Cooper, Eshelman, Frink, Gilbert, Ide, Kellogg, McManus, Smith and Van De Vanter, and Messrs. D. F. Anderson, W. D. E. Anderson, Hamill, Heliker, Hurd, Judson, Ludden, McElwain, McNew, Merchant, Nelson, Rinehart, Shadle, Westfall, and Winchell.

Senator Forrest moved that the reading of yesterday's journal be dispensed with and that it stand approved.

It was so ordered and the journal was approved.

The following pairs were announced for to-day: Mr. Hurd and Mr. Anderson of Whatcom, Mr. Nelson and Mr. Anderson of Whitman, Mr. McElwain and Mr. Anderson of Pierce, Mr. Speck and Mr. Westfall, Mr. Judson and Mr. Merchant, Mr. McNew and Mr. Moore, Senator Ide and Senator O'Neil, Senator Gilbert and Mr. Foster, Mr. Hamill and Mr. Rinehart, Senator Eshelman and Senator Brown, Mr. Heliker and Mr. Shadle, Senator Van Houten and Senator Van De Vanter, Senator Edens and Senator McManus.

Until further notice — Senator Cooper and Senator Kinnear, Senator Frink and Senator Hutchinson.

Until Thursday — Senator Hastings and Mr. Turpin.

The president announced that no person had received a majority of the votes cast for United States senator at yesterday's session, and instructed the clerk to call the roll for the sixty-fifth joint ballot.

SIXTY-FIFTH JOINT BALLOT.

John B. Allen received 32 votes.

George Turner received 15 votes.

C. W. Griggs received 19 votes.

C. W. Young received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Belknap, Brock, Bush (A. S.), Cameron, Dyer, Farrish, Forrest, Hastings, Hoole, Horr, Karr, Keller, Kelly, McKenzie, McMurphy, Mead, Meany, Morrison, Neergaard, Pierce (C. M.), Roberts, Roth, Rutter, Sallee, Sergeant, Tucker, Washburn, Webb, Weed, Wheeler, White, and Mr. Speaker.

Those voting for George Turner were: Claypool, Easterday, Greenberg, Helm, McMillan, Mentzer, Nash, Pierce (D. W.), Richards, Roscoe, Sherman, Smithson, Temple, Tull, and Woodworth.

Those voting for Chauncey W. Griggs were: Campbell, Cowan, Crockett, Donahoe, Edmonds, Foss, Gilman, Kline, Leo, Letterman, Mays, McCroskey, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

No person having received a majority of the votes cast for United States senator, the president instructed the clerk to call the roll for the sixty-sixth joint ballot.

SIXTY-SIXTH JOINT BALLOT.

John B. Allen received 32 votes.

George Turner received 15 votes.

C. W. Griggs received 19 votes.

C. W. Young received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Belknap, Brock, Bush (A. S.), Cameron, Dyer, Farrish, Forrest, Hastings, Hoole, Horr, Karr, Keller, Kelly, McKenzie, McMurphy, Mead, Meany, Morrison, Neergaard, Pierce (C. M.), Roberts, Roth, Rutter, Sallee, Sergeant, Tucker, Washburn, Webb, Weed, Wheeler, White, and Mr. Speaker.

Those voting for George Turner were: Claypool, Easterday, Greenberg, Helm, McMillan, Mentzer, Nash, Pierce (D. W.), Richards, Roscoe, Sherman, Smithson, Temple, Tull, and Woodworth.

Those voting for Chauncey W. Griggs were: Campbell, Cowan, Crockett, Donahoe, Edmonds, Foss, Gilman, Kline, Leo, Letterman, Mays, McCroskey, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

There being no election of United States senator the president dissolved the joint session at 12:15 P. M. to meet to-morrow (Thursday) at 12 o'clock noon.

On motion of Mr. Mead, the House took a recess at 12:20 o'clock P. M. to meet at 2 o'clock this afternoon.

## AFTERNOON SESSION.

The speaker called the House to order at 2 o'clock P. M.

The roll was called; all the members were present except Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hurd, Judson, Ludden, Merchant, McElwain, McNew, Nelson, Rinehart, Shadle, Westfall, and Winchell.

On motion of Mr. Collin, House Bill No. 97, An act relating to the election of United States senators, was re-committed to Committee on Privileges and Election.

House bill No. 232, by Joint Judiciary Committee, An act prohibiting divorced persons from contracting marriages within the period in which an appeal may be taken, and providing punishment for the violation thereof, was read the second time.

Mr. Mead presented the following amendment: Strike out the word "other" in line 6 of section 1.

The amendment was adopted.

House bill No. 232 was then passed by the following vote: Yeas 58, nays 1, absent and not voting 19.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, White, Woodworth, and Mr. Speaker.

Nay: Mr. Mays.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hurd, Judson, Ludden, Merchant, McElwain, McNew, Nelson, Rinehart, Roth, Sallee, Shadle, Turpin, Westfall, Wheeler, and Winchell.

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

House bill No. 234, by Joint Judiciary Committee, An act pro-

viding for the sale of personal property belonging to the state, was read in full for information.

Mr. Turpin presented the following amendment: Strike out the words "either private sale or" in line 2, section 3.

The amendment was lost.

On motion, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 57, nays 4, absent 17.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Greenberg, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Sallee, Scott, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Green, Mays, Smith of Douglas, and Turpin.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hurd, Judson, Ludden, Merchant, McElwain, McNew, Nelson, Rinehart, Roth, Shadle, Westfall, Wheeler, and Winchell.

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

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred House Bill No. 101, entitled "An act to legalize and confirm the acts, proceedings and contracts of cities and towns in this state, which were organized under an act entitled 'An act providing for the organization and government of municipal corporations and declaring an emergency,' approved March 24, 1890," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed, and recommend that the substitute herewith submitted do pass.

Respectfully submitted.

We concur in this report:

LUDDEN, Chairman.

ROTH,  
NASH,  
NEERGAARD,  
LETTERMAN,  
LEO,  
MERCHANT,  
MCELWAIN,  
PAYNE.



On motion, the report was adopted, and the substitute, House bill No. 347, took the place of House bill No. 101 on the calender.

Senate bill No. 347 (substitute for House bill No. 101) was read first time.

On motion, the rules were suspended, the bill was read second time and was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 60, nays 1, absent 17.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kelly, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nay: Mr. Smith of Okanogan.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hurd, Judson, Kline, Ludden, Merchant, McElwain, McNew, Nelson, Rinehart, Shadle, Webb, Westfall, and Winchell.

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

#### REPORTS OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 126, entitled "An act to amend an act entitled 'An act to provide for assessment and collection of taxes in the State of Washington,'" have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do not pass.

Respectfully submitted.

D. W. PIERCE, Chairman.

On motion, the report was adopted, and House bill No. 126 was indefinitely postponed.

MR. SPEAKER:

Your Committee on Revenue and Taxation, to whom was referred House bill No. 132, entitled "An act regulating interest on state, county, city and school warrants," respectfully reports the bill back to the House with the recommendation that it do not pass, as its provisions are embodied in Senate bill No. 66.

Respectfully submitted.

D. W. PIERCE, Chairman.

The report, on motion, was adopted.

On motion, House bill No. 158 was recommitted to Committee on Agriculture.

#### REPORT OF COMMITTEE ON MINES AND MINING.

MR. SPEAKER:

We, your Committee on Mines and Mining, to whom was referred House bill No. 166, entitled "An act relating to the sale of spirituous liquors to employes in or about coal mines in the State of Washington," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do not pass.

Respectfully submitted.

MILO KELLY, Chairman.

On motion, the report of the committee was adopted.

#### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 193, entitled "An act punishing bank officials for receiving deposits knowing the bank to be insolvent," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass as amended:

Strike out section 2 of the printed bill and substitute the following:

"SEC. 2. Any person violating the provisions of section 1 of this act upon conviction thereof shall be punished by imprisonment in the penitentiary for a period of not less than two nor more than twenty years."

Respectfully submitted.

D. W. PIERCE, Chairman.

On motion, the report was adopted.

The bill was read the second time in full.

Mr. Leo moved to amend section 1, line 1, by striking out the first word "if."

The amendment was adopted.

On motion of Mr. Hoole, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 61, nays 0, absent 17.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okan-

ogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Weed, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hurd, Judson, Merchant, McElwain, McNew, Nelson, Rinehart, Shadle, Webb, Westfall, Wheeler, and Winchell.

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

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1893.

MR. SPEAKER:

The president of the Senate has signed House bill No. 89.

Also, House bill No. 16.

Also, Senate bill No. 69.

Also, Senate bill No. 32.

Also, Senate concurrent resolution No. 15.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The speaker signed Senate bills Nos. 69 and 32, and Senate concurrent resolution No. 15, in open session of the House.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 216, entitled "An act to provide means for the validation of certain warrants and other evidences of indebtedness on the part of cities and towns, issued by the corporate authorities thereof, in excess of their legal authority, in cases where any such city or town has, since such attempted incurring of indebtedness, or may hereafter become consolidated with any other city or town, or has annexed or may hereafter annex any new territory; and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

LUDDEN, Chairman.

We concur in this report:

ROTH,  
NASH,  
NEERGAARD,  
LETTERMAN,  
LEO,  
MCELWAIN,  
PAYNE,  
MERCHANT.

The bill was read the second time in full.

On motion of Mr. Roth, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 56, nays 0, absent 22.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Greenberg, Hoole, Karr, Keller, Kelly, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Washburn, Weed, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Gilman, Hamill, Heliker, Hurd, Judson, Kline, Ludden, Merchant, McElwain, McNew, Nelson, Rinehart, Scott, Shadle, Smith of Okanogan, Turpin, Webb, Westfall, Wheeler, and Winchell.

The emergency clause passed by the following vote: Yeas 58, nays 0, absent 20.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Washburn, Weed, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hurd, Judson, Ludden, Merchant, McElwain, McNew, Nelson, Rinehart, Scott, Shadle, Smith of Okanogan, Turpin, Webb, Westfall, Wheeler, and Winchell.

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

Mr. Burton presented a resolution commending Grover Cleveland, president-elect, on his choice of Walter Q. Gresham for secretary of state.

On motion of Mr. Sallee, the resolution was tabled.

## REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 217, entitled "An act authorizing cities and towns, in cases where any such city or town has been, or may hereafter be, formed by the consolidation of two or more former cities and towns, or has annexed, or may hereafter annex, any new territory, and where the corporate authorities of either such former city or town, or of such city or town, prior to such annexation, attempted to incur indebtedness on its part in excess of their legal authority, to submit to the voters in such consolidated or existing city or town propositions to fund indebtedness thereof by the issuing of bonds therefor, at the same election at which said previous attempted incurring of such indebtedness, or any part thereof, on the part of either such former city or town, or of such city or town, prior to such annexation, may be ratified at a separate election, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the house, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

LUDDEN, Chairman.

ROTH,  
NASH,  
NEERGAARD,  
LETTERMAN,  
LEO,  
MCELWAIN,  
MERCHANT,  
PAYNE.

The bill was read the second time in full.

On motion of Mr. Roth, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 61, nays 1, absent 16.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Grockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, White, Woodworth, and Mr. Speaker.

Nay: Mr. Scott.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman,

Hamill, Heliker, Hurd, Judson, Ludden, Merchant, McElwain, McNew, Nelson, Rinehart, Shadle, Westfall, Wheeler, and Winchell.

The emergency clause passed by the following vote: Yeas 61, nays 1, absent 16.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, White, Woodworth, and Mr. Speaker.

Nay: Mr. Scott.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hurd, Judson, Ludden, Merchant, McElwain, McNew, Nelson, Rinehart, Shadle, Westfall, Wheeler, and Winchell.

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

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copy of House bill No. 100, entitled "An act to amend section 1534 of the Code of Procedure, relating to costs in civil actions before justices of the peace, and to provide for taxing an attorney's fee as part of the costs in such action;" also, House bill No. 323, An act extending the time for payment of taxes, remitting penalties, and declaring an emergency, have been carefully compared with the original copies thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

The speaker signed House bill No. 100, and House bill No. 323, in open session of the House.

On motion of Mr. Neergaard, House bill No. 93 was made a special order for Friday, February 17, at 10 o'clock A. M.

On motion of Mr. Mead, House bills Nos. 98 and 99 were recommended to the Committee on Judiciary.

On motion of Mr. Hoole, action was deferred on House bill No. 111, and the same retained its place on the calendar.

On motion of Mr. White, action was deferred on House bill No. 160, and the same retained its place on the calendar.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 307, entitled "An act providing for the changing of the name of the town of Slaughter, a municipal corporation of the fourth class, situated in King county, state of Washington, to the town of Auburn," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

LUDDEN, Chairman.

The bill was read the second time in full.

On motion, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 62, nays none, absent 16.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hurd, Judson, Ludden, Merchant, McElwain, McNew, Nelson, Rinehart, Shadle, Westfall, Wheeler, and Winchell.

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

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 237, entitled "A bill for an act concerning the manner of electing county commissioners, and amending sections 272 and 266 of the first volume of Hill's Annotated Statutes and Codes of Washington," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as follows:

First: Immediately after the figures "266" in line 2 of section 2 of the printed bill, insert the words "The board of county commissioners of."

Second: Strike out the word "the" where the same occurs in line 4 of section 2 of the printed bill, and insert in lieu thereof the word "their."

Third: Strike out the words "of the county commissioners" where the same occur in line 5, section 2, of the printed bill.

And that as so amended, the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Tucker, the report of the committee, with amendments, was adopted.

The bill was read second time in full.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 57, nays 5, absent 16.

Yeas: Messrs. Anderson of Whatcom, Baker, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Brock, Neergaard, Payne, Shelton, and Turpin.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hurd, Judson, Ludden, Merchant, McElwain, McNew, Nelson, Rinehart, Shadle, Westfall, Wheeler, and Winchell.

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

#### REPORT OF COMMITTEE ON JUDICIARY.

##### MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred Senate bill No. 79, entitled "An act to increase the punishment for crimes and misdemeanors committed a second or more times by the same person, and repealing all acts or parts of acts in conflict with this act," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do not pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report of the committee was adopted, and Senate bill No. 79 was indefinitely postponed.



## REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred House bill No 88, entitled "An act relating to improvements in cities of the first class, authorizing the issuance and collection of bonds upon the property benefited by local improvements, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass with the following amendments:

Amend the title by striking out the words "of the first class" where they occur in first line of printed bill.

First amendment: Also, in section 1, strike out the same words where they occur in first line, printed bill.

Second amendment: Strike out all of line 6 after the word "property," and all of line 7 as far as the word "they," in printed bill.

Third amendment: In line 10, after the word "issue," insert the words "in the name of such city," in printed bill.

Fourth amendment: In line 11, after the word "property," insert the words "liable to assessment for such local improvement," printed bill.

Fifth amendment: Strike out the word "eight" where it appears in line 13, and insert in lieu thereof the word "nine (9)," printed bill.

Sixth amendment: In line 25, strike out the words "the rate of" and insert the words "a rate not exceeding."

Seventh amendment: In line 26, strike out the word "eight" and insert the word "nine (9)."

Eighth amendment: Strike out all of line 31 after the word "act," and all of line 32 as far as the words "shall be retained," and insert in lieu thereof the words "but the basis of such assessment, whether upon assessed valuation, frontage or otherwise liable for such costs."

Ninth amendment: Line 2, in section 3, strike out the word "and" and insert the word "wherein." In line 4, after the word "provisions," insert the words "or laws."

Tenth amendment: Add to section 4: "Any city whose charter provides for the issuance of bonds for local improvement, payable only from the proceeds of special assessments, is hereby authorized to issue such bonds in the manner and with the effect provided in such charter, and the holder of any such bond shall look only to the fund provided by such assessment for the principal or interest of such bond."

Eleventh amendment: Strike out section 5, and add two new sections, 5 and 6, as follows:

"SEC. 5. The holder of any bond issued under the authority of this act shall have no claim therefor against the city by which the same is issued, in any event, except from the collection of the special assessment made for the improvement for which such bond was issued; but his remedy in case of no payment shall be confined to the enforcement of such assessment. A copy of this section shall be plainly written, printed or engraved on the face of each bond so issued."

“SEC. 6. Whereas, there is no law providing for the establishment of local improvement districts in the cities of this state; and whereas, the establishment of such districts is essential to the interests of such cities: therefore, an emergency is hereby declared to exist, and this law shall take effect and be in force from and after its passage and approval.”

Respectfully submitted.

LUDDEN, Chairman.

We concur in this report:

ROTH,  
NASH,  
NEERGAARD,  
LETTERMAN,  
LEO,  
SHELTON,  
PAYNE.

On motion, the report of the committee was adopted.

Mr. Hoole moved that House bill No. 88, as amended by the committee, be printed. The motion was carried by a divisional vote of 28 yeas to 23 nays.

On motion of Mr. Hoole, the bill was ordered printed immediately, the bill to retain its place on the calendar.

On motion of Mr. Wheeler, House bill No. 160, on which action was deferred, was taken up.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 160, entitled “An act relating to the service of summons upon corporations,” have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as follows:

First amendment: Immediately after the title thereof insert an enacting clause, as follows: “Be it enacted by the legislature of the State of Washington.”

Second amendment: Strike out all of section 3 of said bill.

And that as so amended the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The report of the committee was adopted.

The bill was read second time in full.

On motion of Mr. Wheeler, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 62, nays 0, absent 16.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crock-

ett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Greenberg, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Gilman, Hamill, Heliker, Hurd, Judson, Ludden, Merchant, McElwain, McNew, Rinehart, Shadle, Smith of Okanogan, Westfall, and Winchell.

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

On motion of Mr. Greenberg, action on House bill No. 283 was deferred until the return of Mr. Ludden, and the bill retained its place on the calendar.

Mr. Sallee moved that the House do now adjourn.

The House refused to adjourn by a divisional vote of 20 yeas to 26 nays.

Mr. Sallee moved that the Committee on Tide Lands be excused from further attendance at this afternoon's session.

The motion prevailed, and the above committee withdrew.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 65, entitled "A bill for an act relating to private sales of real property belonging to estates of decedents, minors and insane persons," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be amended as follows:

First amendment: Strike out the word "decedent" where the same occurs in line 5 of section 2 of the printed bill, and insert in lieu thereof the word "decedents."

Second amendment: In line 3 of section 7 of the printed bill, strike out the words "at any time subsequent to the sale," and insert in lieu thereof the words "within ten days."

And, as so amended, we recommend that the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report was adopted.

The bill was read in full for information.

On motion of Mr. Gilman, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 59, nays 0, absent 19.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Heliker, Hurd, Judson, Ludden, Merchant, McElwain, McNew, Neergaard, Nelson, Rinehart, Roth, Sallee, Shadle, Weed, Westfall, and Winchell.

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

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 72, entitled "A bill for an act to amend section 2137 of chapter 4 of title 23 of the General Statutes of the State of Washington, as arranged and annotated by William Lair Hill, relating to the erection of wharves at the termini of public highways," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as follows:

First amendment: Amend the title thereof so that the same shall read as follows: An act to amend section 3272 of the Code of Washington of 1881, the same being section 2137 of volume 1 of Hill's Annotated Statutes and Codes of Washington, relating to the erection of wharves at the termini of public highways.

Second amendment: Strike out the first three lines of section 1 of the printed bill and insert in lieu thereof the following:

"Section 1. That section 3272 of the Code of Washington of 1881, the same being section 2137 of volume 1 of Hill's Annotated Statutes and Codes of Washington, be and the same hereby is amended so as to read as follows:"

And that as so amended the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report of the committee was adopted.

The bill was read the second time for information.

Mr. Mays moved to amend sec. 1, line 10, by striking out "and their" and inserting "or their" in lieu thereof.

The motion to amend prevailed.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 44, nays 6, absent 28.

Yeas: Messrs. Anderson of Whatcom, Brock, Burton, Bush of Chehalis, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Farrish, Foster, Green, Greenberg, Hoole, Karr, Keller, Kelly, Kline, Mays, Mead, Meany, Mentzer, Moore, Morrison, McKenzie, McMurphy, Nash, Pierce of Klickitat, Pierce of Lewis, Scott, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Temple, Tucker, Tull, Washburn, Webb, Wheeler, Woodworth, and Mr. Speaker.

Nays: Messrs. Gilman, Leo, Mulkey, McMillan, Payne, and Roscoe.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Baker, Bush of Pacific, Collin, Egbert, Hamill, Heliker, Hurd, Judson, Letterman, Ludden, Merchant, McElwain, McKenzie, McNew, Neergaard, Nelson, Rinehart, Roth, Sallee, Shadle, Shelton, Smithson, Turpin, Weed, Westfall, White, and Winchell.

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

On motion of Mr. Webb, the House adjourned at 4:55 p. m.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## THIRTY-NINTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Thursday, February 16, 1893. }  
10 o'clock A. M.

The House was called to order at 10 o'clock A. M.; the speaker presiding.

The roll was called. All the members were present, except Messrs. Anderson of Pierce, Anderson of Whitman, Farrish, Hamill, Hurd, Merchant, McElwain, McNew, Nelson, Rinehart, Shadle, Westfall, and Winchell, excused.

On motion of Mr. Wheeler, the reading of yesterday's journal was dispensed with, and stood approved.

### PETITIONS, REMONSTRANCES, ETC.

Mr. Pierce, of Lewis, presented House memorial No. 7, Relating to the evil effects of pauper immigration.

Referred to Committee on Federal Relations.

### REPORTS FROM SPECIAL COMMITTEES.

The following report of the special committee to act with like committee from Oregon, in relation to the fishing interests of the two states, was read:

PORTLAND, OREGON, February 13, 1893.

*To the Senate and House of the Legislatures of the States of Oregon and Washington:*

We, your joint committees appointed to look into the concurrent fishing interests of the States of Oregon and Washington, with a view to enacting such legislation as will be of mutual benefit, beg leave to submit the following:

Pursuant to agreement, your committee met at the Hotel Portland on Saturday, February 11, 1893, all the members being present. After being in session two days, and listening to testimony and argument from members of the Fishermen's Union, cannery men, shippers, wholesale and retail dealers, and others interested in the fishing industry, as well as the Fish Commissioners of the States of Oregon and Washington, your joint committee, after due deliberation, and taking into consideration the future

preservation and importance to the two states of this great industry, would unanimously make the following recommendations for joint legislative enactment:

*First:* That the spring close season, during which salmon shall not be caught on the waters of the Columbia river or its tributaries, shall be from March 1 to April 15.

*Second:* That the fall close season shall be from August 1 to September 15.

*Third:* That such laws be passed by the two legislatures as will prohibit the catching of salmon at any time between the rack connected with any hatchery and the mouth of the stream into which the stream on which the hatchery is located flows.

*Fourth:* That the fish commissioner be given authority to appoint a special deputy in each county, and that the fish commissioner and all deputies shall have authority to make all arrests for violations of the fishing laws, and such special deputies shall receive, as compensation, one-half of all fines imposed on prosecutions instituted by them, and they shall receive no other compensation.

*Fifth:* That there be a close season established from March 1st to September 1st, during which time no sturgeon shall be caught on the waters of the Columbia river, and no sturgeon shall be taken at any time which weigh less than twenty-five pounds.

*Sixth:* That a law be passed which will give the fish commissioner authority to confiscate any fishing gear used in violation of any of the fishing laws of either of the states.

*Seventh:* That a committee of five be appointed from each of the present legislatures of the two states, two from the Senate and three from the House of each legislature, to act with the fish commissioners of the two states, and it shall be the duty of said joint committee to investigate the fishing interests of the two states and report their conclusions to the respective governors of the two states on or before December 1, 1894, said reports to be laid before the next sessions of the legislatures.

*Eighth:* That appropriations be made for the establishment of at least one hatchery in each of the States of Oregon and Washington, said hatcheries to be established on a tributary of the Columbia river.

*Ninth:* That there be established in each of the States of Oregon and Washington, a fund to be known as the "fisheries fund," and that all fines and licenses collected by virtue of the provisions of the fishing laws shall be paid into that fund, and that the fund so provided shall be devoted to the enforcement of the fishing laws and to the building and maintaining of hatcheries.

*Tenth:* That similar laws to the ones adopted at this session of the Washington legislature be passed by the Oregon legislature, providing for the licensing of fish traps, wheels and other gear, such license money to be turned into the fisheries fund.

Bills covering the recommendations contained in this report are submitted herewith, with the recommendation that they do pass.

Respectfully submitted.

J. C. HERR, Chairman Joint Com.

Report concurred in by:

FRANK H. RICHARDS,

A. S. BUSH,

L. C. GILMAN,

EUGENE BROCK,

On the part of the Washington Committee.

J. W. MAXWELL,

GEO. T. MYERS,

S. T. JEFFREYS,

T. R. COON,

JEFF. MYERS,

On the part of the Oregon Committee.

(Eugene Brock, of Washington, excepts to section five, and Jeff. Myers, of Oregon, excepts to section ten.)

#### INTRODUCTION OF BILLS.

The following House bills were introduced, read first time, and referred to following committees:

House bill No. 349, by Mr. White: An act prescribing the way 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, and making a grant of certain lands, and declaring an emergency.

Referred to Committee on Harbors and Waterways.

House bill No. 350, by Mr. Hoole: An act to amend section 11 of an act entitled "An act for the appraising and disposing of the tide and shore lands belonging to the State of Washington, and declaring an emergency."

Referred to Committee on Tide Lands.

House bill No. 351, by Mr. Durant: An act to amend section 3120, Code of Washington Territory for 1881, volume 1, Hill's Code, section 441, relating to awarding costs in contested election cases.

Referred to Committee on Compensation and Fees.

House bill No. 352, by Mr. Gilman: An act to authorize the superior courts and the judges thereof to enlarge the time prescribed by law for the taking of steps and proceedings in special causes.

Referred to Committee on Judiciary.



House bill No. 353, by Mr. Wheeler: An act to amend section 91 of the Code of Washington of the year 1881, said section being section 203 of the General Statutes compiled and published under legislative authority in the year 1891.

Referred to Committee on Judiciary.

House bill No. 354, by Mr. Anderson, of Whatcom: An act to prevent abusive and obscene language in the presence of another or others, and to provide penalty for its violation.

Referred to Committee on Education.

House bill No. 355, by Mr. Greenberg: An act to amend section 1 of an act of the Laws of 1891, being an act providing for appeals to the superior court.

Referred to Committee on Judiciary.

Mr. McMillan presented the following resolution, which was adopted:

*Resolved*, That the chairman of the Committee on Enrolled and En-grossed Bills be and he is hereby authorized to select and appoint assistant enrolling clerks as they may be needed, at a salary of \$5 per day.

On motion of Mr. Roscoe, the emergency clause of House bill No. 10 was taken up for consideration.

The emergency clause passed by the following vote: Yeas 62, nays 0, absent and not voting 16.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Heliker, Hoole, Judson, Karr, Keller, Kline, Leo, Letterman, Ludden, Mays, Mead, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Hurd, Kelly, Meany, Merchant, McElwain, McNew, Nelson, Rinehart, Sallee, Shadle, Washburn, Westfall, and Winchell.

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

On motion of Mr. Gilman, the House reconsidered its action on Senate bill No. 79, whereby the unfavorable report of the commit-

tee on the bill was adopted, and the chief clerk was instructed to get the bill from the Senate.

On motion of Mr. Gilman, the bill was re-committed to Committee on Judiciary.

On motion of Mr. Ludden, House bill No. 283 was made a special order for Tuesday, February 21, at 2 o'clock P. M.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1898.

MR. SPEAKER:

The Senate has passed House memorial No. 6, Relating to the coast defense.

Also, House memorial No. 5, Relating to light houses.

Also, Senate bill No. 136, Relating to liability on bonds and other instruments.

Also, Senate bill No. 70, Relative to the duties of clerks of courts.

Also, Senate bill No. 128, Relative to original jurisdiction of superior courts.

Also, Senate bill No. 89, Relating to juries.

Also, House bill No. 116, Relating to the weight of oats.

Also, House bill No. 164, Providing for the transcribing of county records, with amendment to section 1 as noted in the bill.

The Senate has indefinitely postponed House bill No. 205, Providing for a depository for county funds.

The Senate has indefinitely postponed House bill No. 187, Relating to documentary evidence.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Hoole, the House concurred in Senate amendments to House bill No. 164.

#### REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER:

We, your Committee on Education, to whom was referred House bill No. 174, entitled "An act to amend sections 8, 12, 64, 65 and 72 of an act entitled 'An act to establish a general uniform system of common schools in the State of Washington, and declaring an emergency,' approved March 27, 1890," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be amended as follows:

Amend title by striking out the words "sixty-four and sixty-five" of printed bill.

Amend bill by striking out all of sections 3 and 4, and renumber section 5 and make it section 3.

And that as amended the bill do pass.

Respectfully submitted.

C. F. WESTFALL, Chairman.

We concur in this report:

WINCHELL,

SHADLE,

SHELTON,

EDMONDS,

FARRISH.

The report of the committee, with the amendments, was adopted.

The bill was read the second time as amended.

### REPORTS OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 189, entitled "An act concerning the construction of statutes," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be indefinitely postponed.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report of the committee was adopted, and the bill indefinitely postponed.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 245, entitled "An act to prohibit the appointment of the sheriff of any county receiver or assignee in cases of insolvency or assignment, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be amended as follows:

First amendment: Amend the title thereof by striking out the words "and declaring an emergency" where they occur therein.

Second amendment: Strike out all of section 3 of said bill.

And we recommend that as so amended the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The report of the committee was adopted with amendments.

The bill was read the second time.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 63, nays 0, absent 15.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster,

Gilman, Green, Greenberg, Heliker, Hoole, Judson, Karr, Keller, Kline, Leo, Letterman, Ludden, Mays, Mead, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Hurd, Kelly, Meany, Merchant, McElwain, McNew, Nelson, Rinehart, Sallee, Shadle, Westfall, and Winchell.

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

#### REPORTS OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 246, entitled "A bill for an act for the protection of the records of the several counties of the State of Washington, and regulating the business of abstracting in relation thereto," have had the same under consideration, and we respectfully report the same back to the House, with recommendation that it do not pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Webb, the report of the committee was adopted.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 252, entitled "A bill for an act to amend section 14 of an act entitled 'An act in relation to prosecuting attorneys, defining their duties and fixing their compensation,'" approved February 4, 1886, the same being section 231 of volume 1 of Hill's Annotated Statutes and Codes of Washington," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The bill was read the second time by title.

On motion of Mr. McMillan, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 62, nays none, absent 16.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster,

Gilman, Green, Greenberg, Heliker, Hoole, Judson, Karr, Keller, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Hurd, Kelly, Merchant, McElwain, McNew, Nelson, Rinehart, Roth, Sallee, Shadle, Turpin, Westfall, and Winchell.

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

On motion of Mr. Mead, action on House bill No. 263 was deferred until Mr. Shadle's return.

#### REPORT OF COMMITTEE ON FORESTRY, AGRICULTURE AND HORTICULTURE.

MR. SPEAKER:

Your committee on Forestry, Agriculture and Horticulture, to which was referred House bill No. 24, entitled "An act to amend sections 1, 4, 6, 7, 8, 9, 10, 11, 13 and 14 of an act entitled 'An act to create a state board of horticulture, and to appropriate money therefor,'" respectfully reports the bill back to the House with the recommendation that it do pass.

ALEX. CAMERON, Chairman of Committee.

We concur in the above report:

A. S. MCKENZIE,  
J. B. SMITH,  
C. J. MOORE,  
T. G. MULKEY.

Amendment proposed by Mr. Mays: In section 6, lines 8 and 9, beginning at the word "least," all shall be stricken out to the word "and," and be amended by inserting the words "four weeks in some newspaper in each county in the state as may be deemed to best subserve said interests."

The amendment was adopted.

Amendment proposed by Mr. Durant: In section 1, line 3, strike out the words "appointed by the governor" and insert the words "elected at the general elections."

The amendment was lost.

Proposed amendment by Mr. Egbert:

Amendment to section 9 [7], line 11, after the word "board" insert the words "if proof can be secured that he has traveled on a pass no mileage will be allowed;" also to apply to section 11, end of line 7.

The amendment was lost.

On motion of Mr. Gilman, action on House bill No. 24 was postponed until this afternoon at 2 o'clock.

#### REPORT OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

MR. SPEAKER:

We, your Committee on Appropriations and Claims, to whom was referred House bill No. 31, entitled "An act appropriating money for the payment of agents for the State Land Commission," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass with the amendments that in line 2, section 1, of the printed bill the words "forty thousand" be substituted for the words "twenty thousand two hundred and fifty;" also the figures in the following line (20,250.00) be changed to (40,000.00); also that section 2 be stricken out, and section 3 be made section 2.

In reporting this bill back to the House, the committee would respectfully call attention to House Bill No. 49 and recommend early action on the same.

Respectfully submitted.

G. W. TEMPLE, Chairman.

On motion, the report of the committee was adopted.

On motion of Mr. Weed, House bill No. 49 was considered in connection with House bill No. 31.

House bill No. 31 and House bill No. 49 were read the second time in full.

Mr. Mead moved that the rules be suspended, the reading just had of House bill No. 31 be considered the third reading, the bill be considered engrossed and placed on its final passage.

The hour having arrived for the joint session, further action was deferred until this afternoon.

#### JOINT SESSION.

The Senate being in waiting, the speaker invited the honorable senators to seats within the bar, and the president to preside over the joint session.

The roll was called. All the senators and representatives were present except Senators Smith, Brown, Cooper, Eshelman, Forsyth, Frink, Gilbert, Kellogg, McManus, and Messrs. D. F. Anderson, Foster, Hamill, Hurd, McElwain, McNew, Merchant, Nelson, Rinehart, Shadle, Speck, Westfall, and Winchell.

Senator Rutter moved that the reading of yesterday's journal be dispensed with, and the same stand approved.

The motion prevailed, and the journal was approved.

The following pairs were announced: Messrs. Hurd and Anderson of Whatcom, Messrs. McElwain and Anderson of Pierce, Messrs. Nelson and Anderson of Whitman, Messrs. Speck and Westfall, Messrs. Judson and Merchant, Messrs. McNew and Moore, Messrs. Foster and Gilman, Messrs. Hamill and Rinehart, Senators Eshelman and Brown, Messrs. Heliker and Shadle. Senators Cooper and Kinnear, till further notice. Senators Frink and Hutchinson, till further notice. Senators Claypool and Roberts, to-day. Messrs. Tull and Hoole, Friday till further notice. Messrs. Cowan and McMurphy, Friday till further notice. Senators Helm and Hastings, Friday till further notice. Messrs. Pierce of Klickitat and Mead, Friday and Saturday. Messrs. Green and Winchell. Messrs. Edwards and White, Friday and Saturday.

The president announced that there was no election of United States senator at yesterday's joint session, and instructed the clerk to call the roll for the sixty-seventh ballot.

## SIXTY-SEVENTH JOINT BALLOT.

John B. Allen received 35 votes.

George Turner received 16 votes.

C. W. Griggs received 20 votes.

C. W. Young received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Belknap, Brock, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Hastings, Hoole, Horr, Karr, Keller, Kelly, Ludden, McKenzie, McMurphy, Mead, Meany, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, and Mr. Speaker.

Those voting for George Turner were: Easterday, Greenberg, Helm, Ide, McMillan, Mentzer, Nash, Nelson, Richards, Roscoe, Sherman, Smithson, Temple, Tull, Van Houten, and Woodworth.

Those voting for Chauncey W. Griggs were: Campbell, Cowan, Crockett, Donahoe, Edmonds, Foss, Gilman, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had received the neces-

sary majority to elect a United States senator, and instructed the clerk to call the roll for the sixty-eighth ballot.

SIXTY-EIGHTH JOINT BALLOT.

John B. Allen received 35 votes.

George Turner received 16 votes.

C. W. Griggs received 20 votes.

C. W. Young received 9 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Belknap, Brock, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Hastings, Hoole, Horr, Karr, Keller, Kelly, Ludden, McKenzie, McMurphy, Mead, Meany, Morrison, Neergaard, O'Neill, Pierce (C. M.), Roth, Rutter, Sallee, Sergeant, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, and Mr. Speaker.

Those voting for George Turner were: Easterday, Greenberg, Helm, Ide, McMillan, Mentzer, Nash, Pierce (D. W.), Richards, Roscoe, Sherman, Smithson, Temple, Tull, Van Houten, and Woodworth.

Those voting for Chauncey W. Griggs were: Campbell, Cowan, Crockett, Donahoe, Edmonds, Foss, Gilman, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had received a sufficient number of votes to elect a United States senator, and at 12:25 o'clock p. m. he dissolved the joint session to meet to-morrow at 12 o'clock noon.

On motion of Mr. White, the House took a recess at 12:25 p. m. to meet at 2:30 this afternoon.



## AFTERNOON SESSION.

The speaker called the House to order, pursuant to adjournment for recess, at 2:30 o'clock P. M.

The roll was called; all present except Messrs. Anderson of Pierce, Anderson of Whitman, Hurd, Moore, McElwain, Nelson, Shadle, Westfall, and Winchell.

On motion of Mr. Nash, House bill No. 24 was recommitted to Committee on Agriculture.

The House again resumed consideration of House bill No. 31.

Mr. Judson proposed the following amendment to House bill No. 31: Add to section 1: "*Provided*, That no warrant shall be drawn by the state auditor until said lands have been allowed and approved by the secretary of interior of the United States."

The amendment was adopted.

Mr. Speck was excused from attendance at the afternoon session of the House.

Mr. Mead's motion to suspend the rules, and place House bill No. 31 on final passage, was adopted.

The roll was called, and House bill No. 31 passed by the following vote: Yeas 65, nays 0, absent and not voting 13.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMilian, McMurphy, McNew, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Cameron, Hurd, McElwain, Nelson, Roth, Scott, Shadle, Speck, Westfall, Wheeler, and Winchell.

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

## REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 49, entitled "An act to amend section 7 of an act entitled 'An act to provide for the selection of lands granted to the State of Washington, under an act of congress approved February 22, 1889, for the purpose of the erection of public buildings and a penitentiary; the use and support of agricultural and scientific normal schools; and charitable, penal and reformatory institutions; also, providing for the selection of lands granted to the State of Washington under sections 1947, 2275 and 2276 of the Revised Statutes of the United States,' approved March 10, 1891, and declaring an emergency to exist," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

Mr. McMillan moved that House bill No. 49 be indefinitely postponed.

The bill was indefinitely postponed by a vote of 31 yeas to 10 nays.

## REPORT OF COMMITTEE ON MILITARY AFFAIRS AND SOLDIERS' HOME.

MR. SPEAKER:

We, your Committee on Military Affairs and Soldiers' Home, to whom was referred House bill No. 202, entitled "An act to increase the cavalry battalion of the National Guard of the State of Washington to four companies," have had the same under consideration, and we respectfully report the same back to the House with a substitute, and recommend that the substitute do pass.

Respectfully submitted.

C. M. PIERCE, Chairman.

On motion, the substitute was adopted, and numbered 348.

The substitute was read the first time.

## REPORT OF COMMITTEE ON FORESTRY, AGRICULTURE AND HORTICULTURE.

MR. SPEAKER:

We, your Committee on Forestry, Horticulture and Agriculture, to whom was referred House bill No. 155, entitled "An act providing for the appointment of a state inspector of dairy products, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that its substitute, prepared by C. J. Moore and ratified by the committee, do pass.

Respectfully submitted.

ALEX. CAMERON, Chairman.  
A. S. MCKENZIE,  
J. B. SMITH,  
C. J. MOORE,  
M. ANDERSON,  
T. G. MULKEY,  
G. H. COLLIN.

The substitute bill, House bill No. 356, was adopted and read the first time.

#### REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

MR. SPEAKER:

We, your Committee on Privileges and Elections, to whom was referred the preamble and resolution from Columbia Council, Patrons of Husbandry, for constitutional amendment providing for woman suffrage, have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do not pass.

Respectfully submitted.

N. W. BUSH, Chairman.

I concur in this report:

JOHN LEO.

The report of the committee was adopted.

#### REPORT OF COMMITTEE ON RAILROADS.

MR. SPEAKER:

We, your Committee on Railroads, to whom was referred House bill No. 188, entitled "An act providing a penalty for public officers of Washington who accept or use a pass, or who purchase transportation from any railroad or other corporation other than as the same may be purchased by the general public, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. R. HOOLE, Chairman.

We concur in this report:

JOHN F. GREEN,

F. R. BAKER,

C. S. WEBB,

ALEX. CAMERON.

The House refused to indefinitely postpone House bill No. 188 by the following vote: Yeas 27, nays 40, absent 11.

Yeas: Messrs. Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Green, Hamill, Heliker, Hoole, Kelly, Leo, Ludden, Mead, Meany, Merchant, McKenzie, McMurphy, Nash, Pierce of Klickitat, Pierce of Lewis, Rinehart, Sallee, Sherman, Smithson, Washburn, Webb, and Weed.

Nays: Messrs. Anderson of Whatcom, Burton, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Greenberg, Judson, Karr, Keller, Kline, Letterman, Mays, Mentzer, Moore, Morrison, Mulkey, McMillan, McNew, Neergaard, Payne, Roscoe, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Temple, Tucker, Tull, Turpin, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman,

Hurd, McElwain, Nelson, Roth, Shadle, Speck, Westfall, Wheeler, and Winchell.

On motion of Mr. Gilman, House bill No. 188 was re-committed to Committee on Judiciary.

Senate concurrent resolution No. 12, by Senator Dyer: Resolution proclaiming rhododendron as the state flower.

Referred to Committee on Agriculture.

Senate bill No. 70, by Senator Kinnear: An act amending "An act in relation to the powers and duties of clerks of courts," approved February 26, 1891.

Referred to Judiciary Committee.

Senate bill No. 89, by Senator Kinnear: An act to amend section 53 of chapter 1 of volume 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill, relating to juries.

Referred to Judiciary Committee.

Senate bill No. 136, by Senator Easterday: An act relating to actions against persons liable upon the same obligation or instrument, amending section 16 of the Code of Procedure.

Referred to Judiciary Committee.

Senate bill No. 128, substitute for Senate bill No. 91: An act to provide for voting on constitutional amendments at the general election to be held in November, 1894, relative to original jurisdiction of superior courts.

Referred to Judiciary Committee.

Mr. Pierce of Lewis, presented the following resolution, which was adopted:

*Resolved*, That the Committee on Soldiers' Home be instructed to visit the soldiers' home at the earliest date possible to confer with the management of said institution, and make such investigation as may be necessary to put the committee in a position to recommend or pass upon any legislation which may relate to said institution and come before this House at this session.

#### REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER:

We, your Committee on Education, to whom was referred Senate bill No. 85, entitled "An act for the prevention of cruelty to children, animals, fowls and birds," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

C. F. WESTFALL, Chairman.

The bill was read in full for information.

Mr. Mays presented the following amendment: Strike out the words "under the age of seventeen years," in line 3 of section 1.

The amendment was adopted.

Amendment by Mr. Scott: Strike out all of section 10 and insert "all fines herein provided for shall be paid into the common school fund of the county in which such fine shall be imposed."

The amendment was adopted.

Mr. Baker presented the following amendments: Strike out the words "or procure," in line 3 of section 2; strike the letter "s" from the word "fails," in line 4 of section 2; strike the letter "s" from the word "permits," in line 5 of section 2; strike out the word "it" where it occurs after the word "works," and insert the words "such animal," in line 6 of section 2.

The amendments were adopted.

Amendment by Mr. Letterman: Strike out the words "and sheltered," in line 7, section 4.

The amendment was adopted.

Amendment by Mr. Leo: Amend section 5 by inserting after the word "animals," in third line, the words "at or in any place, building or tenement."

The amendment was adopted.

On motion of Mr. Mead, the rules were suspended, the bill was read third time as amended, and placed on final passage.

The bill passed by the following vote: Yeas 56, nays 0, absent 22.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMurphy, McNew, Nash, Pierce of Klickitat, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Temple, Tucker, Tull, Washburn, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Denn, Heliker, Hurd, Kline, McElwain, McMillan, Neergaard, Nelson, Payne, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Speck, Turpin, Webb, Westfall, and Winchell.

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

Messrs. Greenberg, Leo and Shelton were excused for the balance of the afternoon.

Mr. Cowan was granted leave of absence for Friday.

Messrs. Edwards, McMurphy and Tull were granted leave of absence for Friday and Saturday, and until the return of the Committee on School for Defective Youth from their visit to Vancouver.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred Senate bill No. 95, entitled "An act relating to the lien of judgments upon real estate," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The bill was read the second time in full.

On motion of Mr. Mead, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 51, nays 8, absent 19.

Yeas: Messrs. Anderson of Whatcom, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Hamill, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMurphy, McNew, Nash, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Sherman, Smith of Okanogan, Smithson, Temple, Tucker, Tull, Washburn, Wheeler, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Denn, Durant, Edwards, Mays, Neergaard, Scott, and Smith of Douglas.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Collin, Greenberg, Hurd, Leo, McElwain, McMillan, Nelson, Roth, Shadle, Shelton, Speck, Turpin, Webb, Weed, Westfall, White, and Winchell.

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

#### REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL AND RAILROADS.

MR. SPEAKER:

Your Committee on Corporations other than Municipal and Railroads, to which was referred House bill No. 208, entitled "An act to enable

counties to validate certain indebtedness attempted to be incurred on the part of such counties by the corporate authorities thereof in excess of their legal authority, and declaring an emergency to exist," respectfully reports the bill back to the House with the recommendation that it do pass.

R. C. WASHBURN,  
GEO. W. KLINE,  
WILL R. WHITE,  
G. W. TEMPLE,  
J. B. SMITH.

The bill was read the second time in full.

On motion of Mr. Mentzer, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 58, nays 2, absent 18.

Yeas: Messrs. Anderson of Whatcom, Baker, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hoole, Judson, Karr, Keller, Kelly, Kline, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Sherman, Smith of Douglas, Smithson, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Denn and McNew.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Brock, Greenberg, Hamill, Heliker, Hurd, Leo, Meany, McElwain, Nelson, Roth, Shadle, Sheltón, Smith of Okanogan, Speck, Westfall, and Winchell.

The emergency clause passed by the following vote: Yeas 60, nays 1, absent 17.

Yeas: Messrs. Anderson of Whatcom, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hamill, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Sherman, Smith of Douglas, Smithson, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nay: Mr. Denn.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Baker, Collin, Greenberg, Hurd, Leo, McElwain, Nelson, Payne, Roth, Shadle, Shelton, Smith of Okanogan, Speck, Westfall, and Winchell.

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

On motion of Mr. Wheeler, House bill No. 214 was recommitted to Committee on Revenue and Taxation.

The House refused to adjourn by a divisional vote of 26 yeas to 34 nays.

#### REPORT OF COMMITTEE ON COMMERCE AND MANUFACTURES.

MR. SPEAKER:

We, your Committee on Commerce and Manufactures, to whom was referred House bill No. 236, entitled "An act making it unlawful for any person or persons to buy, sell or give away or manufacture cigarettes, or cigarette paper, and providing the punishment for the violation thereof," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. WOODWORTH, Chairman.

We concur in this report:

J. B. McMILLAN,  
ELLIS MORRISON,  
F. M. TULL,  
F. B. TURPIN,  
A. S. BUSH,  
G. H. COLLIN.

The bill was read second time by title.

On motion of Mr. Roscoe, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 57, nays 7, absent 14.

Yeas: Messrs. Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hamill, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Sherman, Smith of Okanogan, Smithson, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Whatcom, Baker, Denn, Mays, Nash, Scott, and Smith of Douglas.



Absent: Messrs. Anderson of Whitman, Anderson of Pierce, Greenberg, Hurd, Leo, McElwain, Nelson, Roth, Shadle, Shelton, Speck, Westfall, Wheeler, and Winchell.

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

#### REPORT OF COMMITTEE ON COMMERCE AND MANUFACTURES.

MR. SPEAKER:

We, your Committee on Commerce and Manufactures, to whom was referred House bill No. 285, entitled "An act to amend title xvii of Hill's Code, entitled 'Of protection to the lumbering interests,'" have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. WOODWORTH, Chairman.  
 J. B. McMILLAN,  
 A. S. BUSH,  
 F. M. TULL,  
 ELLIS MORRISON,  
 G. H. COLLIN,  
 F. B. TURPIN.

The bill was read the second time by title.

On motion of Mr. McMillan, the rules were suspended, the bill was read the third time, and was considered engrossed.

On motion of Mr. McMillan, House bill No. 285 was recommit-  
 mitted.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1893.

MR. SPEAKER:

The president of the Senate has signed Senate bill No. 66, House bill No. 100 and House bill No. 323; and the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The speaker signed Senate bill No. 66 in open session of the House.

On motion of Mr. Egbert, the House adjourned at 5:15 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## FORTIETH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Friday, February 17, 1893. }  
10 o'clock A. M.

The House was called to order at 10 o'clock A. M.; the speaker presiding.

The roll was called. All the members were present except Messrs. Anderson of Pierce, Anderson of Whitman, Edwards, Hurd, McElwain, Nelson, Shadle, Westfall, and Winchell (excused).

On motion of Mr. Nash, the further reading of yesterday's journal was dispensed with, and the journal was approved.

### SPECIAL ORDERS.

The hour of 10 o'clock having arrived, the House took under consideration House bill No. 63, by Mr. Hoole, An act to regulate common carriers, and creating a railroad and steamboat commission of the State of Washington, and defining the duties and powers thereof in relation to common carriers, special order for this hour.

On motion of Mr. Mead, the House resolved itself into a committee of the whole for consideration of House bill No. 63.

Mr. Ludden in the chair, by request of the speaker.

The hour for the joint session for balloting for United States senator having arrived, the committee arose, and the speaker resumed the chair.

### JOINT SESSION.

The Senate being at the bar of the House, the speaker invited the honorable senators to seats within the bar, and the president of the senate to preside over the joint convention.

The roll was called; all senators and representatives were present except Senators Cooper, Frink, Hastings, Helm, Kellogg, Smith, Van Houten, and Messrs. Anderson (D. F.), Anderson (W. D. E.), Edwards, Heliker, Hurd, McElwain, McNew, Nelson, Shadle, Tull, Westfall, and Winchell.

## PAIRS ANNOUNCED.

Hurd and Anderson of Whatcom, McElwain and Anderson of Pierce, Nelson and Anderson of Whitman, Speck and Westfall, Heliker and Shadle, Cooper and Kinnear, till further notice; Frink and Hutchinson, till further notice; Tull and Hoole, till further notice; Cowan and McMurphy, till further notice; Helm and Hastings, till further notice; Green and Winchell, Edwards and White, Friday and Saturday; Rutter and Van Houten, Friday; Leo and McKenzie, Saturday; Temple and Morrison, Saturday and Monday; Sallee and Pierce of Klickitat, Saturday till further notice; McNew and Moore, Saturday; Smithson and Weed, Saturday till further notice; Greenberg and Ludden, Saturday.

Senator McCroskey moved that further reading of the joint journal be dispensed with and the same stand approved.

The motion prevailed and the journal was approved.

The president announced that there was no election of United States senator at yesterday's session, and instructed the clerk to call the roll for the sixty-ninth ballot.

## SIXTY-NINTH JOINT BALLOT.

John B. Allen received 37 votes.

George Turner received 15 votes.

C. W. Griggs received 23 votes.

C. W. Young received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Gilbert, Horr, Karr, Keller, Kelly, Ludden, McKenzie, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, and Mr. Speaker.

Those voting for George Turner were: Claypool, Easterday, Greenberg, Ide, McMillan, Mentzer, Moore, Nash, Pierce (D. W.), Richards, Roscoe, Sherman, Smithson, Temple, and Woodworth.

Those voting for Chauncey W. Griggs were: Campbell, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Hamill, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had received a sufficient number of votes to elect him to a seat in the United States Senate, and directed the clerk to call the roll for the seventieth joint ballot.

SEVENTIETH JOINT BALLOT.

John B. Allen received 37 votes.

George Turner received 15 votes.

C. W. Griggs received 23 votes.

C. W. Young received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Gilbert, Horr, Karr, Keller, Kelly, Ludden, McKenzie, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, and Mr. Speaker.

Those voting for George Turner were: Claypool, Easterday, Greenberg, Ide, McMillan, Mentzer, Moore, Nash, Pierce (D. W.), Richards, Roscoe, Sherman, Smithson, Temple, and Woodworth.

Those voting for Chauncy W. Griggs were: Campbell, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Hamill, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

The president announced that no person had received a majority of all the votes cast, hence there was no election of United States senator, and, at 12:25 o'clock, dissolved the joint session.

Mr. Ludden, as chairman of the committee of the whole, reported progress, and asked further time.

The request was granted.

On motion of Mr. Hoole, further consideration of House bill No. 63 was deferred until Tuesday, at 10 o'clock A. M.

Mr. McMillan asked to be excused from the committee to visit the soldiers' home.

The request was granted, and Mr. Pierce, of Klickitat, was appointed in his place.

Messrs. Turpin, Roth, Sallee, Greenberg, Bush of Chehalis, Leo and Temple were excused for Saturday and Monday.

On motion of Mr. Morrison, House bill No. 108 was ordered printed as amended by the committee.

On motion of Mr. Judson, the House took a recess at 12:25 P. M. until 2 o'clock P. M.

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### AFTERNOON SESSION.

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The House was called to order at 2 o'clock P. M.; the speaker presiding.

The roll was called; all the members were present except Messrs. Anderson of Pierce, Anderson of Whitman, Bush of Chehalis, Cowan, Edwards, Heliker, Hurd, Meany, McElwain, Nelson, Roth, Temple, Tull, and Westfall.

### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1893.

**MR. SPEAKER:**

The Senate has passed House bill No. 66, entitled "An act to establish a state normal school in the county of Whatcom."

Also, House bill No. 115, Securing creditors a just division of the estates of debtors, with three amendments as noted in the bill.

Also, House bill No. 234, Providing for the sale of certain personal property of the state.

The Senate has refused to pass House bill No. 135, Legalizing marriages contracted within six months from time of divorce.

The Senate has passed Senate bill No. 190, entitled "An act providing for a system of improved roads."

Also, Senate bill No. 112, Providing for mortgaging or leasing of real estate belonging to minors.

Also, Senate bill No. 205, Declaring it a misdemeanor to flow water across highways.

Also, Senate bill No. 76, Regulating the appointment and qualifications of officers and employees.

Also, Senate bill No. 21, Regulating the mode of procedure whereby municipal corporations may acquire private property.

Also, Senate bill No. 133, Validating meetings of trustees of corporations.

Also, Senate concurrent resolution No. 16, Regarding the accommodations for state officers in the McKenny building.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

#### COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, February 16, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN: I have this day approved and signed the following:

House bill No. 323, entitled "An act extending the time for payment of taxes, remitting penalties, and declaring an emergency."

House bill No. 100, entitled "An act to amend section 1534 of the Code of Procedure, relating to costs in civil actions before justices of the peace, and providing for an attorney's fee as part of the costs in such actions."

House bill No. 16, entitled "An act to amend section 1680 of the first volume of Hill's Annotated Statutes and Codes of Washington, the same being section 1942 of the Code of Washington of 1881, relating to the giving of liens upon manufactured lumber to persons performing labor in the manufacture of the same."

House bill No. 89, entitled "An act to quiet possessions and confirm titles to land." Respectfully, J. H. MCGRAW, Governor.

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 21, entitled "An act creating and providing for the enforcement of liens for labor and material."

House bill No. 251, entitled "An act to repeal section 4 of an act entitled 'An act to protect salmon and other food fishes in the State of Washington and upon all waters upon which this state has jurisdiction and concurrent jurisdiction, and declaring an emergency.'"

House bill No. 116, An act relating to the weight of oats.

House bill No. 164, entitled "An act providing for the transcribing of county records."

House memorial No. 6, For the coast defenses of the waters of the State of Washington.

Respectfully submitted.

J. B. McMILLAN, Chairman.

The speaker signed House bills Nos. 21, 116, 164 and 251 and House memorial No. 6 in open session of the House.

REPORTS OF COMMITTEE ON MILEAGE AND CONTINGENT EXPENSES.

MR. SPEAKER:

Your Committee on Mileage and Contingent Expenses, to whom was referred certain bills, certified to by the secretary of state as having been incurred prior to the opening of the session, in preparing the capitol building and grounds for use, viz.:

Bilger & Going—To bills rendered to February 15th, hereto attached.....	\$142 80
To bill of E. Grow, hereto attached, for labor on state buildings.....	276 00
	<u>\$418 80</u>

Have had the same under consideration, and we recommend the payment of the above amounts.

Respectfully,

H. F. SMITH, Chairman.

We concur in this report:

L. G. SHELTON,  
JAS. A. KARR,  
SAMUEL DENN,  
L. C. GILMAN.

MR. SPEAKER:

We, your Committee on Mileage and Contingent Expenses, to whom was referred certain bills for mileage for the Joint Fishing Committee; also, bills for mileage of the committee to visit state penitentiary; also, bills for mileage for committee to visit Medical Lake insane asylum; also, bill of T. G. Nicklin, for mileage traveling from New Whatcom to Olympia, to arrange preliminaries and call house to order, present session of House of Representatives, have had the same under consideration, and recommend that the same be allowed, as per bills hereto annexed:

T. G. Nicklin, 436 miles, traveling from New Whatcom to Olympia, to call House to order .....	\$43 60
Wm. N. McNew, 974 miles, traveling to Medical Lake, to visit insane asylum.....	97 40
Stephen Judson, 974 miles, as member of aforesaid committee .....	97 40
E. P. Heliker, 974 miles, as member of aforesaid committee.....	97 40
A. S. Bush, mileage to Portland, as member Joint Fisheries Committee, 276 miles.....	27 60
E. Brock, 276 miles, as member of aforesaid committee.....	27 60
L. C. Gilman, 276 miles, as member of aforesaid committee.....	27 60
J. W. Lysons, 276 miles, as clerk of aforesaid committee.....	27 60
J. Merchant, for mileage to Walla Walla and return, to visit state penitentiary, 762 miles .....	76 20
S. W. Hamill, 762 miles, as member of aforesaid committee.....	76 20
J. H. Kinehart, 762 miles, as member of aforesaid committee.....	76 20

Foregoing expense account "O. K."

H. F. SMITH,

Chairman Committee on Mileage and Contingent Expenses.

On motion of Mr. Pierce, of Lewis, the report of the committee was adopted.

On motion of Mr. Weed, the vote wherèby House bill No. 31 was passed at yesterday's session was reconsidered.

On motion of Mr. Mentzer, the vote whereby House bill No. 49 was indefinitely postponed was reconsidered.

On motion of Mr. Mentzer, House bill No. 31 and House bill No. 49 were recommitted to Committee on Appropriations.

## REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, beg leave to submit the accompanying bill, entitled "A bill for an act providing for and regulating the taking of exceptions, and the settling and certifying of bills of exceptions and statements of facts, and declaring the effect thereof," and report that we have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be passed.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Mead, House bill No. 377 was placed on the calendar without being printed.

On motion of Mr. Gilman, House bill No. 18 was made special order for Tuesday at 10 A. M.

## INTRODUCTION OF BILLS.

The following House bills were introduced, read first time by title, and referred to the following committees:

House bill No. 357, by Mr. Morrison: An act regulating the use of sleeping cars.

Referred to Committee on Railroads.

House bill No. 358, by Mr. White: An act to authorize the interposition of counter-claims arising on contracts in actions of unlawful detainer where the unlawful detainer consists in whole or in part in failure to pay rent.

Referred to Judiciary Committee.

House bill No. 359, by Mr. Ludden: An act amending section 519 of volume 2 of Hill's Code, relating to possession and enjoyment of property sold on execution.

Referred to Committee on Judiciary.

House bill No. 360, by Mr. Ludden: An act amending section 202, volume 2 of Hill's Code, relating to pleading in civil actions.

Referred to Judiciary Committee.

House bill No. 361, by Mr. Ludden: An act in regard to records in the clerk's office.

Referred to Judiciary Committee.

House bill No. 362, by Mr. Ludden: An act amending section 404, volume 2 of Hill's Code, relating to notice and motion for new trial.

Referred to Judiciary Committee.

House bill No. 363, by Mr. Ludden: An act to amend sections 1 and 11 of the Session Laws of 1889-90, approved March 6, 1890,



the same being sections 2741 and 2751 of volume 1 of Hill's Code, title 53.

Referred to Judiciary Committee.

House bill No. 364, by Mr. Ludden: An act in relation to making copies of records and papers in offices of county clerks, and declaring an emergency.

Referred to Judiciary Committee.

House bill No. 365, by Mr. Ludden: An act amending section 55, volume 2 of Hill's Code, relating to qualifications of persons to serve as jurors.

Referred to Judiciary Committee.

House bill No. 366, by Mr. Ludden: An act to amend an act entitled "An act to create a mining bureau, and to define its powers and duties, and declaring an emergency."

Referred to Committee on Mines and Mining.

House bill No. 367, by Mr. Ludden: An act making an appropriation for the development of the mineral resources of the State of Washington, to be expended under the direction of the mining bureau and state geologist.

Referred to Committee on Mines and Mining.

House bill No. 368, by Mr. Ludden: An act prescribing how to prepare jury lists, and amending section 58, volume 2 of Hill's Code.

Referred to Committee on Judiciary.

House bill No. 369, by Mr. Ludden: An act to establish terms and places for holding the supreme court.

Referred to Committee on Judiciary.

House bill No. 370, by Mr. Keller: An act to regulate the rate of interest by agreement or otherwise, and penalty for violation thereof.

Referred to Committee on Revenue and Taxation.

House bill No. 371, by Mr. Ludden: An act to amend section 1662 of chapter 3 of title 17 of Hill's Statutes and Codes of Washington.

Referred to Committee on Judiciary.

House bill No. 372, by Mr. Roth: An act prohibiting officials from becoming bondsmen.

Referred to Judiciary Committee.

House bill No. 373, by Mr. Roth: An act requiring municipal corporations to take bonds from contractors.

Referred to Committee on Municipal Corporations.

House bill No. 374, by Mr. Mentzer: An act authorizing the appointment of stenographic reporters for superior courts, prescribing their duties, fixing their compensation, and declaring an emergency.

Referred to Committee on Compensation of State and County Officers.

House bill No. 375, by Mr. Mays: An act prohibiting the employment of foreigners as teachers in public schools of the State of Washington.

Referred to Committee on Education.

House bill No. 376, by Mr. Cameron (by request): An act appropriating four thousand dollars for the purpose of sinking an artesian well in Walla' Walla county upon condition that the county commissioners of said county appropriate two thousand dollars, and providing for the disbursement thereof.

Referred to Committee on Agriculture.

House bill No. 377, by Judiciary Committee: An act providing for and regulating the taking of exceptions, and the settling and certifying of bills of exceptions and statements of facts, and declaring the effect thereof.

House bill No. 378, by Mr. Meany: An act to create a harbor line commission and prescribe its duties and the compensation of its members, and declaring an emergency.

Referred to Committee on Tide Lands.

House concurrent resolution No. 15, by Mr. Smith, of Okanogan, asking for appropriations for Bilger & Going of \$142.80, and E. Grow of \$271, from appropriation for expenses of this legislature, was adopted.

The following Senate bills were read first time and referred to committees:

Senate concurrent resolution No. 16, by Senator Claypool: Regarding the accommodation of state officials in McKenny building.

Referred to Committee on Public Buildings and Grounds.

Senate bill No. 21, by Senator McManus: An act to regulate the mode of procedure to take, acquire or damage private property by municipal corporations, etc.

Referred to Committee on Municipal Corporations.

Senate bill No. 76, by Senator Claypool (by request): An act regulating the appointment and qualifications of officers and employés, and providing punishment for the violation thereof.

Referred to Judiciary Committee.

Senate bill No. 112: An act to amend sections of the Code of the State of Washington of 1881 so as to provide for the mortgaging or leasing of real estate belonging to minors.

Referred to Judiciary Committee.

Senate bill No. 133, by Senator Forrest: An act to provide for the validating of meetings of trustees of corporations.

Referred to Committee on Municipal Corporations.

Senate bill No. 190, by Senator Donahoe: An act providing for system of improved roads in counties and providing for the manner of laying out, constructing and maintaining the same, and declaring an emergency.

Referred to Committee on Roads.

Senate bill No. 205, by Senator Helm: An act making it a misdemeanor to flow water across highways for more than forty-eight hours at one time without building culverts or covered drains for the passage of said water.

Referred to Committee on Water and Irrigation.

#### REPORT OF COMMITTEE ON RAILROADS.

MR. SPEAKER:

Your Committee on Railroads, to whom was referred House bill No. 93, entitled "An act regulating and fixing railroad freight rates in the State of Washington," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as per amendments attached, and that it do pass as amended:

That in section 5, line 2, of the printed bill, after the word "freight," there be inserted the words "on any railroad or railroads in this state."

That in the title, after the word "fixing," the word "maximum" be inserted, and that there be added to the title, after the word "Washington," the words "and providing a penalty for violation thereof."

That in section 1, line 4, of the printed bill, the word "existing" be inserted after the word "rates," and in the same section and line the words "actually charged" be stricken out.

Respectfully submitted.

We concur in this report:

W. R. HOOLE, Chairman.

C. S. WEBB,

J. F. GREEN,

O. B. NELSON,

ALEX. CAMERON,

D. F. ANDERSON,

W. P. MCELWAIN,

R. J. NEERGAARD.

The report of the committee, with amendments, was adopted.

Mr. Mentzer was called to the chair.

Proposed amendment by Mr. Letterman, to House bill No. 93: In section 1, insert after the word "flour," in line 5 of the original bill, the words "flaxseed, rye."

The amendment was adopted.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 60, nays 0, absent 18.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Crockett, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Hamill, Hoole, Judson, Keller, Kelly, Kline, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Mulkey, McKenzie, McMillan, McNew, Nash, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Tucker, Turpin, Washburn, Webb, Weed, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Cowan, Edwards, Greenberg, Heliker, Hurd, Karr, Leo, Meany, Morrison, McElwain, McMurphy, Nelson, Roth, Temple, Tull, and Westfall.

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

On motion of Mr. Nash, the House concurred in Senate amendments to House bill No. 115.

On motion of Mr. McMillan, the House took under consideration House bill No. 285, An act to amend title xxvii of Hill's Code, entitled "Of protection to the lumbering interests."

#### REPORT OF COMMITTEE ON COMMERCE AND MANUFACTURES.

MR. SPEAKER:

We, your Committee on Commerce and Manufactures, to whom was referred House bill No. 285, entitled "An act to amend title xxvii of Hill's Code, entitled 'Of protection to the lumbering interests,'" have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass with amendments as reported herewith:

First amendment: Strike out all of the title and amend by inserting the following title: "An act to amend section 2630 of the Code of Wash-

ington of 1881, relating to the scaling and measurement of logs, and declaring an emergency."

Second amendment: Strike out all of line 1 and all of line 2 down to and including the figures 2356, and insert the following:

"Sec. 1. That section 2650 of the Code of Washington of 1881, as amended by an act of the legislative assembly of the Territory of Washington approved November 26, 1883, and entitled 'An act to amend chapter 207 of the Code of said territory relative to the inspection and measurement of logs and the formation of lumber districts' (the same being section 2356 of volume 1 of Hill's Annotated Statutes and Code of the State of Washington), be amended to read as follows: Sec. 2650."

Third amendment: In line 8 of the printed bill strike out the following: "2353 of Hill's Code," and insert "2647 of the Code of 1881."

Fourth amendment: At the beginning of line 12 of the printed bill insert "Sec. 2," and change the numbers of lines 12 and 13 to lines 1 and 2.

Respectfully submitted.

A. WOODWORTH, Chairman,  
J. B. McMILLAN,  
G. H. COLLIN,  
F. B. TURPIN,  
ELLIS MORRISON,  
A. S. BUSH.

The report of the committee, with amendments to House bill No. 285, was adopted.

The bill was read the second time.

On motion of Mr. McMillan, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 50, nays 0, absent 28.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Crockett, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Green, Hoole, Judson, Keller, Kelly, Kline, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, McKenzie, McMillan, McNew, Nash, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Tucker, Washburn, Weed, Wheeler, White, Winchell, and Woodworth.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Cowan, Edwards, Gilman, Greenberg, Hamill, Heliker, Hurd, Karr, Leo, Meany, Morrison, Mulkey, McElwain, McMurphy, Neergaard, Nelson, Roth, Sallee, Scott, Smithson, Temple, Tull, Turpin, Webb, Westfall, and Mr. Speaker.

The emergency clause passed by the following vote: Yeas 52, nays 0, absent 26.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Crockett, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Hoole, Judson, Keller, Kline, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Mulkey, McMillan, McNew, Nash, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Tucker, Turpin, Washburn, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Collin, Cowan, Edwards, Greenberg, Hamill, Heliker, Hurd, Karr, Kelly, Leo, Morrison, McElwain, McKenzie, McMurphy, Neergaard, Nelson, Roth, Sallee, Smithson, Temple, Tull, Webb, Weed, and Westfall.

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

Mr. Meany and other members of the state university visiting committee were excused for to-day and until the return of the committee.

Mr. Anderson of Whatcom, was granted leave of absence for Saturday and Monday.

Mr. Nash was granted leave of absence for the remainder of this afternoon and Saturday.

On motion of Mr. Wheeler, the vote whereby Senate bill No. 95 passed at yesterday's session was reconsidered, and the chief clerk was instructed to get the same from the Senate.

On motion of Mr. Judson, House bill No. 74 was taken under consideration.

#### REPORT OF COMMITTEE ON RAILROADS.

MR. SPEAKER:

We, your Committee on Railroads, to whom was referred House bill No. 74, entitled "An act for an act to establish maximum rates for the transportation of passengers on railroads in this state, and prescribing the penalty for violation thereof," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as per amendments attached thereto, and as amended that it do pass.

That in section 1, line 2 of the printed bill, the words "and one-half" be stricken out.

That in section 1, line 6 in the printed bill, after the word "hundred" there be inserted the words "and fifty."

That in section 1, line 8 of the printed bill, the word "fifty" be stricken out and the words "seventy-five" be inserted in lieu.

That in section 2, line 4 of the printed bill, the word "twenty-five" be stricken out, and the word "ten" be inserted in lieu thereof.

That section 5 be stricken out.

Respectfully submitted.

W. R. HOOLE, Chairman.

We concur in this report:

R. J. NEERGAARD,

JOHN F. GREEN,

F. R. BAKER,

ALEX. CAMERON.

On motion of Mr. Judson, the report of the committee, with the amendments, was adopted.

Mr. Neergaard presented the following amendment to House bill No. 74: Add to section 3 the following: "One-half of such penalty to be paid to the person prosecuting such suit and the other half into the general school fund of the county in which the suit is prosecuted."

The amendment was adopted.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 48, nays 4, absent 26. -

Yeas: Messrs. Anderson of Whatcom, Baker, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Crockett, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Hoole, Judson, Kelly, Kline, Letterman, Ludden, Mays, Mead, Mentzer, Moore, Mulkey, McKenzie, McMillan, McNew, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Scott, Shadle, Shelton, Smith of Douglas, Smith of Okanogan, Speck, Tucker, Weed, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Keller, Sherman, Washburn, and Wheeler.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Brock, Cowan, Edwards, Greenberg, Hamill, Heliker, Hurd, Karr, Leo, Meany, Merchant, Morrison, McElwain, McMurphy, Nash, Nelson, Roth, Sallee, Smithson, Temple, Tull, Turpin, Webb, and Westfall.

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

On motion of Mr. Baker, the House took under consideration House bill No. 194.

REPORT OF COMMITTEE ON RAILROADS.

MR. SPEAKER:

We, your Committee on Railroads, to whom was referred House bill No. 194, entitled "An act to prohibit the collection of hospital and other dues from railroad and other classes of employes, and providing a penalty therefor," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be passed.

Respectfully submitted.

W. R. HOOLE, Chairman.

We concur in this report:

R. J. NEERGAARD,  
JOHN F. GREEN,  
F. R. BAKER,  
C. S. WEBB,  
ALEX. CAMERON.

The bill was read the second time.

On motion of Mr. McMillan, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 54, nays 0, absent 24.

Yeas: Messrs. Anderson of Whatcom, Baker, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Crockett, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Hamill, Hoole, Judson, Karr, Keller, Kelly, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Mulkey, McKenzie, McMillan, McNew, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Woodworth.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Brock, Cowan, Edwards, Greenberg, Heliker, Hurd, Kline, Leo, Meany, Morrison, McElwain, McMurphy, Nash, Nelson, Roth, Sallee, Smithson, Temple, Tull, Turpin, Westfall, and Mr. Speaker.

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

On motion of Mr. Shadle, House bill No. 263 was made a special order for Tuesday, at 2 o'clock P. M.

Mr. Pierce, of Lewis, was granted leave of absence for Saturday and Monday.



Mr. Shadle was granted leave of absence for Saturday.

On motion of Mr. Rinehart, the House adjourned at 4:50 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## FORTY-FIRST DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Saturday, February 18, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.

At roll call all the members were present except Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Bush of Chehalis, Cowan, Edwards, Greenberg, Heliker, Hurd, Kelly, Leo, Meany, Morrison, McElwain, McMurphy, McNew, Nash, Neergaard, Roth, Sallee, Shadle, Temple, Tull, Turpin, Washburn, and Winchell.

Mr. White moved that the reading of yesterday's journal be dispensed with, and that it stand approved.

The motion prevailed, and the journal was approved.

Mr. Wheeler presented the following resolution:

*Resolved*, That the chief clerk shall prepare and have printed a calendar on each Monday and Wednesday, and on each day during the last ten days of the session, showing the history of all bills, excepting such as have been indefinitely postponed or have failed to pass the House.

The resolution was adopted.

On motion of Mr. Smith of Okanogan, the vote whereby House concurrent resolution No. 15 passed at yesterday's session was reconsidered, and House concurrent resolution No. 15 was no longer in existence.

Mr. Smith of Okanogan rose to a question of privilege, correcting some misstatements in the Seattle Telegraph.

House concurrent resolution No. 16, by Mr. Pierce of Lewis,

recommending Hon. F. W. D. Mays for the position of secretary of agriculture in President Cleveland's cabinet, was read and adopted under suspension of the rules.

Resolution by Mr. Keller, relating to the Kansas dual legislature, was, on motion of Mr. Gilman, referred to the Committee on Defective Youth without complete reading.

Resolution by Mr. Durant:

WHEREAS, There are numerous persons in the state who are figuring on fat positions, on the theory that the present legislature will make liberal appropriations out of the public funds, just prior to the adjournment of the present session: therefore, be it

*Resolved*, That it is the sense of this body that the best interests of the State of Washington demand that the matter of such appropriations be immediately considered, in order to give the legislature of this state ample opportunity to curtail unnecessary expenditures and prevent waste of public money.

The resolution was adopted.

#### INTRODUCTION OF BILLS.

The following House bills were introduced, read first time by title, and referred to committees:

House bill No. 379, substitute for House bill No. 87: An act in relation to the making and recording of surveys and plats of cities and towns, and additions and extensions thereto, providing a penalty, and declaring an emergency.

House bill No. 380, by Mr. Hoole: An act relating to the taxation of mortgages and credits.

Referred to Committee of Whole House for action Wednesday at 10 A. M., February 22.

House bill No. 381, by Mr. Mentzer (by request): An act for the relief of W. T. Cavanaugh.

Referred to Committee on Appropriations.

House bill No. 382, by Mr. Durant: An act making it unlawful for any public officer to accept or use a pass.

Referred to Committee on Railroads.

House bill No. 384, by Mr. Wheeler: An act relating to estates of deceased persons.

Referred to Judiciary Committee.

House bill No. 383, by Mr. Egbert: An act to amend sections 2238 and 2239 of the Code of 1881, the same being section — of Hill's Annotated Statutes and Code of Washington.

Referred to Judiciary Committee.

House bill No. 385, by Committee on Privileges and Elections: An act to amend section 3085 of the Code of Washington of 1881, the same being section 407 of volume 1 of Hill's Annotated Statutes and Codes of Washington, relating to elections.

House bill No. 386, by Committee on Privileges and Elections: An act relating to elections.

Senate bill No. 146, by Senator Richards: An act providing for the removal from office of officers not liable to impeachment.

Referred to Judiciary Committee.

Senate bill No. 161, by Senator Richards: An act to repeal section 237 of chapter 6, title v, volume 1 of the General Statutes and Codes of Washington as arranged and annotated by William Lair Hill, relating to the taking of a census biennially by the county assessors, and declaring an emergency.

Referred to Judiciary Committee.

Senate bill No. 218, by Committee on Appropriations: An act making appropriation for the state printing and binding for the balance of the fiscal term ending March 31, 1893.

Referred to Committee on Appropriations.

Senate memorial No. 7, by Senator Horr: Praying for the establishment and maintenance of fog signal vessel on Umatilla reef.

Referred to Committee on Federal Relations.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 307, entitled "An act changing the name of the town of Slaughter."

Also, House bill No. 332, Providing for second appeals to the supreme court.

Also, Senate bill No. 218, Appropriation for state printing and binding.

Also, Senate bill No. 220, Appropriating money for Soldiers' Home.

Also, Senate bill No. 161, Providing for biennial census by county assessors.

Also, Senate bill No. 146, Providing for the removal from office of officers not liable to impeachment.

Also, Senate Memorial No. 7, Praying for the establishment and maintenance of a fog signal vessel on Umatilla Reef.

The president of the Senate has signed Senate bill No. 25.

The Senate has concurred in House amendments to Senate bill No. 85.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The speaker signed Senate bill No. 25 in open session of the House.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 87, entitled "An act to provide for filing and recording plats of land within and adjacent to cities and incorporated towns or villages, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that the accompanying substitute be adopted and passed in its stead.

Respectfully submitted.

A. E. MEAD, Chairman.

The report of the committee was adopted, and the substitute, House bill No. 379, was read and took its place on the calendar.

On motion of Mr. Pierce of Lewis, Senate bill No. 220, An act appropriating money for the maintenance of the soldiers' home, was taken up.

The bill was read first time by title and second time in full.

On motion of Mr. Tucker, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 48, nays 0, absent 30.

Yeas: Messrs. Baker, Brock, Burton, Bush of Pacific, Cameron, Collin, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Hamill, Hoole, Karr, Keller, Kline, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Mulkey, McKenzie, McMillan, Neergaard, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Tucker, Webb, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Bush of Chehalis, Cowan, Crockett, Edwards, Greenberg, Heliker, Hurd, Judson, Kelly, Leo, Meany, Morrison, McElwain, McMurphy, McNew, Nash, Nelson, Roth, Sallee, Shadle, Smithson, Temple, Tull, Turpin, Washburn, Weed, and Winchell.

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

On motion of Mr. Hoole, House bill No. 380 was referred to the committee of the whole House for consideration at 10 o'clock Wednesday, February 22.

On motion of Mr. Ludden, the House took a recess at 10:50 to 11:55 A. M.

The House was called to order at 11:55 A. M. by the speaker.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1893.

MR. SPEAKER:

The president of the Senate has signed House bill No. 116.

Also, House bill No. 251.

Also, House bill No. 164.

Also, House bill No. 21.

Also, House memorial No. 6.

And the same are herewith returned to the House.

ALLEN WEIR, Secretary.

#### JOINT SESSION.

The senators appearing at the bar of the House, the speaker invited the honorable senators to seats within the bar, and the president of the Senate to preside.

The roll was called; all present except Messrs. Anderson (D. F.), Anderson (M.), Anderson (W. D. E.), Bush (N. W.), Claypool, Cooper, Cowan, Donahoe, Dyer, Easterday, Edwards, Eshelman, Forsyth, Frink, Greenberg, Hastings, Heliker, Helm, Hurd, Ide, Leo, McElwain, McMurphy, McNew, Meany, Morrison, Nash, Nelson, Pierce (C. M.), Roth, Rutter, Sallee, Shadle, Smithson, Temple, Tull, Turpin, Washburn, Westfall, Wheeler, and Winchell.

The following pairs were announced: Hurd and Anderson of Whatcom, McElwain and Anderson of Pierce, Nelson and Anderson of Whitman, Speck and Westfall, Heliker and Shadle, Cooper and Kinnear, till further notice; Frink and Hutchinson, till further notice; Tull and Hoole, till further notice; Cowan and McMurphy, till further notice; Helm and Hastings, till further notice; Greene and Winchell, Edwards and White, Friday and Saturday; Leo and McKenzie, Saturday; Temple and Morrison, Saturday and Monday; Sallee and Pierce of Klickitat, Saturday till further notice; Smithson and Weed, Saturday till further notice; Greenberg and Ludden, Saturday; Forsyth and Donahoe, Saturday; Van Houten and Rutter, Burton and Roth, Ide and O'Neill, Roberts and Claypool, Shaw and Dyer, Easterday and Edens, Smith of Okanogan and Cameron, Brown and Eshelman, Neergaard and Nash.

Senator Forrest moved the reading of yesterday's joint journal be dispensed with, and that the same stand approved.

The motion prevailed, and the journal was approved.

The president announced that no election of United States senator had occurred at yesterday's session, and instructed the clerk to call the roll for the seventy-first ballot.

SEVENTY-FIRST BALLOT.

John B. Allen received 20 votes.

George Turner received 8 votes.

C. W. Griggs received 17 votes.

C. W. Young received 6 votes.

Those voting for John B. Allen were: Belknap, Brock, Bush (A. S.), Cameron, Farrish, Forrest, Gilbert, Horr, Karr, Keller, Kellogg, Kelly, Mead, Merchant, Rinehart, Sergeant, Tucker, Webb, Van De Vanter, and Mr. Speaker.

Those voting for George Turner were: McMillan, Mentzer, Moore, Richards, Roscoe, Sherman, Smith (T. J.), and Woodworth.

Those voting for Chauncey W. Griggs were: Campbell, Crockett, Edmonds, Foss, Foster, Gilman, Hamill, Kline, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shelton, and Smith (H. F.)

Those voting for C. W. Young were: Baker, Collin, Denn, Durant, Scott, and Smith (J. B.)

The president announced that no person had received the necessary majority to elect; therefore there was no election.

On motion of Senator Richards, there not being a quorum voting, the joint session was dissolved at 12:15 P. M., to meet Monday at 12 o'clock noon.

Messrs. Scott, Egbert and Mulkey were granted leave of absence for Monday and Tuesday.

Mr. Wheeler was granted leave of absence for Saturday and Monday.

Mr. Speck was excused until the return of the visiting committee.

The Committee on Enrolled and Engrossed Bills made the following report:

REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED  
BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copy of House bill No. 234, entitled "An act providing for the sale of personal property of the state;" House bill No. 66, An act

to establish a state normal school in the county of Whatcom; House memorial No. 5, praying for a light house, have been compared with the original copies thereof and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

The speaker signed House bills Nos. 66 and 234, and House memorial No. 5 in open session of the House.

On motion of Mr. Hoole, the House adjourned at 12:20 P. M., to meet at 11:55 A. M. Monday.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

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## FORTY-THIRD DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Monday, February 20, 1893. }  
11:55 o'clock A. M.

The House was called to order at 11:55 o'clock A. M., pursuant to Saturday's adjournment; the speaker presiding.

The roll was called. Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Cowan, Egbert, Hurd, Kelly, Morrison, Mulkey, McElwain, Pierce of Lewis, Roscoe, Roth, Scott, Smith of Okanogan, Speck, Tull, Webb and Wheeler were absent.

Mr. McMillan, Chairman of the Enrolling Committee, made the following report:

**MR. SPEAKER:**

The following named persons have been appointed assistant enrolling clerks: Miss L. O. Russell, commencing February 17, and W. H. Smith, commencing February 20.

J. B. McMILLAN, Chairman.

### JOINT SESSION.

The senate being in waiting, the speaker invited the honorable senators to seats within the bar, and the president of the senate to preside over the joint session.

The clerk called the roll. All the senators and representatives were present except Senators Campbell, Donahoe, Frink, Hastings, Helm, McManus, Smith, Van Houten, and Messrs. M. Anderson, N. W. Bush, Cowan, Egbert, Hurd, McElwain, Mulkey, C. M. Pierce, Scott, H. F. Smith, Speck, Tull, Washburn, and Wheeler.

The following pairs were announced: Messrs. Wheeler and Roscoe, Brock and Moore, O'Neill and Campbell, Hurd and Anderson of Whatcom, McElwain and Anderson of Pierce, Westfall and Speck. For Monday and Tuesday: Mead and Mulkey, Van Houten and Heliker, Webb and Gilman, Tull and Hoole, Smith of Okanogan and Cameron, Cowan and McMurphy, Helm and Hastings, Forsyth and Donahoe.

Mr. Mead moved that the rules be suspended, and the reading of the journal be dispensed with, and that the same stand approved.

The motion prevailed, and the joint journal was approved.

No election of United States senator occurring at Saturday's joint session, the president directed the clerk to call the roll for the seventy-second ballot.

#### SEVENTY-SECOND JOINT BALLOT.

Senator Hutchinson nominated J. J. Browne for United States senator.

John B. Allen received 35 votes.

George Turner received 16 votes.

C. W. Griggs received 19 votes.

C. W. Young received 7 votes.

J. J. Browne received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brown, Bush (A. S.), Dyer, Edens, Farrish, Forrest, Gilbert, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McKenzie, McNew, Meany, Merchant, Morrison, Neergaard, Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Tucker, Van De Vanter, Webb, Weed, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Ide, McMillan, Mentzer, Nash, Nelson, Pierce (D. W.), Richards, Shadle, Sherman, Smithson, Temple, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Crockett, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, Miller, Payne, Shaw, Shelton, and Turpin.



Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, and Smith (J. B.).

Senator Hutchinson voted for J. J. Browne.

No person having received a majority of all the votes cast for United States senator, the president instructed the clerk to call the roll for the seventy-third joint ballot.

SEVENTY-THIRD JOINT BALLOT.

John B. Allen received 32 votes.

George Turner received 16 votes.

C. W. Griggs received 18 votes.

C. W. Young received 7 votes.

J. J. Browne received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Belknap, Brown, Bush (A. S.), Dyer, Edens, Farrish, Forrest, Gilbert, Karr, Keller, Kelly, Kinnear, Ludden, McKenzie, McNew, Meany, Morrison, Neergaard, Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Tucker, Webb, Weed, White, Winchell, Van De Vanter, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Ide, McMillan, Mentzer, Nash, Nelson, Pierce (D. W.), Richards, Shadle, Sherman, Smithson, Temple, and Woodworth.

Those voting for Chauncey W. Griggs were: Crockett, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, Miller, Payne, Shaw, Shelton, and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, and Smith (J. B.).

Senator Hutchinson voted for J. J. Browne.

No person having been elected United States senator, the president dissolved the joint session at 12:28 o'clock p. m., to meet tomorrow, Tuesday, at 12 o'clock, noon.

On motion of Mr. Nash, the House took a recess at 12:30 p. m., to meet at 2 o'clock p. m.

## AFTERNOON SESSION.

The House was called to order after recess at 2 P. M., the speaker presiding.

The roll was called; all members were present except Messrs. Anderson of Whatcom, Brock, Bush of Chehalis, Cowan, Egbert, Heliker, Hurd, Mulkey, McElwain, Pierce of Lewis, Scott, Smith of Okanogan, Speck, Tull, Washburn, Westfall, and Wheeler.

On motion of Mr. Tucker, the further reading of Saturday's journal was dispensed with, and the same stood approved.

## REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 283, entitled "An act to provide for the payment of time checks," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the Committee on Labor and Labor Statistics.

Respectfully submitted.

A. E. MEAD, Chairman.

The bill was referred as requested.

## REPORT OF JOINT COMMITTEE ON VISITING THE STATE PENITENTIARY.

MR. SPEAKER:

We, your joint committee on visiting the state penitentiary, to whom was referred House bill No. 129, entitled "An act giving the commissioners of the penitentiary the power to grant rights-of-way over the state penitentiary lands at Walla Walla," have examined the premises and have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the standing Committee on Penitentiary and Reform Schools, with the suggestion that such power be granted.

Respectfully submitted.

T. J. SMITH, Chairman.

The bill was referred as requested.

## INTRODUCTION OF BILLS.

The following House bills were introduced, read first time and referred to committees:

House bill No. 391, by Mr. Leo: An act to provide for the inspection of illuminating oils.

Referred to Committee on Insurance.

House bill No. 392, by Mr. Edwards: An act entitled "An act relating to the proper ventilating of coal mines."

Referred to Committee on Mines and Mining.

House bill No. 393, by Mr. Hoole (by request): An act giving to counties or municipalities the power to raise all revenues by means of tax levied on lands, irrespective of improvements.

Referred to Committee on Revenue and Taxation.

House bill No. 390, substitute for House bill No. 37, by Committee on Fees and Compensation of State and County Officers: An act in relation to fees of state and county officers, witnesses, jurors, etc.

On motion of Mr. Mentzer, the House took under consideration Senate bill No. 78, by Senator Forrest: An act to define and fix the penalty where the defendant may be found guilty in all criminal actions tried by the superior courts of this state, and repealing all acts and parts of acts in conflict with this act.

The bill failed to pass by the following vote: Yeas 18, nays 41, absent 19.

Yeas: Messrs. Anderson of Whitman, Baker, Collin, Denn, Heliker, Hoole, Keller, Kline, Mead, Morrison, Neergaard, Rinehart, Roscoe, Roth, Smith of Douglas, Speck, Tucker, Webb, and White.

Nays: Messrs. Anderson of Pierce, Burton, Bush of Pacific, Cameron, Crockett, Durant, Edmonds, Edwards, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Judson, Karr, Kelly, Leo, Letterman, Ludden, Mays, Mentzer, Merchant, Moore, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Sallee, Shadle, Shelton, Sherman, Smithson, Temple, Weed, Winchell, and Mr. Speaker.

Absent: Messrs. Anderson of Whatcom, Brock, Bush of Chehalis, Cowan, Egbert, Hurd, Meany, Mulkey, McElwain, Pierce of Lewis, Scott, Smith of Okanogan, Tull, Turpin, Washburn, Westfall, Wheeler, and Woodworth.

#### SPECIAL ORDER FOR MONDAY.

The hour of 2 o'clock having arrived, the House took under consideration House concurrent resolution No. 6, by Mr. Collin, In relation to the circulating medium.

The Committee on Federal Relations made majority and minority reports.

## REPORTS OF COMMITTEE ON FEDERAL RELATIONS.

MR. SPEAKER:

Your Committee on Federal Relations, to which was referred House concurrent resolution No. 6, "In relation to the circulating medium," respectfully reports the House concurrent resolution back to the House, with the recommendation that the resolution be adopted.

C. H. SCOTT.

MR. SPEAKER:

Your Committee on Federal Relations, to which was referred House concurrent resolution No. 6, entitled "In relation to the circulating medium," respectfully reports the House concurrent resolution back to the House with the recommendation that it do not pass.

A. B. WEED,  
C. M. PIERCE,  
F. B. TURPIN.

Mr. Mays moved that the minority report be adopted.

The House refused to adopt the minority report recommending the adoption of the resolution by the following vote: Yeas 17, nays 42, absent 19.

Yeas: Messrs. Anderson of Pierce, Baker, Burton, Collin, Denn, Durant, Edmonds, Edwards, Greenberg, Hamill, Ludden, Mays, Moore, Payne, Shelton, Smith of Douglas, and Westfall.

Nays: Messrs. Anderson of Whitman, Bush of Pacific, Cameron, Crockett, Farrish, Foster, Gilman, Green, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Letterman, Mead, Meany, Merchant, Morrison, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Rinehart, Roscoe, Roth, Sallee, Shadle, Sherman, Smithson, Temple, Tucker, Webb, Weed, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Whatcom, Brock, Bush of Chehalis, Cowan, Egbert, Hurd, Leo, Mentzer, Mulkey, McElwain, Pierce of Lewis, Scott, Smith of Okanogan, Speck, Tull, Turpin, Washburn, Wheeler, and White.

On motion of Mr. Tucker, the majority report was adopted, and House concurrent resolution No. 6 was indefinitely postponed.

## PETITIONS, MEMORIALS, REMONSTRANCES, ETC.

By Mr. McKenzie: Petition from citizens of Thurston county relating to the silver question, etc.

Referred to Committee on Federal Relations.

By Mr. Pierce, of Klickitat: Remonstrance from taxpayers of Klickitat county against the division of counties.

Referred to Committee on Counties.

By Mr. Pierce, of Klickitat: Petition from the taxpayers of Klickitat county praying for a division of Klickitat county.

Referred to Committee on Counties.

By Mr. Rinehart: Petition from citizens of Ballard praying for the passage of the bill for an additional superior court judge in King county.

Referred to Committee on Judiciary.

By Mr. Gilman: Remonstrance by citizens of King county against an additional superior court judge in said county.

Referred to Committee on Judiciary.

By Mr. Roscoe: Petition from legal voters of Stillaguamish precinct of Snohomish county praying for a township organization law.

Referred to Committee on Judiciary.

By Mr. Moore: Petitions from citizens of Skamania county praying for annexation of a portion of Klickitat county.

Referred to Committee on Counties.

By Mr. Mays: Remonstrances from taxpayers of Garfield county against the taxation of church property.

Referred to Committee on Revenue and Taxation.

By Mr. McNew: Petition from citizens of Lincoln county, praying for exemption of church property from taxation.

Referred to Committee on Revenue and Taxation.

Mr. Tucker presented the following resolution:

*Be it Resolved by the House of Representatives, That no leave of absence be granted to any member except it be on account of sickness, death or committee work.*

The resolution was adopted.

#### REPORT OF COMMITTEE ON FEES AND COMPENSATION OF STATE AND COUNTY OFFICERS.

MR. SPEAKER:

We, your Committee on Fees and Compensation of State and County Officers, to whom was referred House bill No. 37, entitled "An act in relation to the fees of state and county officers, witnesses and jurors, amending section 1 of volume 1 of Hill's Statutes and Codes of Washington of 1891," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that the substitute reported herewith be adopted and passed.

Respectfully submitted.

D. W. MCMURPHY, Chairman.  
 F. W. D. MAYS,  
 C. G. KELLER,  
 E. E. EDMONDS,  
 SAMUEL DENN,  
 C. F. WESTFALL,  
 JOS. A. KARR.

On motion, the report was adopted, and substitute bill No. 390 was read the first time.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 20, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 129, Relating to the location and registration of mines.

Also, House bill No. 62, An act for the detention of domestic animals.

Also, Senate bill No. 165, Providing for holding sessions by superior court judges in any other county.

The Senate has refused to pass House bill No. 318, Requiring the supreme court to pass upon certain acts of the legislature.

The president of the Senate has signed Senate bill No. 95.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The Speaker signed Senate bill No. 95, in open session of the House.

REPORT OF COMMITTEE ON STATE, SCHOOL AND GRANTED LANDS.

MR. SPEAKER:

We, your Committee on State, School and Granted Lands, to whom was referred House bill No. 231, entitled "An act to amend section 7 of an act entitled 'An act to provide for the sale and leasing of school lands; and declaring an emergency;' approved March 28, 1890; the same being section 2146 of the first volume of Hill's Annotated Statutes and Codes of Washington, relating to school lands," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

J. E. TUCKER, Chairman.

The bill was read the second time in full.

On motion of Mr. Rinehart, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 55, nays 1, absent 22.

Yeas: Messrs. Anderson of Whitman, Baker, Burton, Bush of Pacific, Collin, Crockett, Denn, Durant, Edmonds, Edwards, Farish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Judson, Karr, Keller, Leo, Letterman, Ludden, Mays, Mead, Meany, Merchant, Moore, Morrison, McKenzie, McMurphy, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Rinehart, Roscoe, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson,

Temple, Tucker, Turpin, Webb, Weed, White, Winchell, Woodworth, and Mr. Speaker.

Nay: Mr. McMillan.

Absent: Messrs. Anderson of Pierce, Anderson of Whatcom, Brock, Bush of Chehalis, Cameron, Cowan, Egbert, Hurd, Kelly, Kline, Mentzer, Mulkey, McElwain, McNew, Pierce of Lewis, Sallee, Smith of Okanogan, Speck, Tull, Washburn, Westfall, and Wheeler.

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

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed bills respectfully reports that the enrolled copy of House bill No. 307, entitled "An act providing for changing the name of the town of Slaughter, a municipal corporation of the fourth class, situated in King county, State of Washington, to the town of Auburn;" also, House bill No. 115, "An act amending section 8 of an act entitled 'An act to secure creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' approved March 6, 1890, and repealing section two thousand and thirty-two (2032) of the Code of Washington Territory, A. D. 1881, and fixing the compensation of assignees for the benefit of creditors," have been carefully compared with the original copies thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

The speaker signed the above, House bill No. 115 and House bill No. 307, in open session of the House.

#### REPORT OF THE COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 111, entitled "An act concerning mortgages of personal property, and to repeal chapter 141 of the Code of Washington, 1881," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as follows:

*First:* Amend the title thereof by striking out all after the word "property" where the same occurs therein.

*Second:* Add to section 1 thereof the words "including growing crops and boats and vessels."

*Third:* Strike out the words "be forthwith deposited" where the same begin in line 5 and end in line 6 of section 2 of the printed bill, and insert in lieu thereof the words "within ten days after the execution thereof be filed."

*Fourth:* Strike out the word "deposited" where it occurs in line 2 of section 5 of the printed bill, and insert in lieu thereof "filed."

*Fifth:* Add to said bill a new section, to be numbered 13, as follows:  
 "SEC. 13. All acts and parts of acts in conflict with this act are hereby repealed."

And that as so amended the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The report of the committee, with amendments, was adopted.

On motion of Mr. Tucker, the enacting clause was corrected.

Mr. Neergaard offered the following amendment: Strike out the words "or a true copy thereof" in line 5 of section 2 of House bill No. 111.

The amendment was adopted by a divisional vote of 29 yeas to 13 nays.

Amendment by Mr. Gilman: Strike out lines 7 and 8, section 2.

The amendment was adopted.

On motion of Mr. Gilman, House bill No. 111 was recommitted to Committee on Judiciary.

Messrs. Winchell, Shadle and Westfall were excused for the afternoon to do committee work.

#### REPORTS OF COMMITTEE ON FEDERAL RELATIONS.

MR. SPEAKER:

We, your Committee on Federal Relations, to whom was referred House memorial No. 4, entitled "A memorial asking for the establishment of a road department by the national government, and that road engineering be established in all agricultural colleges receiving support from the national government," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. B. WEED, Chairman.

C. M. PIERCE,

F. B. TURPIN.

The House refused to adopt the report by a divisional vote of 18 yeas and 24 nays.

MR. SPEAKER:

We, your Committee on Federal Relations, to whom was referred House concurrent resolution No. 10, Authorizing the governor of the State of Washington to receive and receipt for money due said state from the general government of the United States on account of the payment of the direct tax, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. B. WEED, Chairman.

C. M. PIERCE,

F. B. TURPIN.



On motion, the report of the committee was adopted.

On motion of Mr. Greenberg, the amended and reprinted copy of House bill No. 88, by Mr. Greenberg, An act relating to internal improvements in cities of the first class, authorizing the issuance and collection of bonds upon the property benefited by local improvements, and declaring an emergency, was substituted for the original bill.

On motion of Mr. Greenberg, the following amendment was adopted: Strike out the word "because" in line 3 of section 3.

The bill was read the second time in full.

On motion of Mr. McMillan, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 47, nays 12, absent 19.

Yeas: Messrs. Anderson of Pierce, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Edmonds, Farish, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Judson, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mead, Meany, Merchant, Morrison, McKenzie, McMillan, Neergaard, Nelson, Payne, Pierce of Klickitat, Rinehart, Roth, Sallee, Sherman, Smithson, Temple, Tucker, Tull, Turpin, Washburn, Weed, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Burton, Denn, Durant, Edwards, Foster, Karr, Mays, Moore, Nash, Shelton, and Smith of Douglas.

Absent: Messrs. Anderson of Whatcom, Cowan, Crockett, Egbert, Hurd, Mentzer, Moore, Mulkey, McElwain, McMurphy, Pierce of Lewis, Roscoe, Scott, Shadle, Shelton, Smith of Okanogan, Speck, Webb, Westfall, Wheeler, and Winchell.

The emergency clause passed by the following vote: Yeas 51, nays 9, absent 18.

Yeas: Messrs. Anderson of Pierce, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Edmonds, Farish, Foster, Gilman, Green, Hamill, Heliker, Hoole, Judson, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mead, Meany, Merchant, Moore, Morrison, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Rinehart, Roth, Sallee, Shadle, Sherman, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Weed, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Burton, Denn, Durant, Edwards, Greenberg, Karr, Mays, and Smith of Douglas.

Absent: Messrs. Anderson of Whatcom, Cowan, Crockett, Egbert, Hurd, Mentzer, Mulkey, McElwain, Pierce of Lewis, Roscoe, Scott, Shelton, Smith of Okanogan, Speck, Webb, Westfall, Wheeler, and Winchell.

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

Mr. Greenberg gave notice that he would move for a reconsideration of the vote whereby the emergency clause failed to pass.

Messrs. Brock and Bush of Chehalis entered and wished to be recorded as present.

On motion of Mr. Ludden, the House adjourned at 4:45 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

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## FORTY-FOURTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Tuesday, February 21, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock.

The roll was called; all the members present except Messrs. Anderson of Whitman, Cameron, Cowan, Mulkey, Scott, and Smith of Okanogan.

Mr. Morrison moved that the rules be suspended, the reading of the journal dispensed with, and that it stand approved.

The motion prevailed, and the journal was approved.

### PETITIONS.

By Mr. McElwain: Petition from residents of King county praying for an act to give King county an additional superior court judge.

Referred to Committee on Judiciary.

REPORT OF COMMITTEE ON PENITENTIARY AND REFORM  
SCHOOL.

MR. SPEAKER:

We, your Committee on Penitentiary and Reform School, to whom was referred House bill No. 152, entitled "An act providing that prisoners when found guilty shall be charged with cost of board, stage and car fare; if in the judgment of the court they are able to pay the same," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

JOE MERCHANT, Chairman.

JOHN F. GREEN,  
A. S. MCKENZIE,  
S. W. HAMILL,  
J. H. RINEHART,  
A. E. MEAD.

On motion the report was adopted, and House bill No. 152 was indefinitely postponed.

REPORT OF COMMITTEE ON TIDE LANDS.

MR. SPEAKER:

We, your Committee on Tide Lands, to whom was referred House bill No. 350, entitled "An act to amend section 11 of an act entitled 'An act for the appraising and disposing of the tide and shore lands belonging to the State of Washington,' and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. S. SALLEE, Chairman.

The report was adopted, and House bill No. 350 indefinitely postponed.

REPORTS OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

MR. SPEAKER:

We, your Committee on Appropriations and Claims, to whom was referred House bill No. 387, entitled "An act making appropriation for the payment of the several newspapers of the state which published 'proposed constitutional amendment,'" have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

G. W. TEMPLE, Chairman.

The bill was read the first and second time by title.

On motion of Mr. Temple, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 56, nays 11, absent 11.

Yeas: Messrs. Anderson of Whatcom, Brock, Burton, Bush of Chehalis, Bush of Pacific, Farrish, Gilman, Green, Heliker, Hoole, Hurd, Judson, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Merchant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Collin, Crockett, Denn, Durrant, Edwards, Egbert, Foster, Greenberg, Hamill, and Smith of Douglas.

Absent: Messrs. Anderson of Whitman, Baker, Cameron, Cowan, Edmonds, Karr, Meany, Mentzer, Mulkey, Scott, and Smith of Okanogan.

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

#### INTRODUCTION OF BILLS.

House bill No. 388, by Mr. Washburn: An act in relation to state banks.

Referred to Committee on Corporations.

#### SPECIAL ORDER.

The hour of 10 o'clock having arrived, the House took under consideration House bill No. 36, by Mr. McElwain, An act providing for an additional judge for the superior court of the State of Washington for King county, and declaring an emergency, special order for this hour.

#### REPORT OF COMMITTEE ON JUDICIARY.

We, your Committee on Judiciary, to whom was referred House bill No. 36, entitled "An act providing for an additional judge for the superior court of the State of Washington for King county, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as follows:

Strike out the figures "1896," where the same occur in line 3 of section 2 of the printed bill, and insert in lieu thereof the figures "1894."

And we recommend that as so amended the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The report of the committee, with the amendments, was adopted.

On motion of Mr. McElwain, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill failed to pass by the following vote: Yeas 32, nays 39, absent 7.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Bush of Pacific, Heliker, Hoole, Hurd, Keller, Kelly, Leo, Letterman, Ludden, Mead, Meany, McElwain, McKenzie, Nash, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Shadle, Sherman, Temple, Washburn, Webb, Weed, Westfall, Wheeler, White, and Mr. Speaker.

Nays: Messrs. Baker, Brock, Burton, Bush of Chehalis, Collin, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Judson, Karr, Kline, Mosy, Merchant, Moore, Morrison, McMillan, McMurphy, McNew, Neergaard, Payne, Sallee, Shelton, Smith of Douglas, Smithson, Speck, Tucker, Tull, Turpin, Winchell, and Woodworth.

Absent: Messrs. Anderson of Whitman, Cameron, Cowan, Mentzer, Mulkey, Scott, and Smith of Okanogan.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 21, 1893.

#### MR. SPEAKER:

The senate has passed House bill No. 106, entitled "An act relating to the custody and control of wills."

Also, Senate bill No. 135, Relative to the classification of capital stock in corporations.

Also, Senate bill No. 130, Punishing the obstruction of railroads or any railroad train.

Also, Senate bill No. 105, Providing for the incorporation of social and charitable associations.

Also, Senate bill No. 189, An act to cure defective acknowledgments.

The Senate has indefinitely postponed House concurrent resolution No. 16, Asking that the State of Washington be honored by the selection of Hon. F. W. D. Mays as secretary of agriculture.

The president of the Senate has signed House bill No. 307; House bill No. 105, and House memorial No. 5.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

#### REPORT OF COMMITTEE ON JUDICIARY.

#### MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 298, entitled "An act providing for the levy and collection of an in-

heritance tax," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the Committee on Revenue and Taxation.

Respectfully submitted.

A. E. MEAD, Chairman.

The bill was referred as requested.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 203, entitled "An act to amend an act entitled 'An act to define the powers of county commissioners,'" have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the Committee on Counties.

Respectfully submitted.

A. E. MEAD, Chairman.

The bill was referred as requested.

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copy of House bill No. 332, entitled "An act allowing a second appeal to the supreme court in certain cases where persons have been convicted of felony, and declaring an emergency," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bill, No. 332.

The following Senate bills were read first time and referred to committees.

Senate bill No. 105, by Senator Claypool: An act to provide for the incorporation of associations for social, charitable and educational purposes.

Referred to Committee on Corporations.

Senate bill No. 129, by Senator O'Neill: An act to amend section 2213 of title 25, chapter 2, of volume 1 of the General Statutes and Codes of the State of Washington.

Referred to Committee on Mines and Mining.

Senate bill No. 130, by Senator Foss: An act to define and punish obstructions to railroads.

Referred to Committee on Railroads.

Senate bill No. 135, by Senator Forrest: An act relative to the classification of capital stock in corporations, and declaring an emergency.

Referred to Judiciary Committee.

Mr. Greenberg moved that the vote whereby the emergency clause of House bill No. 88 failed to pass at yesterday's session be reconsidered.

The motion prevailed.

The emergency clause passed by the following vote: Yeas 65, nays 6, absent 7.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Brock, Bush of Chehalis, Bush of Pacific, Collin, Crockett, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Merchant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Burton, Denn, Edwards, Karr, and Smith of Douglas.

Absent: Messrs. Anderson of Whitman, Cameron, Cowan, Mentzer, Mulkey, Scott, and Smith of Okanogan.

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

On motion of Mr. Gilman, the House took under consideration Senate bill No. 165, by Senator Dyer, An act relating to holding superior court sessions.

The bill was read the second time by title.

On motion of Mr. Gilman, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 68, nays 0, absent 10.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Brock, Burton, Bush of Pacific, Collin, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Merchant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Temple, Tucker,

Tull, Turpin, Washburn, Webb, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Whitman, Bush of Chehalis, Cameron, Cowan, Mentzer, Mulkey, Scott, Smith of Okanogan, Speck, and Weed.

The emergency clause passed by the following vote: Yeas 70, nays 0, absent 8.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Collin, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Merchant, Moore, Morrison, McElwain, McKenzie, McMullan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Whitman, Cameron, Cowan, Denn, Mentzer, Mulkey, Scott, and Smith of Okanogan.

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

On motion of Mr. Hoole, the House took a recess at 11:50 A. M., subject to the call of the speaker.

The House was called to order at 12 o'clock noon by the speaker.

#### JOINT SESSION.

The Senate appearing at the bar of the House at 12 o'clock noon, the speaker invited the honorable senators to seats within the bar and the president to preside over the joint convention.

The roll was called; all the representatives and senators were present except Senators Hastings, Helm, McCroskey, and Messrs. Anderson of Whitman, Cameron, Cowan, Mentzer, Scott, Smith of Okanogan.

The following pairs were announced: Smith of Okanogan and Cameron, Cowan and McMurphy, Helm and Hastings, Mentzer and Merchant, Letterman and Pierce of Lewis; Ludden and Denn, Thursday; Egbert and White, Thursday.

Mr. Mead moved the rules be suspended, the reading of the journal be dispensed with and it stand approved.



The motion prevailed and the joint journal of yesterday was approved.

The president announced that no election of United States senator had occurred at yesterday's joint session, and instructed the clerk to call the roll for the seventy-fourth ballot.

## SEVENTY-FOURTH JOINT BALLOT.

John B. Allen received 46 votes.

George Turner received 22 votes.

C. W. Griggs received 24 votes.

C. W. Young received 8 votes.

R. O. Dunbar received 1 vote.

J. J. Browne received 1 vote.

Those voting for John B. Allen were: Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McNew, Mead, Meany, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Hurd, Ide, McMillan, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, and Smith (J. B.).

Mr. N. W. Bush voted for R. O. Dunbar.

Senator Hutchinson voted for J. J. Browne.

The president announced the result of the ballot showed that the joint body had failed to elect a United States senator, and the clerk called the roll for the seventy-fifth joint ballot.

## SEVENTY-FIFTH JOINT BALLOT.

John B. Allen received 46 votes.

George Turner received 22 votes.

C. W. Griggs received 24 votes.

C. W. Young received 8 votes.

R. O. Dunbar received 1 vote.

J. J. Browne received 1 vote.

Those voting for John B. Allen were: Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McNew, Mead, Meany, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker,

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, and Turpin.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, and Smith (J. B.)

Mr. Bush (N. W.) voted for R. O. Dunbar.

Senator Hutchinson voted for J. J. Browne.

No person having received the number of votes necessary to elect a United States senator, the joint convention was dissolved at 12:20 p. m., to meet tomorrow at 12 o'clock noon.

Mr. Anderson, of Whitman, was excused for this afternoon on account of sickness.

Mr. Arrasmith was excused from the afternoon session.

On motion of Mr. Pierce, of Lewis, the visiting committee for soldiers' home were excused for to-morrow.

On motion of Mr. Mead, the House took a recess at 12:25 p. m. until 2 o'clock.

## AFTERNOON SESSION.

Chief Clerk Nicklin called the House to order, in the absence of the speaker, at 2 o'clock p. m., and declared nominations in order for speaker *pro tem*.

Mr. Tull nominated Mr. Hoole for speaker *pro tem*.

Mr. Rinehart nominated Mr. Morrison.

Mr. Morrison nominated Mr. Judson.

Mr. Judson and Mr. Hoole withdrew.

Mr. Morrison was elected speaker *pro tem*.

Messrs. Judson and Hoole were appointed a committee to escort the speaker *pro tem*. to the chair.

On motion of Mr. Ludden, action on House bill No. 283 was deferred until Thursday, February 23, at 2 o'clock p. m.

On motion of Mr. Hoole, action on House bill No. 63 was deferred until 3 o'clock this afternoon.

## REPORT OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

MR. SPEAKER:

We, your Committee on Appropriations and Claims, to whom was referred Senate concurrent resolution No. 14, For purchase of "Abbott's Real Property Statutes," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be indefinitely postponed.

Respectfully submitted.

G. W. TEMPLE, Chairman.

On motion of Mr. Baker, the report of the committee was adopted, and Senate concurrent resolution No. 14 was indefinitely postponed.

## REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

MR. SPEAKER:

We, your Committee on Privileges and Elections, to whom was referred House bill No. 18, entitled "A bill for an act to submit to the qualified electors of the State of Washington for their approval at the general election to be held in November, 1894, an amendment to section 33 of article 2 of the constitution of the State of Washington," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do not pass.

Respectfully submitted.

N. W. BUSH, Chairman.

We concur in this report:

JOHN LEO,

J. S. SALLEE,

O. B. NELSON.

Mr. Gilman proposed the following amendment to House bill No. 18: Strike out section 3.

The amendment was adopted.

The bill was read the second time in full.

Mr. Webb moved that the report of the committee, recommending that the bill do not pass, be adopted.

The House refused to adopt the report of the committee by a divisional vote of 20 yeas, 35 nays.

On motion of Mr. Gilman, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill failed to pass by the following vote: Yeas 39, nays 22, absent 17.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Crockett, Egbert, Farrish, Gilman, Green, Hamill, Keller, Kelly, Ludden, Mays, Mead, Meany, Morrison, Mulkey, McKenzie, McNew, Nash, Neergaard, Nelson, Payne, Rinehart, Roth, Sallee, Shadle, Sherman, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, and Winchell.

Nays: Messrs. Baker, Burton, Bush of Chehalis, Collin, Denn, Durant, Edmonds, Edwards, Foster, Hoole, Judson, Karr, Leo, Merchant, Moore, McMillan, McMurphy, Roscoe, Shelton, Smith of Douglas, Smith of Okanogan, and White.

Absent: Messrs. Anderson of Whitman, Brock, Bush of Pacific, Cameron, Cowan, Greenberg, Heliker, Hurd, Kline, Letterman, Mentzer, McElwain, Pierce of Klickitat, Pierce of Lewis, Scott, Woodworth, and Mr. Speaker.

#### REPORT OF COMMITTEE ON JUDICIARY.

##### MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 263, entitled "An act to prevent the making of deficiencies in the public institutions and departments of the State of Washington, and providing for an emergency board," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as indicated in the sheet annexed hereto, and that as so amended the bill do pass.

First amendment: Strike out the word "such" where the same occurs in line 2, section 1 of the printed bill, and insert in lieu thereof the word "any."

Second amendment: Beginning with and including the word "in" where it occurs in line 3 of section 1 of the printed bill, strike out the

words "in any two years or for the expending," and insert in lieu thereof the words "established by the laws of this state or requiring the expenditure."

Third amendment: Add to section 1 thereof the following words: "But no expenditure in excess of the amount appropriated by the legislature shall be made for any state institution or department except upon a permit granted by such emergency board."

Fourth amendment: Substitute the word "shall" for the word "will" where the same occurs in line 3, section 2 of the printed bill.

Fifth amendment: Substitute the word "shall" for the word "will" where the same occurs in line 5, section 2 of the printed bill.

Sixth amendment: Substitute the word "shall" for the word "will" where the same occurs in line 6, section 2 of the printed bill.

Seventh amendment: Beginning with and including the word "requesting" where the same occurs in line 6, section 2 of the printed bill, strike out all the remainder of said section, and insert in lieu thereof the following: "request his or their presence at such meeting. The said emergency board may, in their discretion, either grant or refuse a permit to make an expenditure in excess of the amount appropriated by the legislature for such institution or department. But before a permit is granted it must have the approval of not less than four members of the emergency board, who shall sign the same."

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Shadle, the report of the committee was adopted, with the amendments.

House bill No. 263 was read the second time.

On motion of Mr. Shadle, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 50, nays 9, absent 19.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Bush of Chehalis, Bush of Pacific, Collin, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hoole, Karr, Keller, Ludden, Mays, Mead, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Rinehart, Roscoe, Shadle, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, and Winchell.

Nays: Messrs. Burton, Denn, Judson, Kline, Leo, Merchant, Roth, Shelton, and Smith of Douglas.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Cameron, Cowan, Crockett, Greenberg, Hamill, Heliker, Hurd, Kelly, Letterman, Meany, Mentzer, Pierce of Klickitat, Pierce of Lewis, Sallee, Scott, Woodworth, and Mr. Speaker.

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

On motion of Mr. Judson, the House went into committee of the whole House for consideration of House bill No. 63, by Mr. Hoole, An act to regulate common carriers, and creating a railroad and steamboat commission of the State of Washington, and defining the duties and powers thereof in relation to common carriers.

Mr. Ludden was called to the chair.

After consideration of the bill, the committee of the whole arose, and the speaker pro tem. assumed the chair.

#### REPORT OF THE COMMITTEE OF THE WHOLE.

MR. SPEAKER:

Your committee of the whole house, to whom was referred House bill No. 63, by Mr. Hoole, An act to regulate common carriers, and creating a railroad and steamboat commission of the State of Washington, and defining the duties and powers thereof in relation to common carriers, has had the same under consideration, and respectfully reports the same back to the House, with the recommendation that it be indefinitely postponed.

W. H. LUDDEN, Chairman.

The report of the committee was adopted, and House bill No. 63 was indefinitely postponed.

Mr. Roscoe was excused for the afternoon.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 21, 1893.

MR. SPEAKER:

The president of the Senate has signed Senate bill No. 220 and Senate bill No. 85, and the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 20, entitled "A bill for an act relating to appeals to the supreme court," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as indicated in the attached sheets, and that as so amended the bill do pass.

First amendment: Insert after the word "court" in line 3, section 1 of the printed bill, the words "or a judge thereof."

Second amendment: Strike out all after and including the word "but" in line 8, section 1 of the printed bill, to and including the word "appeal" in line 10 of said section.

Third amendment: Strike out the words "vacating or" where the same occur in line 11 of section 1 of the printed bill.

Fourth amendment: Strike out all of lines 12, 13 and 14 of section 1 of the printed bill and insert in lieu thereof the following: (3) From an order granting or denying a motion for a temporary injunction, heard upon notice to the adverse party, and from any order vacating or refusing to vacate a temporary injunction. *Provided*, That no appeal shall be allowed from any order denying a motion for a temporary injunction or vacating a temporary injunction, unless the judge of the superior court shall have found upon the hearing that the party against whom the injunction was sought was insolvent.

Fifth amendment: Strike out the words "discharging or" in line 15, section 1 of the printed bill.

Sixth amendment: Strike out all of lines 26 and 27 of section 1 of the printed bill after the word "thereof" in said line 26.

Seventh amendment: Strike out all of lines 28, 29, 30 and 31 of section 1 of the printed bill.

Eighth amendment: Strike out the word "its" in line 36 of section 1 of the printed bill and insert in lieu thereof the word "the."

Ninth amendment: Insert immediately after the word "cause" in line 4, section 3 of the printed bill, the words "but in no case more than one year after the entry thereof."

Tenth amendment: Insert immediately after the word "the" in line 5 of section 3 of the printed bill, the words "entry of the order if made at the time of the hearing, and in all other cases within five days after the."

Eleventh amendment: Insert after the word "bond" in line 3 of section 6 of the printed bill, the words "to the adverse party."

Twelfth amendment: Strike out the words "filing of the bond" in line 3, section 11 of the printed bill, and insert in lieu thereof the words "service on him of the bond or written notice of the filing thereof."

Thirteenth amendment: Change the word "conditional" in line 22, section 11 of the printed bill, to the word "conditioned."

Fourteenth amendment: Strike out all of section 11 of the printed bill after the word "thereon" in line 26 thereof.

Fifteenth amendment: Insert immediately after section 11 of the printed bill a new section, to be numbered section 12, as follows:

"SEC. 12. When an appeal bond is conditioned so as to effect a stay of proceedings, if execution has issued the clerk shall, on demand of the appellant, issue to the sheriff a certificate that proceedings have been stayed, which shall countermand the execution, and thereupon the sheriff shall release any property levied on and not already sold, and return the execution into court."

Sixteenth amendment: Strike out the word "three," in line 1 of section 14 of the printed bill, and insert in lieu thereof the word "four."

Seventeenth amendment: Insert the word "prosecuted," in line 3 of section 14 of the printed bill, in lieu of the word "prescribed."

Eighteenth amendment: Strike out all after the word "county," in line

4 of section 14 of the printed bill, to and including the word "cases," in line 9 of said section.

Nineteenth amendment: Insert between the word "filed" and the word "and," in line 10 of section 14 of the printed bill, the words "and any original bill of exceptions or statement of facts."

Twentieth amendment: Strike out after the word "embracing," in line 18 of section 14 of the printed bill, up to the word "may," in line 19 of said section, and insert in lieu thereof the words "so much thereof as the appellant deems material or (as may be proper) a copy thereof."

Twenty-first amendment: Add to section 14 of the printed bill the following: "When the review of an original paper in the cause may be important to a correct decision of the appeal, the court or judge may order the clerk to transmit the same to the clerk of the supreme court, and the same shall be transmitted accordingly, and shall be under the control of the supreme court."

Twenty-second amendment: Insert the word "ninety" in lieu of the word "sixty," in line 1 of section 15 of the printed bill.

Twenty-third amendment: Insert the word "superior" in lieu of the word "supreme," in line 11 of section 15 of the printed bill.

Twenty-fourth amendment: Immediately after the word "concerned," in line 12, section 15 of the printed bill, insert the words "and if the time for filing any statement of facts shall be extended by order or stipulation, the time herein prescribed for serving and filing the appellant's brief shall thereby be correspondingly extended."

Twenty-fifth amendment: Strike out the words "at or," in line 15, section 15 of the printed bill, and insert in lieu thereof the words "not less than one day."

Twenty-sixth amendment: Insert at the end of section 18 of the printed bill, as a part thereof, the words "a general appearance in the supreme court shall not be a waiver of the right to make any motion herein authorized."

Twenty-seventh amendment: Strike out the words "or any," in line 6, section 19 of the printed bill, and insert in lieu thereof the words "except a."

Twenty-eighth amendment: Strike out the words "can be reasonably presumed," in line 12, section 19, of the printed bill, and insert in lieu thereof the word "appears."

Twenty-ninth amendment: Strike out the word "necessarily," where it begins in line 2 and ends in line 3 of section 21 of the printed bill, and insert in lieu thereof the word "materially."

Thirtieth amendment: After the word "appeal," in line 7 of section 21 of the printed bill, add the following words: "and in actions legal or equitable, tried by the court below without a jury, wherein a statement of facts or bill of exceptions shall have been certified, the evidence or facts shown by such bill of exceptions or statement of facts shall be examined by the supreme court *do novo*, so far as the findings of fact or refusal to make findings based thereon shall have been excepted to, and



the cause shall be determined by the record on appeal including such exceptions or statement."

Thirty-first amendment: Insert immediately after the word "from," in line 3 of section 24 of the printed bill, the words, in parentheses, "in case the bond was conditioned so as to support such judgment."

Thirty-second amendment: Insert immediately after the word "and," where it first appears in line 3, section 24 of the printed bill, the word "for."

Thirty-third amendment: Strike out the word "within," in line 4 of section 25 of the printed bill, and insert in lieu thereof the words "at the expiration of."

Thirty-fourth amendment: After the word "thereby," in line 9 of section 25 of the printed bill, strike out the remainder of said section.

Thirty-first amendment: Add to section 26 of the printed bill, the following: Executions issued from the supreme court shall be similar to those from the superior court, and of like force and effect, and returnable in the same time.

Thirty-sixth amendment: Insert immediately after section 27 of the printed bill a new section, to be numbered 28, as follows:

"SEC. 28. The death of one or all of the parties to a cause at any time after the rendition of judgment in the superior court shall not affect the right of appeal, but on the filing in court of a certified copy of letters testamentary or of administration, issued to the executor or administrator of such party, any party may prosecute an appeal as in this act provided. And the death of one or all of the parties pending an appeal shall not cause the same to abate, but the appeal shall proceed as though all parties concerned were living."

Thirty-seventh amendment: Insert immediately after the word "besides," in line 6 of section 28 of the printed bill, the word "his."

Thirty-eighth amendment: Insert immediately after the word "briefs," in line 7 of section 28 of the printed bill, the words "and any sum actually paid or incurred by the prevailing party as stenographer's fees, not exceeding ten cents a folio, for making a transcript of the evidence or any part thereof included in the bill of exceptions or statement of facts."

Thirty-ninth amendment: Strike out all of section 28 of the printed bill after and including the word "when" where it occurs in line 14 of said section.

Fortieth amendment: Strike out the words "for bail upon arrest in civil actions," in line 7 of section 30 of the printed bill, and insert in lieu thereof the words "for sureties on appeal bonds by section ten of this act."

Forty-first amendment: Transpose the position of sections 33 and 34, as numbered in the printed bill.

Forty-second amendment: Strike out the word "thirty-seven," in line 1 of section 38 of the printed bill, and insert in lieu thereof the word "thirty-eight."

Forty-third amendment: Renumber the printed sections of the bill

after and including section 28, so that section 28 of the printed bill shall be section 29, and so on through the remainder of the bill.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Wheeler, the report of the committee with amendments was adopted.

On motion of Mr. Gilman, the printed bill, as amended, was substituted for the original bill.

Mr. Mead presented the following amendment, which was adopted:

SUBSTITUTE FOR SECTION 28.

“SEC. 28. The death of a party after the rendition of a final judgment in the superior court shall not affect any appeal taken, or the right to take an appeal; but the proper representatives in the personalty or realty of the deceased party, according to the nature of the case, may voluntarily come in and be admitted parties to the cause, or may be made parties at the instance of another party, as may be proper, as in case of death of a party pending an action in the superior court, and thereupon the appeal may proceed or be taken as in other cases; and the time necessary to enable such representatives to be admitted or brought in as parties shall not be computed as part of the time in this act limited for taking an appeal, or for taking any step in the progress thereof.”

The bill was read the second time, as amended, in full.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 55, nays 2, absent 21.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cowan, Crockett, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Ludden, Mays, Mead, Meany, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, and White.

Nays: Messrs. Baker and Edwards.

Absent: Messrs. Anderson of Whitman, Cameron, Collin, Denn, Durant, Greenberg, Hamill, Heliker, Hurd, Letterman, Mentzer, Merchant, McMillan, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Scott, Winchell, Woodworth, and Mr. Speaker.

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

## MESSAGES FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, February 20, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN—I have this day approved and signed House bill No. 164, entitled "An act providing for the transcribing of county records."

Very respectfully, J. H. MCGRAW, Governor.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, February 21, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN—I have the honor to transmit to you one hundred and forty copies of the report of the attorney general.

Yours respectfully, J. H. MCGRAW, Governor.

On motion of Mr. Mead, the House took under consideration House bill No. 377, by Judiciary Committee, An act providing for and regulating the taking of exceptions and the settling and certifying of bills of exception and statements of facts, and declaring the effect thereof.

The bill was read the second time in full.

On motion of Mr. Mead, the rules were suspended, the bill considered engrossed, and was read third time and placed on its final passage.

The bill passed by the following vote: Yeas 52, nays 8, absent 18:

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Brock, Bush of Chehalis, Bush of Pacific, Cowan, Edmonds, Farish, Gilman, Green, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Ludden, Mays, Mead, Meany, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, and Winchell.

Nays: Messrs. Baker, Burton, Denn, Durant, Edwards, Egbert, Foster, and Smith of Douglas.

Absent: Messrs. Anderson of Whitman, Cameron, Collin, Crockett, Greenberg, Hamill, Heliker, Hurd, Letterman, Mentzer, Merchant, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Scott, Woodworth, and Mr. Speaker.

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

Mr. Nelson presented the following resolution:

*Resolved*, That the stenographers to the world's fair and agricultural college investigating committees be allowed a per diem of five (\$5) dollars each.

The resolution was adopted.

Mr. Tull moved that the House adjourn until Thursday at 10 o'clock A. M.

The motion prevailed by a divisional vote of 29 yeas to 21 nays.

The House then adjourned at 5:10 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## FORTY-SIXTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Thursday, February 23, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.

The roll was called; all the members were present except Messrs. Letterman, Nash, Pierce of Klickitat, Pierce of Lewis, and Woodworth (excused).

Mr. McElwain moved that the rules be suspended, the further reading of the journal of Tuesday be dispensed with, and it stand approved.

The motion prevailed and the journal was approved.

The speaker signed Senate bills Nos. 85 and 220 in open session of the House.

### PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Cowan: Resolution from Columbia Council, Patrons of Husbandry, of Fourth Plain, Clarke county, Requesting the legislature to enact laws to scale down the salaries of county officers, and abolish the office of lieutenant governor, etc., etc.

Referred to Committee on Compensation and Fees.

By Mr. McMurphy: Resolution from citizens of Thurston county, the same provisions as above.

Referred to Committee on Compensation and Fees.

By Mr. Judson (by request): House memorial No. 8, Asking relief for persons who have expended money in mines and farms in Pacific Park reservation.

Referred to Committee on Federal Relations.

Mr. Wheeler moved that the vote whereby Senate bill No. 95 passed be reconsidered, and the bill be placed on its second reading.

The motion prevailed.

Mr. Wheeler presented the following amendments:

First: Insert in line 7, section 1, after the words "date of," the following: "Entry thereof," and strike from said line the words "the rendition."

Second: After the word "filing," in line 11, section 1, insert the words "and indexing."

Third: After the word "index," in line 3, section 6, insert the following: "Shall refer to each party against whom the judgment is rendered or whose property is affected thereby, and."

The amendments were adopted.

On motion of Mr. Wheeler, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 57, nays 4, absent 17.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Green, Greenberg, Hamill, Heliker, Hoole, Judson, Karr, Kelly, Leo, Ludden, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Neergaard, Nelson, Payne, Rinehart, Roscoe, Shadle, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Westfall, Wheeler, White, Winchell, and Mr. Speaker.

Nays: Messrs. Baker, Mays, Scott, and Smith of Douglas.

Absent: Messrs. Anderson of Pierce, Denn, Foster, Gilman, Hurd, Keller, Kline, Letterman, Meany, Nash, Pierce of Klickitat, Pierce of Lewis, Roth, Sallee, Shelton, Weed, and Woodworth.

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

On motion of Mr. Wheeler, the chief clerk was instructed to

transmit Senate bill No. 95 to the Senate under suspension of the rules, immediately.

The chief clerk obeyed the instructions.

#### INTRODUCTION OF BILLS.

House concurrent resolution No. 17 was introduced by Mr. Meany, Asking that proper provision be made by congress to require that road engineering be taught in all agricultural colleges receiving support from the national government.

On motion of Mr. Meany, the rules were suspended and the resolution was adopted.

#### INTRODUCTION OF BILLS.

The following House bills were introduced, read first time and referred to the following committees.

House bill No. 394, by Mr. Hoole: An act fixing the time when cities of the third class shall make their annual city tax levy, and declaring an emergency.

Referred to Committee on Revenue and Taxation.

House bill No. 395, by Mr. Hoole: An act declaring councilmen of cities of the third class and towns of the fourth class in this state legal officers thereof, and declaring an emergency.

Referred to Committee on Judiciary.

House bill No. 396, by Mr. Bush, of Pacific: An act to establish and maintain a state fish hatchery, making an appropriation therefor, and declaring an emergency.

Referred to Committee on Fish and Game.

House bill No. 397, by Mr. Karr: An act in relation to making street improvements in municipal incorporations of the third and fourth classes.

Referred to Committee on Municipal Corporations.

House bill No. 389, by Mr. Neergard (by request): An act to regulate the shipping or driving of horses or cattle out of the state, and providing a penalty for violation thereof.

Referred to Committee on Agriculture.

House bill No. 398, by Mr. Greenberg: An act to provide for two additional county commissioners in counties of the first to the eighth classes, inclusive, and declaring an emergency.

Referred to Judiciary Committee.

House bill No. 399, by Mr. Meany: An act for the relief of the

members of the electoral college who met and cast the vote of said college at Olympia January 9, 1893.

Referred to Committee on Appropriations and Claims.

House bill No. 400, by Mr. Sherman: An act to provide for the construction of buildings for the Washington state normal school of Whatcom county, and making an appropriation therefor.

Referred to Committee on Normal School.

House bill No. 401, by Mr. Morrison: An act in relation to life and accident insurance.

Referred to Committee on insurance.

House bill No. 402, by Mr. McMillan: An act in relation to kindergarten schools, and providing for the establishment thereof. Petition from Walla Walla was enclosed with this bill and referred to same committee.

Referred to Committee on Education.

House bill No. 403, by Mr. Anderson: An act to amend an act, entitled "An act to provide for the organization, government and control of building, loan and savings institutions, both domestic and foreign, doing business in the State of Washington."

Referred to Committee on Insurance.

House bill No. 404, by Mr. Washburn: An act to amend an act entitled "An act to provide for the organization, maintenance and discipline of the militia of the State of Washington."

Referred to Committee on Military Affairs and Soldiers' Home.

House bill No. 405, by Mr. White (by request): An act relating to preliminary examination before justices of the peace.

Referred to Judiciary Committee.

House bill No. 406, by Mr. Edmonds: An act concerning the duties of sheriffs, and repealing an act entitled "An act for the appointment of a fish commission and defining its duties and declaring an emergency to exist.

Referred to Committee on Fish and Game.

House bill No. 407, by Mr. Westfall (by request): An act to regulate the practice of medicine in the State of Washington, and to license physicians and surgeons, and to punish persons violating the provisions of this act.

Referred to Committee on Medicine and Surgery.

House bill No. 408, by Mr. Collin (by request): An act to amend an act entitled "An act to regulate the practice of medicine and surgery in the State of Washington, and to license physicians and

surgeons, to punish all persons violating the provisions of this act, and to repeal all laws in conflict therewith, and declaring an emergency.

Referred to Committee on Medicine and Surgery.

House bill No. 409, by Mr. Gilman: An act defining occupying claimants and fixing their rights in property.

Referred to Judiciary Committee.

House bill No. 410, by Mr. Gilman (by request): An act to authorize the making of bonds and other written obligations for payment of money, payable in any specific kind or quality of money that may be therein designated.

Referred to Committee on Revenue and Taxation.

House bill No. 411, by Mr. Scott: An providing for and declaring how to fill vacancies in the legislature of the State of Washington.

Referred to Judiciary Committee.

House bill No. 412, by Committee on Municipal Corporations: An act to provide for vacating county roads in incorporated cities.

House bill No. 413, by Judiciary Committee (substitute for House bill No. 131): An act providing for the payment of traveling expenses of county attorneys incurred in attending preliminary examinations and criminal trials before justices of the peace.

House bill No. 414, by Judiciary Committee (substitute for House bill No. 365): An act to amend section 6 of an act in relation to juries.

House bill No. 415, by Committee on Municipal Corporations (substitute for House bill No. 96): 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.

House bill No. 416, by Mr. Neergaard: An act to authorize the payment of certain taxes in interest coupons or warrants, and repealing laws in conflict with this act.

Referred to Committee on Revenue and Taxation.

House bill No. 417, by Mr. Roth: An act to provide for the economical management of county affairs.

Referred to Committee on Counties.

House bill No. 418, by Mr. Mead: An act regulating fish traps, and declaring an emergency.

Referred to Committee on Fisheries.

House bill No. 419, by Mr. Morrison: An act to provide for short forms of deeds and mortgages.



Referred to Committee on Judiciary.

House bill No. 420, by Mr. Sherman: An act authorizing cities and towns to borrow money and issue bonds therefor, and declaring an emergency.

Referred to Committee on Municipal Corporations.

#### SPECIAL ORDER.

The hour of 10 o'clock having arrived, the House took under consideration House bill No. 380, by Mr. Hoole, An act to tax mortgages and credits.

Mr. Meany moved that the bill be indefinitely postponed.

The House indefinitely postponed the bill by the following vote: Yeas 37, nays 33, absent 8.

Yeas: Messrs. Anderson of Pierce, Collin, Cowan, Edmonds, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Karr, Keller, Kelly, Leo, Ludden, Meany, Morrison, McElwain, McMillan, Nelson, Payne, Rinehart, Roth, Sallee, Shadle, Sherman, Smithson, Speck, Temple, Tull, Turpin, Washburn, Webb, Weed, Westfall, White, and Winchell.

Nays: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Crockett, Durant, Edwards, Egbert, Farrish, Hoole, Judson, Kline, Mays, Mead, Mentzer, Merchant, Moore, Mulkey, McKenzie, McMurphy, McNew, Neergaard, Roscoe, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Tucker, and Mr. Speaker.

Absent: Messrs. Denn, Hurd, Letterman, Nash, Pierce of Klickitat, Pierce of Lewis, Wheeler, and Woodworth.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 236, entitled "An act prohibiting the use of cigarettes," with two amendments, as noted in bill.

Also, House bill No. 171, Relating to payment of salaries and expenses of judges of supreme and superior courts.

Senate bill No. 140, Relating to road property taxes.

Senate bill No. 145, Providing that state lands shall bear their share of expense for drainage ditches.

Senate bill No. 179, Apportionment of State into two congressional districts.

Senate bill No. 134, Providing for amendment of articles of incorporation.

Senate bill No. 143, Authorizing counties to incur indebtedness.

Senate bill No. 142, Authorizing counties to issue bonds for road and bridge purposes.

Senate bill No. 185, For the purchase of Barton's Hand Book.

Senate bill No. 178, Encouraging law libraries.

Senate bill No. 181, To confine United States prisoners in the state penitentiary.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Rinehart, the House took a recess at 11:50 until the hour for the joint session.

The House was called to order at 12 o'clock noon, the speaker in the chair.

#### JOINT SESSION.

The members of the Senate appearing at the bar of the House at 12 o'clock noon to meet with the members of the House, the speaker invited the honorable senators to seats within the bar and the president of the Senate to preside over the joint convention.

The roll was called. All the senators and representatives were present except Messrs. Nash, C. M. Pierce, D. W. Pierce and Woodworth.

Senator Campbell moved that the rules be suspended, the reading of Tuesday's joint journal be dispensed with and it stand approved.

The motion prevailed, and the joint journal was approved.

The following pairs were announced: Letterman and Pierce of Lewis, Sallee and Pierce of Klickitat, Kelly and Woodworth, Forsyth and Nash, till Monday; Hurd and Edens, Friday and Saturday.

The president announced that no election of United States senator had occurred at Tuesday's joint session, and instructed the clerk to call the roll for the seventy-sixth joint ballot.

#### SEVENTY-SIXTH JOINT BALLOT.

John B. Allen received 46 votes.

George Turner received 20 votes.

C. W. Griggs received 25 votes.

M. F. Knox received 9 votes.

J. B. McMillan, of Skagit county, received 1 vote.

R. O. Dunbar received one vote.

A. T. Van De Vanter, of King county, received 1 vote.

J. J. Browne received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergard, O'Neill, Rinehart, Roberts, Roth, Rutter, Sergeant, Speck, Tucker, Washburn Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Mentzer, Moore, Nelson, Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, and Westfall.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for M. F. Knox were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. N. W. Bush voted for R. O. Dunbar.

Senator Hutchinson voted for J. J. Browne.

Mr. McMillan voted for A. T. Van De Vanter.

Senator Van De Vanter voted for J. B. McMillan.

The president announced that no person had received the necessary number of votes to elect a United States senator, and instructed the clerk to call the roll for the seventy-seventh joint ballot.

#### SEVENTY-SEVENTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 21 votes.

C. W. Griggs received 25 votes.

M. F. Knox received 9 votes.

J. J. Browne received 1 vote.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergard, O'Neill, Rinehart, Roberts, Roth, Rutter, Sergeant, Speck,

Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nelson, Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, and Westfall.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for M. F. Knox were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

Senator Hutchinson voted for J. J. Browne.

The president announced that no person had been elected United States senator, and in accordance with the resolution previously adopted, the joint session was dissolved at 12:20 p. m., to meet tomorrow at 12 o'clock noon.

Mr. McMurphy was excused for the afternoon to do committee work.

On motion of Mr. Tull, the House took a recess at 12:25 p. m. to meet at 2 p. m. this day.

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#### AFTERNOON SESSION.

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The House was called to order at 2 p. m.; the speaker presiding.

The roll was called; all the members present except Mr. Nash and Mr. Hurd (excused).

The House concurred in first Senate amendment, *i. e.*, the amendment to section 1 of House bill No. 236.

The House refused to concur in the Senate amendment to section 2.

On motion of Mr. Roscoe, the chief clerk was instructed to inform the Senate of the action of the House in concurring in amendments to House bill No. 236.

Mr. Hurd was granted leave of absence for an indefinite period, owing to the death of a child.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred the subject of a bill providing for vacating county roads in incorporate cities, have had the same under consideration, and we respectfully report a bill to the House, with the recommendation that it do pass.

Respectfully submitted.

W. H. LUDDEN, Chairman.

We concur in this report:

ROTH,  
NASH,  
MCELWAIN,  
PAYNE.

The report of the committee was adopted, and the bill reported was numbered House bill No. 412, and on motion of Mr. Hoole, the rules were suspended and the bill was read the first, second and third times, and considered engrossed, and on motion of Mr. Lud- den, the bill was ordered printed and placed on the calendar by a divisional vote of 42 yeas to 14 nays.

#### REPORTS OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 131, entitled "An act providing for the trial of suits before justice of the peace courts in precincts other than at the county seat, and providing for the payment of the traveling expenses of county attorneys in such suits at law," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that the accompanying bill be adopted as a substitute therefor, and that such substitute do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The report of the committee was adopted, and the substitute was numbered House bill No. 413, and was read first time.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 365, entitled "An act amending section 55, second volume of Hill's Code, relating to qualifications of persons to serve as jurors," have had the same under consideration, and we respectfully report the same back to the House with a substitute therefor, and we recommend the passage of such substitute.

Respectfully submitted.

A. E. MEAD, Chairman.

The report of the committee was adopted, and the substitute numbered House bill No. 414, and was read first time.

### REPORTS OF COMMITTEE ON MUNICIPAL CORPORATIONS.

We, your Committee on Municipal Corporations, to whom was referred House bill No. 96, entitled "An act providing for the assessment and collection of taxes of cities of the first class, and specifying the duties of certain officers in regard thereto, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House with a substitute, and recommend that the substitute do pass.

Respectfully submitted.

W. H. LUDDEN, Chairman.

ROTH,  
NASH,  
MCELWAIN,  
PAYNE.

The report of the committee was adopted, and the substitute numbered House bill No. 415, and was read first time.

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 133, have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be referred to Judiciary Committee.

Respectfully submitted.

W. H. LUDDEN, Chairman.

The report was adopted, and the bill re-referred to Judiciary Committee as requested.

### REPORTS OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 102, entitled "An act to amend sections 274 and 279 of the Penal Code of 1891, relating to protection of food fishes and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the Committee on Fisheries and Game.

Respectfully submitted.

A. E. MEAD, Chairman.

The report of the Committee was adopted, and the bill was referred as requested.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 320, entitled "A bill for an act to create the county of Wenatchee, subject to the requirements of the state constitution in respect to the establishment of new counties, and to provide means for compliance with said requirements, and for ascertaining the fact of such compliance, and to provide for the organization of said county thereupon, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the Committee on Counties and County Lines.

Respectfully submitted.

A. E. MEAD, Chairman.

The report of the committee was adopted, and the bill re-referred as requested.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 7, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to Committee on Judiciary.

Respectfully submitted.

W. H. LUDDEN, Chairman.

The report of the committee was adopted, and the bill referred as requested.

#### REPORTS OF COMMITTEE ON FISHERIES AND GAME.

MR. SPEAKER:

We, your Committee on Fisheries and Game, to whom was referred House bill No. 56, entitled "An act to amend section 274 of the penal code of Hill's Annotated Statutes and Codes of Washington, and for the protection of salmon in the Columbia river and its tributaries," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

A. S. BUSH, Chairman.

On motion of Mr. Bush of Pacific, the report of committee was adopted.

MR. SPEAKER:

We, your Committee on Fisheries and Game, to whom was referred House bill No. 55, entitled "An act for the protection of sturgeon in the Columbia river and its tributaries," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

A. S. BUSH, Chairman.

On motion of Mr. Bush, of Pacific, the report of the committee was adopted, and House bill No. 55 was indefinitely postponed.

MR. SPEAKER:

We, your Committee on Fisheries and Game, to whom was referred House bill No. 83, entitled "An act to protect the lives and property of persons engaged in fishing and navigating the waters of the Columbia river," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

A. S. BUSH, Chairman.

On motion, the report of the committee was adopted.

MR. SPEAKER:

We, your Committee on Fisheries and Game, to whom was referred House bill No. 41, entitled "An act to protect sturgeon during certain months herein named, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

A. S. BUSH, Chairman.

On motion, the report of the committee was adopted.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 355, entitled "An act to amend section 1 of an act of the Laws of 1891, being an act providing for appeals to the supreme court," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that, as the subject matter of the bill is embraced in a bill already passed by the House, it be indefinitely postponed.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report of the committee was adopted.

#### REPORTS OF COMMITTEE ON MUNICIPAL CORPORATIONS.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 310, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed for the reason that it is fully covered by No. 322, substitute for House bill No. 140.

Respectfully submitted.

W. H. LUDDEN, Chairman.

We concur in this report:

ROTH,  
NASH,  
MCELWAIN,  
PAYNE.

On motion, the report of the committee was adopted.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 149, entitled "An act to amend sections 105 and 106 of an act entitled 'An act providing for the organization, classification, etc.,' of municipal corporations, etc.," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed for the reason that the subject is fully covered by House bill No. 215, which has been recommended to pass.

Respectfully submitted.

W. H. LUDDEN, Chairman.

We concur in this report:

ROTH,  
NASH,  
MCELWAIN,  
PAYNE.



On motion, the report of the committee was adopted.

The following Senate bills were read first time by title, and referred to committee:

Senate bill No. 143, by Senator Richards: An act to amend sections 4 and 7 of an act entitled "An act authorizing and empowering organized counties of the State of Washington to contract indebtedness, and to issue bonds for funding the same."

Referred to Committee on Corporations.

Senate bill No. 145, by Senator Gilbert: An act to provide for payment for state lands of their share of the expense of constructing drainage ditches.

Referred to Committee on Irrigation.

Senate bill No. 178, by Senator Claypool: An act to encourage the establishment and to aid in the maintenance of law libraries in the several counties of the State of Washington.

Referred to Committee on Public Library and Grounds.

Senate bill No. 179, by Senator Ide: An act providing for the apportionment of the State of Washington into two congressional districts.

Referred to Committee on Federal Relations.

Senate bill No. 181, by Senator Roberts: An act to authorize the confinement of United States prisoners in the state penitentiary.

Referred to Committee on Penitentiary.

Senate bill No. 185, by Senator Eshelman: An act for the purchase of Barton's Legislative Hand-Book and Manual of the State of Washington for 1893-1894, for the use and benefit of the state and state legislature, state officials and others, and making an appropriation.

Referred to Committee on Appropriations and Claims.

#### SPECIAL ORDER.

The hour of 2 o'clock having arrived, the House took under consideration House bill No. 283, by Mr. Ludden, An act granting a bounty for the production and manufacture of sugar in the State of Washington, special order for this hour.

#### REPORT OF COMMITTEE ON AGRICULTURAL COLLEGE AND SCHOOL OF SCIENCE.

MR. SPEAKER:

We, your Committee on Agricultural College and School of Science, to whom was referred House bill No. 283, entitled "An act granting a bounty

for the production and manufacture of sugar in the State of Washington," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

D. F. ANDERSON, Chairman.

We concur in this report:

O. B. NELSON,  
ALBERT SHERMAN,  
D. W. PIERCE,  
W. D. E. ANDERSON,  
WM. FARRISH.

The bill was read second time.

Mr. Baker moved to amend the bill by striking out sections 1 and 2.

The House refused to adopt the amendment by the following vote: Yeas 11, nays 61, absent 6.

Yeas: Messrs. Baker, Burton, Cowan, Crockett, Denn, Edmonds, Foster, Gilman, Scott, Shelton, and Smith of Okanogan.

Nays: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Durant, Egbert, Farrish, Green, Greenberg, Hamill, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McNew, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Shadle, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Edwards, Hurd, McMurphy, Nash, Roscoe, and Turpin.

Mr. Hoole presented the following amendment:

Amend line 2, sections 1 and 2, to strike "one cent" and insert "one-half cent."

The amendment was lost.

Mr. Gilman presented the following amendment:

Strike out all of section 1.

The roll was called, and the amendment failed to pass by the following vote: Yeas 28, nays 43, absent 7.

Yeas: Messrs. Anderson of Pierce, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Foster, Gilman, Hoole, Judson, Karr, Kline, Leo, Mentzer, Merchant, McKenzie, Roscoe, Scott, Shelton, Smith of Okanogan, and Tucker.

Nays: Messrs. Anderson of Whatcom, Anderson of Whitman, Cameron, Collin, Farrish, Green, Greenberg, Hamill, Heliker, Keller, Kelly, Letterman, Ludden, Mays, Mead, Meany, Moore, Morrison, Mulkey, McElwain, McMillan, McNew, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Shadle, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tull, Washburn, Webb, Weed, Westfall, White, Winchell, and Mr. Speaker.

Absent: Messrs. Hurd, McMurphy, Nash, Payne, Turpin, Wheeler, and Woodworth.

Mr. Webb presented the following amendment: After section 4 insert the following: *Provided*, That whenever the United States government shall pay any bounty on sugar, there shall not be any sum whatever paid out of the state treasury as said bounty, and that no greater sum than \$50,000 shall be paid out of the state treasury as a bounty in any one year.

The amendment was adopted by a divisional vote of 50 yeas to 0 nays.

Mr. Temple moved that House bill No. 283 be indefinitely postponed.

The House refused to indefinitely postpone the bill by the following vote: Yeas 21, nays 51, absent 6.

Yeas: Messrs. Anderson of Pierce, Baker, Burton, Bush of Chehalis, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Foster, Gilman, Hoole, Judson, Kline, Leo, Mentzer, Scott, Shelton, and Smith of Okanogan.

Nays: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Pacific, Cameron, Farrish, Green, Greenberg, Hamill, Heliker, Karr, Keller, Kelly, Letterman, Ludden, Mays, Mead, Meany, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McNew, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Collin, Hurd, McMurphy, Nash, Payne, and Turpin.

On motion of Mr. Ludden, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 50, nays 22, absent 6.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Farish, Green, Greenberg, Heliker, Hoole, Karr, Keller, Letterman, Ludden, Mays, Mead, Meany, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McNew, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Shadle, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Baker, Burton, Cowan, Crockett, Denn, Durant, Edmonds, Egbert, Foster, Gilman, Hamill, Judson, Kline, Leo, Mentzer, Roscoe, Scott, Shelton, Smith of Okanogan, Tull, and Turpin.

Absent: Messrs. Edwards, Hurd, Kelly, McMurphy, Nash, and Payne.

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

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1893.

MR. SPEAKER:

The president of the Senate has signed House bill No. 332, House bill No. 66, and House bill No. 234.

And the same is herewith returned to the House.

ALLEN WEIR, Secretary.

#### REPORTS OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copy of House bill No. 62, entitled "An act for the detention of domestic animals doing damage, and giving a lien for damages upon such animals," and House bill No. 106, "An act relating to wills and the custody, control and delivery thereof, and defining the crime of suppressing or destroying any last will and testament, or consenting to the same, and providing for the punishment thereof," have been carefully compared with the original copies thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above, House bill No. 62 and House bill No. 106.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copy of House bill No. 171, entitled "An act to amend

section 2 of an act entitled 'An act providing for the payment of certain expenses of and the manner in which the salaries of the judges of the supreme and superior courts shall be paid, and declaring an emergency to exist,' approved January 27, 1890, and declaring an emergency to exist for the passage of this amendatory act," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above, House bill No. 171.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, February 21, 1893.

*The Honorable the House of Representatives of the State of Washington:*

GENTLEMEN—I have this day approved and signed the following:

House bill No. 307, entitled "An act providing for changing the name of 'The Town of Slaughter,' a municipal corporation of the fourth class situated in King county, State of Washington, to 'The Town of Auburn.'"

House bill No. 251, entitled "An act to repeal section four (4) of an act entitled 'An act to protect salmon and other food fishes in the State of Washington, and upon all waters upon which this state has jurisdiction and concurrent jurisdiction,' approved February 11, 1890, and declaring an emergency."

House bill No. 115, entitled "An act amending section eight of an act entitled 'An act to secure creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' approved March 6, 1890, the same being section 2748 of volume 1 of Hill's Statutes and Codes of the State of Washington, and repealing section 2032 of the Code of Washington Territory of 1881, the same being section 2774 of volume 1 of Hill's Statutes and Codes of the State of Washington, and limiting the compensation of assignees for the benefit of creditors."

House bill No. 21, entitled "An act creating and providing for the enforcement of liens for labor and material."

House bill No. 116, entitled "An act to amend section 12 of an act to establish a uniform standard of weights and measures in this state, and to provide for a state sealer and inspector of the same, approved March 20, 1890, the same being section 3145 of the first volume of Hill's Annotated Statutes and Codes of Washington."

Respectfully,

J. H. MCGRAW, Governor.

On motion of Mr. McElwain, the House took under consideration House bill No. 99.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 99, entitled "An act to amend sections 1456 and 1457 of the Code of Procedure of the State of Washington, relating to the issuance, service and return of process and the complaint and notice issued by justices of

the peace, and to provide for the service and return of summons and of complaint and notice issued by justices of the peace by persons other than sheriffs and constables," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be amended as follows:

First amendment: Amend the title thereof by inserting after the word "sections," where it first occurs therein, the words and figures "1716 and 1717 of the Code of Washington of 1881, the same being sections."

Second amendment: Insert immediately before the figures "1456," where they occur in line 1 of section 1 of the printed bill, the words "1716 of the Code of Washington of 1881, the same being section."

Third amendment: Insert immediately before the figures "1457," where they occur in line 1 of section 2 of the printed bill, the words and figures "1717 of the Code of Washington of 1881, the same being section."

And that as so amended the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report of the committee was adopted with amendments.

Mr. Speck was excused at 4:30 P. M. for the balance of the afternoon.

House bill No. 99 was read the second time in full, as amended.

On motion of Mr. McElwain, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 62, nays 6, absent 10.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farish, Foster, Gilman, Greenberg, Hamill, Heliker, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McMillan, McMurphy, McNew, Neergaard, Payne, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Temple, Turpin, Washburn, Webb, Westfall, Wheeler, Winchell, and Woodworth.

Nays: Messrs. Judson, McKenzie, Shelton, Tucker, Tull, and Mr. Speaker.

Absent: Messrs. Anderson of Whitman, Green, Hurd, Nash, Nelson, Pierce of Klickitat, Shadle, Speck, Weed, and White.

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

## REPORT OF SPECIAL COMMITTEE ON NORMAL SCHOOLS.

*To the President of the Senate and Speaker of the House of Representatives:*

Your Joint Committee on State Normal Schools, which you directed to visit the schools at Ellensburg and Cheney, respectfully submit the following:

Ellensburg, at which point we arrived on the evening of February 14th, is situated in Kittitas county, and in a valley of oblong shape, running east and west, about twenty-five miles in length by eighteen miles in width. It is a city of some 2,500 inhabitants, containing many brick structures of excellent construction and appearance, and a class of public spirited citizens, who fully appreciate the value of their surroundings, resources and situation.

On the morning of February 16th we were met by the board of trustees and the principal of the faculty, and in company with them repaired to the school, which we found was being conducted in the public school building of the city, there being no state building erected as yet. The state has as yet paid no rent for the facilities afforded by the city, a sort of reciprocity existing between the normal trustees and the public school authorities, normal students and teachers practically teaching the public schools through the training department thereof. The enrollment of pupils at the present time we find to be about 130, divided or classified into twenty-three classes, which classes are apportioned among six teachers, and the school open for recitations for the period of six hours each day. We find the school in possession of no great amount of school furniture, that which they have consisting in a few seats placed in the public school building, tables, chairs, book cases and fixtures, also a small library and a good supply of text books, all in good condition, and the school apparently in good working condition. We find the block of land already deeded to the state is 300 by 400 feet in size, situated about three-fourths of a mile west of the city, is now enclosed by a wire fence, at only a nominal cost, and is surrounded by 236 shade trees now planted, at a cost of \$190; that an irrigation ditch is connected therewith, at a cost of \$10, and for water and sundry other improvements on the ground, an additional expenditure of about \$100.

The school opened early in September, 1891, with a total attendance of seventy-five pupils and four teachers. We find that while the present accommodations are not the best, yet, if they are not crowded out, an event which we were informed was likely to occur, owing to the demands of the public schools, probably they could exist for another two years in their present quarters. The state gave the school an appropriation of \$15,000. The school had the remarkable luck, or good fortune, to have appointed as the board of trustees men who apparently have learned one of the most important lessons of life, namely, "to live within their means," and as a result of the excellent and economic management of the board of trustees we find no deficiency existing, but on the contrary a surplus sufficient to meet all expenses to date. We find that the purchasing of supplies, furniture and all necessary sundries have generally

been from first hands, and the bills discounted, except in a few small items; that the purchasing power is vested exclusively in the board of trustees or the president and secretary thereof; that the total cost of maintaining the trustees for two years amounts to about \$40. While general commendation is due the trustees, yet we are unable to understand from whence they derive their authority for putting in their annual report of the State Normal School a minute description, of sixteen pages of printed matter, of the Ellensburg public schools, at the cost of the state, and for the purpose solely of a free advertisement of the public schools of Ellensburg. We find the present salary roll of the school, including janitor, to be \$6550 per annum. We find, besides the salary of the principal, that there was allowed him, for the purpose of traveling expenses during the vacation in visiting institutes all over the state, the sum of \$698.58. In conclusion, we would say that if it is desirable to longer maintain the school at its present standard, and in order that it may grow and become such an institution as was designed, that we would recommend that there be appropriated for the purpose of erecting suitable buildings the sum of \$60,000, and a further sum of \$25,000 for the maintenance of the school for the next two years. We would further recommend that all the allowances for traveling expenses of the principal in visiting institutes be discontinued, and that all restrictions upon attendance of students be removed except qualifications alone, meaning by that, proper age, intention to teach and educational qualifications or certificate, as now prescribed, removing the apportionment from each county.

Your committee further report that on the following day, February 16, 1893, they arrived at the city of Cheney, a small village of about seven hundred inhabitants; that they were met by a part of the board of trustees and conducted to the school, where, after an examination, we found the following: The school was established by an act of the legislature of 1890, with an appropriation of \$18,300, and that the school duly opened on October 13, 1890, in a building donated to the state, and formerly used as an academy; that there was a total attendance of sixteen pupils, and four high salaried teachers. It seems that the old building was not considered large enough for the accommodation of the school, and the trustees decided to build an addition comprising an assembly room, library, laboratory and quarters for a training school, said addition being forty by sixty feet, two stories in height, which new addition was nearly completed and equipped when, on the night of August 27, 1891, the entire building, with furniture, piano, books, etc., was entirely destroyed by fire, and owing to the burning of said building we find the school at the present time crowded into a building not at all adapted to the use, the recitation rooms being very small, poorly ventilated and poorly lighted, and at a cost to the state of a monthly rental of \$85, including lights, but not heating. We find the school possessed at the present time of considerable school furniture, consisting of desks, school seats, blackboards, tables, chairs, etc., and a small library in good condition. We find further, that owing to the extremely unbusiness-like and haphazard management by the board of trustees, there is at the present time a deficiency



debt of about \$16,000 in excess of the \$18,300 appropriated. We find that the purchasing power for the school was given to the teachers and principal of the school, which practice has undoubtedly placed the school in its present position financially, and especially has one of these teachers, the former principal, no longer a part of the faculty, been the instrument of encumbering the school with many of its extravagant expenditures, there being no apparent check to his depredations by the board of trustees, who evidently lacked the business ability and training to cope with the shrewdness and cunningness of men not safe to be entrusted with public funds. We find that no reduction whatever has been allowed on any purchase; that in the purchase of books, stationery, etc., the list price has been paid, and if discount was allowed the state did not receive the benefit thereof, but the purchasing agent; that books were purchased and paid for at list prices, while the same books were purchased by the Ellensburg school at a much less cost to the state. We find that in purchasing stationery, pens, ink, blotters, brooms, etc., they were purchased in small quantities and at an advance on the retail price beyond all reason. We find that a much larger amount of toilet articles, such as shoe brushes, blacking, hair brushes, combs, towels, etc., have been purchased than would seem necessary, and at prices not justifiable. We find that furniture has been purchased at home institutions, and at an advance on the retail price thereof beyond all reason, and that the board of trustees have audited and allowed all of these bills, when they should have properly been rejected or corrected before being allowed. We further find that in one instance the board of trustees, at one of their meetings, beside the per diem of \$4 and mileage, charged the state with board during the session.

We find in attendance at the present time about ninety pupils and six teachers, the pupils being divided into twenty-six classes, the school being in session for six periods of forty minutes each, or a total of four hours, for recitations. We find that the amount of salaries per annum, including janitor's salary, amounts to \$9,090, and we find that the cost of maintaining the board of trustees for the last two years amounts to about \$575, and about \$260 charged for postage, the bulk of which was charged to W. E. Weygant, secretary of the board of trustees. We believe that the present faculty are making great efforts to remove the cloud from the school thrown over it by the former principal, yet we think there is good and sufficient grounds for a rigid examination of the doings of the present faculty by the board of trustees, or a competent board of examiners, capable of dealing with the difficulty seeming to exist therein, and especially should there be an investigation into the question of those high in authority selling positions to teachers, and that without reference to their qualifications. We found the block of land now deeded to the state to be situated on a slight elevation overlooking the town and very nicely located. We believe that if it is desirable to maintain a school at Cheney that there should be appropriated by the legislature, for the purpose of erecting suitable buildings, the sum of \$60,000, and that a further appropriation of \$40,000 be made to meet the present deficiency and for the purpose of maintaining the school for the next two years.

We believe that equally as good work could be done at these schools with less teachers, or with the same number of teachers with less salaries, and that the same teachers or others equally as efficient could be procured for less salaries, and this is especially so of the Cheney school. We think the sole object of establishing normal schools is not for the purpose of creating high salaried positions for a large number of teachers, therefore we would recommend that the boards give particular attention to this matter.

In conclusion we would recommend—*First*, That there should be a general law governing normal schools and providing for a local board of trustees, of no greater number than three members. That the bill contain a provision that all purchasing power shall be vested exclusively in the local board, and that all purchases be made in quantity, and only after notice is given and bids required for the furnishing of such material and supplies as are necessary. And we would further recommend that localities in urging the appointment of trustees and the governor in making such appointments do so with especial reference to their business ability and qualifications.

We append as a part of our report of the school at Cheney a clipping taken from the *School Bulletin*, Syracuse, N. Y., an educational journal, and containing a communication from one of the present teachers of the Cheney school, and the present assistant principal:

“In the fall of 1890 Principal Gillette, of the normal school at Cheney, Wash, wrote to us for a teacher, and secured one of our candidates. He afterwards wrote to us for a teacher of music. We recommended several in good faith, but were surprised to hear from them one by one that they had received letters from Mr. Gillette that ‘he did not take teachers from Bardeen’s agency.’ Presently one of them wrote us that she had been informed that she could have the place at Cheney, but only on condition that she joined the ‘Standard Educational Bureau,’ just started by an assistant teacher in the school, and paid it an additional commission of \$50, and that she had decided to do so. We recently received the following letter from this assistant teacher:

“C. W. Bardeen, Esq., Syracuse, N. Y.:

“DEAR SIR—As a former member of your teachers’ agency and a personal friend (I trust our relations are most friendly), I address you in the interest of Miss —, who is teaching in the normal school here. I was able to secure the election of Miss — here, for which service she was to pay me the usual commission. She tells me she is paying you a like commission. I have received less than one-half of the amount due thus far, as Miss — has not been able to pay in full without seriously inconveniencing herself. In a recent talk with her I ascertained the facts, and told her I would ask you to allow her a longer time in which to pay you. The double commission, together with expense of coming west and paying transportation on her piano, has caused a heavy drain on her purse.

“Wishing you success in your work, I am,

Very truly yours, W. C. STONE.”

Signed by

E. L. BROWN, Chairman,  
C. E. FORSYTH,  
C. F. WESTFALL,  
JOSEPH A. SHADLE,  
R. W. WINCHELL,

Being all the Members of the Committee.

On motion of Mr. Greenberg, the report of the special committee on normal schools was ordered printed.

On motion of Mr. Washburn, House bill No. 286, with amendments, was ordered printed.

On motion of Mr. Rinehart, the House adjourned at 5 o'clock P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

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## FORTY-SEVENTH DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Friday, February 24, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.

The roll was called; all the members were present except Messrs. Hurd, Nash, Nelson, and Pierce of Lewis (excused).

Mr. Mead moved that the further reading of the journal be dispensed with and it stand approved.

The motion prevailed and yesterday's journal was approved.

### PETITIONS, ETC.

By Mr. Morrison: From taxpayers of King county, praying for the passage of House bill No. 36, An act for an additional superior court judge in King county.

Referred to Judiciary Committee.

By Mr. Webb: From citizens of the State of Washington, praying for the exemption of church property from taxation, signed by W. P. George and 200 others.

Referred to Committee on Revenue and Taxation.

By Mr. Leo: From citizens of the State of Washington, praying for the exemption of church property from taxation, signed by John Techter and 275 others.

Referred to Committee on Revenue and Taxation.

By Mr. Smithson: From laborers of the Roslyn coal mines, pray-

ing for the passage of the Roscoe time check bill, as amended by the labor congress.

Referred to Committee on Labor and Labor Statistics.

By Mr. Mays: Petition from Albert Tarbet and seventy-five others of Garfield county, in regard to the toll of millers for the grinding of wheat.

Referred to Committee on Commerce.

#### REPORT OF COMMITTEE ON MILEAGE AND CONTINGENT EXPENSES.

##### MR. SPEAKER:

We, your Committee on Mileage and Contingent Expenses, to whom was referred sundry claims for supplies furnished for the use of the House, etc., respectfully report the following claims back to the House, with the recommendation that they be allowed and paid, to wit:

Talcott Bros., rubber stamps for chief clerk.....	\$3 00
E. H. Dean, wood.....	17 00
F. M. Tull, mileage, visiting school for defective youth.....	30 00
R. T. Cowan, mileage, visiting school for defective youth.....	30 00
J. O. Edwards, mileage, visiting school for defective youth.....	30 00
J. A. Shadle, mileage, visiting normal schools.....	89 00
C. F. Westfall, mileage, visiting normal schools.....	89 00
R. W. Winchell, mileage, visiting normal schools.....	89 00
W. N. McNew, mileage, visiting western hospital for insane.....	5 00
S. Judson, mileage, visiting western hospital for insane.....	5 00
E. P. Heliker, mileage, visiting western hospital for insane.....	5 00
W. J. Milroy, serving subpoenas, and mileage in world's fair investigation.....	24 20
Total.....	\$416 20

Respectfully submitted.

H. F. SMITH, Chairman.

On motion of Mr. Mays, the report of the committee was adopted, and warrants ordered drawn on the state auditor for the various amounts.

#### REPORT OF SPECIAL COMMITTEE ON STATE PENITENTIARY.

OLYMPIA, WASH., February 17, 1893.

*To the President of the Senate and Speaker of the House of Representatives:*

GENTLEMEN—Your special committee on state penitentiary, whom the Senate and House of Representatives directed to inspect the state penitentiary at Walla Walla, and report its condition and management, beg leave to submit the following report:

##### POPULATION OF PENITENTIARY.

There are 252 cells in the penitentiary, four of which are dark cells for the discipline of refractory convicts. On the dates of our visits, February 13th and 14th, there were 434 convicts in the institution, and the officers have information that nine more convicts will be brought in during the current week.

## INADEQUATE FACILITIES.

Although some very valuable improvements have been made during the past two years, there are many more needed to place the institution in a condition to properly serve the purpose for which it was intended. At the ratio of increase in population that has obtained during the past year, it will be necessary to build an additional cell wing immediately.

The quarters occupied by the guards are small rooms in the upper story of administrative building, and five beds are contained in each room, which room is about twenty by sixteen feet, with a seven-foot ceiling. This is a dangerous condition of affairs, from a hygienic point of view, and should be remedied immediately.

The dining room now in use by the officers of the institution is on the first floor of the prison building, and is also used for same purpose by convicts who are not fed in their cells. This is a condition of affairs that should not be permitted to exist.

While these officers are at their meals it would be possible for the convicts employed in the kitchen and dining room to overpower them, deprive them of their weapons, and make their escape.

There should be a building separate and apart from the main prison building, for use as dormitories, dining room, etc., by the prison officers.

In order to allow room for enlarging the prison and the erection of necessary outhouses, etc., it will be necessary to enlarge the stockade, as an additional cell wing cannot be erected in the enclosure at present existing.

## THE HOSPITAL.

A room 20 x 30 feet, on the second floor, is used for hospital purposes, and into this room are placed all patients without regard to the nature of their malady. At the present date there is a convict with fingers of one hand amputated, and another with a severe attack of erysipelas, confined in this hospital, together with several other patients. The life of the patient with amputated fingers is jeopardized by being in the same room with a case of erysipelas, as wounds are peculiarly susceptible to erysipelatous contagion, and where they do contract it, gangrene and death almost invariably supervenes.

Again, should an epidemic of disease of any character, or a contagious disease occur in the prison, there would be no way to isolate the patients or to control the disease. The need of a separate building for hospital purposes is very urgent, and should receive immediate attention at the hands of this legislature.

The building used for this purpose should contain operating room, isolation ward, dispensary, wards, kitchen, dining room, store room (for the bedding, etc., which should be kept separate from other bedding), and room in which hot baths can be administered.

An estimate of cost of said building will be given in our recommendations.

## KITCHEN AND BAKERY.

The kitchen and bakery are located in the basement, in a room 20 x 30 feet with ceiling 7 feet high; the room is entirely too small for the pur-

pose for which it is used, and in summer is so extremely warm as to seriously endanger the health of the convicts employed as cooks, bakers, etc. It is also so crowded that it is impossible almost for the men to pass around the room without jostling each other and dropping and breaking dishes, etc.

#### THE CELLS.

The cells are models of neatness; beds and furniture are kept scrupulously clean. It is suggested that each cell be lighted with a small incandescent light of about four candle power; the expenses of said lights would be nominal, and in the long evenings would enable the prisoners to read until bed time. Many of them are endeavoring to educate themselves by the study of the English branches, and should be encouraged. A few of them have lamps (obtained by themselves) in their cells, but cannot afford to purchase oil therefor.

There should also be a room in the projected new cell wing for an assembly room, for school purposes, etc.

#### WORK ROOMS.

All the clothing and shoes for the convicts are manufactured on the premises. The tailor shop, shoe shop, large bath rooms, water closets, etc., are now situated in the main stockade, and are ample and complete. A new brick addition to the main building has been constructed for use as a blacksmith shop, wherein all repairs of machinery are effected.

#### WATER SUPPLY.

The water supply at the prison is deficient. Frequently when there is an unusual drain on the pipes in one portion of the prison the other portion of the prison is deprived of water for several hours at a time. This could be remedied by constructing a tank in the prison enclosure with a capacity of 20,000 gallons, which could be filled at night, affording a supply when the pressure is weakened by drains from other sources during the day. We think the state should construct water works of its own, thereby obviating the necessity of paying exorbitant water rates, and also to furnish a sufficient supply for all uses. This would greatly increase the amount of farm produce at the prison, as it would then be possible to properly irrigate the farm, and thereby decrease the expenditure for food stuffs.

#### BRICK YARDS.

The brick yards include about four acres enclosed in a stockade of plank. It is equipped with a machine having a capacity of 40,000 brick per day, and also a repress machine. It is, in our opinion, not a paying institution, but in addition to the fact that it furnishes all necessary brick for building at the penitentiary, it affords employment to a class of convicts who cannot be safely worked in the jute mill.

#### JUTE GRAIN SACK FACTORY.

This institution has proven a great success, and should receive every encouragement at the hands of the legislature. For an exhibit of the

business transacted by this company, you are respectfully referred to the third annual report of the prison directors.

Your committee are of the opinion that the capacity of the institution should be increased by the addition of twenty looms and two spinning machines. These can be accommodated in the present building, and can be procured for the sum of \$11,000. It will be a profitable investment, and will be also a necessity, in order to furnish employment to convicts who will be admitted during the coming year. The present business pays a profit to the state of about \$3,000 per month. The warehouse for the storage of the jute and products of this factory is not of sufficient capacity, and another one will have to be erected at an early date.

#### THE PRISON FARM.

The prison farm cannot be thoroughly cultivated owing to a lack of water for irrigation. Sufficient forage for the prison stock is raised thereon, also a variety of garden stuffs—not a very large quantity, however. With a plentiful supply of water, this farm would furnish nearly all the vegetables required for the prison use. All the pork used in the prison is raised on the farm, and at present there are about 150 hogs for the coming year's use.

A suitable smoke house is erected, in which the pork is smoked and cured for use. The prison has six cows, which furnish all the milk for the institution.

#### FINANCIAL.

The deficiency of sixty-one thousand and nineteen dollars and twenty-six cents (\$61,019.26) can easily be accounted for.

The increase in population of the prison during the past two years was about 46 per cent. more than was estimated it would be when the last appropriation was made. In addition, numerous improvements were made that were not estimated for in the appropriation. Amongst the more expensive of these improvements may be mentioned the following:

#### PERMANENT IMPROVEMENTS DRAWN FROM MAINTENANCE FUND.

Bath rooms.....	\$329 85
Cell building .....	58 64
Kitchen .....	321 33
Steam heating.....	2,858 00
Hospital.....	6 80
Convicts' water closet.....	372 97
Cold storage room .....	44 43
Laundry.....	151 06
Stone stockade—iron door.....	300 00
Office building.....	178 30
Guards' quarters.....	55 14
Brick yard stockade.....	1,382 31
Root house .....	174 12
Smoke house .....	13 83
Ice house.....	33 80
Cow barn.....	98 79

Machine shop.....	\$2,454 34
Jute mill building.....	2,024 82
Furniture and fixtures.....	606 27
Stockade.....	913 58
Coal house.....	309 21
Blacksmith shop.....	158 85
Dye house.....	103 79
Warehouse.....	1,901 59
Total.....	\$14,851 59

The list of expenditures does not include numerous other expenses of comparatively small amounts for necessary improvements and repairs that are constantly being required. The item (in the foregoing list) of an expenditure of \$2,858 for steam heating was not included in last estimate for an appropriation, but was rendered necessary for the reason that in order to properly adjust the heating apparatus for connecting with the heating apparatus of new cell wing which was added, it became necessary to change position of pipes, etc., of the entire system.

A careful investigation by your committee reveals the fact that not only have the officers avoided extravagance in the management of the prison, but they have exercised extraordinary diligence in the economical expenditures of its funds, conserving the interests of the state perfectly.

The revolving fund should be renewed and increased to fifty thousand (\$50,000) dollars.

This would enable the authorities to purchase jute while the market is low, as August and September deliveries will be filled from this year's crop, and the state will obtain the benefit of the cheap rates on sailing vessels from Calcutta.

This fund is fully protected through the office of the state auditor, and will be perpetual, the proceeds of the jute factory and brick yard being converted into it, more than offsetting the amounts drawn out for operating expenses. This will enable the institution to pay its bills promptly, obtain the benefits of a cash market, and enable its management to do business on business principles.

#### RECOMMENDATIONS.

For the purposes herein explained, your committee recommends the following:

First: That \$61,019.26 be appropriated for the deficiency for the years 1891 and 1892.

Second: That \$190,319 be appropriated for the maintenance for the years 1893 and 1894.

Third: That \$35,000 be appropriated for the construction of an additional cell wing.

Fourth: That \$15,400 be appropriated for the erection of a building for officers' and guards' quarters and assembly room.

Fifth: That \$12,000 be appropriated for the purpose of enlarging the stockade.



Sixth: That \$17,500 be appropriated for the construction of a hospital building.

Seventh: That \$2,500 be appropriated for the purpose of increasing the water supply.

Eighth: That \$7,500 be appropriated to purchase an arc dynamo and place electric lights in cells.

Ninth: That \$11,000 be appropriated for the purchase of twenty looms and two spinning machines.

Tenth: That a revolving fund of \$50,000 be set apart for the operation of the jute factory and brickyard.

## REMARKS.

The improvements herein suggested are all of a permanent character, and each and all of them are absolutely necessary, and a failure to furnish them will tend to militate very materially against the efficiency of the institution. The estimates have been carefully prepared, and are conservative rather than extravagant.

In conclusion, we desire to highly commend the efficiency of the officers who are at present in charge of the penitentiary, as evidenced by the perfect discipline, cleanliness and hygienic condition of the institution; the economical management of its finances, and the generally able manner in which all its affairs have been administered. In our opinion they have performed their duties in a manner creditable to themselves and beneficial to the state.

Respectfully submitted.

T. J. SMITH,  
JOE MERCHANT,  
S. W. HAMILL,  
J. H. RINEHART,  
W. H. GILBERT.

On motion of Mr. Merchant, the report of the Visiting Committee to the State Penitentiary was adopted.

On motion of Mr. Rinehart, the report was ordered printed, and distributed to the members of the legislature.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 87, Providing for a marshal for the supreme court.

Also, House bill No. 163, Relative to filling vacancies in boards of county commissioners, with amendments as noted in the bill.

The Senate has concurred in House amendments to Senate bill No. 95.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

Mr. Morrison presented the following resolution:

WHEREAS, The day for the final adjournment of this legislature is fast approaching, and there yet remains a large amount of unfinished business: therefore, be it

*Resolved*, That the House hold evening sessions from and after Tuesday, February 28th, commencing at 7:30 o'clock each evening.

The resolution was adopted.

Mr. Leo was excused to do committee work.

Mr. Anderson, of Whitman, and the remainder of the agricultural college investigation committee were excused.

Mr. Meany moved that the Committee on Appropriation ascertain from the state auditor and state treasurer deficiencies not reported in bills already before the house and report the same before the time elapses for the introduction of new bills.

The motion prevailed.

Mr. Wheeler moved that the House concur in the Senate amendment to title and sections of House bill No. 163.

The motion prevailed.

The emergency clause passed by the following vote: Yeas 64, nays 0, absent 14.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Heliker, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Moore, Morrison, Mulkey, McElwain, McKenzie, McNew, Payne, Pierce of Klickitat, Rinehart, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Hamill, Hoole, Hurd, Mentzer, Merchant, McMillan, McMurphy, Nash, Neergaard, Nelson, Pierce of Lewis, and Roscoe.

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

On motion of Mr. Weed, House bill No. 147 was made a special order for Tuesday, February 28, at 10 o'clock A. M.

#### INTRODUCTION OF BILLS.

The following House bills were introduced, read first time, and referred to committees:

House bill No. 421, by Mr. Rinehart: An act to appropriate money for permanent improvements at the state penitentiary.

Referred to Committee on Appropriations and Claims.

House bill No. 422, by Mr. Durant: An act relating to state officials holding their offices and remaining at the capital, and providing a penalty for such delinquency.

Referred to Committee on Compensation and Fees.

House bill No. 423, by Mr. Webb: An act to protect the dairy interests of the State of Washington against the manufacture and sale of unhealthy and adulterated dairy products.

Referred to Committee on Agriculture.

House bill No. 424, by Mr. Temple: An act amending section 94 of the revenue law, and declaring an emergency.

Referred to Committee on Revenue and Taxation.

House bill No. 425, by Mr. Meany: An act to amend section 5 of an act entitled "An act to authorize cities and towns to borrow money for municipal purposes, and to issue negotiable bonds therefor," approved March 7, 1891.

Referred to Committee on Municipal Corporations with instructions not to print.

House bill No. 426, by Mr. Meany: An act to amend section 2 of an act entitled "An act authorizing cities and towns to construct internal improvements."

Referred to Committee on Municipal Corporations with instructions not to print.

House bill No. 427, by Mr. Kelly and others: An act to submit to the qualified electors of the state the question of changing the location of the seat of government.

Referred to Committee on Privileges and Elections.

House bill No. 428, by Mr. Gilman: An act to authorize and direct the secretary of state to contract for the purchase of the session laws of Washington, and declaring an emergency.

Referred to Committee on Appropriations.

House bill No. 429, by Mr. Kline: An act amending section 1787 of Hill's Annotated Statutes and Codes of Washington.

Referred to Committee on Judiciary.

House bill No. 430, by Mr. Kline: An act to create the county of Wenatchee.

Referred to Committee on Counties.

House bill No. 431, by Mr. Greenberg: An act relating to for-

eign insurance companies doing business in the State of Washington.

Referred to Committee on Insurance.

House bill No. 432, by Mr. Meany (by request): An act relating to new counties formed in the State of Washington.

Referred to Committee on Counties.

House concurrent resolution No. 18, by Mr. McKenzie: Relating to Pacific Park reservation, and the relief of settlers and miners.

On motion of Mr. Morrison, the word "Tacoma" was stricken out of the concurrent resolution.

On motion of Mr. Egbert, the resolution was adopted.

House concurrent resolution No. 19, by Mr. Scott: Relating to the employment of aliens on public works.

On motion of Mr. Baker, the resolution was adopted.

#### SENATE BUSINESS.

Senate bill No. 87, by Senator Dyer: An act to create the office of marshal of the supreme court.

Read first time, and referred to Committee on Judiciary.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 98, entitled "An act fixing the fees and compensation of justices of the peace," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as follows:

First: In line 3, section 1, substitute the figures "25" for the figures "50" where they occur in the printed bill.

Second: In line 4, section 1, of the printed bill, strike out the figures "50," and substitute therefor the figures "25."

Third: In line 5, of section 1 of the printed bill, strike out the figures "100," and insert in lieu thereof the figures "50."

Fourth: In line 6, of section 1 of the printed bill, strike out the figures "100," and insert in lieu thereof the figures "75."

Fifth: In line 7, of section 1 of the printed bill, strike out the figures "50" and insert in lieu thereof the figures "25."

Sixth: In line 9, of section 1, strike out the figures "50," and insert in lieu thereof the figures "25."

Seventh: After the word "writ," in line 12, section 1 of the printed bill, add the words "or venire," and in said line substitute the figures "25" for the figures "50" where they occur in said line.

Eighth: In line 13, section 1 of the printed bill, after the word "affidavits," add the words "or acknowledgments."

Ninth: Add to section 1 two lines, to be numbered respectively 20 and 21, as follows:

20. For each continuance or adjournment granted by consent, or on motion of either party.....\$ 25  
 21. For trial of each cause..... 1 00

Tenth: Add to said bill a new section, numbered 4, as follows:

"SEC. 4. Whereas, justices of the peace are, by law, in this state, allowed fees which are deemed excessive, and the immediate reduction thereof is deemed expedient; therefore, an emergency is declared to exist, and this act shall take effect and be in force from and after its passage and approval by the governor."

And that as so amended, the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report of the committee, with the amendments, was adopted.

The bill was read second time.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 66, nays 0, absent 12.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Judson, Karr, Keller, Kelly, Leo, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McNew, Neergaard, Payne, Pierce of Klickitat, Rinehart, Roscoe, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Cowan, Hurd, Kline, Letterman, McMurphy, Nash, Nelson, Pierce of Lewis, Sallee, and Tull.

The emergency clause passed by the following vote: Yeas 62, nays 0, absent 16.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McElwain, McKenzie, McMurphy, Nelson, Pierce of Klicki-

tat, Rinehart, Roscoe, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Cameron, Collin, Cowan, Hurd, Letterman, Moore, McMillan, McNew, Nash, Neergaard, Payne, Pierce of Lewis, Sallee, and Tull.

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

Messrs. Neergaard and Gilman were excused on account of committee work.

House bill No. 322 (substitute for House bill No. 140), by Committee on Municipal Corporations: An act authorizing cities to make assessments and reassessments.

Read the second time.

Mr. Roth offered the following amendment:

Insert a new section as follows:

“SEC. 11. That the city council of any city which is composed of two or more cities which have been, or may hereafter be, consolidated as provided by law, shall have power to make and pass all necessary ordinances, orders and resolutions for such new assessment or reassessment where the improvement for which an alleged assessment has been made by any such former cities prior to the consolidation thereof, into one city; and to fully carry out and enforce the provisions of this act.”

Change number of section 11 of printed bill to section 12.

The amendment was adopted.

On motion of Mr. Roth, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 66, nays 2, absent 10.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Green, Hamill, Heliker, Hoole, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Edwards, and Judson.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Crockett, Gilman, Greenberg, Hurd, Nash, Neergaard, Nelson, and Weed.

The emergency clause passed by the following vote: Yeas 66, nays 0, absent 12.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Greenberg, Hamill, Hoole, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Crockett, Gilman, Heliker, Hurd, Kline, Moore, Nash, Neergaard, Nelson, and Weed.

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

On motion of Mr. Ludden, the chief clerk was instructed to transmit House bill No. 322 to the Senate immediately.

The duty was performed.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1893.

MR. SPEAKER:

The Senate has refused to recede from its amendments to House bill No. 236, and has appointed as members of a conference committee on behalf of the Senate Senators Claypool, Eshelman and Dyer.

Respectfully, ALLEN WEIR, Secretary.

The speaker appointed as members of the conference committee on the part of the House Messrs. Roscoe, Webb, and Gilman.

On motion of Mr. Meany, the House took a recess at 11:50 A. M., subject to call of the speaker, when the two houses were to meet in joint session.

The House was called to order by the speaker at 12 o'clock noon.

## JOINT SESSION.

The Senate appearing at the bar of the House at 12 o'clock noon, the speaker invited the honorable senators to seats within the bar and the president to preside over the joint session.

The roll was called; all the senators and representatives were present except Senators Claypool, Foss, Frink, Richards, Rutter, Van De Vanter, and Messrs. Anderson (D. F.), Anderson (W. D. E.), Gilman, Hurd, Nash, Neergaard, and Nelson.

Senator Campbell moved that the reading of yesterday's joint journal be dispensed with and the same stand approved.

The motion prevailed, and the journal was approved.

The following pairs were announced: Forsyth and Nash, Hurd and Edens, Gilman and Neergaard, Dyer and Tull (Saturday and Monday), Kinnear and Claypool (Saturday), Anderson of Whatcom and Forsyth, Rutter and Richards, Weed and Hamill (Saturday), Nelson and Anderson of Whitman.

The president announced that no election had occurred at yesterday's session, and instructed the clerk to call the roll for the seventy-eighth joint ballot.

## SEVENTY-EIGHTH JOINT BALLOT.

John B. Allen received 42 votes.

George Turner received 19 votes.

C. W. Griggs received 22 votes.

M. F. Knox received 9 votes.

R. O. Dunbar received 1 vote.

Chas. S. Voorhees received 1 vote.

Stephen Judson received 1 vote.

Those voting for John B. Allen were: Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Farrish, Forest, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Cooper, Easterday, Greenberg, Helm, Ide, McMillan, Mentzer, Moore, Pierce (D. W.), Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Campbell, Cowan,



Crockett, Donahoe, Edmonds, Eshelman, Foster, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for M. F. Knox were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

Senator Hutchinson voted for C. S. Voorhees.

Mr. Mulkey voted for Stephen Judson.

No person having received the necessary number of votes to elect a United States senator, the president announced that there was no election, and instructed the clerk to call the roll for the seventy-ninth joint ballot.

## SEVENTY-NINTH JOINT BALLOT.

John B. Allen received 42 votes.

George Turner received 19 votes.

C. W. Griggs received 22 votes.

Charles S. Voorhees received 1 vote.

R. O. Dunbar received 1 vote.

Stephen Judson received 1 vote.

M. F. Knox received 9 votes.

Those voting for John B. Allen were: Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Farrish, Forrest, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Cooper, Easterday, Greenberg, Helm, Ide, McMillan, Mentzer, Moore, Pierce (D. W.), Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Westfall, Van Houten, and Woodworth.

Those voting for Chauncey W. Griggs were: Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foster, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for M. F. Knox were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)

Mr. N. W. Bush voted for R. O. Dunbar.

Senator Hutchinson voted for C. S. Voorhees.

Mr. Mulkey voted for Stephen Judson.

No person having been elected United States senator, the president dissolved the joint session at 12:20 P. M., to meet to-morrow at 12 o'clock noon.

Previous to the adjournment of the joint session Speaker Arrasmith introduced Hon. J. T. Ronald, mayor of the city of Seattle, who invited the legislature to visit that city in a body as their guests, on Saturday afternoon, February 25.

Hon. E. O. Graves, president of the chamber of commerce, was also introduced, and on behalf of that organization extended a similar invitation to the members of the legislature, to visit the city of Seattle on Saturday afternoon and enjoy the hospitality of the Queen City.

On motion of Mr. Egbert, the House took a recess at 12:30 P. M. until 2 P. M.

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#### AFTERNOON SESSION.

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The speaker called the House to order at 2 o'clock.

The roll was called; all the members were present except Messrs. Anderson of Whitman, Hurd, Nash, Neergaard and Nelson (excused).

Mr. McMurphy was excused for the afternoon.

House bill No. 174, by Mr. McKenzie, An act to amend sections 8, 12, 64, 65 and 72 of school laws, was read the second time in full.

Mr. Shelton presented the following amendment: Strike out in line 4, section 2, all after the word "year," and in line 5 the words "not be issued to any person after the 1st of September, 1893."

The amendment was adopted.

Mr. Baker presented the following amendment: In line 22, section 1, strike out the words "in at least one place."

The amendment was adopted.

Mr. Shelton proposed the following amendment: Insert after the word state "for the period of nine (9) months."

The amendment was adopted.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 56, nays 5, absent 17.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Greenberg, Hamill, Heliker, Hoole, Karr, Keller, Kelly, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Mulkey, McKenzie, McNew, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Turpin, Webb, Westfall, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Denn, Meany, Morrison, and Washburn.

Absent: Messrs. Anderson of Whitman, Collin, Gilman, Hurd, Judson, Kline, Leo, McElwain, McMillan, McMurphy, Nash, Neergaard, Nelson, Scott, Tull, Weed, and Wheeler.

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

Mr. Leo was excused from the afternoon session of the House to attend a committee meeting.

Messrs. Heliker, Shadle and Sallee were excused for committee work.

Mr. Baker moved that the House adjourn.

The House refused to adjourn.

On motion of Mr. Bush, of Pacific, House bill No. 179 was re-committed to Committee on Appropriations, and to retain its place on the calendar.

Mr. Shadle presented the following resolution:

WHEREAS, The citizens of Seattle have, through their mayor, Hon. J. T. Ronald, and the president of their Chamber of Commerce, Hon. E. O. Graves, extended a cordial invitation to this legislature to visit their city upon to-morrow and Sunday; and,

WHEREAS, The objects of such visit can in no way be detrimental to the interests of the constituents of the members here assembled; and,

WHEREAS, The said trip would entail no cost whatever to the people of this state; and,

WHEREAS, The greater portion of the time so occupied would otherwise be occupied by the members at their homes: therefore,

*Be it resolved by the House of Representatives,* That the said invitation be and the same is hereby accepted, and that a committee consisting of three members of the House be appointed to notify the gentlemen mentioned of our acceptance of their invitation.

On motion, the resolution was adopted, and the speaker appointed Messrs. Shadle, Pierce of Klickitat and Cowan as such committee.

REPORT OF JOINT COMMITTEE ON FISHERIES AND GAME.

MR. SPEAKER:

We, your Joint Committee on Fisheries and Game, to whom was referred House bill No. 180, entitled "An act to authorize the fish commissioner to make research for the purpose of enforcing the fish laws of the State of Washington," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

A. S. BUSH,  
Chairman House Committee.  
J. C. HERR,  
Chairman Senate Committee.

The bill was read the second time in full.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 56, nays 0, absent 22.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Greenberg, Hamill, Hoole, Karr, Keller, Kelly, Letterman, Luden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McKenzie, McMillan, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Turpin, Webb, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Cameron, Gilman, Heliker, Hurd, Judson, Kline, Leo, Mulkey, McElwain, McMurphy, McNew, Nash, Neergaard, Nelson, Sallee, Shadle, Tull, Washburn, Weed, and Winchell.

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

REPORT OF JOINT COMMITTEE ON FISHERIES AND GAME.

MR. SPEAKER:

We, your Joint Committee on Fisheries and Game, to whom was referred House bill No. 181, entitled "An act authorizing the fish commissioner and his deputies to make arrests," have had the same under

consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. S. BUSH,  
Chairman House Committee.

J. C. HERR,  
Chairman Senate Committee.

The bill was read the second time in full.

On motion of Mr. Brock, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 49, nays 7, absent 22.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Crockett, Durant, Edwards, Egbert, Farrish, Green, Greenberg, Hamill, Hoole, Karr, Keller, Kelly, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Morrison, McKenzie, McMillan, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Temple, Tucker, Turpin, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Collin, Cowan, Denn, Edmonds, Foster, Scott, and Smithson.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Gilman, Heliker, Hurd, Judson, Kline, Leo, Meany, Mulkey, McElwain, McMurphy, McNew, Nash, Neergaard, Nelson, Sallee, Shadle, Tull, Washburn, Webb, and Weed.

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

#### REPORT OF JOINT COMMITTEE ON FISHERIES AND GAME.

MR. SPEAKER:

We, your Joint Committee on Fisheries and Game, to whom was referred House bill No. 182, entitled "An act to authorize the fish commissioner to appoint a special deputy in each county," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

A. S. BUSH,  
Chairman House Committee.

J. C. HERR,  
Chairman Senate Committee.

The bill was read the second time in full.

On motion of Mr. Wheeler, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 45, nays 9, absent 24.

Yeas: Messrs. Anderson of Whatcom, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Crockett, Durant, Egbert, Farrish, Green, Greenberg, Hoole, Karr, Kelly, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McMillan, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Temple, Tucker, Turpin, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Cowan, Denn, Edmonds, Edwards, Foster, Keller, Scott, and Smithson.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Collin, Gilman, Hamill, Heliker, Hurd, Judson, Kline, Leo, McElwain, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Sallee, Shadle, Tull, Washburn, Webb, and Weed.

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

OLYMPIA, February 24, 1893.

MR. SPEAKER:

Your Committee on Federal Relations and Immigration, Corporations Other Than Municipal, and Medicine and Surgery, report that they have appointed Miss Alice Strohm as their clerk, vice James Owens, resigned.

J. H. RINEHART,

Chairman Committee on Medicine and Surgery, for Committees.

Miss Alice Strohm was duly sworn in as clerk for the above committees by the speaker.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 331, entitled "An act to amend sections 107, 109, 113, 116, 124, 125, 126, 132, 133, 134, 135 and 136 of an act providing for the organization, classification, incorporation and government of municipal corporations, approved March 27, 1890, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that as amended it do pass.

First amendment: Amend title by striking out the words "February 26th" where they occur in last line and insert in lieu thereof the words "March 27th."

Second amendment: Section 4, line 8, after the word "direct" insert the words "no ordinance, resolution or order for the payment of money shall have any validity or effect unless passed by the votes of at least four councilmen;" also, in line 8 strike out the word "no" and insert in lieu thereof the following: "*Provided, however,* That no ordinance or resolution granting any."

Third amendment: Section 4, at the end of line 10, add the following: "And no ordinance shall contain more than one subject, which shall be clearly expressed in its title, and no ordinance or any section thereof shall be revised or amended unless the new ordinance contains the entire ordinance or section revised or amended, and the ordinance or section so amended shall be repealed."

Fourth amendment: Correct the numbering of the sections.

Fifth amendment: Amend section 5 by striking out all of line 8 after the word "therein," all of lines 9, 10, 11 and 12 to the word "provided," and insert in lieu thereof the following: "The city council shall, before ordering the grading, paving or other improvement of any street or alley, the cost of which is to be levied and assessed upon the property benefited, first pass a resolution or ordinance declaring its intention to make such improvement, and stating in such resolution or ordinance the name of the street or alley to be improved, the points between which the said improvement is to be made, the general character of the proposed improvement and the estimate of the cost of the same, and that the cost of the same is to be assessed against the property abutting (and included in the assessment district herein provided) on such street proposed to be improved, and shall fix a time not less than ten days in which protests against such proposed improvement may be filed in the office of the city clerk. It shall be the duty of such clerk to cause such resolution to be published in the official newspaper of the city in at least two consecutive issues before the time fixed in such resolution for filing such protests, and affidavit of such publication shall be filed on or before the time fixed for such filing. If protests against the proposed improvement by the owners of more than two-thirds of the front feet of lots and lands abutting on such proposed improvement and included in the assessment district herein provided, be filed on or before the date fixed for such filing, the council shall not proceed further with the work unless six members of said council shall vote to proceed with said work. If no such protest is filed, or if such protest is filed and six councilmen shall vote to proceed with said work, the council shall, at its next regular meeting, proceed to consider the same, and shall then, or at a subsequent time, proceed to enact an ordinance for such improvement. By the provisions of such ordinance a local improvement district shall be established, to be called local improvement district No. —, which shall include all the property fronting on the street to be improved between the points named in such resolution to the distance back from such street, if platted in blocks, to the center of the blocks, if platted into lots only, to the center of each lot, and if not platted, to the distance of one hundred and twenty feet. Such ordinance shall provide that such improvements shall be made and that the cost and expense thereof shall be taxed and assessed upon all the property in such local improvement district, which cost shall be assessed in proportion to the number of feet of such lands and lots fronting thereon, and included in said improvement district; and in proportion to the benefits derived by said improvement.

Sixth amendment: At the end of line 32, same section, add the follow-

ing: "And in any such proceedings where the court trying the same shall be satisfied that the work has been done or material furnished, which according to the true intent of the act would be properly chargeable upon the lot or land through or by which the street, alley or highway improved or repaired may pass, a recovery shall be permitted on a charge enforced to the extent of the proper proportion of the value of the work or materials which would be chargeable on such lot or land, notwithstanding any informalities, irregularities or defect in any of the proceedings of such municipal corporation or any of its officers.

Seventh amendment: Section 7, after the word taxes, line 19, strike out all to the end of section.

Eighth amendment: Section 8, line 10, after the word taxes insert the words "and assessments."

Ninth amendment: Strike out all of section 14 as renumbered.

Respectfully submitted.

LUDDEN, Chairman.

We concur in this report:

ROTH,  
NASH,  
LEO,  
NEERGAARD,  
LETTERMAN,  
MERCHANT,  
PAYNE.

On motion, the report of the committee, with amendments, was adopted.

The bill was read the second time by title.

Mr. Roth presented the following amendment, which was adopted:

Amend section 5 by striking out of lines 3 and 4 these words: "The cost and expense incurred therefor shall be as follows."

On motion of Mr. Rinehart, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 53, nays 0, absent 25.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cowan, Crockett, Durant, Edmonds, Egbert, Farrish, Foster, Green, Greenberg, Hamill, Hoole, Karr, Keller, Kelly, Kline, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, Payne, Pierce of Klickitat, Rinehart, Roscoe, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Tucker, Turpin, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Cameron, Collin, Denn, Edwards, Gilman, Heliker, Hurd, Judson,



Leo, McElwain, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Lewis, Sallee, Temple, Tull, Washburn, Webb, Weed, and Westfall.

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

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copy of House bill No. 163, entitled "An act to amend an act relative to filling a vacancy in boards of county commissioners, and declaring an emergency," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bill No. 163.

#### REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER:

We, your Committee on Education, to whom was referred House bill No. 354, entitled "An act to prohibit obscene language in the presence of another or others, and to provide penalty for its violations," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. F. WESTFALL, Chairman.

WINCHELL,  
WEED,  
SHADLE,  
FARRISH,  
EDMONDS.

The report of the committee was adopted.

#### REPORTS OF COMMITTEE ON RAILROADS.

MR. SPEAKER:

We, your Committee on Railroads, to whom was referred House bill No. 273, entitled "An act fixing a maximum rate of charges for the transportation of the articles herein enumerated, and providing penalties for the violation of this act by common carriers in the State of Washington," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. R. HOOLE, Chairman.

We concur in this report:

ALEX. CAMERON,  
F. R. BAKER,  
S. W. HAMILL,  
JOHN F. GREEN,  
D. F. ANDERSON.

The report of the committee was adopted.

MR. SPEAKER:

We, your Committee on Railroads, to whom was referred House bill No. 249, entitled "An act to regulate the fares of passengers and the baggage of passengers on railroads," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed, for the reason that its essential features are embodied in House bill No. 74, previously reported.

Respectfully submitted.

W. R. HOOLE, Chairman.

We concur in this report:

ALEX. CAMERON,  
F. R. BAKER,  
S. W. HAMILL,  
JOHN F. GREEN,  
D. F. ANDERSON.

The report of the committee was adopted.

#### REPORTS OF COMMITTEE ON FEDERAL RELATIONS AND IMMIGRATION.

MR. SPEAKER:

We, your Committee on Federal Relations and Immigration, to whom was referred House memorial No. 7, To prevent pauper immigration, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. B. WEED, Chairman.  
C. H. SCOTT,  
F. B. TURPIN.

On motion of Mr. Pierce, of Lewis, the report of the committee was adopted.

MR. SPEAKER:

We, your Committee on Federal Relations and Immigration, to whom was referred House memorial No. 8, Asking relief for settlers and miners in the Pacific Park reservation, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. B. WEED, Chairman.  
C. H. SCOTT,  
F. B. TURPIN.

On motion, House memoiral No. 8 was indefinitely postponed, as the subject matter was identical with House concurrent resolution No. 18, adopted to-day.

Miss L. O. Russell and Mr. W. H. Smith were sworn in as assistant enrolling clerks by the speaker.

On motion of Mr. Ludden, the House adjourned at 4:45 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## FORTY-EIGHTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Saturday, February 25, 1893. }  
10 o'clock A. M. }

The speaker called the House to order at 10 o'clock A. M.

The roll was called; all the members were present except Messrs. Hurd, Nash and Tull (excused).

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

### REPORT OF SPECIAL COMMITTEE.

Report of the special committee on school lands was read, and on motion of Mr. White, adopted.

The report is as follows:

#### MR. SPEAKER:

Your special committee, appointed under a resolution of the House, adopted on the 11th day of February, 1893, to ascertain and report what legislation by congress may be necessary to vest in the State of Washington a perfect title to the lands granted to the state for the purposes of common schools, beg leave to report as follows:

*First:* We find that by section 20 of an act of congress entitled "An act to establish the territorial government of Washington," approved March 2, 1853, Tenth Statutes at Large, page 179, the sections numbered sixteen and thirty-six in such territory were reserved for the purposes of being applied to common schools; "and in all cases where said sections sixteen and thirty-six, or either of them, shall be occupied by actual settlers prior to the survey thereof, the county commissioners of the county in which said sections so occupied as aforesaid are situated," are authorized to locate other lands to an equal amount in said sections "or fractional sections, as the case may be, within their respective counties, in lieu of such sections so occupied."

*Second:* We also find that the act of congress entitled "An act to authorize settlers upon the sixteenth and thirty-sixth sections, who settled before the survey of the public lands, to preëmpt their settlements," approved February 26, 1859, Eleventh Statutes at Large, page 280, which act is embraced in the Revised Statutes of the United States as §2275, provides: "That where settlements with view to preëmption have been made before the survey of the land in the field, which shall be found to have been made

on sections sixteen and thirty-six, such sections shall be subject to the preëmption claims of such settlers; and if they or either of them shall have been or shall be reserved or pledged for the use of common schools or colleges in the state or territory in which the lands lie, other lands of like quantity are hereby appropriated in lieu of such as may be patented by the preëmptors; and other lands are also hereby appropriated to compensate deficiencies for school purposes, where said sections sixteen and thirty-six are fractional in quantity, or where one or both are wanting by reason of the township being fractional, or from any natural cause whatever."

It will be observed that the above section authorizes the selection of indemnity or lieu lands for three causes:

1. In cases where there is a deficiency arising from settlement prior to survey.
2. In cases where there is a deficiency on account of the section being fractional, or where the section is wholly lost and a portion of the township to which it belongs remains, as where the section or township is under water.
3. The remaining natural cause being where the section is partly or wholly lost by reason of being mineral land.

In cases where there were deficiencies for the causes above named, selections of indemnity or lieu lands were authorized to be made by the county commissioners in accordance with the provisions of an act of congress approved May 20, 1820, embraced in section 2276 of the Revised Statutes of the United States, which provides: "The land provided" by the sections above named "shall be selected within the land district in accordance with the following principles of adjustment: For each township, or fractional township containing a greater quantity of land than three-fourths of an entire township, one section; for a fractional township containing a greater quantity of land than one-half and not more than three-fourths of a township, three-fourths of a section; for a fractional township containing a greater quantity of land than one-fourth and not more than one-half of a township, one-half section; and for a fractional township containing a greater quantity of land than one entire section and not more than one-fourth of a township, one-fourth section of land."

*Third:* Under the provisions of the foregoing sections selections of indemnity or lieu lands were made from time to time, up to the year 1876, by the county commissioners of the several counties in the state, particularly in Jefferson, Lewis, King, Thurston, Snohomish, Walla Walla and Whatcom counties. These lands are shown on the lists numbered from 1 to 11, now on file in the office of the commissioner of the general land office, and aggregate about seven thousand acres.

*Fourth:* The lands so selected have in many instances been filed upon under the homestead, preëmption and mineral laws of the United States since the selections were made, and the title of the territory to hold the lands in reservation for school purposes was attacked on the ground that the lists filed were not in accordance with law, and that the commission-

ers in making the selections exceeded the authority conferred upon them by the act of congress. These cases were, however, in all instances, on appeal to the secretary of the interior, decided adversely to the applicants, excepting in cases where the lands were found to be mineral in character. In the latter case the selection of a small portion of the lands has been held for cancellation by the secretary of the interior.

*Fifth:* The cases where the lands were filed upon under the homestead and preëmption laws were decided in accordance with the principles laid down in the case of John W. Bailey *et al.*, in volume 5 of the Decisions of the Department of the Interior, relating to public lands, dated November 3, 1886. Under the decisions in this case and others, the lands were held in reservation for the purposes of common schools, with the view of vesting the title in the state upon its admission to the union.

*Sixth:* By section 10 of the act of congress enabling the territory to organize a state government, approved February 22, 1889, provision was made as follows: "That upon the admission of each of said states into the union, sections number sixteen and thirty-six in every township in said proposed states, and where such sections or any parts thereof have been sold or otherwise disposed of by or under authority of any act of congress, other lands equivalent thereto in legal subdivisions of not less than one-fourth section, and as contiguous as may be to the section in lieu of which the same is taken, are hereby granted to said states for the support of common schools, such indemnity lands to be selected within said states in such manner as the legislature may provide, with the approval of the secretary of the interior."

It will be seen that this section of the enabling act omits to confirm to the state the title of lands embraced in the selections made for deficiencies and held in reservation prior to the admission of the state. For this reason the title of the state, notwithstanding the fact of the ruling of the secretary of the interior to the contrary, to all lands selected by the county commissioners as lieu or indemnity lands, has been attacked and filed upon by persons under the homestead laws. These lands lie, in many instances, in close proximity to the leading cities of the state, and are at this time the most valuable lands belonging to the state for common school purposes, their probably aggregate value being about \$100,000. But on account of the question of perfect title of the state, the county commissioners have deemed it not advisable to offer the same for sale. The alleged cloud upon the title of the state in case the lands were offered for sale will greatly impair their market value.

You committee therefore respectfully recommend that in order to confirm the title of the state to said lands, the legislature memorialize congress as follows:

HOUSE JOINT MEMORIAL NO. ....

*To the Honorable Senate and House of Representatives of the United States:*

Your memorialists respectfully represent that, whereas, the title of the State of Washington to a portion of the school lands held in reservation for the common schools of the state has been questioned; therefore, your

memorialists respectfully urge upon your honorable body the enactment of the following law:

AN ACT

To confirm to the State of Washington the title to certain lands reserved for the purposes of common schools.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:*

SECTION 1. That all lands selected by the county commissioners of the several counties of the Territory of Washington prior to the admission of said territory as a state, and reserved from sale or other disposition by the department of the interior as indemnity or lieu lands for deficiencies in sections 16 and 36 in each township in said territory, may and the same hereby are authorized and directed to be by the secretary of the interior confirmed to said State of Washington, upon application being made therefor by the proper persons authorized by the laws of the State of Washington, and when said lands shall have been applied for and confirmed by the said secretary of the interior to the said state, the title of said lands shall thereby be vested in the said State of Washington.

Respectfully submitted.

L. H. WHEELER, Chairman,  
ALBERT SHERMAN,  
W. H. LUDDEN,  
WM. FARRISH,  
F. D. NASH.

House memorial No. 9, by special committee on school lands, was, on motion of Mr. White, adopted.

House memorial No. 10, by Mr. Turpin (by request), For recognition of various persons for securing certain territorial rights on the northwest coast of America to the United States, was referred to the Committee on Federal Relations.

PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. McNew: Petition from citizens of Davenport, Lincoln county, praying for a law for protection from unscrupulous insurance companies.

Referred to Committee on Insurance.

By Mr. Pierce, of Lewis: Petition from U. E. Lemmon and twenty-one others, citizens of Lewis county, praying that a portion of Lewis county be detached and annexed to Chehalis county.

Referred to Committee on Counties.

INTRODUCTION OF BILLS.

The following House bills were introduced, read first time, and referred to committees:

House bill No. 433, by Mr. Anderson: An act entitled "An act

to amend section 1382 of Hill's Code of volume 1, in relation to the duties of notaries."

Referred to Judiciary Committee.

House bill No. 434, by Mr. McKenzie: An act to amend section 51 of an act to provide for the construction, repairing and protection of drains and ditches for agricultural, sanitary and domestic purposes, and to provide for the organization of drainage districts, and declaring an emergency.

Referred to Committee on Irrigation.

House bill No. 435, by Mr. Tucker: An act to amend section 5 of an act entitled "An act in relation to trade marks," approved February 21, 1891.

Referred to Judiciary Committee.

House bill No. 436, by Mr. Anderson, of Pierce: An act to amend section 17, recording elections, approved March 19, 1891.

Referred to Printing Committee.

House bill No. 437, by Mr. Moore: An act to provide for taking territory from one county and transferring it to and making it a part of another county.

Referred to Committee on Counties.

House bill No. 438, by Mr. McNew: An act entitled "An act to amend section 2728 of Hill's Annotated Code of the State of Washington, defining the purposes for which insurance companies may be formed."

Referred to Committee on Insurance.

House bill No. 439, by Mr. Wheeler: An act making it larceny to unlawfully retain the possession of the goods of another, and providing a penalty.

Referred to Judiciary Committee.

House bill No. 440, by Mr. Wheeler: An act relating to community property.

Referred to Judiciary Committee.

House bill No. 441, by Mr. Wheeler: An act relating to liens created by statute.

Referred to Judiciary Committee.

House bill No. 442, by Mr. Wheeler: An act providing one additional judge of the superior court for King county.

Referred to Judiciary Committee.

House bill No. 443, by Mr. Meany (by request): An act making

an appropriation to pay the indebtedness incurred by the university land and building commission.

Referred to Committee on Appropriations.

House bill No. 444, by Committee on Insurance: An act to amend an act entitled "An act to regulate and license insurance business in the state," approved March 27, 1890.

House bill No. 445, by Committee on Commerce (substitute for House bills Nos. 287 and 296): An act providing liens upon saw-logs, spars, piles, or other timber, and upon lumber and shingles.

The committee recommend its passage.

House bill No. 446, by Mr. Kline: An act relating to irrigation.

Referred to Committee on Irrigation.

House bill No. 447 (substitute for House bill No. 24): An act amending an act creating a state board of horticulture.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER.

OLYMPIA, WASH., February 25, 1893.

MR. SPEAKER:

The president of the Senate has signed House bill No. 106.

Also, House bill No. 171.

Also, House bill No. 62.

The Senate has passed Senate bill No. 204, entitled "An act legalizing tax levies for year 1892."

Also, Senate bill No. 180, Regulating the sale of liquor.

Also, House bill No. 278, For the relief of indigent soldiers, sailors and marines, with amendment as noted in the bill.

Also, House bill No. 237, An act concerning the manner of election of county commissioners.

Also, House bill No. 216, Providing means for validating certain warrants and other evidences of indebtedness on the part of cities and towns.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Karr, the House concurred in Senate amendments to House bill No. 278.

The investigating committee of the agricultural college were excused to attend their committee meeting.

On motion of Mr. Hoole, the House took under consideration House bill No. 333.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 333, entitled "An act relating to legal publication," have had the



same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The bill was read the second time in full.

On motion of Mr. Hoole, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 61, nays 0, absent 17.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Karr, Keller, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Neergaard, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Temple, Tucker, Turpin, Webb, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Whitman, Cowan, Heliker, Hurd, Judson, Kelly, Kline, McElwain, Nash, Nelson, Payne, Roth, Speck, Tull, Washburn, Weed, and Winchell.

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

On motion of Mr. Hoole, the chief clerk was instructed to take House bill No. 333 to the Senate at once.

On motion of Mr. Turpin, Senate bill No. 88 (substitute for Senate bill No. 13), An act to provide for and to regulate the registration of voters in cities and towns, was taken under consideration by the House.

#### REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

MR. SPEAKER:

We, your Committee on Privileges and Elections, to whom was referred Senate bill No. 88, entitled "An act to amend sections 6, 7, 8 and 11 and 16 of an act entitled 'An act to provide for and to regulate the registration of voters in cities and towns, and in precincts having a voting population of two hundred and fifty (250) or more, approved March 27, 1890,' and repealing section 10 thereof, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass as amended.

In line 7 of section 2, printed bill, insert after word column "for signature and one;" also in line 7, section 2, between the words and column

insert word "one," so as line will read, "and with column for signature, and one for remarks and one column for checking;" also add to end of section 2, at its close, amendment attached to original bill, which reads etc., etc.

Respectfully submitted.

N. W. BUSH, Chairman.

We concur in this report:

JOHN LEO.

The report of the committee was adopted.

The bill was read the second time.

On motion of Mr. Wheeler, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 68, nays 1, absent 9.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Temple, Tucker, Turpin, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nay: Mr. Mays.

Absent: Messrs. Egbert, Hurd, McMillan, Nash, Speck, Tull, Washburn, Webb, and Weed.

The emergency clause passed by the following vote: Yeas 65, nays 1, absent 12.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Heliker, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Temple, Tucker, Turpin, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nay: Mr. Mays.

Absent: Messrs. Hamill, Hoole, Hurd, Kline, McMillan, Nash, Shadle, Speck, Tull, Washburn, Webb, and Weed.

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

#### REPORTS OF COMMITTEE ON COMMERCE AND MANUFACTURES.

MR. SPEAKER:

We, your Committee on Commerce and Manufactures, herewith report a substitute for House bills Nos. 287 and 296, 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," with the recommendation that it do pass.

Respectfully submitted.

A. WOODWORTH, Chairman.

The report of the committee was adopted, and the substitute was numbered House bill No. 445, and was read the first time.

MR. SPEAKER:

We, your Committee on Commerce and Manufactures, to whom was referred House bill No. 296, entitled "An act to amend sections 1679, 1682, 1685 and 1690 of Hill's Code, the same being sections 1941, 1944, 1947 and 1952 of the Code of Washington, 1881, have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be indefinitely postponed.

Respectfully submitted.

A. WOODWORTH, Chairman.

The report of the committee was adopted.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 383, entitled "An act to amend sections 2238 and 2239 of the Code of 1881, the same being sections ..... and ..... of Hill's Annotated Statutes and Codes of Washington," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be referred to the Committee on Agriculture.

Respectfully submitted.

A. E. MEAD, Chairman.

House bill No. 383 was re-referred to the Committee on Agriculture.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1893.

MR. SPEAKER:

The president of the Senate has signed House bill No. 163, entitled "An act relative to filling vacancies in boards of county commissioners."

And the same is herewith returned to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Rinehart, the House took under consideration House bill No. 215, An act to amend an act entitled "An act to amend sections 105, 106, 114 and 117 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' and approved March 27, 1890," approved March 9, 1891.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

##### MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 215, entitled "An act to amend an act entitled 'An act to amend sections 105, 106, 114 and 117 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' and approved March 27, 1890," approved March 9, 1891, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that as amended it do pass.

First amendment: Amend title by striking out the figures "27" and insert "26" in lieu thereof.

Second amendment: Section 1, line 5, strike out the word "assessor;" also, in line 8 strike out same word. In line 9 strike out the word "second" and insert the word "first." In line 11 strike out the word "second" and insert the word "first."

Third amendment: Strike out all of section 2, and insert a new section 2, reading as follows:

SECTION 2. That section 3 of said act be amended to read as follows:

SECTION 3. The city council of such city shall have power—

*Ordinances.* (1) To pass ordinances not in conflict with the constitution and laws of this state or of the United States.

*City Real Estate.* (2) To purchase, lease or receive such real estate and personal property as may be necessary or proper for municipal purposes, and to purchase and plat land for the purpose of cemeteries, and to provide by ordinance for the regulation thereof; to control, dispose of and convey the same for the benefit of the city: *Provided,* That they shall not have the power to sell or convey any portion of any water front; but may rent such water front for a term not exceeding ten years; and may improve part of such water front by building inclines or wharves for the accommodation of shippers, and to charge and collect for the use of the same such amounts as will compensate the city for the expenses incurred and the repairs needed from time to time; to prevent and regulate the running at large of any or all domestic animals within the city limits, or any part thereof, and to cause the impounding and sale of any such animals.

*Water.* (3) To contract for supplying the town with water for municipal purposes, or to acquire, construct, repair and manage pumps, aqueducts, reservoirs or other works necessary or proper for supplying water

for the use of such town or its inhabitants, or for irrigating purposes therein.

*Public Highways.* (4) To establish, build and repair bridges, to establish, lay out, alter, keep open, open, widen, vacate, improve and repair streets, sidewalks, alleys, squares and other public highways and places within the city, and to drain, sprinkle and light the same; to remove all obstructions therefrom; to establish the grades thereof; to grade, pave, plank, macadamize, gravel and curb the same, in whole or in part, and to construct gutters, culverts, sidewalks and cross walks therein or upon any part thereof; to cause to be planted, set out and cultivated, shade trees therein; and generally to manage and control all such highways and places.

*Sewers.* (5) To establish, construct and maintain drains and sewers, and shall have power to compel all property owners on streets along which sewers shall have been constructed to make proper connections therewith and to use the same for proper purposes, and in case the owners of property on such street shall fail to make such connections within the time fixed by such council, they may cause such connections to be made and to assess against the property in front of which such connections are made the costs and expenses thereof.

*Fire Extinguishment.* (6) To provide fire engines and all other necessary or proper apparatus for the prevention and extinguishment of fires.

*Poll Tax.* (7) To impose on and collect from every male inhabitant between the ages of twenty-one and fifty years an annual street poll tax not exceeding two dollars, and no other road poll tax shall be collected within the limits of such city: *Provided*, That any member of a volunteer fire company in such city shall be exempt from such tax.

*Dog Tax.* (8) To impose and collect an annual license, not exceeding two dollars, on every dog owned or harbored within the limits of the city, and may provide for the killing of all dogs not duly licensed found at large.

*Property Tax.* (9) To levy and collect annually a property tax, which shall be apportioned as follows: For the general fund, not exceeding sixty cents on each one hundred dollars; for street fund, not exceeding thirty cents on each one hundred dollars; and for sewer fund, not exceeding ten cents on each one hundred dollars. The levy for all purposes for any one year shall not exceed one dollar on each one hundred dollars of the assessed value of all real and personal property within such city.

*Liquor Tax.* (10) To license, for purposes of regulation and revenue, all and every kind of business including the sale of intoxicating liquors, authorized by law, and transacted and carried on in such city, and all shows, exhibitions and lawful games carried on therein, and within one mile of the corporate limits thereof; to fix the rate of license tax upon the same, and to provide for the collection of the same, by suit or otherwise.

*River Improvements.* (11) To improve rivers and streams flowing through such city, or adjoining the same; to widen, straighten and deepen the channels thereof, and to remove obstructions therefrom; to improve

the water front of the city, and to construct and maintain embankments and other works to protect such city from overflow; to purify and prevent the pollution of streams of water, lakes or other sources of supply, and for this purpose shall have jurisdiction over all streams, lakes or other sources of supply, both within and without the city limits. Such city shall have power to provide by ordinance and to enforce such punishment or penalty as the city council may deem proper for the offense of polluting, or in any manner obstructing or interfering with the water supply of such city or source thereof.

*Municipal Buildings.* (12) To erect and maintain buildings for municipal purposes.

*Tracks and Pipes.* (13) To permit, under such restrictions as they may deem proper, the laying of railroad tracks and the running of cars drawn by horses, steam or other power thereon, and the laying of gas and water pipes in the public streets, and to construct and maintain, and to permit the construction and maintenance of, telegraph, telephone and electric lines therein.

*Ward Divisions.* (14) In its discretion, to divide the city, by ordinance, into a convenient number of wards, not exceeding six; to fix the boundaries thereof, and to change the same from time to time: *Provided*, That no change in the boundaries of any ward shall be made within sixty days next before the date of such general municipal election, nor within twenty months after the same shall have been established or altered. Whenever such city shall be so divided into wards, the city council shall designate by ordinance the number of councilmen to be elected from each ward, apportioning the same in proportion to the population of such wards. And thereafter the councilmen so designated shall be elected by the qualified electors resident in such ward, or by a general vote of the whole city, as may be designated in such ordinance: *Provided further*, That when additional territory is added to the city that it thereafter, by act of the council, be annexed to contiguous wards, without affecting the right to re-district at the expiration of twenty months after last previous division.

*Policemen.* (15) To appoint and remove all such policemen and other appointed officers as they may deem proper, and to fix their duties and compensations.

*Violation of Ordinances.* (16) To impose fines, penalties and forfeitures for any and all violations of ordinances, and for any breach or violation of any ordinance to fix the penalty by fine or imprisonment, or both, but no such fine shall exceed three hundred dollars, nor the term of such imprisonment exceed the term of three months.

*Prison Labor.* (17) To cause all persons imprisoned for violation of any ordinance to labor on the streets, or other public property or works within the city.

*Fire Limits.* (18) To establish fire limits, with proper regulations.

(19) The city council may appropriate from the general fund an amount not exceeding one-fourth of one mill of the taxable property of the city for the purpose of establishing and maintaining a public library.

(20) To punish the keepers and inmates and lessors of houses of ill-fame, gamblers, and keepers of gambling tables.

*Other Acts.* (21) To make all such ordinances, by-laws, rules, regulations and resolutions, not inconsistent with the constitution and laws of the State of Washington, as may be deemed expedient to maintain the peace, good government and welfare of the corporation and its trade, commerce and manufactures, and to do and perform any and all other acts and things necessary or proper to carry out the provisions of this chapter, and to exact and enforce within the limits of such city all other local, police, sanitary and other regulations as do not conflict with general laws.

SEC. 4. Whereas an emergency exists, this act shall be deemed of immediate importance, and shall take effect and be in full force from and after its passage.

SEC. 5. All acts and parts of acts in conflict with this act are hereby repealed.

Respectfully submitted.

W. H. LUDDEN, Chairman.  
ROTH,  
NASH,  
NEERGAARD,  
LEO,  
LETTERMAN,  
MERCHANT,  
PAYNE.

On motion, the report of the committee was adopted.

The bill was read the second time.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 63, nays 3, absent 12.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Turpin, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Denn, Edwards, and Smith of Douglas.

Absent: Messrs. Hamill, Hurd, Ludden, Meany, Nash, Roth, Scott, Tull, Washburn, Webb, Weed, and Winchell.

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

REPORT OF COMMITTEE ON FORESTRY, AGRICULTURE AND HORTICULTURE.

MR. SPEAKER:

We, your Committee on Forestry, Agriculture and Horticulture, to whom was referred House bill No. 24, entitled "An act to amend an act to create a state board of horticulture, and appropriate money therefor," etc., have had the same under consideration, and we respectfully report the same back to the House with the recommendation that the substitute reported herewith do pass.

Respectfully submitted.

We concur in this report:

ALEX. CAMERON, Chairman.

A. S. MCKENZIE,

M. ANDERSON,

C. J. MOORE.

The report of the committee was adopted, and the substitute was numbered House bill No. 447, and was read the first time by title.

Senate bill No. 180, by Senator Frink, An act to amend sections 1 and 2 of an act to regulate, restrain, license or prohibit the sale of intoxicating liquors, was read first time, and referred to Committee on Education.

Senate bill No. 204, by Senator Horr, An act legalizing tax levies for the year 1893, and declaring an emergency, was read first time, and referred to Committee on Revenue.

On motion of Mr. Nelson, House bill No. 9 was ordered reprinted as amended and retain its place on the calendar.

On motion of Mr. Scott, the House took a recess at 11:50 A. M., subject to call of the speaker.

The speaker called the House to order at 12 o'clock noon.

JOINT SESSION.

The Senate appearing at 12 o'clock noon, the speaker invited the honorable senators to seats within the bar and the president of the Senate to preside over the joint session.

The roll was called; all members of the legislature were present except Senators Claypool, Donahoe, Dyer, Forsyth, Foss, Frink, Kinnear, Richards, Rutter, Van Houten, Van De Vanter, and Messrs. Hurd, Nash, Tull, and Weed.

PAIRS ANNOUNCED.

Forsyth and Nash, Hurd and Edens, Dyer and Tull, Saturday and Monday; Kinnear and Claypool, Saturday; Anderson of What-



com and Foss, Rutter and Richards, Weed and Hamill, Saturday; McManus and O'Neill, Monday; Kelly and Shelton, Monday; Brown and Donahoe, to-day; Anderson of Pierce and Frink, to-day; Turpin and Hastings, Monday.

Senator Forrest moved that the rules be suspended, the reading of yesterday's joint journal be dispensed with, and the same stand approved.

The motion prevailed, and the journal was approved.

There being no election of United States senator at yesterday's session, the president requested the clerk to call the roll for the eightieth joint ballot.

## EIGHTIETH JOINT BALLOT.

John B. Allen received 41 votes.

George Turner received 18 votes.

C. W. Griggs received 20 votes.

M. F. Knox received 9 votes.

Stephen Judson received 1 vote.

B. F. Shaw received 1 vote.

Chas. S. Voorhees received 1 vote.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Belknap, Brock, Bush (A. S.), Cameron, Farrish, Forrest, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Cooper, Easterday, Greenberg, Helm, Ide, McMillan, Mentzer, Moore, Nelson, Pierce (D. W.), Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Campbell, Cowan, Crockett, Edmonds, Eshelman, Foster, Gilman, Green, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Payne, Shaw, Shelton, and Smith (H. F.).

Those voting for M. F. Knox were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

Mr. Mulkey voted for Stephen Judson.

Mr. Turpin voted for B. F. Shaw.

Senator Hutchinson voted for C. S. Voorhees.

The president announced that no person had received the necessary number of votes to elect a United States senator, therefore there was no election, and the clerk was instructed to call the roll for the eighty-first joint ballot.

EIGHTY-FIRST JOINT BALLOT.

John B. Allen received 41 votes.

George Turner received 18 votes.

C. W. Griggs received 21 votes.

R. O. Dunbar received 1 vote.

Samuel Denn received 1 vote.

B. F. Shaw received 1 vote.

Stephen Judson received 1 vote.

M. F. Knox received 8 votes.

Those voting for John B. Allen were: Anderson (D. F.), Belknap, Brock, Bush (A. S.), Cameron, Farrish, Forrest, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Luden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Cooper, Easterday, Greenberg, Helm, Ide, McMillan, Mentzer, Moore, Nelson, Pierce (D. W.), Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Campbell, Cowan, Crockett, Edmonds, Eshelman, Foster, Gilman, Green, Judson, Kline, Leo, Letterman, Mays, McCroskey, McManus, Miller, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for M. F. Knox were: Baker, Burton, Collin, Denn, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

Mr. Durant voted for Samuel Denn.

Senator Hutchinson voted for B. F. Shaw.

Mr. Mulkey voted for Stephen Judson.

There being no election of United States senator, the president dissolved the joint session at 12:25 P. M., to meet Monday at 12 o'clock noon.

On motion of Mr. Roth, the House adjourned until Monday at 11:55 A. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## FIFTIETH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Monday, February 27, 1893. }  
11:55 o'clock A. M.

The speaker called the House to order at 11:55 A. M., pursuant to Saturday's adjournment.

The roll was called; all the members were present except Messrs. Baker, Gilman, Kelly, Mead, Morrison, Neergaard, Pierce of Lewis, Roscoe, Smithson, Tull, Turpin, White, Winchell, and Woodworth.

The sergeant-at-arms was instructed to inform the Senate that the House was ready to meet with them in joint session.

### JOINT SESSION.

The Senate appearing, the speaker invited the honorable senators to seats within the bar and the president of the Senate to preside.

The roll was called; all the members of the two houses were present except Senators Brown, Hastings, Kellogg, McCroskey, McManus, Roberts, Smith, Van Houten, and Van De Vanter, and Messrs. Kelly, Roth, Tull, Turpin, and Woodworth.

Pairs were announced as follows: Dyer and Tull, McManus and O'Neill, Kelly and Shelton, Turpin and Hastings, Anderson of Whitman and McCroskey, Van Houten and Gilbert, Smith of Okanogan and Kellogg, Campbell and Roth, Miller and Roberts.

Mr. Hurd moved that the rules be suspended, the reading of the journal be dispensed with and stand approved.

The motion prevailed, and Saturday's joint journal was approved.

As no election occurred at Saturday's joint session, the president instructed the clerk to call the roll for the eighty-second ballot.

## EIGHTY-SECOND JOINT BALLOT.

John B. Allen received 40 votes.

George Turner received 20 votes.

C. W. Griggs received 20 votes.

J. C. Van Patten received 5 votes.

R. O. Dunbar received 1 vote.

Patrick Henry Winston received 1 vote.

B. L. Sharpstein received 1 vote.

M. F. Knox received 3 votes.

Those voting for John B. Allen were: Anderson (M.), Belknap, Brock, Bush (A. S.), Cameron, Edens, Farrish, Forrest, Forsyth, Frink, Heliker, Hoole, Horr, Karr, Keller, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergard, Pierce (C. M.), Rinehart, Rutter, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smithson, Temple, and Westfall.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, Mulkey, Payne, Shaw, and Smith (H. F.).

Those voting for J. C. Van Patten were: Baker, Burton, Denn, Scott, and Smith (J. B.).

Those voting for M. F. Knox were: Durant, Edwards, and Egbert.

Mr. Collin voted for Patrick Henry Winston.

Mr. Bush (N. W.) voted for R. O. Dunbar.

Senator Hutchinson voted for B. L. Sharpstein.

No election resulting on the eighty-second joint ballot, the clerk was instructed by the president to call the roll for the eighty-third joint ballot for United States senator.

## EIGHTY-THIRD JOINT BALLOT.

John B. Allen received 40 votes.

George Turner received 20 votes.

C. W. Griggs received 20 votes.

M. F. Knox received 3 votes.

J. C. Van Patten received 5 votes.

B. L. Sharpstein received 1 vote.

R. O. Dunbar received 1 vote.

P. H. Winston received 1 vote.

Those voting for John B. Allen were: Anderson (M.), Belknap, Brock, Bush (A. S.), Cameron, Edens, Farrish, Forrest, Forsyth, Frink, Heliker, Hoole, Horr, Karr, Keller, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, Pierce (C. M.), Rinehart, Rutter, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smithson, Temple, and Westfall.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, Mulkey, Payne, Shaw, and Smith (H. F.).

Those voting for J. C. Van Patten were: Baker, Burton, Denn, Scott, and Smith (J. B.).

Those voting for M. F. Knox were: Durant, Edwards, and Egbert.

Mr. N. W. Bush voted for R. O. Dunbar.

Mr. Collin voted for Patrick Henry Winston.

Senator Hutchinson voted for B. L. Sharpstein.

The president announced that no person had received the necessary number of votes to elect a United States senator, and at 12:30 p. m. dissolved the joint session.

On motion of Mr. Bush, of Chehalis, the House took a recess at 12:30 p. m. to meet at 2 o'clock this afternoon.

## AFTERNOON SESSION.

The speaker called the House to order at 2 o'clock.

The roll was called; all members present except Messrs. Kelly, Heliker, Roth, and Turpin (excused).

On motion of Mr. Brock, the further reading of Saturday's journal was dispensed with, and the journal was approved.

## PETITIONS, MEMORIALS, REMONSTRANCES, ETC.

By Mr. Roscoe: Petition from citizens of Snohomish county bar praying for an additional superior court judge for Snohomish and Kitsap counties.

Referred to Judiciary Committee.

By Mr. Cameron: Remonstrance from citizens of Walla Walla against passage of bill for coal oil inspector.

Referred to Committee on Insurance.

By Mr. Foster: Two petitions from citizens of Wahkiakum county asking that a portion of Pacific county be detached and annexed to Wahkiakum county.

Referred to Committee on Counties.

By H. F. Smith: Remonstrance from citizens of Okanogan county against the division of that county.

Referred to Committee on Counties.

By Messrs. Shelton, Edmonds, Foster and others: Petitions favoring the taxation of church property.

Referred to Committee on Federal Relations.

By Mr. Hurd: Petition favoring exemption of church property from taxation.

Referred to Committee on Federal Relations.

Mr. Scott: Petition of citizens of Dog Fish Bay praying that the name of that bay be changed to Liberty Bay.

Referred to Committee on Judiciary.

## REPORTS OF COMMITTEE ON COMPENSATION AND FEES OF STATE AND COUNTY OFFICERS.

MR. SPEAKER:

We, your Committee on Compensation and Fees of State and County Officers, to whom was referred House bill No. 374, entitled "An act

authorizing the appointment of stenographic reporters for the superior courts," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the Judiciary Committee.

Respectfully submitted.

D. W. MCMURPHY, Chairman.

The bill was re-referred as requested.

MR. SPEAKER:

We, your Committee on Compensation and Fees of State and County Officers, to whom was referred House bill No. 351, entitled "An act to amend section 3120, Code of Washington Territory, for 1881, vol. 1, Hill's Code, section 441, relating to awarding costs in contested election cases," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the Judiciary Committee.

Respectfully submitted.

D. W. MCMURPHY, Chairman.

The bill was referred to the Judiciary Committee as requested.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 309, entitled "An act allowing cities of the third class and towns of the fourth class, and other cities and towns of this state, to procure abstracts of instruments in writing filed with the county auditor for record, and to keep a record of the same," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be referred to the Committee on Judiciary.

Respectfully submitted.

W. H. LUDDEN, Chairman.

We concur in this report:

ROTH,  
NASH,  
PAYNE,  
MCELWAIN.

The bill was so re-referred.

Mr. Hoole moved that a committee of nine be appointed to arrange a daily calendar of the more important bills recommended for passage.

Mr. McMillan moved to amend by segregating bills not yet reported on from others.

On motion of Mr. Mentzer, the motion and amendment were laid on the table until Thursday.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 27, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 125, entitled "An act to provide for distribution and sale of supreme court reports."

Also, House bill No. 285, Relating to protection of lumbering interests.  
Also, House bill No. 333, An act relating to legal publication.  
And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

#### INTRODUCTION OF BILLS.

The following House bills were introduced, read first time by title, and referred to committees.

House bill No. 448, by Mr. Hurd: An act to prohibit mining and manufacturing corporations from engaging in the business of carrying on stores known as company stores or general supply stores.

Referred to Committee on Corporations.

House bill No. 449, by Mr. Karr: An act relating to logging on streams in the State of Washington.

Referred to Committee on Commerce and Manufactures.

House bill No. 450, by Mr. Brock (by request): An act to regulate the granting of license to sell intoxicating liquors.

Referred to Committee on Education.

House bill No. 451, by Mr. Leo: An act requiring fire insurance companies doing business in this state to issue uniform policies.

Referred to Committee on Insurance.

House bill No. 452, by Mr. McKenzie: An act to prevent unauthorized persons from wearing the badges and emblems of certain societies.

Referred to Committee on Education.

House bill No. 453, by Mr. Scott: An act changing the name of Dog Fish Bay to Liberty Bay.

Referred to Committee on Judiciary.

House bill No. 454, by Mr. Temple: An act making appropriations for sundry deficiency expenses of the various state institutions for the fiscal term beginning April 1, 1891, and ending March 31, 1893, and for other purposes.

Referred to Committee on Appropriations and Claims.

House bill No. 455, by Mr. Washburn: An act to amend an act entitled "An act to provide for the organization, maintenance and discipline of the militia of the State of Washington."

Referred to Committee on Military Affairs.

House bill No. 456, by Mr. Washburn: An act to amend section 261 of the Penal Code of the State of Washington, as arranged and annotated by W. L. Hill.



Referred to Committee on Judiciary.

House bill No. 457, by Mr. Washburn: An act making an appropriation from the special military fund for the support of the national guard.

Referred to Committee on Military Affairs.

House bill No. 458, by Mr. Washburn: An act to amend sections 40, 41, 42, 43 and 44 of the Penal Code of the State of Washington.

Referred to Committee on Judiciary.

House bill No. 459, by Mr. Washburn: An act to amend an act entitled "An act to provide for the organization, maintenance and discipline of the militia of the State of Washington."

Referred to Committee on Military Affairs and Soldiers' Home.

House bill No. 460, by Mr. Gilman: An act to provide a method for the review and correction of illegal, erroneous or unequal special assessment in cities of the first class, making said method exclusive of all other methods.

Referred to Committee on Municipal Corporations.

House bill No. 461, by Mr. Judson (by request): An act providing for the election of a superintendent of construction of all state buildings, and declaring an emergency.

Referred to Committee on Public Buildings and Grounds.

House bill No. 462, by Mr. Gilman: An act fixing the period of redemption from sales of real estate from taxes in cities of the first class, and prescribing the notice to be given of applications for deeds under tax sales in such cities, and declaring an emergency to exist.

Referred to Committee on Judiciary.

House bill No. 463, by Mr. McMillan (by request): An act to authorize certain corporations to appropriate property for corporate purposes.

Referred to Committee on Corporations other than Municipal.

House bill No. 464, by Mr. Sherman: An act amending chapter 17 of volume 1 of Hill's Annotated Statutes and Codes of Washington, relating to the university of Washington, allotting public lands to said university, making an appropriation, and declaring an emergency.

Referred to the Joint Committee on State University.

House bill No. 465, by Mr. Wheeler: An act relating to instruments affecting real property.

Referred to Judiciary Committee.

House bill No. 466, by Mr. Wheeler: An act to prescribe fees of clerks of courts.

Referred to Judiciary Committee.

House bill No. 467, by Mr. Mentzer: An act to provide for the care, custody, and maintenance of certain convicts of the State of Washington.

Referred to Committee on Penitentiary.

House bill No. 468, by Mr. Merchant (by request): An act to provide for the sale of lands granted to the State of Washington for educational purposes, agricultural in character and other than common school lands.

Referred to Committee on State, School and Granted Lands.

House bill No. 469, by Mr. Gilman (by request): An act relating to internal improvements in cities and incorporated towns, authorizing the issuance and collection of bonds upon the property benefited by local improvements, and declaring an emergency.

Referred to Committee on Municipal Corporations.

House bill No. 470 by Mr. Meany: An act providing for the location, maintenance and construction of university of Washington.

Referred to Joint Committee on University.

House bill No. 471, by Mr. Roscoe: An act to amend section 117 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.

House bill No. 472, by Mr. Roscoe (by request): An act providing for an additional superior court judge for Snohomish and Kitsap counties, and declaring an emergency.

Referred to Judiciary Committee.

House concurrent resolution No. 20, by Mr. Leo (by request): For the purchase of 250 copies of Real Property Statutes of Washington.

Referred to Judiciary Committee.

House bill No. 473, by Mr. Mentzer (by request): An act to amend section 649 of chapter 3, title 9, of volume 1 of Hill's Annotated Statutes and Codes of Washington, and declaring an emergency.

Referred to Committee on Municipal Corporations.

House bill No. 474, by Mr. Foster: An act to take a part of Pacific county and annex the same to Wahkiakum county, in the State of Washington.

Referred to Committee on Counties.

House bill No. 475, by Mr. Hurd: An act to amend sections 122, 124, 109, 125, and 139, of an act concerning municipal corporations.

Referred to Committee on Municipal Corporations.

House bill No. 476, by Mr. Hurd: An act to amend an act concerning municipal corporations.

Referred to Committee on Municipal Corporations.

House bill No. 477, by Mr. Hurd: An act to provide for the re-assessment of special taxes in municipal corporations of the third class, and declaring an emergency.

Referred to Committee on Municipal Corporations.

House bill No 478, by Mr. Hurd: An act requiring municipal corporations to take a bond from contractors contracting to do work.

Referred to Committee on Municipal Corporations.

House bill No. 479, by Mr. Hurd: An act prohibiting state, city, county and precinct officers from becoming bondsmen or bail upon arrest.

Referred to Committee on Judiciary.

House bill No. 480, by Mr. Hurd: An act to amend section 1 of chapter 72 of an act entitled "An act to regulate, restrain, license or prohibit the sale of intoxicating liquors," and declaring an emergency.

Referred to Committee on Education.

House bill No. 481, by Mr. Hoole: An act prescribing the manner and form for the assessment of the property of railroads and railroad or railway corporations in this state.

Referred to Committee on Railroads.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 78, entitled "An act relating to the exemptions of work, labor and personal services of laborers, mechanics or other persons in mesne and final process," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

A. E. MEAD, Chairman.

The report of the committee was adopted, and House bill No. 78 was indefinitely postponed.

## REPORT OF COMMITTEE ON FISHERIES AND GAME.

MR. SPEAKER:

We, your Committee on Fisheries and Game, to whom was referred House bill No. 28, entitled "An act amending section 3 of an act for the preservation of large game," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed, for the reason that the same is covered by House bill No. 199, recommended herewith for passage.

Respectfully submitted.

A. S. BUSH, Chairman.

The report of the committee was adopted.

## REPORT OF THE COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 211, entitled "An act to amend an act approved January 29, 1886, entitled 'An act to amend section 347 of the Code of Washington Territory in relation to exemption,'" have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do not pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion, the report of the committee was adopted.

## REPORT OF COMMITTEE ON COMMERCE AND MANUFACTURES.

MR. SPEAKER:

We, your Committee on Commerce and Manufactures, to whom was referred House bill No. 287, entitled "An act providing liens upon sawlogs, spars, piles or timber, and upon lumber and shingles, and concerning the remedy to secure and obtain such liens and the benefit thereof, and the manner of procedure in obtaining the same," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

A. WOODWORTH, Chairman.

On motion, the report of the committee was adopted.

## REPORT OF JOINT COMMITTEE ON FISHERIES AND GAME.

MR. SPEAKER:

We, your Joint Committee on Fisheries and Game, to whom was referred House bill No. 183, entitled "An act to protect the food fishes of the State of Washington, and amending section 8 of the law approved February 11, 1890, entitled 'An act to protect salmon and other food fishes in the waters of Washington, and upon all waters of which this state has joint jurisdiction and concurrent jurisdiction,'" have had the same under

consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

A. E. BUSH,  
Chairman House Committee.

J. C. HERR,  
Chairman Senate Committee.

The bill was read the second time.

On motion of Mr. Tucker, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 68, nays 0, absent 10.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hamill, Hoole, Hurd, Karr, Keller, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Whitman, Baker, Greenberg, Heliker, Judson, Kelly, Payne, Roth, Turpin, and Washburn.

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

#### REPORT OF THE JOINT COMMITTEE TO VISIT THE WASHINGTON SCHOOL FOR DEFECTIVE YOUTH.

OLYMPIA, WASH., February 24, 1893.

*To the Honorable Legislature of the State of Washington:*

GENTLEMEN—Your joint committee appointed to visit the Washington school for defective youth, at Vancouver, in the county of Clarke, respectfully report that we discharged that duty, on the 18th day of this current month, as thoroughly as time and circumstances would permit.

We visited the institution without previous notice to the director or his employes, and were thus enabled to discover the unadorned routine life of this home and school for the unfortunate deaf, dumb, blind and feeble minded children of our state.

It affords us pleasure to report that we observe nothing which calls for adverse criticism, and many things worthy of hearty commendation, of which we note the following, to wit:

## I.—LOCATION AND BUILDINGS.

The location of this institution is upon an elevated, dry plateau overlooking the majestic Columbia river. The foothills of the Cascade mountains, with Jefferson, Hood and a score of less lordly peaks, and the suburbs of the city of Portland are in full and open prospect. These objects, combined with the continual passage of river steamers, with their thousands of summer tourists, pleasure seekers and business men, and the floating palaces which traverse the ocean highways of the world cannot fail to exert a stimulating and enlarging influence upon the intelligence of these pupils whose eyesight is not lost or impaired.

The invigorating breezes from eastern mountains and western ocean will always afford a guarantee to the state against expense arising from sickness in the school, so far as this can be prevented by a healthful atmosphere. Excellent judgment has been manifested in the selection of the twenty-two (22) acres of ground now belonging to the state, upon which those magnificent public edifices have been erected. The buildings have been planned with judicious regard to the business designed to be carried on within their walls. They are substantial, well lighted, commodious, and show that all reasonable efforts have been put forth to secure the material comfort of the inmates. The quality of workmanship, in view of its moderate cost, substantiates the statement that this institution has furnished no bonanza to contractors. Indeed, one of them claims, and the trustees assert their belief in the justice of his claim, that he has lost over eleven hundred dollars by his anxiety to present the state with an object lesson in the art of economizing public funds.

## II.—SCHOOL AND MANAGEMENT.

We found the pupils enjoying their Saturday holiday. All of them seemed to be quite contented, and many of them appeared to be particularly happy. The food furnished is plain, wholesome and abundant. The beds are comfortable and tidy. The rooms are well lighted, ventilated and clean. The intellectual exercises showed that thorough work has been done in the class room. Suitable moral lectures and Sunday school instructions are given by the director; and clergymen of the various denominations are invited to deliver short sermons and talks on Sunday afternoons. The larger pupils are encouraged to attend the churches which their parents or guardians prefer, and when the weather is suitable a number avail themselves of this privilege, under supervision of the director or employes designated for that duty by him.

## III.—INDUSTRIES.

Instructions are given by qualified tutors in carpentering, shoemaking, net and hammock weaving, tailoring, laundrying, cooking and other industries, calculated to prepare the pupils for the struggle which awaits them in the battlefield of life, after they cease to be wards of the state. The printing office, under care of one of the pupils, with the aid of several apprentices, issues the monthly "Washingtonian," a creditable paper devoted to the interests of the institution. The director and his wife, who

is matron of the home for deaf mutes and blind, are held in high esteem by friends of the institution. They appear to have won the affection of the pupils by that combination of firmness and kindness which constitutes their system of government.

#### IV.—SCHOOL FOR THE BLIND.

An interesting class of blind pupils, under care of Miss Petit, is taught in the same building with the classes for deaf mutes. Several of those blind pupils have made marked progress in the study and practice of music; and all are making commendable advancement in learning to read by means of raised letters.

#### V.—SCHOOL FOR FEEBLE MINDED.

The building for the feeble minded pupils is located about half a mile from the main edifice, which forms the home and school for deaf mutes and blind. It is a brick veneered structure, and was built with the appropriation of \$20,000 made by the legislature of 1891 for that purpose. Pupils were admitted and classes open for the first time at the beginning of this current school year. This school has not been in operation long enough for an intelligent statement concerning its work. But the truly philanthropic task of removing clouds from darkened and idiotic minds has passed the experimental stage. Wonderful results have been produced by it elsewhere, and there is no reason to doubt that our state shall reap a rich reward from well directed efforts toward this end.

#### VI.—RECOMMENDATIONS.

We recommend the Washington school for defective youth to the hearty support of all patriotic citizens of the state. We also recommend the passage of the bills now pending before the legislature: (1) For the maintenance of the institution in all its departments during the next two years. (2) For necessary improvements. (3) For amendments to the existing law.

Respectfully submitted.

F. M. TULL, Chairman,  
R. T. COWAN,  
J. O. EDWARDS,  
F. W. HASTINGS,  
C. I. HELM.

On motion of Mr. Mays, the report of the special committee to visit the Washington school for defective youth was adopted.

A letter from J. Watson, director of Washington state school for defective youth, was read and referred to Committee on Appropriations.

On motion of Mr. Roscoe, Senate bill No. 21 was taken from the regular order and given immediate consideration.

The bill was re-referred to Judiciary Committee.

On motion of Mr. Temple, Senate bill No. 218, by Appropriation Committee, An act making appropriation for the state printing and

binding for the balance of the fiscal term ending March 31, 1893, was taken under consideration.

#### REPORT OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

Your Committee on Appropriations and Claims, to which was referred Senate bill No. 218, entitled "An act making appropriation for the state printing and binding for the balance of the fiscal term ending March 31, 1893," respectfully reports the bill back to the House with the recommendation that it do pass.

Respectfully submitted.

G. W. TEMPLE, Chairman.

Mr. Judson moved to strike out all of the *proviso* in section 2 relating to payment of interest on certificates.

The amendment was adopted.

The bill was read the second time in full.

On motion of Mr. Mead, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 55, nays 16, absent 7.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Farrish, Foster, Gilman, Green, Hamill, Judson, Karr, Keller, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McElwain, McKenzie, McMillan, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Rinehart, Roscoe, Sallee, Shadle, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Hoole, Hurd, Moore, McMurphy, Pierce of Lewis, Scott, Shelton, and Smith of Douglas.

Absent: Messrs. Anderson of Whitman, Greenberg, Heliker, Kelly, Payne, Roth, and Turpin.

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

#### REPORT OF COMMITTEE ON RAILROADS.

##### MR. SPEAKER:

We, your Committee on Railroads, to whom was referred House bill No. 213, entitled "An act to provide for the protection of laborers, mechanics and material men, and persons performing work and furnishing material in the construction of railroads, and declaring an emergency," have had the same under consideration, and we respectfully report the



same back to the House with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. R. HOOLE, Chairman.

We concur in this report:

R. J. NEERGAARD,  
JOHN F. GREEN,  
F. R. BAKER,  
C. L. WEBB,  
ALEX. CAMERON.

On motion, the report was adopted.

Mr. Tull moved that House bill No. 228 be indefinitely postponed.

The bill was indefinitely postponed by the following vote: Yeas 43, nays 26, absent and not voting 9.

Yeas: Messrs. Anderson of Pierce, Brock, Bush of Chehalis, Bush of Pacific, Cowan, Crockett, Edmonds, Farrish, Foster, Gilman, Green, Hamill, Hurd, Judson, Karr, Keller, Leo, Ludden, Mead, Meany, Mentzer, Merchant, Mulkey, McKenzie, Nash, Neergaard, Nelson, Pierce of Klickitat, Rinehart, Shadle, Sherman, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Whatcom, Baker, Burton, Collin, Denn, Durant, Hoole, Kline, Mays, Moore, Morrison, McElwain, McMillan, McMurphy, McNew, Pierce of Lewis, Roscoe, Sallee, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Weed, and White.

Absent: Messrs. Anderson of Whitman, Cameron, Greenberg, Heliker, Kelly, Letterman, Payne, Roth, and Turpin.

#### REPORT OF COMMITTEE ON RAILROADS.

MR. SPEAKER:

We, your Committee on Railroads, to whom was referred House bill No. 222, entitled "An act for an act to regulate railroads and other transportation lines, to prevent unjust discrimination, and to provide for a railroad and transportation commission," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed for the reason that its essential features are embodied in House bill No. 63, previously reported.

Respectfully submitted.

W. R. HOOLE, Chairman.

We concur in this report:

R. J. NEERGAARD,  
JOHN F. GREEN,  
F. R. BAKER,  
C. L. WEBB,  
ALEX. CAMERON.

The report of the committee was adopted.

## REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

MR. SPEAKER:

We, your Committee on Privileges and Elections, to whom was referred House bill No. 227, entitled "An act providing for county canvassing boards of election returns," have had the same under consideration, and we respectfully report the same back to the house, with the recommendation that section 2 be amended to read as follows:

"SEC. 2. If, for any reason, there is a vacancy or vacancies in the canvassing board provided for in the act, the remaining member or members of the board shall have the power and it is hereby made his or their duty to choose the county officer or officers to fill such vacancy or vacancies."

As amended, we recommend the bill do pass.

Respectfully submitted.

N. W. BUSH, Chairman.

I concur in this report:

JOHN LEO.

The report of the committee, with amendments, was adopted.

The bill was read the second time.

Mr. Tucker proposed the following amendment: Strike out the words "superior judge" in line 2 of section 2 of the printed bill, and insert the words "county attorney."

The amendment was adopted.

On motion of Mr. McMillan, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 64, nays 3, absent 11.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Hamill, Hoole, Hurd, Karr, Keller, Kline, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Gilman, McMillan, and Webb.

Absent: Messrs. Anderson of Whitman, Baker, Durant, Greenberg, Heliker, Judson, Kelly, Leo, Payne, Roth, and Turpin.

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

Mr. Judson rose to a question of privilege, stating that House

bill No. 461 was never introduced by him, and the contents of said bill were foreign to his belief.

On motion of Mr. Tucker, House bill No. 461 was indefinitely postponed.

#### REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

MR. SPEAKER:

We, Your Committee on Privileges and Elections, to whom was referred House bill No. 235, entitled "An act to abolish the office of lieutenant governor," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that section 2 be amended to read, "That this act shall be in force and take effect after the expiration of the term of the present lieutenant governor," and that as amended, we recommend that the bill do pass.

Respectfully submitted.

N. W. BUSH, Chairman.

I concur in this report:

JOHN LEO.

Mr. Hurd moved to indefinitely postpone House bill No. 235.

The House refused to indefinitely postpone the bill by the following vote: Yeas 31, nays 36, absent 11.

Yeas: Messrs. Anderson of Whatcom, Brock, Bush of Pacific, Cameron, Farrish, Green, Hurd, Keller, Mays, Mead, Meany, Mentzer, Merchant, McMillan, McMurphy, McNew, Nash, Pierce of Klickitat, Pierce of Lewis, Rinehart, Sallee, Shadle, Sherman, Temple, Tucker, Washburn, Webb, Westfall, Wheeler, White, and Winchell.

Nays: Messrs. Baker, Burton, Bush of Chehalis, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Foster, Gilman, Hamill, Hoole, Judson, Karr, Kline, Leo, Letterman, Moore, Morrison, Mulkey, McElwain, McKenzie, Neergaard, Nelson, Roscoe, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Tull, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Collin, Greenberg, Heliker, Kelly, Ludden, Payne, Roth, Turpin, and Weed.

Senate bill No. 235, by Mr. Denn: An act to abolish the office of lieutenant governor, failed to pass the House by the following vote: Yeas 39, nays 29, absent 10.

Yeas: Messrs. Baker, Burton, Bush of Chehalis, Cameron, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Hamill, Hoole, Judson, Karr, Kline, Leo, Letterman, Ludden, Mays, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, Neer-

gaard, Roscoe, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Speck, Temple, Tull, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Pacific, Crockett, Green, Hurd, Keller, Mead, Meany, Mentzer, Merchant, McMillan, McNew, Nash, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Sallee, Shadle, Sherman, Tucker, Washburn, Webb, Weed, Wheeler, White, and Winchell.

Absent: Messrs. Anderson of Pierce, Collin, Greenberg, Heliker, Kelly, Payne, Roth, Smithson, Turpin, and Westfall.

Mr. Baker gave notice that he would move for a reconsideration whereby House bill No. 235, failed to pass.

#### REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

MR. SPEAKER:

We, your Committee on Privileges and Elections, to whom was referred House bill No. 266, entitled "An act to amend sections 17, 18, 20 and 23 of an act entitled 'An act to provide 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 House, with the recommendation that it be amended as follows:

Erase in line 5 of section 2 of printed bill, the words "and fifty;" also, amend line 8 of section 2 by striking out words "and fifty;" also, amend section 4, line 4, by adding the words "with ink" after the word "marking;" also, add sections 5 and 6, as follows:

"SEC. 5. It is hereby made the duty of the judges of election of each election precinct to, immediately upon the closing of the polls, destroy all unused ballots that were furnished for use at such precinct, the same to be so destroyed before any of the ballots voted are counted.

"SEC. 6. Any person who has duly registered in any election precinct, and who, before the day of election, has removed from the precinct in which he is so registered, to some other part of the town or city in which such election precinct is situated, shall, notwithstanding such removal, be entitled to vote in the precinct in which he is registered, providing he is registered in no other precinct and has since the time of his registration until the day of election remained a resident of said town or city, and is otherwise a qualified voter."

As amended we recommend the bill do pass.

Respectfully submitted.

N. W. BUSH, Chairman.

JOHN LEO.

The report of the committee, with amendments, was adopted.

The bill was read the second time in full.

Mr. Scott presented the following amendment: Amend by striking out all of section 4 (23) after the word "place," in line 16.

The amendment was adopted.

Mr. Hurd moved that the House do now adjourn. The House refused to adjourn.

On motion of Mr. Brock, the rules were suspended, and the bill was considered engrossed.

At 5:25 P. M., Mr. Wheeler moved that the House do now adjourn. The House refused to adjourn by a divisional vote of 26 yeas to 38 nays.

House bill No. 266 was read the third time.

On motion of Mr. Mead, the House adjourned at 5:40 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

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## FIFTY-FIRST DAY.

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### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Tuesday, February 28, 1893. }  
10 o'clock A. M.

The House was called to order at 10 o'clock A. M.; the speaker presiding.

The roll was called; all the members were present except Messrs. Heliker, Turpin and Washburn.

Mr. Edwards moved that the rules be suspended, the reading of the journal be dispensed with, and the same stand approved.

The motion prevailed, and yesterday's journal was approved.

The House again took under consideration House bill No. 266, An act to amend sections 17, 18, 19, 20 and 23 of an act entitled "An act providing for the printing and distributing of ballots at public expense, and to regulate voting at state and other elections," approved March 19, 1889.

The bill passed by the following vote: Yeas 56, nays 15, absent 7.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Edmonds, Farrish, Foster, Greenberg, Hoole, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mead, Mentzer, Mer-

chant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Weed, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Baker, Burton, Denn, Durant, Edwards, Egbert, Gilman, Green, Hamill, Kline, Mays, Mulkey, Scott, and Webb.

Absent: Messrs. Heliker, Hurd, Meany, Sallee, Turpin, Washburn, and White.

#### SPECIAL ORDER.

The hour of 10 o'clock having arrived, the House took under consideration House bill No. 147, An act concerning a state agricultural fair for the State of Washington, and to declare an emergency.

#### REPORT OF COMMITTEE ON FORESTRY, AGRICULTURE AND HORTICULTURE.

MR. SPEAKER:

We, your Committee on Forestry, Agriculture and Horticulture, to whom was referred House bill No. 147, entitled "An act creating a state agricultural fair for the State of Washington, and to declare an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it pass with the amendments hereto annexed.

Amend section 2 by inserting the words "at least" before the word "five" in the last line.

For section 6 substitute the following:

"Sec. 6. The State Agricultural Fair Association shall locate the buildings, track, etc., for state fair purposes upon a tract of land containing not less than one hundred and twenty (120) acres, to be in one solid block, of good soil, with ample water, as level as may be, and conveniently located near the railroad shipping point at North Yakima: *Provided*, Said tract of land is donated to the State of Washington by good and sufficient warranty deed, to be approved by the attorney general."

Amend section 9 by striking out all after the figure "9," in line 1, down to and including the word "requires," in line 11, and inserting the following:

"For the purpose of carrying out the provisions of this act, the sum of twenty thousand dollars (\$20,000) is hereby appropriated out of any money in the state treasury not otherwise appropriated."

Respectfully submitted.

ALEX. CAMERON, Chairman,  
M. ANDERSON,  
WM. N. McNEW,  
C. J. MOORE,  
J. B. SMITH.

The report of the committee, recommending certain amendments, was adopted.

The bill was read the second and third times in full.

On motion, final action on the bill was deferred, the bill to retain its place on the calendar.

The regular order was taken up, and House bill No. 295, An act to provide for the punishment of the crime against nature, was considered and read the second time.

On motion, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 70, nays 1, absent 7.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Nay: Mr. Mays.

Absent: Messrs. Bush of Chehalis, Heliker, Roth, Sallee, Turpin, Weed, and White.

The emergency clause passed by the following vote: Yeas 72, nays 0, absent 6.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Cameron, Heliker, Roth, Sallee, Turpin, and White.

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

House bill No. 301, An act to regulate the operating of railroads, substitute for House bill No. 54, was read the second time in full.

Mr. Letterman presented the following amendment: Line 5, section 2, strike out "or whistling."

The amendment was adopted.

By Mr. McMillan: Amendment to House bill No. 301; line 2, section 18, after the word "car" insert "containing passengers."

The amendment was adopted.

Amendment by Mr. Smith, of Douglas: Amend section 13, line 1, by adding after the word "substance," "or discharge fire arms."

The amendment was adopted.

Mr. Baker moved to amend the bill by inserting the word "maliciously" after the word "shall," in line 1 of section 13.

The amendment was adopted.

• On motion of Mr. Morrison, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 53, nays 17, absent 8.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Greenberg, Hoole, Hurd, Karr, Keller, Kline, Ludden, Mead, Mentzer, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Pierce of Klickitat, Rinehart, Roscoe, Roth, Scott, Shadle, Sherman, Smith of Douglas, Smithson, Speck, Tucker, Washburn, Weed, Westfall, Wheeler, White, Winchell, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Denn, Edwards, Green, Hamill, Kelly, Leo, Letterman, Mays, Merchant, Mulkey, Payne, Sallee, Shelton, Smith of Okanogan, Tull, and Woodworth.

Absent: Messrs. Heliker, Judson, Meany, Neergaard, Pierce of Lewis, Temple, Turpin, and Webb.

The title was amended by adding the words "and prescribing penalties for the violation of the provisions thereof," and as amended was approved.



## REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER:

We your Committee on Education, to whom was referred Senate bill No. 180, entitled "An act to amend sections 1 and 2 of 'An act to regulate, restrain, license or prohibit the sale of intoxicating liquors,'" have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be referred to Committee on Revenue and Taxation.

Respectfully submitted.

C. F. WESTFALL, Chairman.

The bill was referred as requested.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 28, 1893.

MR. SPEAKER:

The president of the Senate has signed Senate bill No. 165.

The Senate has passed Senate bill No. 271, entitled "An act supplementary to an act providing for the management of the exhibits of the State of Washington at the World's Fair."

Also, Senate bill No. 188, Preventing the running at large of domestic animals in cities of the fourth class.

Also, Senate bill No. 210, Establishing a bureau of statistics, immigration and agriculture.

Also, House bill No. 95, Providing that packages of fish must be marked or branded, with amendments as noted in printed bill attached.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The speaker signed Senate bill No. 165 in open session of the House.

On motion of Mr. Webb, the House concurred in Senate amendments to House bill No. 95.

The statement of the mileage and expense incurred by the agricultural college investigating committee was read and referred to Committee on Mileage and Contingent Expenses.

On motion of Mr. Roscoe, the House took a recess at 11:50 A. M., subject to the call of the speaker for the joint session.

The speaker called the House to order at 12 o'clock noon.

## JOINT SESSION.

The senators appearing at 12 o'clock noon, the speaker invited the honorable senators to seats within the bar and the president of the senate to preside.

The roll was called; the following senators and representatives

were absent: Senators Ide, McCroskey, Rutter, Van Houten, and Van De Vanter, and Mr. Hoole.

On motion of Senator Claypool, the rules were suspended, the reading of the joint journal of yesterday was dispensed with, and the same was approved.

PAIRS ANNOUNCED.

Anderson of Whitman and McCroskey, Ide and Van De Vanter, Rutter and Van Houten.

No election occurring at yesterday's joint session, the president instructed the clerk to call the roll for the eighty-fourth joint ballot.

EIGHTY-FOURTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 22 votes.

C. W. Griggs received 25 votes.

J. C. Van Patten received 9 votes.

R. O. Dunbar received 1 vote.

B. L. Sharpstein received 1 vote.

Those voting for John B. Allen were: Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, McManus, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. N. W. Bush voted for R. O. Dunbar.

Senator Hutchinson voted for B. L. Sharpstein.

The president announced that no person had received the neces-

sary number of votes to elect a United States senator, and instructed the clerk to call the roll for the eighty-fifth joint ballot.

## EIGHTY-FIFTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 22 votes.

C. W. Griggs received 24 votes.

J. C. Van Patten received 9 votes.

R. O. Dunbar received 1 vote.

B. L. Sharpstein received 1 vote.

R. C. McCroskey received 1 vote.

Those voting for John B. Allen were: Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Horr, Karr, Keller, Kellogg, Kelly, Kinneer, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

Senator Hutchinson voted for B. L. Sharpstein.

Senator McManus voted for R. C. McCroskey.

No person having been elected United States senator, the president dissolved the joint session at 12:20 P. M., to meet to-morrow, Tuesday, at 12 o'clock noon.

Mr. Roscoe presented the following resolution, which was adopted:

WHEREAS, The members of the legislature on Saturday and Sunday last accepted the hospitality of the city of Seattle, and were most royally

entertained by the chamber of commerce of said city and by the citizens of Seattle: therefore,

*Be it resolved by the House, the Senate concurring,* That we do in this manner express our appreciation thereof.

On motion of Mr. Mead, the House took a recess at 12:25 P. M., until 2 o'clock.

#### AFTERNOON SESSION.

The speaker called the House to order at 2 o'clock.

The roll was called; all the members present except Mr. Westfall.

#### PETITIONS, MEMORIALS, REMONSTRANCES, ETC.

By Mr. Edwards: Petition from citizens and taxpayers of Wilkeson praying for passage of House bill No. 134.

Referred to Committee on Labor and Labor Statistics.

Also, similar petition by Mr. Denn, from citizens of Colfax.

Also, by Mr. Egbert, from citizens of Edison.

Also, by Mr. McMurphy, from citizens of Chehalis.

By Mr. Webb: Remonstrance against passage of any bill preventing fire insurance companies from combining to regulate rates, etc., signed by A. B. Stewart and 18 others.

Referred to Committee on Insurance.

By Mr. Kline: Petition praying for a division of Okanogan county and forming the new county of Wenatchee, signed by James Orwin and 1,000 others.

Referred to Committee on Counties.

#### MESSAGES FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, February 24, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN—I have this day signed and approved the following:

House bill No. 234, entitled "An act providing for the sale of personal property belonging to the state."

House bill No. 66, entitled "An act to establish a state normal school in the county of Whatcom."

I have the honor to be, very respectfully, your obedient servant,

J. H. MCGRAW, Governor.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, February 27, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN—I have this day approved and signed the following:

House bill No. 106, entitled "An act relating to wills, and the custody, control and delivery thereof, and defining the crime of suppressing, secreting or destroying any last will and testament, and providing for the punishment thereof."

House bill No. 163, entitled "An act to amend section 1 of an act entitled 'An act relative to filling vacancies in the board of county commissioners,' approved November 23, 1883, the same being section 274 of volume 1 of Hill's Annotated Statutes and Codes of Washington, and declaring an emergency."

House bill No. 171, entitled "An act to amend section 2 of an act entitled 'An act providing for the payment of certain expenses of and the manner in which the salaries of the judges of the supreme and superior courts shall be paid, and declaring an emergency to exist,' approved January 27, 1890, and declaring an emergency to exist for the passage of such amendatory act."

House bill No. 62, entitled "An act for the detention of domestic animals doing damage, and giving a lien for damages upon such animals."

I have the honor to be, very respectfully, your obedient servant,

J. H. MCGRAW, Governor.

## REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred House bill No. 297, entitled "An act regulating the erection of mill dams," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do not pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The report of the committee was adopted.

## REPORT OF COMMITTEE ON FISHERIES AND GAME.

MR. SPEAKER:

We, your Committee on Fisheries and Game, to whom was referred House bill No. 102, entitled "An act to amend sections 274 and 279 of the Penal Code of 1891, relating to protection of food fishes, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be indefinitely postponed for the reason that a large portion of its provisions should, to be effective, be a matter of legislation by both the legislature of Washington and that of Oregon.

Respectfully submitted.

A. S. BUSH, Chairman.

The report of the committee was adopted.

The following Senate bills were read first time and referred:

\*Senate bill No. 125, by Senator Kinnear: An act providing for publication, distribution and sale of supreme court reports of the State of Washington.

Referred to Committee on Judiciary.

Senate bill No. 188, by Senator Helm: An act authorizing municipal corporations of the fourth class to prevent and regulate the running at large of any and all domestic animals within the corporate limits of such incorporations or any part thereof, and declaring an emergency.

Referred to Committee on Municipal Corporations.

Senate bill No. 210 (substitute Nos. 92 and 157), by Committee on Labor and Labor Statistics: An act to establish a bureau of statistics and immigration, and declaring an emergency.

Referred to Committee on Labor and Labor Statistics.

Senate bill No. 45, by Senator Forsyth: An act to establish a state normal school at Kelso.

Referred to Committee on Normal Schools.

On motion of Mr. Gilman, Senate bill No. 21 was recommitted to Judiciary Committee, with instructions to report immediately.

On motion of Mr. Baker, the vote whereby House bill No. 235 failed to pass was reconsidered.

Mr. Baker moved to lay the report of the committee on the table.

The motion did not prevail.

House bill No. 235, An act to abolish the office of lieutenant governor, passed the House by the following vote: Yeas 47, nays 24, absent and not voting 7.

Yeas: Messrs. Anderson of Pierce, Anderson of Whitman, Baker, Burton, Bush of Chehalis, Collin, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Kline, Leo, Letterman, Luden, Mays, Moore, Morrison, Mulkey, McElwain, McKenzie, Neergaard, Nelson, Payne, Roscoe, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Weed, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Whatcom, Brock, Bush of Pacific, Cameron, Crockett, Keller, Kelly, Mead, Meany, Mentzer, Merchant, McMillan, McMurphy, McNew, Pierce of Klickitat, Pierce of Lewis, Rinehart, Sallee, Shadle, Sherman, Webb, Wheeler, White, and Winchell.

Absent: Messrs. Gilman, Heliker, Nash, Roth, Turpin, Washburn, and Westfall.

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

On motion of Mr. Meany, the House took under consideration Senate bill No. 271, by Joint World's Fair Committee, Relating to collection, exhibition and maintenance of the products of the State of Washington, under suspension of the rules.

The bill was read the first time by title, and the second time in full.

On motion of Mr. Meany, the bill was made a special order for to-morrow (Wednesday) at 2 o'clock P. M., and the committee reports were ordered printed.

Mr. McMillan moved that House bill No. 445 be made a special order for next Thursday at 1 o'clock P. M.

The motion prevailed.

The regular order on the calendar was resumed.

House bill No. 302 (substitute for House bills Nos. 1, 2, 43, 80, 127, 138 and 192): An act relating to roads and highways, was read the second time in full.

Amendment proposed by Mr. Hurd: After word "Canada," line 3, section 4 of printed bill, add "Chinese and bull."

The amendment was adopted.

Mr. Keller presented the following amendment: Strike out "biennially" and substitute therefor "annually," in line 3 of section 2.

The amendment was adopted.

Amendment by Mr. Karr: Section 2, line 4, change "two years" to read "one year."

The amendment was adopted.

Amendment by Mr. Pierce of Klickitat: Strike out "and mileage," section 1, line 14.

The amendment was adopted.

Mr. McMurphy presented the following amendment: Section 2, line 3, strike out the word "four" and insert the word "three."

The amendment was adopted.

Amendment by Mr. Pierce, of Lewis: After the word "implement," in line 13, section 9, add the words "when furnished with team."

The amendment was adopted.

Amendment by Mr. Neergaard: Strike out the word "July" in

line 5, section 6, and insert in lieu thereof "December;" strike out the word "July" in line 2, section 9, and insert in lieu thereof "December."

The amendment was adopted.

Amendment by Mr. Tucker: In line 3 of section 2, after the word "supervisor," add "in each road district."

The amendment was adopted.

Amendment by Mr. Morrison: Amend section 15, line 3, by inserting after the word "poll," "and property."

The amendment was adopted.

Amendment by Mr. Shelton: Amend section 13; in line 12 strike out all after the word "money" to and including line 16.

The amendment was adopted.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 64, nays 8, absent 6.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Neergaard, Nelson, Payne, Pierce of Lewis, Roscoe, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Weed, Westfall, White, and Mr. Speaker.

Nays: Messrs. Gilman, Ludden, Meany, Rinehart, Roth, Webb, Wheeler, and Woodworth.

Absent: Messrs. Nash, Pierce of Klickitat, Sallee, Turpin, Washburn, and Winchell.

The emergency clause passed by the following vote: Yeas 68, nays 5, absent 5.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Mentzer, Merchant, Moore, Morrison,



Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Webb, Weed, Westfall, Wheeler, and Mr. Speaker.

Nays: Messrs. Ludden, Meany, Rinehart, Roth, and Woodworth.

Absent: Messrs. Collin, Turpin, Washburn, White, and Winchell.

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

### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., February 28, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 45, entitled "An act establishing a state normal school at the town of Kelso, Washington," and the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

### REPORTS OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following bills have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 237, entitled "An act concerning the manner of electing county commissioners, and amending sections 272 and 266 of the first volume of Hill's Statutes and Codes of Washington."

House bill No. 278, An act to amend sections one and seven 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," and declaring an emergency.

House bill No. 285, entitled "An act to amend section 2650 of the Code of Washington of 1881, relating to the scalement and measurement of logs, and declaring an emergency."

House bill No. 95, entitled "An act making it a misdemeanor to sell or offer for sale, within the State of Washington, cans, cases or packages of fish that are not plainly branded or marked on their exterior."

House bill No. 216, entitled "An act to provide means for the validation of certain warrants and other evidences of indebtedness on the part of cities and towns, issued by the corporate authorities thereof in excess of their legal authority, in cases where any such city or town has, since such attempted incurring of indebtedness, or may hereafter, become consolidated with any other city or town, or has annexed, or may hereafter annex, any new territory, and declaring an emergency."

House bill No. 333, An act relating to legal publication.

Respectfully submitted.

J. B. McMILLAN, Chairman.

The speaker signed House bills Nos. 95, 216, 237, 278, 285 and 333 in open session of the House.

Resolution by Mr. Shadle:

*Resolved*, That the sergeant-at-arms be instructed to have the lights repaired, so the House may hold night sessions.

The resolution was adopted.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 21, entitled "An act to regulate the mode of procedure to acquire, take or damage private property by municipal corporations, and of ascertaining and securing compensation therefor, and repealing laws in conflict with this act, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that as amended it do pass.

Amendment to Senate bill No. 21: Amend title by inserting after the word corporations, in second line, the words "except cities of the first class."

Respectfully submitted.

W. H. LUDDEN, Chairman.

We concur in this report:

ROTH,  
NASH,  
MCELWAIN,  
PAYNE.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred Senate bill No. 21, entitled "An act to regulate the mode of procedure to acquire, take or damage private property by municipal corporations, and of ascertaining and securing compensation therefor, and repealing laws in conflict with this act, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as follows:

First amendment: Strike out the words "to regulate," in first line of title, and insert in lieu thereof the words "giving the power and regulating."

Second amendment: Insert after the word "corporations," in line 2 of title, the words "except cities of the first class," and strike out the words "declaring an emergency" from line 3 of title.

Third amendment: In line 1 of section 1 strike out the words "any municipal corporation," and insert in lieu thereof the words "municipal corporations, except cities of the first class, are hereby empowered and."

Fourth amendment: After the word "acquire," in line 1 of section 1, insert the word "condemn."

Fifth amendment: After the word "property," in line 2 of section 1, insert the words "for public corporate uses and for such purposes."

And that as so amended the bill do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Gilman, the report of the committee, with amendments, was adopted.

The bill was read as amended.

On motion of Mr. Roscoe, the rules were suspended, the reading just had was considered the third, and the bill was placed on its final passage.

The bill passed by the following vote: Yeas 72, nays 0, absent 6.

Yeas: Messrs. Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whitman, Col-  
lin, Letterman, Pierce of Lewis, and Washburn.

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

On motion of Mr. Anderson, of Pierce, the House adjourned at 4:55 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## FIFTY-SECOND DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Wednesday, March 1, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.

The roll was called; all the members were present except Mr. Sallee.

Mr. Nash moved that the reading of yesterday's journal be dispensed with and the same stand approved.

### PETITIONS, MEMORIALS AND REMONSTRANCES.

By Mr. Burton: Petitions from citizens of Everett, praying for the passage of House bill No. 134.

Referred to Committee on Labor and Labor Statistics.

By Mr. Bush, of Pacific: Petition from John Tummings and others praying for settlement of Indian war claims.

Referred to Committee on Federal Relations.

By Mr. Edwards: Petition from Olympia Lodge, No. 1, I. O. O. F., praying for passage of House bill No. 452.

Referred to Committee on Education.

### PROPOSITIONS, MOTIONS, ETC.

Resolution introduced by Mr. Webb:

*Resolved*, That a committee of seven members be appointed, whose duty it shall be from day to day to examine the calendar and recommend bills for each day's consideration; and

*Resolved*, That the bills so recommended shall take precedence on the calendar of the succeeding day over all measures except special orders.

Mr. Baker moved to indefinitely postpone the resolution.

The House refused to indefinitely postpone by a divisional vote of 49 to 13.

Mr. Temple moved to amend by striking out the word "seven" and insert "thirteen."

The amendment was adopted.

The resolution as amended was adopted, on motion of Mr. Rinehart, by a divisional vote of 59 to 3.

Resolution introduced by Mr. Winchell:

WHEREAS, The evidence submitted by the joint legislative committee on investigation of the World's Fair commission is made up in part from records belonging to the said World's Fair commission: therefore, be it

*Resolved*, That it is the sense of this House that said testimony shall be returned to said World's Fair commission to be a part of its records, at the close of the present session of the legislature.

The resolution was adopted.

Mr. Tucker presented the following:

*Resolved by the House of Representatives*, That the time allowed to any member to speak upon questions before the House be limited to five minutes.

Mr. Tucker gave notice that he would move to amend the rules and orders of the House to correspond with the above at to-morrow's session.

On motion of Mr. Weed, the House took under consideration House bill No. 147, by Mr. Webb, An act concerning a state agricultural fair for the State of Washington, and declaring an emergency.

The bill having been read the second and third times at yesterday's session, was read again, on motion of Mr. Weed, for information.

On motion of Mr. Weed, the vote whereby House bill No. 147 passed the third reading was reconsidered, and the bill was open for further amendment.

Mr. Letterman presented the following amendments:

Section 6 in line 6, strike out the word after be; also in the same line and section, strike out the word after level as may be.

Section 8 in line 14, strike out the word after bind, "five," insert the word "three" in place thereof.

Section 9 in line 8, strike out the word after least, "two," insert the word "four" in place thereof.

Section 9, line 2, strike out figures "\$20,000," insert in place thereof "\$10,000."

The amendments above were adopted.

Amendment by Mr. Egbert: Section 1, line 2, strike out the word "agricultural."

The amendment was adopted.

Amendment by Mr. Mays: Strike out "and living" in section 10, lines 5 and 6.

The amendment was adopted.

Amendment by Mr. Cameron: Section 8, line 2, strike out "May" and insert "April."

The amendment was adopted.

Amendment by Mr. Baker: Moved that the word "agricultural" wherever it occurs in connection with state fair in the bill shall be stricken out.

The amendment was adopted.

Amendment by Mr. Gilman:

Substitute for section 11: "SEC. 11. No expenditure shall be made or indebtedness contracted by the commissioners in excess of the amount herein appropriated, and any indebtedness so contracted shall be void."

The amendment was adopted.

Amendment by Mr. Sallee: Section 2, line 4, to read "within two miles of North Yakima."

The amendment was adopted.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 65, nays 10, absent 3.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Edwards, Egbert, Farrish, Greenberg, Heliker, Hoole, Hurd, Karr, Keller, Kelly, Kline, Letterman, Luden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Crockett, Denn, Durant, Edmonds, Foster, Gilman, Green, Hamill, Leo, and Neergaard.

Absent: Messrs. Cowan, Judson, and Roth.

The emergency clause passed by the following vote: Yeas 68, nays 0, absent 10.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Edwards, Egbert, Farrish, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Kelly, Leo,

Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Collin, Cowan, Crockett, Denn, Durant, Edmonds, Foster, Keller, Kline, and Payne.

On motion of Mr. Mead, the title was amended to read "An act to establish a state fair for the State of Washington, making an appropriation therefor, and declaring an emergency," and as amended the title was approved.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 261, entitled "An act amending section 2331 of the Code of 1881, relating to the filing and cancellation of plats."

The president of the Senate has signed House bill No. 278.

Also, House bill No. 333.

Also, House bill No. 285.

Also, House bill No. 95.

Also, Senate bill No. 95.

Also, House bill No. 237.

Also, House bill No. 216.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The speaker signed Senate bill No. 95 in open session of the House.

#### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 370, entitled "An act to regulate the rate of interest by agreement or otherwise, and penalty for violation thereof," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to the Judiciary Committee.

Respectfully submitted.

D. W. PIERCE, Chairman.

Report adopted.

REPORT OF COMMITTEE ON COMPENSATION AND FEES OF  
STATE AND COUNTY OFFICERS.

MR. SPEAKER:

We, your Committee on Compensation and Fees of State and County Officers, to which was referred House bill No. 422, entitled "An act relating to state officers," respectfully reports the bill back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

D. W. McMURPHY, Chairman.

The report of the committee was adopted.

REPORT OF COMMITTEE ON STATE, SCHOOL AND GRANTED  
LANDS.

MR. SPEAKER:

We, your Committee on State, School and Granted Lands, to whom was referred House bill No. 120, entitled "An act in relation to sale of school land upon which there is improvements," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed, for the reason that the provisions of this bill are embodied in a general act reported favorably by the Joint Committee on State, School and Granted Lands, and now introduced in the Senate.

Respectfully submitted.

J. E. TUCKER, Chairman,

A. S. MCKENZIE,

D. W. McMURPHY,

C. L. WEBB.

The report of the committee was adopted.

REPORTS OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 410, entitled "An act to authorize the making of bonds and other written obligations for the payment of money payable in any specific kind or quality of money that may be therein designated," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

D. W. PIERCE, Chairman.

The report of the committee was adopted.

MR. SPEAKER:

Your Committee on Revenue and Taxation, to which was referred House bill No. 170, entitled "An act relating to the taxation of mortgages, notes, bonds and other securities, and providing for the proper assessment thereof," respectfully reports the bill back to the House, with the recommendation that it be indefinitely postponed, as the subject matter is contained in the revenue law.

D. W. PIERCE, Chairman.

The report of the committee was adopted.



MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 206, entitled "An act fixing a legal and contract rate of interest, and prescribing a penalty for the taking of usury," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed, as this subject is treated in other bills.

Respectfully submitted.

D. W. PIERCE, Chairman.

Report adopted.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 300, entitled "An act to amend an act entitled 'An act to provide for the assessment and collection of taxes in the State of Washington,'" have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be indefinitely postponed, as subject matter is contained in the revenue law.

Respectfully submitted.

D. W. PIERCE, Chairman.

Report adopted.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 324, entitled "An act prescribing forms to be used in the sale of real estate for delinquent taxes," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be indefinitely postponed.

Respectfully submitted.

D. W. PIERCE, Chairman.

Report adopted.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 253, entitled "An act to amend section 74 of 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 House with the recommendation that it be indefinitely postponed, as subject matter is contained in other bills.

Respectfully submitted.

D. W. PIERCE, Chairman.

Report adopted.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 214, entitled "An act to amend chapter 140 of the Laws of 1891, approved March 9, 1891, relating to the assessment and collection of taxes," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do not pass.

Respectfully submitted.

D. W. PIERCE, Chairman.

The report of the committee was adopted.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 298, entitled "An act providing for the levy and collection of an inheritance tax," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do not pass.

Respectfully submitted.

D. W. PIERCE, Chairman.

The roll was called on the adoption of the report of the committee on House bill No. 298, "An act in relation to an inheritance tax."

The House refused to adopt the report of the committee by the following vote: Yeas 31, nays 39, absent and not voting 8.

Yeas: Messrs. Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Edmonds, Green, Heliker, Hoole, Hurd, Karr, Kelly, Leo, Ludden, Mead, Merchant, McMurphy, McNew, Nash, Neergaard, Pierce of Klickitat, Rinehart, Sallee, Shadle, Shelton, Sherman, Tucker, Turpin, and Woodworth.

Nays: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Foster, Gilman, Greenberg, Judson, Mays, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, Nelson, Payne, Pierce of Lewis, Roscoe, Roth, Scott, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, and Mr. Speaker.

Absent: Messrs. Farrish, Hamill, Keller, Kline, Letterman, Meany, Mentzer, and Tull.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 167, entitled "An act to provide for the manner of commencing civil actions in the superior courts, and bringing the same to trial."

And the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

Senate bill No. 167 (substitute for Senate bill No. 65), An act to provide for the manner of commencing civil actions in the superior courts, and bringing the same to trial, was read first time and referred to Committee on Judiciary.

Senate bill No. 261, by Committee on Public Revenue and Taxation, An act amending section 2331, Code of 1881, Laws of the

State of Washington, relating to the filing and cancellation of plats, and declaring an emergency, was read first time and referred to Committee on Revenue and Taxation.

Senate bill No. 260, by Committee on Public Revenue and Taxation, An act to provide for the assessment and collection of taxes in the State of Washington, and declaring an emergency, was read first time and referred to Committee on Revenue and Taxation.

On motion of Mr. Hurd, the House took a recess at 11:50 until the joint session.

The House was called to order at 12 o'clock noon; the speaker in the chair.

#### JOINT SESSION.

The Senate appearing, the speaker invited the honorable senators to seats within the bar, and the president of the Senate to preside.

The roll was called; those absent were Senators Ide, Rutter, Smith, Van Houten, Van De Vanter and Kellogg, and Mr. Hoole.

Senator Campbell moved that the reading of yesterday's journal be dispensed with, and the same stand approved.

The motion prevailed, and yesterday's joint journal was approved.

Pairs announced \*for to-day: Senators Ide and Van De Vanter, Senators Rutter and Van Houten, Senators Smith and Kellogg, Messrs. Sallee and Hoole.

The president announced that no election of United States senator had occurred at yesterday's session, and instructed the clerk to call the roll for the eighty-sixth joint ballot.

#### EIGHTY-SIXTH JOINT BALLOT.

John B. Allen received 46 votes.

George Turner received 21 votes.

C. W. Griggs received 25 votes.

J. C. Van Patten received 9 votes.

C. H. Warner received 1 vote.

R. O. Dunbar received 1 vote.

R. C. McCroskey received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Horr, Karr, Keller, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Ser-

geant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, McCroskey, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)

Mr. N. W. Bush voted for R. O. Dunbar.

Senator Hutchinson voted for C. H. Warner.

Senator McManus voted for R. C. McCroskey.

The president announced that no person had received a majority of the votes cast for United States senator, and instructed the clerk to call the roll for the eighty-seventh joint ballot.

#### EIGHTY-SEVENTH JOINT BALLOT.

John B. Allen received 46 votes.

George Turner received 21 votes.

C. W. Griggs received 25 votes.

J. C. Van Patten received 9 votes.

C. H. Warner received 1 vote.

R. O. Dunbar received 1 vote.

R. C. McCroskey received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Horr, Karr, Keller, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, McCroskey, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

Senator Hutchinson voted for C. H. Warner.

Senator McManus voted for R. C. McCroskey.

No election of United States senator occurring on the eighty-seventh joint ballot, the president dissolved the joint session at 12:25 P. M. to meet to-morrow at 12 o'clock noon.

On motion of Mr. Egbert, the House took a recess at 12:25 P. M. to meet at 2 o'clock.

The House resumed business at 2 o'clock; the speaker in the chair.

The roll was called; all the members were present.

On motion of Mr. Mentzer, House bills Nos. 292 and 293 were made a special order for Friday, March 3d, at 2 P. M.

The speaker announced the following committee to select bills for daily calendar. Messrs. Webb, Ludden, Hoole, Roth, Gilman, Nash, Temple, Pierce of Klickitat, Brock, Shadle, McKenzie, Letterman, and Burton.

#### PETITIONS, ETC.:

By Mr. Anderson, of Whatcom: Petition from citizens of Whatcom county, signed by H. A. Moore and 125 others, Praying for passage of a law for the inspection of stationary engineers and firemen, etc.

Referred to Committee on Railroads.

By Mr. Edwards: Petition from citizens of Wilkeson, Praying for passage of House bill No. 134.

Referred to Committee on Labor.

Mr. Wilson gave notice to amend rule as follows:

No member shall speak longer than two minutes on any question nor more than once, unless by unanimous consent, except the member who shall be entitled to close debate, who may speak twice.

On motion of Mr. Smith, of Okanogan, the House took Senate bill No. 129 from its regular order on the calendar, for consideration.

## REPORT OF COMMITTEE ON MINES AND MINING.

MR. SPEAKER:

We, your Committee on Mines and Mining, to whom was referred Senate bill No. 129, An act to amend section 2213 of title 25, chapter 2 of volume 1, Statutes of the State of Washington, relating to the location and registration of mines, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass, and that it take the place on the calendar of House bill No. 224, on which your committee have already reported favorably, and which covers the same ground, and that it be amended as follows: Strike out lines 3 and 4, section 2 of the printed bill, and place in lieu thereof the words annexed to the bill herewith reported.

Respectfully submitted.

MILLO KELLY, Chairman.

On motion, the report of the committee was adopted.

The bill was read the second time in full.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 73, nays 0, absent 5.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Lewis, Rinehart, Roscoe, Roth, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Crockett, Pierce of Klickitat, Sallee, Scott, and Smithson.

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

On motion of Mr. Smith, of Okanogan, the chief clerk was instructed to transmit Senate bill No. 129 to the Senate forthwith.

On motion of Mr. Mentzer, House bill No. 254 was indefinitely postponed.

On motion of Mr. Rinehart, House bill No. 260 was taken under consideration by the House.

## REPORT OF COMMITTEE ON MEDICINE, HYGIENE AND SURGERY.

MR. SPEAKER:

We, your Committee on Medicine, Hygiene and Surgery, to whom was referred House bill No. 200, entitled "An act to amend section 8, chapter 153, of the Session Laws of 1891, State of Washington, regulating the practice of pharmacy," and approved March 9, 1891, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

J. H. RINEHART, Chairman.

The bill was read the second time in full.

Amendment by Mr. Rinehart:

"SEC. 2. An emergency exists for the immediate operation of this act; therefore, this act shall be in force from and after its approval by the governor."

Also, amend title to read: "And declaring an emergency."

The amendment was adopted.

On motion of Mr. Rinehart, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 71, nays 0, absent 7.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Collin, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Cameron, Cowan, Crockett, Denn, Payne, Sallee, and Scott.

The emergency clause passed by the following vote: Yeas 71, nays 0, absent 7.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Greenberg, Hamill, Heliker,

Hoole, Hurd; Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Neergaard, Nelson, Payne, Pierce of Klickitat, Rinehart, Roscoe, Roth, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Crockett, Gilman, Nash, Pierce of Lewis, Sallee, Scott, and Weed.

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

On motion of Mr. Hoole, the House took under consideration House bill No. 337.

REPORT OF COMMITTEE ON COMPENSATION AND FEES OF  
STATE AND COUNTY OFFICERS.

MR. SPEAKER:

We, your Committee on Compensation and Fees of State and County Officers, to whom was referred House bill No. 337, entitled "An act prescribing that all fees which are paid salaried officers by virtue of their office shall be paid into the county treasury, and prescribing a penalty for a failure to do so," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

D. W. MCMURPHY, Chairman.

The bill was read the second time in full.

Amendment to House bill No. 337, by Mr. Mead: "Add section 3, consisting of an emergency clause."

The amendment was adopted.

Amendment by Mr. Letterman: "Section 2, line 5, add the word 'year' after the word 'one.'"

The amendment was adopted.

Amendment by Mr. Bush, of Chehalis: "Amend the title by adding thereto 'and declaring an emergency.'"

The amendment was adopted.

On motion of Mr. Hoole the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 74, nays 0, absent 4.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of



Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Foster, Heliker, Sallee, and Westfall.

The emergency clause passed by the following vote: Yeas 76, nays 0, absent 2.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Heliker and Westfall.

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

On motion of Mr. Hoole, the chief clerk was instructed to transmit the bill to the Senate immediately.

The Committee on Labor and Labor Statistics were excused from the afternoon session.

The agricultural college investigating committee were also excused.

The Committee on Appropriations were also excused.

#### SPECIAL ORDER.

The hour of 2 o'clock having arrived, the House took under consideration Senate bill No. 271.

The bill was read the second time in full.

Mr. Judson presented the following amendment: Strike out section 2 and insert in lieu thereof "that the governor shall appoint three commissioners who shall constitute a commission for the purpose of carrying out the objects of this act, and the act to which it is supplementary."

The amendment was lost by a divisional vote of 35 against and 14 for.

On motion of Mr. Meany, the rules were suspended and Senate bill No. 271, An act supplementary to an act entitled "An act to provide for the collection, exhibition and maintenance of the products of the State of Washington at the World's Columbian Exposition in 1893," approved March 7, 1891, making an appropriation therefor, and declaring an emergency, was read third time and placed on final passage.

The bill passed by the following vote: Yeas 67, nays 5, absent 6.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Edmonds, Edwards, Farish, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Burton, Denn, Foster, Scott, and Smith of Douglas.

Absent: Messrs. Durant, Egbert, McElwain, Sallee, Speck, and Wheeler.

The emergency clause passed by the following vote: Yeas 66, nays 1, absent 11.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Denn, Edmonds, Edwards, Farish, Foster, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Temple, Tucker,

Tull, Turpin, Washburn, Webb, Weed, Westfall, White, Winchell, Woodworth, and Mr. Speaker.

Nay: Mr. Scott.

Absent: Messrs. Crockett, Durant, Egbert, Gilman, Judson, Kline, Rinehart, Sallee, Smithson, Speck, and Wheeler.

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

On motion of Mr. White, the House took under consideration House bill No. 349, An act prescribing the way in which waterways for the uses of navigation may be executed 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, and making a grant of certain lands, and declaring an emergency.

#### REPORT OF COMMITTEE ON HARBORS AND WATERWAYS.

MR. SPEAKER:

We, your Committee on Harbors and Waterways, to whom was referred House bill No. 349, entitled "An act prescribing the way 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, and making a grant of certain lands, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass, with the following amendments:

First: By striking from the title of the bill the following words: "And making a grant of certain lands."

Second: In section 2, line 5, by inserting after the word "located," "to be approved by said commissioner of public lands."

Third: In section 4, line 5, by striking out the words, after the word "blocks," "abreast of any completed section of said waterway," and inserting the following words: "so filled in and raised above high tide." Also, in line 16, after the word "state," by striking out the balance of the section.

Fourth: By striking out all of section 7.

Respectfully submitted.

We concur in this report:

M. ANDERSON, Chairman.

W. R. HOOLE,

A. WOODWORTH,

W. D. E. ANDERSON,

ELLIS MORRISON,

WILL. R. WHITE.

The report of the committee recommending amendments was adopted.

The bill was read the second time by title.

On motion of Mr. White, the rules were suspended, the bill was considered engrossed, read the third time and placed on its final passage.

Mr. Gilman moved that the House reconsider the motion whereby House bill No. 349 was read the third time, and the bill be made a special order for Friday, March 3, at 10 o'clock A. M.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 260, entitled "An act providing for the assessment and collection of taxes in the State of Washington."

The Senate has concurred in first House amendment to section 2 of Senate bill No. 88, and to a portion of the second amendment to same section.

The Senate requests that the House recede from that part of the second amendment indicated in the bill.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The House refused to recede from its amendments to Senate bill No. 88, and the speaker appointed as a committee of conference Messrs. Turpin, Bush of Pacific, and Wheeler.

On motion of Mr. McMillan, the House took under consideration Senate bill No. 161.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred Senate bill No. 161, entitled "An act to repeal section 237 of chapter 6, title 5, volume 1, of the General Statutes and Codes of Washington, as arranged and annotated by William Lair Hill, relating to the taking of a census biennially by the county assessor," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The bill was read the second time in full.

On motion of Mr. McMillan, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 64, nays 0, absent 14.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, An-

derson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Collin, Crockett, Denn, Edmonds, Edwards, Farrish, Foster, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Temple, Tucker, Tull, Washburn, Webb, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Durant, Egbert, Gilman, Judson, Kline, Mulkey, Payne, Pierce of Lewis, Rinehart, Roscoe, Smithson, Speck, Turpin, and Weed.

The emergency clause passed by the following vote: Yeas 66, nays 0, absent 12.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Neergaard, Nelson, Payne, Pierce of Klickitat, Rinehart, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Temple, Tucker, Tull, Turpin, Washburn, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Burton, Crockett, Kline, Mulkey, Nash, Pierce of Lewis, Roscoe, Sallee, Smithson, Speck, Webb, and Weed.

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

On motion of Mr. Pierce, of Klickitat, the Committee on Revenue and Taxation were excused.

On motion of Mr. Roth, the House took under consideration House bill No. 417.

#### REPORT OF COMMITTEE ON COUNTIES.

MR. SPEAKER:

Your Committee on Counties, to whom was referred House bill No. 417, entitled "An act to provide for the economical management of county affairs," respectfully reports the bill back to the House with the recommendation that it do pass with the following amendments:

By adding to section 2: "*Provided further*, That the fees properly chargeable to counties shall be included in the total of the earnings of such offices."

Also, by striking out all of section 3.

EUGENE BROCK, Chairman,  
 F. M. TULL,  
 JOHN F. GREEN,  
 J. SALLEE,  
 G. W. TEMPLE,  
 ALEX. CAMERON,  
 C. M. PIERCE,  
 W. D. E. ANDERSON,  
 M. ANDERSON.

The report of the committee, with amendments, was adopted.

On motion of Mr. Roth, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 58, nays 8, absent 12.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific; Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Greenberg, Hamill, Heliker, Hoole, Judson, Karr, Keller, Letterman, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McNew, Nelson, Payne, Pierce of Klickitat, Rinehart, Roscoe, Roth, Scott, Shadle, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Tucker, Tull, Webb, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Burton, Hurd, Kelly, McMillan, McMurphy, Neergaard, Shelton, and Turpin.

Absent: Messrs. Collin, Gilman, Kline, Leo, Ludden, Nash, Pierce of Lewis, Sallee, Temple, Washburn, Weed, and White.

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

The House adjourned at 5:30 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## FIFTY-THIRD DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Thursday, March 2, 1893.  
10 o'clock A. M. }

The speaker called the House to order at 10 o'clock A. M.

The roll was called; all the members were present.

Mr. McMillan moved that the rules be suspended, the reading of yesterday's journal be dispensed with, and it stand approved.

The motion prevailed, and yesterday's journal was approved.

Mr. Wellington M. Clark, the speaker of the last territorial House, being present, was invited to a seat to the right of Speaker Arrasmith.

### REPORT OF COMMITTEE ON MILEAGE AND CONTINGENT EXPENSES.

MR. SPEAKER:

Your Committee on Mileage and Contingent Expenses, to whom was referred sundry bills and claims against the state, respectfully report the following claims back to the House, and recommend the payment of the same:

P. H. Neuffer, repairing clock.....	\$1 50
A. Ellis, table.....	6 50
J. W. Arrasmith, telegrams.....	2 00
J. Benson Starr, stationery.....	43 05
R. S. Weston, four cords of wood.....	16 00
R. D. Speck, mileage visiting reform school.....	6 60
P. B. Egbert, mileage visiting reform school.....	6 60
W. M. Pierce, mileage visiting reform school.....	6 60
C. M. Pierce, mileage in visiting soldiers' home.....	10 40
E. H. Letterman, mileage in visiting soldiers' home.....	10 40
A. Woodworth, mileage in visiting soldiers' home.....	10 40
H. W. Greenberg, mileage in visiting soldiers' home.....	10 40
M. P. Hurd, mileage in visiting soldiers' home.....	10 40
D. W. Pierce, mileage in visiting soldiers' home.....	10 40
D. F. Anderson, mileage as member of committee to investigate the affairs of the agricultural college.....	111 20
W. P. McElwain, mileage as member of committee to investigate the affairs of the agricultural college.....	111 20
O. B. Nelson, mileage as member of committee to investigate the affairs of the agricultural college.....	111 20
C. D. E. Anderson, mileage as member of committee to investigate the affairs of the agricultural college.....	111 20
H. O. Ward, sergeant-at-arms, mileage.....	111 20
C. P. Lund, stenographer.....	111 20
D. F. Anderson, telegraphic service and incidental expenses as per itemized bills on file.....	18 35

Respectfully submitted.

H. F. SMITH, Chairman.

On motion of Mr. Neergaard, the report of the committee was adopted.

On motion of Mr. Morrison, House bill No. 108 was made a special order for this afternoon at 2 o'clock.

By a divisional vote of 53 to 6 the House adopted Mr. Tucker's proposed change to the rules of the House, limiting the speeches or remarks on any one subject to five minutes.

On motion of Mr. Judson, the report of the visiting committee to state hospitals for the insane was ordered printed:

#### REPORT OF COMMITTEE ON HOSPITALS FOR INSANE.

##### MR. SPEAKER:

We, your committee appointed to visit the hospitals for the insane, respectfully beg leave to report as follows:

We found at the Eastern Washington institution, located at Medical Lake, that the conduct of the institution since its opening has been uniformly worthy of commendation. The institution is yet in its infancy, and of necessity has had some expenses that would not attach to one that has been long established. Considerable work has been done in the way of fencing and grading, and the grounds are being put in permanent condition. A new water supply has been put in and is proving satisfactory. A stable, a carriage house, a stock barn and a brick store house and ice house have been constructed and are in use. A temporary airing court has been fenced and set apart for the use of the most violent patients. Temporary sheds have been fitted up for poultry and pigs.

The committee found the farm in prosperous condition, and believes that within a short time it will be self sustaining. There are enough cows now to furnish all the milk needed. Excellent judgment has been displayed in the purchase of stock and farm animals.

The committee recognizes the fact that the directors and the superintendent have done all in their power to render first class service, but affairs have been conducted on too grand a scale, and should be modified somewhat. The furniture, carpets, etc., are somewhat costly, but time may prove that they will be cheaper in the long run. The committee does not seek to criticize severely this feature. The fire protection is excellent. Besides extraordinary precautions in the way of keeping the apparatus always ready for use, thermostats have been fitted up in the most dangerous points. They are connected by wires with a large gong in the center building, and when the temperature of 120 degrees Fahrenheit is reached an alarm is sounded. On the outside five hydrants, two hose carts, extension ladders and other apparatus are always ready for use. Two fire companies have been organized and drill frequently.

The running expenses have been somewhat excessive, but not in all cases unreasonably so. Coal costs 100 per cent. more at Medical Lake than at the other institution, and wood 50 per cent. more. One item of expense for fuel which appears in the report should be explained. Early



in the year there was no wood on hand that was sufficiently seasoned to make steam, so a quantity of coal at \$10 per ton had to be purchased. There are now over 2,000 cords of wood on hand for next year's use. This is paid for and appears among last year's expenditures. Some other items of expense were also necessarily greater.

The committee recommends an appropriation of \$158,750 for the Eastern Washington institution, to be used for the following purposes:

Salaries.....	\$50,000
Maintenance.....	55,000
Three story building and furniture.....	50,000
Isolated building for laundry.....	2,500
Remodeling kitchen wing.....	850
Apparatus for utilizing exhaust steam.....	400
Total.....	\$158,750

The committee recommends that in building the new additions, the plans of the new wing lately built at Steilacoom be followed as closely as possible. The back wing is used mainly for an attendants' dining room and for laundry purposes. By building an isolated house for a laundry at a cost of \$2,500, and changing the present quarters into associate dining rooms, a great saving could be made. That would allow the ward dining rooms to be converted into dormitories capable of accommodating thirty-six more patients. The danger from fire would be lessened, and insurance rates cheapened accordingly.

The expenditure of \$400 for utilizing the exhaust steam would enhance the value of the heating apparatus considerably. The committee recommends that the appropriation for the new building be made not available until May 1, 1894.

#### HOSPITAL AT STEILACOOM.

Many improvements have been made at the institution at Steilacoom. A new wing has been built at a cost of \$40,000. It is a substantial brick structure, and accommodates 160 patients.

The laundry and boiler house has been remodeled and raised another story. Additional machinery has been put in. Two new 60-horse power boilers have been added to the two already in use, and a large smoke stack built. A new dynamo has been purchased.

The farm is just beginning to show what may be done with careful attention to its possibilities. From now on the vegetable and other products used by the asylum will be grown on the land around it. This has not been possible in the past on account of lack of facilities, but the future will do wonders in the way of developing this important adjunct. A new cottage has been built on the new farm to accommodate twenty patients during the summer months, while they are engaged in farm work. Here is a quantity of stock, poultry, hogs, etc., all in excellent condition.

The cost of maintaining the institution has been remarkably light, the expense of boarding patients having been but sixty cents per day per capita. This is the result evidently of excellent management, for the patients have not been stinted, and the dietary has been uniformly good and wholesome. Affairs are getting in much better shape, however, and so the maintenance allowance recommended by your committee was es-

timated on a basis of 53 cents per day per capita. This allowance meets the approval of the trustees and officers of the institution.

The buildings should be painted. One part is unpainted now and the other is in need of it, and so we recommend the allowance of \$1,500 for that purpose.

The committee recommends the appropriation of \$251,660 for the use of the Western Washington institution for the following purposes:

Salaries.....	\$60,000
Maintenance.....	108,960
Oven kitchen, cold storage and ice house.....	10,000
Painting buildings.....	1,500
New building and furniture.....	65,000
Sewerage.....	5,200
Repairs.....	1,000
Total.....	\$251,660

The committee recommends that in the new building the partitions between the hallways and the ward be made of brick. The kitchen is too small and is not as convenient as it might be made. It ought to be enlarged and remodeled. At the same time, and forming a part of the same building, an ice house and cold storage plant could be put in. These are not very expensive and would be of great service in keeping meat, butter, milk, etc., sweet during hot weather. Forming a part of the same building could be made a bakery. The present bakery is too small. The oven is old fashioned and will soon have to be rebuilt.

The sewerage system now empties into a stream. The people living along the banks naturally object. Hence the appropriation of \$5,200 for use in building a sewer to the bay. Terra cotta pipes will be required also to replace the wooden ones now in use. The committee also recommends that the male and female attendants be uniformed in costumes similar to those in use in Eastern Washington.

#### GENERAL OBSERVATIONS.

The sanitary conditions of both institutions are good. The trustees and various officers of both have shown commendable industry and integrity in the management of the affairs. The many employes, too, are deserving of complimentary mention. In no instance has anything appeared that did not reflect credit upon all alike. It would be better if a new system of advertising for bids were adopted, a very brief ad., setting forth that bids would be received on certain articles, and inviting would-be bidders to send for detailed lists, could be printed in a dozen papers cheaper and to better advantage than a long list in one or two papers. It would be well, also, if the mimeographic copies of lists and invitations to bid were sent without solicitation to all the principal wholesale and retail merchants of the state. Some of them might reach the waste basket, but they would do no harm. All of which is respectfully submitted.

WM. N. MCNEW, Chairman.

Concurred in by

C. W. IDE,

S. JUDSON,

Committee Appointed to Visit the Hospitals for the Insane.

## SPECIAL ORDER.

The hour of 10 o'clock having arrived, the House took under consideration House bill No. 445, by Committee on Commerce (substitute for House bills Nos. 287 and 296), An act providing liens upon saw-logs, spars, piles or other timber, and upon lumber and shingles.

The printed bill as amended was substituted for the original.

Mr. McMillan presented the following amendments:

Section 5, line 1, after the word "timber" insert "lumber."

The amendment was adopted.

Section 8, line 4, strike out the words "or shingles."

The amendment was adopted.

Section 19, line 11, after the word "logs" insert "spars, piles," and after the word "lumber" insert "or shingles."

The amendment was adopted.

Line 12, same section, after the word "logs" insert "spars, piles or other," and after the word "timber," "or shingles."

The amendment was adopted.

## NEW SECTION.

SEC. 27. The provisions of this act shall not be construed so as to affect contracts for stumpage made prior to the passage of this act.

The House refused to adopt Mr. McMillan's proposed new section (section 27) by the following vote: Yeas 28, nays 38, absent 12.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Burton, Cowan, Crockett, Denn, Farrish, Foster, Green, Greenberg, Hamill, Hoole, Keller, Kelly, Morrison, McElwain, McMillan, Neergaard, Payne, Pierce of Klickitat, Roscoe, Sherman, Smith of Okanogan, Smithson, Webb, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Durant, Edwards, Egbert, Gilman, Judson, Karr, Leo, Letterman, Ludden, Mays, Mentzer, Merchant, Moore, McKenzie, McMurphy, McNew, Nash, Nelson, Pierce of Lewis, Rinehart, Sallee, Scott, Shadle, Shelton, Smith of Douglas, Speck, Temple, Tucker, Tull, Washburn, and Westfall.

Absent: Messrs. Edmonds, Heliker, Hurd, Kline, Mead, Meany, Mulkey, Roth, Turpin, Weed, Wheeler, and Winchell.

Amendment proposed by Mr. Mead:

Amend sec. 2 by inserting the following in lieu thereof:

"Every person performing work or labor or assisting in manufacturing saw-logs and other timber into lumber, has a lien upon such lumber while

the same remains at the mill where it was manufactured, or in the possession or under the control of the manufacturer, whether such work or labor was done at the instance of the owner of such logs or his agent, or any contractor or sub-contractor of such owner. The term lumber as used in this act shall be held and construed to mean all logs or other timber sawed or split for use, including beams, joists, planks, boards, shingles, laths, staves, hoops, and any article of whatsoever nature or description manufactured from saw-logs or other timber."

The amendment was adopted.

Amendment by Mr. Mentzer: Strike out sec. 17.

The amendment was adopted.

Mr. Gilman presented the following amendment: Add in line 7, sec. 25, after the word "person" the words "*Provided, He be a party to such action.*"

The amendment was adopted.

Proposed amendment by Mr. Gilman: Strike out sec. 14.

The amendment was adopted.

Amendment by Mr. Bush, of Chehalis: Strike out secs. 15 and 16.

The amendment was adopted.

Amendment by Mr. Gilman: Strike out section 5.

The amendment was adopted.

On motion of Mr. McMillan, the House took a recess at 11:55 to meet in joint convention at 12 noon.

The House was called to order at 12 o'clock noon; the speaker in the chair.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 262, Relating to duties of prosecuting attorneys.

Also, Senate bill No. 266, Relating to duties of county treasurers.

Also, Senate bill No. 267, Relating to duties of county commissioners.

Also, Senate bill No. 264, Relating to duties of state auditor.

Also, Senate bill No. 263, Relating to salaries of county officers.

Also, Senate bill No. 265, Relating to duties of county auditors.

Also, House bill No. 86, Regulating practice of dentistry, with amendments to title of bill and sections 2, 4 and 8, as noted in the bill.

Also, House bill No. 72, Relating to the erection of wharves at the terminal of public highways.

Also, Senate concurrent resolution No. 17, Relating to federal immigration law.

Also, House bill No. 159, with amendments as noted.

The Senate has refused to pass:

House bill No. 145, Providing for the appraisement and disposition of school lands, and has introduced a substitute for this and other bills.

The Senate has concurred in House amendment to Senate bill No. 129.

ALLEN WEIR, Secretary.

#### JOINT SESSION.

The Senate appearing, the speaker invited the honorable senators to seats within the bar and the president of the Senate to preside over the joint convention.

The roll was called; all the senators and representatives were present except Senators Rutter, Van De Vanter, Van Houten, and Messrs. Heliker and Hoole.

Mr. Brock moved that the rules be suspended, the reading of yesterday's joint journal be dispensed with, and stand approved.

The motion prevailed, and yesterday's joint journal was approved.

Pairs for to-day — Senators Rutter and Van Houten.

The president instructed the clerk to call the roll for the eighty-eighth joint ballot, as no election of United States senator had occurred at the preceding session.

#### EIGHTY-EIGHTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 23 votes.

C. W. Griggs received 25 votes.

J. C. Van Patten received 9 votes.

R. O. Dunbar received 1 vote.

C. H. Warner received 1 vote.

R. C. McCroskey received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forest, Forsyth, Frink, Gilbert, Hastings, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (D. W. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, McCroskey, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

Senator McManus voted for R. C. McCroskey.

Senator Hutchinson voted for C. H. Warner.

The president stated that no person had received the necessary number of votes to elect a United States senator, and directed the clerk to call the roll for the eighty-ninth joint ballot.

#### EIGHTY-NINTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 23 votes.

C. W. Griggs received 24 votes.

J. C. Van Patten received 9 votes.

R. O. Dunbar received 1 vote.

C. H. Warner received 1 vote.

R. C. McCroskey received 2 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Cowan, Crockett, Donahoe, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, McCroskey, Miller, Mulkey, Payne, Shaw, Shelton, and Smith (H. F.).

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Mr. Bush (N. W.) voted for R. O. Dunbar.

Those voting for R. C. McCroskey were: McManus and Turpin. Senator Hutchinson voted for C. H. Warner.

There being no election of United States senator, the president of the Senate dissolved the joint session at 12:20 P. M., to meet tomorrow at 12 o'clock noon.

On motion of Mr. Hurd, the House took a recess at 12:22 P. M., until 2 o'clock.

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### AFTERNOON SESSION.

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House resumed business at 2 o'clock, the speaker presiding.

The roll was called; Mr. Heliker was absent.

Mr. McElwain was excused for the afternoon.

Mr. Roscoe requested that the following telegram be read:

EVERETT, WASH., March 2, 1893.

*Hon. John E. McManus:*

We have engaged State of Washington to bring state legislators and wives to Everett, leaving Olympia at 2 o'clock Saturday next; free transportation to them, including meals and lodging; Everett & Monte Cristo railway to Snohomish and return; dinner at Everett, and return to Olympia Sunday night. Answer if they will come, and how many approximately, that we may arrange for their comfort.

HENRY HEWITT, JR.

On motion of Mr. Roscoe, the invitation to visit Everett, as set forth in the telegram, was accepted. The invitation also includes the clerks, and all other employes, and the newspaper correspondents.

On motion, Mr. Temple was allowed to present House concurrent resolution No. 21, Providing for the privilege of introducing a general appropriation bill.

House concurrent resolution No. 21 passed the House by the following vote: Yeas 72, nays 0, absent or not voting 6.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Denn, Durant, Edmonds, Edwards,

Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Crockett, McElwain, McMillan, Pierce of Lewis, Turpin, and White.

On motion of Mr. Temple, the chief clerk transmitted the concurrent resolution to the Senate.

#### PETITIONS, ETC.

By Mr. Bush, of Chehalis: Petition from citizens of Aberdeen, praying for passage of House bill No. 136.

By Mr. Egbert: Petition same as above from Gilman.

Both petitions were referred to the Committee on Labor and Labor Statistics.

The House again resumed consideration of House bill No. 445, by Committee on Commerce (substitute for House bills Nos. 287 and 296), An act providing liens upon saw logs, spars, piles or other timber, and upon lumber and shingles.

On motion, the chief clerk was authorized to re-number the sections.

On motion of Mr. McMillan, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 67, nays 2, absent 9.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Leo, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Weed, Westfall, Wheeler, Woodworth, and Mr. Speaker.



Nays: Messrs. Kelly and Meany.

Absent: Messrs. Heliker, Kline, McElwain, Pierce of Lewis, Roth, Turpin, Webb, White, and Winchell.

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

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 83, entitled "An act providing for the management and control of state normal schools."

Also, House bill No. 283; Providing sugar bounty, with amendments as noted.

The Senate has receded from its amendment to House bill No. 236.

The president of the Senate has signed Senate bill No. 218.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The speaker signed Senate bill No. 218 in open session of the House.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL  
NO. 236.

MR. SPEAKER:

We, your committee on conference, to whom was referred House bill No. 236, entitled "An act making it unlawful for any person or persons to buy, sell or give away or manufacture cigarettes or cigarette paper, and providing the punishment for the violation thereof," have had the same under consideration, and we respectfully report the same back, with the recommendation that the Senate recede from its amendment thereto.

Respectfully submitted.

C. E. CLAYPOOL,

Chairman Senate Committee.

C. T. ROSCOE,

Chairman House Committee.

TRUSTEN P. DYER,

J. T. ESHELMAN,

C. L. WEBB,

L. C. GILMAN.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1893.

MR. SPEAKER:

The Senate has passed House concurrent resolution No. 21, entitled "An act permitting the introduction of a general appropriation bill."

Also, Senate bill No. 203, Relating to printing and distribution of ballots.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The House concurred in Senate amendments to House bill No. 86.

The House concurred in the first Senate amendment to House bill No. 283, An act relating to bounties on sugar manufactured in the State of Washington.

The House concurred in Senate amendment to section 4 of House bill No. 283, by the following vote: Yeas 53, nays 20, absent and not voting 5.

House concurred in Senate amendments to House bill No. 159, by Mr. Heliker, "An act for the protection of the public health, and to provide for certain boards of health and regulate their duties."

The roll was called on concurring in the Senate amendment to House bill No. 159, made by adding an emergency clause.

The amendment was concurred in by the following vote: Yeas 69, nays 0, absent or not voting 9.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Rinehart, Roscoe, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Green, Heliker, Kline, McElwain, Pierce of Lewis, Roth, Scott, Turpin, and White.

The following communication was received from the governor this day:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 1, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN—I herewith return to you, without my approval, House bill No. 332, entitled "An act allowing a second appeal to the supreme court in certain cases where persons have been convicted of felony, and declaring an emergency."

This bill is intended to relieve against any hardship that may be imposed upon a person convicted of a felony, when the supreme court declines to hear his appeal on the merits, because a statement of facts or bill of exceptions has not been settled within the time, or in the manner, required by law.

I do not disapprove of the design on the part of your honorable body to relieve a person convicted of felony from the misfortune of being denied a hearing of his appeal on its merits, when such a denial is due to a mischance, not the result of the inexcusable negligence or wantonness of the defendant, or the deliberate design of himself or counsel; but, in my judgment, this bill goes much further than is necessary to relieve against an excusable mischance, and places a premium on the deliberate disregard of the salutary provisions of law relating to the review of proceedings in trial courts. It not only relieves against the consequences of negligence in the past, which, in passing, it may be presumed your honorable body considered excusable, but it invites an utter disregard, in the future, of the most necessary safeguards which the law has provided to secure, for the consideration of the appellate court, a history of the proceedings in the court below. At present, although an appeal in a criminal case may be taken at any time within a year after judgment, the law requires that a statement of facts be settled within sixty days. There is a manifest and laudable purpose in thus requiring a speedy settlement of the statement of facts. It is desirable, if not necessary, that this statement should be settled while the facts which occurred on the trial are fresh in the minds of the judge and other officers of the court, and it is manifestly impracticable to settle such statement after the lapse of many months, during which time the minutes of the trial kept by the court, the attorneys or the stenographer may have become lost, and the incidents which occurred and the testimony given have been effaced from the memory of those present. Yet this bill provides for the settlement of the statement of facts when the first document, purporting to be a statement, has been stricken out by the supreme court, either because it was not settled regularly or lawfully, or because such statement was not "timely."

It seems to me that the word "timely," as used in this bill, can have but one meaning, viz., because it was not settled in time, *i. e.*, within the time required by law; and this bill places no limitation upon the lapse of time beyond the statutory period which shall deprive the defendant of the right to have a statement of facts settled.

I am unable to see why, under the provisions of the bill, a person convicted of a felony and incarcerated in the penitentiary could not wait 364 days after judgment before taking his appeal, and afterwards, without any notice to the prosecuting attorney, file in the supreme court a pretended statement of facts. Such a statement would, of course, be stricken out by the court because its settlement would be neither "lawful," "regular," nor "timely." The defendant would then, under the provisions of this bill, be entitled, as a matter of legal right, to have a statement of facts settled more than a year, perhaps two years after the trial, when those

who officiated at such trial have forgotten all the essential details of the investigation, or perhaps have ceased to exist. Under such a law, the attorney who served his client most faithfully, would be he who most wantonly and studiously disregards those provisions essential to the orderly review of proceedings in courts of general jurisdiction, and such a law, would, in my judgment, be utterly subversive of justice.

I have the honor to be, very respectfully, your obedient servant,

J. H. MCGRAW, Governor.

Mr. Leo moved that the chief clerk be instructed to transmit House bill No. 332 to the office of the secretary of state for record, for the reason that the veto message and bill were not returned to the House within the time prescribed by the constitution.

Mr. Ludden moved to lay the motion on the table.

The House refused to lay the motion on the table.

Mr. Leo's motion prevailed by a divisional vote of 69 to 1.

On motion of Mr. Morrison the governor's veto message was received and placed on the records.

#### REPORT OF CONFERENCE COMMITTEE ON SENATE BILL NO. 88.

MR. SPEAKER:

We, your committee on conference, to whom was referred Senate bill No. 88, An act to amend sections 6, 7, 8, 11 and 16 of an act entitled "An act to provide for and to regulate the registration of voters in cities and towns, and in precincts having a voting population of 250 or more," approved March 27, 1890, and repealing section 10 thereof, and declaring an emergency, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that the House recede from that portion of its amendment in which the Senate refused to concur.

And we further recommend that House bills Nos. 385 and 386 be taken up and passed at the earliest possible moment, the same being necessary to properly complete the registration and election laws of the state.

Respectfully submitted.

F. B. TURPIN, Chairman.

We concur in this report:

D. S. WHEELER,

A. S. BUSH.

The report was adopted.

#### REPORT OF COMMITTEE ON INSURANCE.

MR. SPEAKER:

We, your Committee on Insurance, to whom was referred House bill No. 403, An act to amend an act entitled "An act to provide for the organization, government and control of building, loan and saving associations, both domestic and foreign, doing business in the State of Washington," being chapter — of the laws passed by the legislature of the State of Washington at its first session, 1889-90, have had the same under con-

sideration, and we respectfully report the same back to the House, with the recommendation that it be referred to Committee on Corporations Other Than Municipal and Railroads.

Respectfully submitted.

C. T. ROSCOE, Chairman.

We concur in this report:

C. L. WEBB,

H. W. GREENBERG.

Report adopted and bill re-referred.

#### REPORT OF COMMITTEE ON EDUCATION.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred House bill No. 450, An act to regulate the granting of license to sell intoxicating liquors, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be referred to Committee on Revenue and Taxation.

Respectfully submitted.

C. F. WESTFALL, Chairman.

The report was adopted and the bill re-referred.

#### REPORT OF COMMITTEE ON LABOR AND LABOR STATISTICS.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred House bill No. 282, An act to provide for the payment of time checks, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed, being fully covered by House bill No. 133.

Respectfully submitted.

SMITHSON, Chairman.

We concur in this report:

ROSCOE,

SPECK,

EGBERT,

RINEHART,

KLINE,

DURANT,

GILMAN.

The report was adopted.

#### REPORTS OF COMMITTEE ON MEDICINE, SURGERY AND HYGIENE.

MR. SPEAKER:

We, your Committee on Medicine, Surgery and Hygiene, to whom was referred House bill No. 407, An act to regulate the practice of medicine in the State of Washington, and to license physicians and surgeons, have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. H. RINEHART, Chairman.

The report was adopted.

MR. SPEAKER:

We, your Committee on Medicine, Surgery and Hygiene, to whom was referred House bill No. 408, An act to amend an act entitled "An act to regulate the practice of medicine and surgery in the State of Washington, and to license physicians and surgeons, and to punish all persons violating provisions of said act, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. H. RINEHART, Chairman.

The report of the committee was adopted.

#### REPORTS OF COMMITTEE ON WORLD'S FAIR.

MR. SPEAKER:

We, your Committee on World's Fair, to whom was referred House bill No. 335, An act appropriating funds for the maintenance of the bureau of statistics, agriculture and immigration, and to enable said board to make special effort to advertise the state at Chicago during the World's Fair, in order to promote immigration to this state, have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do not pass.

Respectfully submitted.

R. W. WINCHELL, Chairman.

The report of the committee was adopted.

MR. SPEAKER:

We, your Committee on World's Fair, to whom was referred House bill No. 336, An act to establish a bureau of statistics, agriculture and immigration, and declaring an emergency, have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do not pass, inasmuch as it is covered by other bills.

Respectfully submitted.

R. W. WINCHELL, Chairman.

The report of the committee was adopted.

The following Senate bills were read first time and referred:

Senate bill No. 83, by Senator Frink: An act to provide for the management and control of state normal school in the State of Washington.

Referred to Committee on Normal Schools.

Senate bill No. 203, by Senator Foss: An act to amend section 23 of an act providing for printing and distributing ballots at public expense.

Referred to Committee on Privileges and Elections.

Senate bill No. 262, by Committee on Revenue and Taxation: An act amending section 8, page 61, relating to the duties of prosecuting attorneys, and declaring an emergency.

Referred to Judiciary Committee.

Senate bill No. 263, by Committee on Revenue and Taxation: An act amending section 37, page 314, Session Laws of 1889 and 1890, relating to the payment of salaries of county officers.

Referred to Committee on Revenue and Taxation.

Senate bill No. 264, by Committee on Public Revenue and Taxation: An act amending section 10, page 638, Session Laws of 1889-90, relating to the duties of state auditor.

Referred to Committee on Revenue and Taxation.

Senate bill No. 265, by Committee on Revenue and Taxation: An act amending sections of Session Laws of 1883, and declaring an emergency.

Referred to Committee on Revenue and Taxation.

Senate bill No. 266, by Committee on Revenue and Taxation: An act to amend sections of Session Laws of 1885-86, relating to the duties of county treasurer, and declaring an emergency.

Referred to Committee on Revenue and Taxation.

Senate bill No. 267, by Committee on Revenue and Taxation: An act amending sections 2667 and 2678, Code of 1881, relating to the duties of county commissioners.

Referred to Committee on Revenue and Taxation.

Senate concurrent resolution No. 17: Relating to federal immigration law.

Referred to Committee on Federal Relations.

#### COMMITTEE REPORT ON REFORM SCHOOLS.

MR. SPEAKER:

Your Committee on Reform Schools desire to submit the following report:

On the 20th day of February, 1893, this committee visited the state reform school situated near Chehalis, in Lewis county. Arriving on the day above mentioned at the city of Chehalis, we were shortly afterward driven over to the school, which is situated one mile south of the business portion of Chehalis. The road leading from the main county road to the school building, and which is about one-half of a mile long, is planked, and is the first visible handiwork of the boys of the school and at once gives a good impression of the institution. This road was entirely constructed, graded and planked by the boys of the reform school under the direction of the superintendent, T. P. Westendorf. This road being intended only for the use of the school, is about ten feet wide, and is thus but a single track, so that at present teams meeting on the road cannot pass without one of them turning out. As the travel over the road is, for the most part, only in one direction it answers its purpose very satisfactorily, and, indeed, presents a decidedly improved appearance over the public roads of the vicinity.

The school buildings consist of three frame structures, situated on an elevation which is admirably adapted for drainage. Cleanliness, industry and thorough system pervades all departments of the institution. There are separate departments for the sexes in the matter of both work and living. The boys and girls of the school are employed and taught in the directions best suited to their respective sexes, and yet, while the girls are only engaged at those employments to which women are best and most naturally suited, not being required to do any outdoor work, or taught masculine employments, the boys are required to learn many things that are popularly supposed to belong entirely to woman's kingdom. There the boys are taught to knit and sew and are required to do their own laundry work. The latter also till the small farm and gardens of the institution and have done the clearing of the ground.

It is not the intention of the committee, as it is not deemed their duty, to go into details in this report concerning the employment and teaching of the pupils of the school, as those matters are fully presented to the public by the official reports of the board of trustees, superintendent and other officials of the institution. But your committee desire to report that its late visit to the reform school of this state gave ample evidence that it is a most worthy institution, conducted in the most economical and generally admirable manner by Superintendent Thomas Westendorf and his assistants, who are as follows:

Mrs. J. M. Westendorf, matron.  
 Nettie A. Keeley, assistant in girls' department.  
 Emma V. Montgomery, teacher.  
 Carry W. Herrick, seamstress.  
 Mary Schmitz, cook.  
 Anna Lawscher, laundress.  
 A. L. Flynn, teacher and family officer.  
 H. S. Caswell, shoemaker.  
 Charles Doncaster, force man.  
 G. B. King, farmer.  
 R. W. Hardin, nightwatchman.  
 Lloyd O'Roke, assistant nightwatchman.

In the entire conduct of the institution your committee found ample cause for praise of the management in every direction in the teaching, and all other employments of the pupils. The institution is one that is doing great and immeasurable good, and by being fostered and encouraged by the state, its capacity for good may be immeasurably increased. In the matter of securing the services of Prof. Westendorf as superintendent the committee desires to report that the state has been most fortunate, as he has given and continues to give every evidence that he is particularly fitted by nature and attainment for the guidance and control of the youth committed to his care, and is also eminently capable in the management of that portion of the business of the institution that falls under his direction. He has rendered the reform school, by the use of what may be truthfully termed almost meagre facilities, a model institution that is directing the boys and girls who have been committed to the care of the



school to an honorable and worthy manhood and womanhood, and in the meantime rendering them as comfortable and happy as could be hoped for from the former unfortunate conditions or tendencies in life. The pupils of the school, while doing a great deal of work, comparatively, perform their duties in the workshop, field and school with every evidence of cheerfulness and obedience, and there is no appearance of onerousness in any of their work. In short, the spirit that pervades the institution may be satisfactorily gathered from the following extracts from the report of Superintendent Westendorf to the trustees of the reform school, as they are striking indices of the impressions made upon the visitor to the institution. Superintendent Westendorf says:

"It is the aim of this institution to develop the good and suppress the bad, to implant a spirit of noble manhood and womanhood, and to fit these children for lives of honesty and usefulness. As a parent, the state has undertaken to reform, remodel and correct the mistakes that have been made in the building of the characters of these children, nor is the task by any means a light one. A mother's gentle hand may prove amply sufficient to guide, guard and control the laughing cherub she lovingly fondles, but failing in her duty, this same child may, in a few short years, openly defy the strong arm of the law and come to us branded vagrant, incorrigible, prostitute, or criminal. Our work to be successful must begin at once. The brand must be removed and a complete revolution of rebellious and defiant reasoning effected, hence the importance of establishing the confidence upon which the work is to be founded.

"In the schoolroom the teacher must feel and know that these minds have been misdirected, and patiently, earnestly seek to awaken right thoughts and noble impulses. In the workshop the masterworkman must encourage and applaud the ambitious, without discouraging the laggard. A spirit of tolerance must be exercised at all times and in all places, ever being more ready to rejoice over the accomplishment of a good purpose than to condemn its failure. The controlling hand of the disciplinarian should be governed by a thorough knowledge of the shortcomings and moral weaknesses of the offenders, and punishment should be tempered with commiseration. That there are times when short, quick and decided action is necessary, when severe punishment is resorted to, can generally be traced to the failure of some one whose duty it was to check the trouble in its early stages, when a more simple remedy would have sufficed."

Each day has its time for healthful recreation. Ample grounds are set apart where games and outdoor exercises can be enjoyed. No attempt is made to direct or control their amusements at this time, but each is expected to partake with the rest of the general freedom from restraint and show a disposition to join his fellows in a good time. To the careful observer, the playground is an open book, from which every boy's true character may be profitably studied. There is also provided a large assembly room, comfortably heated, where, during the inclement weather, the boys are given perfect freedom some part of each day. During the winter months we have a social hour each evening in the school room, the time

being occupied in reading, singing and general amusement. Each holiday in its season has been duly observed, and enjoyed as only reform school boys know how to enjoy such occasions. It has been the claim of the management to teach their significance and impress the children with the importance of their observance.

Thus far only ten girls have been committed to the female department. These are comfortably domiciled in one of the cottages under the immediate charge of the matron. Sufficient employment is found for them in their sewing room, laundry and in the care of the building they occupy. They are kept entirely separate from the male department, only being allowed to attend the public service on Sabbath afternoon. Should the number in this department increase, or should the cottage now occupied by them be needed for the male department, it will be necessary to build a home for them during the coming year.

With the exception of the change of a few figures to conform to the present state of affairs in the reform school, the following extracts from the report of the trustees to Governor Ferry for the years 1891-2, are given as being interesting and important:

"Less than three years ago the board met for the first time and organized for the transaction of business. Since that time, through untiring and persevering energy, a desirable and beautiful site has been selected and cleared of a dense growth of timber and underbrush, suitable buildings for the care of the inmates and the employes necessary for their control have been erected, and a reformatory creditable to the state thoroughly organized. We congratulate the citizens of the state that such economy has been practiced that this has been accomplished at the small cost of \$24,946.80, which was provided for by the appropriation of \$25,000 March 28, 1890.

"The school was opened for inmates on June 10, 1891. Since then there have been 79 boys and girls committed to our care. Of this number three escaped, two were returned to court as unfit subjects and two were paroled.

"It is a satisfaction to note that there has been but three escapes from the school, and these occurred during the first few days of its life and before it was properly officered."

<i>Pupils in school.</i>	<i>Boys.</i>	<i>Girls.</i>
Whole number admitted.....	86	10
Granted ticket of parole.....	3	.....
Returned to court.....	2	.....
Escaped.....	3	.....
In school September 30, 1892 .....	79	10

The reasons for commitment as reported to the governor for the years 1891-2, were:

<i>Offense.</i>	<i>Boys.</i>	<i>Girls.</i>
Petit larceny.....	29	.....
Vagrancy.....	6	.....
Incorrigibility.....	22	6
Burglary.....	7	.....
Grand larceny.....	4	.....

Forgery .....	1	.....
Horse stealing.....	1	.....
Assault with intent to kill.....	1	.....
Highway robbery.....	1	.....
Total.....	73	6

The following table will show the number committed from each county for the same years:

<i>Counties.</i>	<i>Boys.</i>	<i>Girls.</i>
Whatcom.....	3	.....
Pierce.....	15	1
Jefferson.....	1	.....
King.....	28	2
Snohomish.....	2	.....
Thurston.....	3	.....
Walla Walla.....	2	.....
Lincoln.....	3	.....
Clarke.....	2	1
Skagit.....	1	.....
Spokane.....	5	1
Columbia.....	1	.....
Yakima.....	2	.....
Whitman.....	3	.....
Lewis.....	1	.....
Cowlitz.....	1	.....
Total.....	73	5

<i>Age of pupils.</i>	<i>Boys.</i>	<i>Girls.</i>
Nine.....	5	.....
Ten.....	8	.....
Eleven.....	3	.....
Twelve.....	12	.....
Thirteen.....	10	.....
Fourteen.....	12	2
Fifteen.....	15	1
Sixteen.....	6	3
Seventeen.....	2	.....
Total.....	73	6

The employment of pupils averages as follows:

	<i>Boys.</i>	<i>Girls.</i>
Shoemaking.....	5	.....
Tailoring.....	4	.....
Carpentering.....	5	.....
Painting.....	4	.....
Knitting.....	15	.....
Gardening.....	2	.....
Bakery.....	1	.....
Kitchen.....	3	.....
Dining hall.....	2	2
Dormitories.....	6	3
Laundry.....	3	5
Sewing room.....	.....	5
Clearing and Grading.....	15	.....

The following vegetables were raised in the school garden:

Radishes.....	230 bunches.
Lettuce.....	638 bunches.
Onions.....	1,532 bunches.

Beets.....	2,000 pounds.
Turnips .....	1,500 pounds.
Green beans.....	800 pounds.
Tomatoes.....	500 pounds.
Cabbage .....	4,000 heads.
Potatoes.....	300 bushels.

Your committee recommends that Senate bill No. 27, by Senator Donahoe, be passed, as it provides for all the necessary improvements for the reform school now apparent to the judgment of your committee, and practicable for the present.

Your committee would also recommend the establishment of a small printing office at the school, in which the necessary local printing of the school could be done, and a miniature periodical published that would give to the children the advantages to be obtained from learning type-setting and the correct composition of the language.

Your committee would further recommend that in advertising for bids for supplies that the advertisement be confined to one paper of general circulation printed in Lewis county, to be named by the board of trustees of the reform school, until such time as the periodical suggested above shall be in condition to be used for said advertising purposes. And we suggest that the management of the reform school be instructed to mail a marked copy of said advertisements for bids to such business houses in this state as may be deemed advantageous to the interests of the institution.

Your committee desire to especially commend the faithful and valuable services of Trustee John Dobson, who evinces a deep and abiding interest in the welfare of the reform school, and devotes much time and fatherly care, as well as contributing largely in a material way from his own private and personal means in the matter of assisting the institution in every possible direction.

All of which is respectfully submitted.

C. M. PIERCE, Chairman,  
 JOHN G. CAMPBELL, Secretary,  
 H. D. SPECK,  
 P. B. EGBERT,  
 B. C. VAN HOUTEN.

The report of the committee to visit the state reform school was, on motion of Mr. Shadle, referred to Committee on Appropriations, without reading by the clerk.

The Committee on Insurance was excused for the afternoon.

#### SPECIAL ORDER.

At 3 o'clock P. M. the House took under consideration House bill No. 108, An act providing for viewing, laying out and surveying public roads, and providing for the award of damages in the location of said roads.

## REPORT OF COMMITTEE ON ROADS AND HIGHWAYS.

MR. SPEAKER:

We, your Committee on Roads and Highways, to whom was referred House bill No. 108, entitled "An act providing for viewing, laying out and surveying public roads, and providing for the award of damages in the location of said roads," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it pass with the following amendments:

Amend section 1 by striking out the word "forty," and inserting the word "thirty" in line 6 (line 5 of printed bill).

Amend section 2 by striking out the words "five hundred" and inserting the words "two hundred" in line 3 (line 2 of printed bill).

Amend section 3 to read as follows:

SEC. 3. When the petition and bond have been filed and the bond approved, the court shall fix a day for hearing the petition for the appointment of viewers, which shall not be less than ten nor more than twenty days from the date of the approval of the bond. Notice of such hearing shall be issued by the clerk, and shall be posted at least ten days before the day for such hearing, at the following places: One copy at the place where the court for said county is held; one copy at the beginning point on the proposed road; two copies at two of the most public places in the vicinity of the contemplated route of the proposed road. On the hearing of the petition, if notice of such hearing has been regularly issued and posted, and if no remonstrance has been filed, the court shall appoint three disinterested persons, residents of the county, to view and lay out the proposed road, and to assess the damage to the premises of any person through whose land the proposed road will run, and the court shall appoint a time for the viewers to meet and view and lay out the proposed road: *Provided*, That if a remonstrance is filed, and on the hearing of the petition and remonstrance, it appears to the court that the proposed road will be impracticable, or that it is not of public necessity and will not be of general use, the petition shall be dismissed."

Strike out section 4.

Amend section 5 to read as follows:

"SEC. 4. At the time and place named in the order of the court, the county surveyor and the viewers shall meet and shall select two chainmen and not more than three other persons to act as axmen and flagmen, and after the viewers and chainmen have been sworn to faithfully and impartially discharge their respective duties, they shall proceed to view, lay out and survey the proposed road."

Change the number of section 6 to section 5.

Amend section 6 to read as follows:

"SEC. 5. Within ten days after making a view and survey of the proposed road, the viewers must file a report of their doings in the matter, which shall show:

"1. The course, termini and length of the proposed road.

"2. A description of the land appropriated, and the names of the own-

ers thereof when known, and if the names of any of the land owners are unknown, the report must state that fact.

"3. The estimate of damage to the owner of any land over which the proposed road will run.

"4. The names of land owners who consent to give the right-of-way, and their written consent thereto.

"The report of the viewers shall be accompanied by the plat or map of the county surveyor, which shall show the route of the proposed road as surveyed, and the quantity or area of land necessary to be taken for the proposed road belonging to any person through whose lands the said road has been surveyed: *Provided*, That said road shall, so far as practicable, be upon section or quarter section lines."

Amend section 7 to read as follows:

"SEC. 6. When the report of the viewers and the map of the surveyor has been filed in the office of the clerk of the court, the clerk shall give notice as herein provided that on a day to be fixed by the court the court will hear the said petition and consider the award of damages made by the viewers. Said notice shall be published for three consecutive weeks in a newspaper of general circulation in the county, proof of which publication shall be made by the affidavit of the foreman or publisher of said newspaper."

Amend section 8 by striking out the words "a copy of the report of the viewer and" after the word "that," in line 8 (line 6 of printed bill); also, amend same section by inserting the words "and the order of the court" after the word "surveyor," in line 9 (line 7 of printed bill); also, amend same section so that the proviso therein will read: "*Provided*, That if any person or persons through whose premises said road has been surveyed appear and contest the same, the court may empanel a jury and hear testimony on the subject;" change number of section to section 7.

Amend section 10 by striking out the last two words, "may be."

Amend section 11 to read as follows:

"SEC. 10. The viewers, chainmen and other assistants herein provided for shall each receive two dollars and fifty cents per day while engaged in the view and survey of the road, and ten cents per mile for each mile traveled in going to and returning from the place of meeting for said view and survey."

Respectfully submitted.

We concur in this report:

ELLIS MORRISON, Chairman.

A. E. MEAD,  
C. T. ROSCOE,  
WM. PAYNE,  
S. JUDSON,  
S. W. HAMILL,  
D. W. PIERCE,  
T. F. MENTZER.

The report of the committee recommending amendments was adopted.

On motion of Mr. Morrison, the reprinted bill as amended was substituted for the original.

The bill was read the second time in full.

Mr. Hoole presented the following amendment to House bill No. 108: Strike out all after the word "road" in line 3, section 10.

The amendment was adopted.

Mr. Wheeler presented the following amendment to line 9 of section 3: Strike out after the word posted "and if no remonstrance has been filed."

The amendment was adopted by a divisional vote of 28 yeas to 27 nays.

Amendment by Mr. Hoole: Amend line 4 of section 3 by inserting after the word "posted" the words "by the principal petitioners."

The amendment was adopted.

Amendment by Mr. Anderson, of Whitman: To section 6, line 5, after the word "newspaper" add the words "nearest the road."

The amendment was adopted.

Mr. Tucker presented the following amendment: In section 2, line 3, strike out the words "superior judge" and insert "county clerk."

The amendment was adopted.

Amendment by Mr. Moore: Section 6, line 5, add after the word "county," "or if there is no paper published in the county, then to be published in the nearest paper in the adjoining county."

The amendment was adopted.

Amendment by Mr. Hoole: Amend section 6 by adding the words: "*Provided*, That in no case shall the cost of said notice exceed fifty cents per square for the first insertion and twenty-five cents for each additional insertion."

The amendment was adopted.

Mr. Neergaard proposed the following amendment:

"SEC. 11. In any county where no superior judge resides, a court commissioner may be appointed, who shall have power to hear and determine all matters under the provisions of this act which may properly be heard by the judge in chambers."

The amendment was adopted.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 63, nays 2, absent 13.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hamill, Hoole, Hurd, Karr, Keller, Kelly, Kline, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Rinehart, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Okanogan, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. McMillan, and Smith of Douglas.

Absent: Messrs. Bush of Chehalis, Greenberg, Heliker, Judson, Leo, McElwain, Pierce of Lewis, Roscoe, Smithson, Speck, Temple, Turpin, and White.

The emergency clause passed by the following vote: Yeas 72, nays 0, absent 6.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Greenberg, Heliker, Leo, McElwain, Roscoe, and Turpin.

The title was amended by adding the words "and declaring an emergency," and as amended the title was approved.

#### REPORT OF THE AGRICULTURAL COLLEGE INVESTIGATING COMMITTEE.

*To the President of the Senate and Speaker of the House of Representatives:*

GENTLEMEN — Your joint committee to whom was intrusted the matter of investigating all matters pertaining to the agricultural college, experiment station and school of science, its location, etc., having visited the college at Pullman, made an inspection of the buildings, grounds and



farm, as far as the conditions would permit, and having investigated the charges of corruption in the location of said college, also matters pertaining to the charges against the board of regents, and all matters which in the judgment of the committee were needed for the best interest of the college, would submit the following report:

1. We find the college campus situated on elevated ground, overlooking the town of Pullman and commanding a fine view of the surrounding country. The farm, composed of 192 acres in the rear of the college grounds, is a gentle, undulating prairie, sloping to nearly all points of the compass and affording, in our judgment, ample opportunities for the development of all experiments pertaining to agriculture and horticulture.

2. We find the principal building to be a dormitory five stories high and capable of affording accommodations for nearly 100 students. The building cost, as nearly as we can ascertain from the confused condition of the books, the unsettled bills and bills not audited, including the steam heating, plumbing and necessary sewage system, about \$45,000, being three-fourths of the appropriation of 1891, and, in our judgment, was an unwise expenditure of said appropriation. We recognize the importance of a dormitory in connection with the college, but believe the first thing to be considered in the way of buildings was a college hall, or administration hall, of sufficient accommodation and built in accordance with a general plan prepared by competent persons. In the construction of the present dormitory, proper stairways and the proper location of the sleeping apartments with regard to sunlight and air does not seem to have been considered, the stairways being narrow and not affording proper facilities for escaping in case of fire, the sleeping rooms being or are holes in the wall, where sunlight cannot penetrate.

3. We find for the college hall a wooden building, in which are the recitation rooms, assembly hall and rooms used for laboratory, offices, etc. This building, so far as we can learn, was erected with a small balance left from the appropriation, at the least possible expense, no regard being paid to an attractive elevation, conforming to general plans, ventilation or comfort of students, and is, in our judgment, entirely unsuited for the purpose for which it was intended, being poorly constructed, roof leaking and other defects clearly apparent.

4. We find a light plant, steam heating plant and pumping station, which, with a small additional expense, can be made quite satisfactory and sufficient for present use.

5. The farm house and barn, while not such as they should be for permanent structures in connection with such an important institution as the agricultural college, can, by an additional expense, be made to answer the purposes for which they were intended.

6. The farm stock and milch cows are not, as a whole, such as we would recommend, there being three thoroughbred Holsteins, the balance being common stock.

7. We find the farm implements but poorly cared for, many of them being exposed to the weather, the hennery filthy in the extreme, and other

evidences of careless farming, such as should not occur on a well conducted farm for an agricultural college.

8. We find \$5,768.07 has been expended for printing, being an extraordinary and wholly uncalled for expenditure and not necessary. We copy below a few of the items of stationery ordered by Prof. Lilly, such as—

1,000 annual catalogues.....	\$300 00
202 volumes of miscellaneous bindings.....	346 00
250 "century plants".....	500 00
2,500 copies agricultural college laws.....	195 00
4,500 copies of annual reports.....	250 00
7,500 bulletins, No. 5.....	270 00
5,000 bulletins, No. 4.....	138 00
5,000 bulletins, No. 3.....	250 00
2,500 bulletins, No. 2.....	100 00

We also find an order given to the state printer for 10,000 lithographed letter heads, which the state printer considered too expensive, as the cost would have been \$150, and he refused to fill the order.

9. We find a large amount of money has been expended for chemicals and apparatus, for which there does not appear an order from the board of regents, and for which no proper place for keeping the same has been prepared.

10. We find that \$26,250 has been received from the Hatch fund up to December 31st, and a balance on hand of \$614.29. There has been received from the Morrill fund \$35,000 up to December 31st, and there is a balance in that fund of \$22,655.56. In the state fund we find, according to the balances shown in the books of the college, a deficiency of \$3,816.25, but from bills and vouchers unpaid and the unsettled accounts the committee finds that there is a deficiency of about \$25,000.

11. Your committee finds that the per diem and expense of the board of regents up to December 31st to be \$5,121.41. This seems large for the amount of services and time given, and it is the opinion of the committee that expenses have been charged and time put in and allowed by said board without proper consideration, and which were not correct or legitimate. Porter fees, carriage hire, etc., may be legitimate expense, but we do not believe the act of the legislature in regard to the "actual expenses" meant to cover such items. In this connection it is proper for us to say, as an illustration of the time charged, that Regent Smith does not properly account for the time charged from March 23d until April 29th, inclusive, 36 days, as according to the evidence and letters written by himself he was absent from the state part of the time, and not looking after the interests of the college. We find that bids were received for the building of a brick college hall, ranging in price from \$3,200 to \$15,000, and that the contract was actually awarded for approximately \$14,000, while as far as we can discover, the \$8,200 bid was made by a responsible party, and was, as the minutes show, accompanied by a certified check for one-tenth of the amount. The contract was awarded by Regents Conover, Fellows and Hopp.

12. Your committee finds that all interest received from the deposits has been properly accounted for by the treasurer.

13. After a thorough investigation we fail to find any evidence of corruption in the location of the college grounds, letting of contracts of buildings or other improvements; nor has your committee been able to find that any member of the faculty or other employe received his appointment for or through political influence. Your committee are, however, agreed that the board of regents failed to recognize the importance of the positions to which they were appointed, and, by either negligence, want of harmony, lack of knowledge of the needs of the institution and the failure to properly examine the qualifications of the employes, or their fitness for the positions to which they were to be appointed, brought upon the college expense unnecessary and a state of insubordination among the pupils which time and a strong hand alone can obliterate.

14. We find that books pertaining to the college were kept without system and the minutes of the board of regents failed to properly record the proceedings, and were kept in a careless manner.

15. We find there have been numerous changes in the faculty, but it is our opinion that the regents who voted for said changes had, what seemed to them, sufficient reasons for so doing. We find that Lee Fairchild is teaching in the college, at a salary of \$125 a month, although he has not been elected by the regents, and it is our opinion that his services should be discontinued until so elected. We find from the testimony given before this committee and confirmed by his action, that Professor Hendricks is not working for the best interests of the school, and, in our opinion, it is for the best interests of the institution that said professor be removed.

16. We find that there are one hundred and sixty-one pupils and eleven teachers in the institution.

Concluding our findings we recommend as follows:

1. That the board of regents be not confirmed.
2. That the compensation of the board of regents be \$3 per day and five cents per mile for each mile necessarily traveled in performing their duties.
3. As we believe the liberal appropriation by the national government for experiment station should be turned to advantage of the farmers throughout the state, we recommend that a thoroughly competent professor be appointed to the chair of agriculture; also, that the reports from the experiment station be sent to at least one weekly newspaper in each county of the state for publication as often as bulletins are issued, provided same may be published without charge.

4. We recommend that especial attention be given to experiments tending to develop the dairy industry.

5. We also recommend the following appropriations:

For the erection of college hall and administration building.....	\$70,000
For an agricultural experiment station building.....	10,000
For dairy plant.....	3,000
For vault in office of present college hall.....	1,500
For sewage system.....	1,500
For residence of president on campus.....	5,000
To complete present buildings and deficiency.....	25,000

For mechanical engineering building.....	\$10,000
For root house.....	600
For expenses of instruction not provided for by national government.....	10,000
For fuel and contingent expenses.....	10,000
For buildings, equipment and development of sub-experiment station the sum of..	10,000
For laying out and developing college campus.....	5,000

In concluding our recommendations, we respectfully call the attention of your honorable bodies to the necessity of prompt action in the appointment of a board of regents who will give to the president of the college such support as may be needed to place the institution in proper and harmonious working order.

With its magnificent endowment, this college should be the best in the land. Its college grounds should be laid out with a view to permanency and in accordance with plans prepared by competent authority. With this in view, your committee have asked for an appropriation to erect one building sufficient for present use and that may be in harmony with a general plan.

We recommend that anyone desiring a further knowledge of the work done by this committee examine the testimony taken and filed with this report.

Respectfully submitted.

D. F. ANDERSON,  
Chairman of Joint Committee,

W. P. McELWAIN,  
O. B. NELSON,  
W. D. E. ANDERSON,  
HENRY C. COOPER,  
J. M. FINCH,  
B. F. SHAW.

The report of the aricultural college investigating committee was ordered printed without reading.

House bill No. 482, by Committee on Appropriations and Claims, was introduced and read first time and referred to Committee on Appropriations and Claims.

House bill No. 31, by Mr. Weed, An act appropriating money for the payment of agents for the state land commission, was called up for consideration, and the vote whereby the bill had previously passed to third reading was reconsidered, placing it back on second reading.

#### REPORT OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

MR. SPEAKER:

Your Committee on Appropriations and Claims, to which was referred House bill No. 31, entitled "An act appropriating money for the payment of agents for the state land commission," respectfully reports the bill back to the House with the recommendation that it do pass with the provisory amendment stricken out.

G. W. TEMPLE, Chairman.

The report of the committee was adopted.

The bill was read in full.

On motion of Mr. Mentzer, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 67, nays 1, absent 10.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hamill, Hoole, Hurd, Karr, Keller, Kline, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Nay: Mr. Scott.

Absent: Messrs. Greenberg, Heliker, Judson, Kelly, Leo, McElwain, McMillan, Roscoe, Turpin, and White.

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

House bill No. 49, by Mr. Weed, An act to amend section 7 of an act entitled "An act to provide for the selection of lands granted to the State of Washington under an act of congress approved February 22, 1889," and declaring an emergency to exist, was taken up for consideration, and the vote reconsidered whereby it had gone to third reading.

#### REPORTS OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

##### MR. SPEAKER:

We, your Committee on Appropriations and Claims, to whom was referred House bill No. 49, entitled "An act to amend section 7 of an act entitled 'An act to provide for the selection of granted lands, and declaring an emergency,'" have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass with the following amendments: That in lines 10 and 11, section 1<sup>o</sup> of the printed bill, the word "seventy-five" be stricken out and the word "fifty" be inserted in lieu thereof; also, that in section 2, line 2, after the word "of," the word "this" be changed to "said."

Respectfully submitted.

G. W. TEMPLE, Chairman.

The report of the committee was adopted.

On motion of Mr. Mentzer, the rules were suspended, the bill was

considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 65, nays 3, absent 10.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kline, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Shadle, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. McMillan, Scott, and Sherman.

Absent: Messrs. Burton, Gilman, Greenberg, Heliker, Kelly, Leo, McElwain, Roscoe, Turpin, and White.

The emergency clause passed by the following vote: Yeas 65, nays 2, absent 11.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kline, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Sallee, Shadle, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, Woodworth; and Mr. Speaker.

Nays: Messrs. Scott and Sherman.

Absent: Messrs. Burton, Greenberg, Heliker, Kelly, Leo, McElwain, McMillan, Roscoe, Roth, Turpin, and White.

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

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 72, entitled "An act to amend section 2137 of chapter 4 of title 23 of the General Statutes of the State of Washington, as arranged and annotated by W. Lair Hill, relating to the erection of wharves at the termini of public highways."

Also, House concurrent resolution No. 21, Permitting the introduction of a general appropriation bill.

Also, House bill No. 236, An act making it unlawful for any person or persons to buy, sell or give away, or manufacture, cigarettes or cigarette paper, and providing the punishment for the violation thereof.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bills, Nos. 72 and 236, and House concurrent resolution No. 21.

On motion of Mr. Morrison, the House adjourned at 5:32 p. m.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

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## FIFTY-FOURTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Friday, March 3, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.

The roll was called; all the representatives were present.

Mr. Mead moved that the rules be suspended, the reading of the journal be dispensed with and it stand approved.

The motion prevailed and yesterday's journal was approved.

### PETITIONS, ETC.

By Mr. Collin: Remonstrance from C. W. Baker and 100 other citizens of Spokane county against any change in the number of superior court judges.

Referred to Committee on Judiciary.

Memorial from Tacoma academy of science for passage of compulsory education laws.

Referred to Committee on Education.

On motion of Mr. Bush, of Pacific, the House took under consideration House bills Nos. 385 and 386.

House bill No. 385, by Committee on Privileges and Elections, An act to amend sec. 3085 of the Code of Washington of 1881, the same being sec. 407 of vol. 1 of Hill's Annotated Statutes and Codes of Washington, relating to elections, was read the second time in full.

On motion of Mr. Karr, the rules were suspended, the bill considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 70, nays 0, absent 8.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Judson, Karr, Keller, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Heliker, Hurd, Kelly, Kline, Pierce of Lewis, Rinehart, Roth, and Westfall.

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

House bill No. 386, by Committee on Privileges and Elections, An act relating to elections, was read the second time in full.

Amendment proposed by Mr. Mays to House bill No. 386: Line 1, amended to read "business manager or publisher" after the word "printer" in first line.

The amendment was adopted.

Amendment by Mr. Turpin: Amend section 1, line 11, after the word "was," "not less than six months."

The amendment was adopted.

Amendment by Mr. Letterman: Section 1, line 11, strike out the words after or "to undergo."

The amendment was adopted.

On motion of Mr. Karr, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.



The bill passed by the following vote: Yeas 71, nays 0, absent 7.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Whitman, Keller, Kelly, Kline, McMillan, Pierce of Lewis, and Roth.

The title was amended by adding the words "and providing a penalty for violating the provisions thereof," and as amended the title was agreed to.

On motion of Mr. Turpin, the chief clerk was instructed to transmit House bills Nos. 385 and 386 to the Senate immediately.

#### REPORT OF COMMITTEE ON RAILROADS.

MR. SPEAKER:

We, your Committee on Railroads, to whom was referred House bill No. 382, entitled "An act making it unlawful for any public officer of the State of Washington to accept or use a pass, or to purchase transportation from any railroad or other company or party whomsoever, except as the same may be open to the general public, and prescribing the penalty for the violation of the provisions thereof," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it take the course of its revered prototype, House bill No. 74, and be referred to the Judiciary Committee.

Respectfully submitted.

W. R. HOOLE, Chairman.

We concur in this report:

D. F. ANDERSON,  
R. J. NEERGAARD,  
J. F. GREEN,  
O. B. NELSON,  
J. W. HAMILL,  
F. R. BAKER,  
ALEX. CAMERON.

The report was adopted.

#### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 180, entitled "An act to amend sections 1 and 2 of an act

entitled 'An act to regulate, restrain, license or prohibit the sale of intoxicating liquors,' have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do not pass.

Respectfully submitted.

D. W. PIERCE, Chairman.

The report of the committee was adopted.

#### REPORTS OF COMMITTEE ON INSURANCE.

MR. SPEAKER:

We, your Committee on Insurance, to whom was referred House bill No. 8, entitled "An act providing for the appointment of a state inspector of oils and defining his duties and prescribing his compensation," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed for the reason that the subject matter is covered by the provisions of House bill No. 391.

Respectfully submitted.

C. T. ROSCOE, Chairman.

The report of the committee was adopted.

MR. SPEAKER:

We, your Committee on Insurance, to whom was referred House bill No. 250, entitled "An act providing for the inspection of illuminating oils, and for the appointment of a state inspector and deputy inspectors, and fixing their compensation," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be indefinitely postponed, for the reason that the matter is covered by the provisions of House bill No. 391.

Respectfully submitted.

C. T. ROSCOE, Chairman.

The report of the committee was adopted.

#### REPORTS OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 424, entitled "An act to amend section 94 of the revenue law, approved March 9, 1891, authorizing the county treasurer to make duplicate registers of unpaid taxes, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do not pass, as the subject matter is contained in revenue bill.

Respectfully submitted.

D. W. PIERCE, Chairman.

The report of the committee was adopted.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred House bill No. 416, entitled "An act to authorize the payment of certain taxes in interest coupons or warrants, and repealing laws in conflict with

this act," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do not pass.

Respectfully submitted.

D. W. PIERCE, Chairman.

The report of the committee was adopted.

By consent of Mr. White and of the House action was deferred one day on House bill No. 349, special order for 10 o'clock to-day, and House bill No. 262 was taken under consideration and was read the second time by title.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

##### MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 262, entitled "An act to enable cities and town to exercise the right of eminent domain, for the taking and damaging of land for public purposes, and providing a method for making compensation therefor," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that as amended it do pass.

First amendment: Amend title by striking out the words "and town" in first line, and insert the words "of the first class;" in second line, after the word "land," insert the words "and property."

Second amendment: Section 1, line 1, strike out the words "and town," and insert the words, "of the first class;" in line 3, after the word "markets," insert the words "city and town halls, jails and other public buildings."

Third amendment: Strike out the words, "or town," wherever they occur throughout the bill.

Fourth amendment: Add the following to section 2, at the end of line 8: "*Provided*, That no special assessment shall be levied under authority of this act, except when made for the purposes of streets, avenues, alleys or highways, or alterations thereof, or changes of the grade therein, or other improvements in or adjoining the same, or for bridges, approaches, culverts, sewers, drains, ditches, public squares, drives or boulevards, or for the purpose of draining swamps, marshes or ponds, or for filling the same. And it is further provided, that when a street, avenue, highway or boulevard is established or widened to a width greater than one hundred and fifty feet, the excess over and above the one hundred and fifty feet shall be paid out of the general fund of such city without any deduction for benefits for such excess."

Fifth amendment: Section 7, line 4, after the word "demand," strike out the word "or" and insert the word "and."

Sixth amendment: Add to section 15, "except as provided in section 2 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 excess."

Respectfully submitted.

W. H. LUDDEN, Chairman.

ROTH,  
GILMAN,  
NASH,  
PAYNE,  
LETTERMAN.

The report of the committee, with amendments, was adopted, on motion of Mr. Gilman.

Mr. Gilman presented the following amendment:

"Strike out section 4 of the bill and substitute therefor a new section bearing the same number, which shall read as follows:

"SEC. 4. Such petition shall contain a copy of said ordinance, certified by the clerk under the corporate seal, a reasonably accurate description of the lots, parcels of land and property which will be taken or damaged, and the names of the owners and occupants thereof and of persons having any interest therein, so far as known to the officer filing the petition or appearing from the records in the office of the county auditor, and where any known owners or other persons so interested are non-residents of the state, stating the fact of such non-residence."

The amendment was adopted.

Amendment proposed by Mr. Gilman:

Strike out all that part of section 22 beginning with the word "*Provided*" in line 9 thereof and ending with the word "benefited" in line 10 thereof, and insert instead a proviso reading as follows:

"*Provided*, That no lot, block, tract or parcel of land shall be assessed a greater amount than it will be actually benefited, nor shall any lot, block, tract or parcel of land, which shall have been found by the jury or court to be damaged, be assessed for any benefits."

The amendment was adopted.

Amendment proposed by Mr. Gilman:

Strike out section 15 of the bill and substitute therefor a new section bearing the same number, which shall read as follows:

"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 assessment, in whole or in part, upon property benefited, the compensation found for land or property taken, and in all cases the damages found in respect to land or property not taken, shall be ascertained over and above any local and special benefits arising from such proposed improvement."

The amendment was adopted.

On motion of Mr. Gilman, the bill was read as amended for information.

On motion of Mr. Nash, the printed bill was substituted for the original.

On motion, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 65, nays 1, absent 12.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Durant, Edmonds, Edwards, Farish, Foster, Gilman, Green, Greenberg, Heliker, Hurd, Karr, Keller, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Scott, Shadle, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nay: Mr. Denn.

Absent: Messrs. Crockett, Egbert, Hamill, Hoole, Judson, Kelly, Kline, McElwain, Rinehart, Shelton, Turpin, and Washburn.

The emergency clause passed by the following vote: Yeas 70, nays 0, absent 8.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Farish, Foster, Gilman, Green, Greenberg, Heliker, Hoole, Hurd, Karr, Keller, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Whitman, Denn, Egbert, Hamill, Judson, Kelly, McElwain, and Washburn.

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

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1893.

## MR. SPEAKER:

The Senate has passed Senate bill No. 240, entitled "An act to provide for the establishment of a state road through the Natchez Pass, in the Cascade Mountains.

Also, Senate bill No. 255, Providing for the establishment of a state road through the Cascade Mountains at a point near Mt. Baker.

Also, House bill No. 252, Relating to prosecuting attorneys and their duties.

Also, House bill No. 331, Amending certain sections of the Code relating to municipal corporations.

Also, House concurrent resolution No. 10, Authorizing the governor to receive direct tax money from the general government.

The president of the Senate has signed Senate bill No. 129.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The Speaker signed Senate bill No. 129 in open session of the House.

By consent of the House, Mr. Meany introduced House concurrent resolution No. 22, Providing for the introduction of a new bill to repeal House bill No. 332, An act relating to second appeals to the supreme court.

Read the first time.

On motion of Mr. Meany, the rules were suspended and the concurrent resolution was read the second time by title and third time in full, and placed on its final passage.

The resolution passed by the following vote: Yeas 55, nays 18, absent 5.

Yeas: Messrs. Anderson of Whitman, Brock, Burton, Bush of Pacific, Cameron, Cowan, Durant, Edmonds, Egbert, Farrish, Gilman, Greenberg, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tull, Turpin, Washburn, Webb, Weed, Wheeler, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Bush of Chehalis, Crockett, Denn, Edwards, Foster, Green, Hamill,

Leo, Mays, Mulkey, Payne, Scott, Smith of Douglas, Tucker, Westfall, and Winchell.

Absent: Messrs. Collin, Kline, Nelson, Roscoe, and White.

The chief clerk was instructed to transmit the resolution to the Senate at once.

#### JOINT SESSION.

The Senate appearing at 12 o'clock noon, the speaker of the House invited the honorable senators to seats within the bar, and the president of the Senate to preside.

The roll was called; all members of the two houses present except Senators Ide, Van Houten and Van De Vanter.

Senator Campbell moved that the rules be suspended, the reading of yesterday's joint journal be dispensed with, and it stand approved.

The motion prevailed, and yesterday's joint journal was approved.

Pairs announced for to-day: Senators O'Neill and Van Houten, Senators Ide and Van De Vanter.

There being no election of United States senator at yesterday's session, the clerk was instructed to call the roll for the ninetieth joint ballot.

#### NINETIETH JOINT BALLOT.

John B. Allen received 49 votes.

George Turner received 21 votes.

C. W. Griggs received 21 votes.

J. C. Van Patten received 9 votes.

L. C. Gilman received 5 votes.

R. O. Dunbar received 1 vote.

A. M. Cannon received 1 vote.

R. C. McCroskey received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, McMillan, Mentzer, Moore, Nash,

Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Crockett, Donahoe, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, McCroskey, Miller, Payne, Shaw, Shelton, and Smith (H. F.).

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Those voting for L. C. Gilman were: Cowan, Edmonds, Hutchinson, Mulkey, and Turpin.

Mr. N. W. Bush voted for R. O. Dunbar.

Mr. Tull voted for A. M. Cannon.

Senator McManus voted for R. C. McCroskey.

No person receiving the necessary majority to elect a United States senator, the clerk was instructed to call the roll for the ninety-first joint ballot.

#### NINETY-FIRST JOINT BALLOT.

John B. Allen received 49 votes.

George Turner received 20 votes.

C. W. Griggs received 21 votes.

J. C. Van Patten received 9 votes.

L. C. Gilman received 5 votes.

R. O. Dunbar received 1 vote.

Chas. E. Claypool received 2 votes.

R. C. McCroskey received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Belknap, Brock, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Cooper, Claypool, Easterday, Greenberg, Helm, McMillan, Mentzer, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Crockett, Donahoe, Eshelman, Foss, Foster, Gilman,



Green, Hamill, Judson, Kline, Leo, Letterman, Mays, McCroskey, Miller, Payne, Shaw, Shelton, and Smith (H. F.).

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Those voting for L. C. Gilman were: Cowan, Edmonds, Hutchison, Mulkey, and Turpin.

Those voting for Chas. E. Claypool were: Hurd and Moore.

Mr. Bush (N. W.) voted for R. O. Dunbar.

Senator McManus voted for R. C. McCroskey.

No person having been elected United States senator on the ninety-first ballot, the president dissolved the joint session at 12:25 P. M. to meet to-morrow at 12 o'clock noon.

Mr. McMillan made the following announcement: Miss Nellie Gallagher and Miss Alice McDougal have been appointed assistant enrolling clerks, commencing Monday, February 27, 1893.

On motion the House took a recess at 12:27 to meet this afternoon at 2 o'clock.

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#### AFTERNOON SESSION.

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The speaker called the House to order at 2 o'clock.

The roll was called; all the members were present.

Mr. McNew offered a resolution against the House as a body visiting Everett Saturday afternoon.

On motion of Mr. Roscoe, the resolution was laid on the table.

On motion of Mr. Shadle, the House took under consideration House bill No. 415, by Committee on Municipal Corporations (substitute for House bill No. 96), An act providing for the assessment and collection of taxes of cities of the first class, and specifying the duty of certain county officers in regard thereto.

The bill was read the second time.

Mr. Judson presented the following amendment: Strike out "one thousand" and insert "five hundred," in line 2, section 10; add to section "each city shall also pay to the county one thousand dollars per annum for clerk hire."

The amendments were adopted.

On motion of Mr. Gilman, the rules were suspended, the bill

was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 69, nays 0, absent 9.  
Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Wheeler, Woodworth, and Mr. Speaker.

Absent: Messrs. Heliker, Hoole, McMillan, Neergaard, Scott, Weed, Westfall, White, and Winchell.

The emergency clause passed by the following vote: Yeas 69, nays 0, absent 9.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Greenberg, Hamill, Heliker, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Tucker, Tull, Turpin, Washburn, Webb, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Whitman, Gilman, Hoole, McMillan, Neergaard, Temple, Weed, Westfall, and White.

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

On motion of Mr. Nash, House bills Nos. 262 and 415 were transmitted to the Senate by the chief clerk.

Resolution presented by Mr. Meany:

*Resolved*, That a special committee of five members of this House be appointed to examine into the affairs of the office of the adjutant general, and to investigate the management of said affairs in said office by the present incumbent thereof.

The resolution was adopted.

The following report was read:

MR. SPEAKER:

Mr. W. F. Brock having gone, and our respective committees are about through with their labors, respectfully ask that he be taken from the pay roll Monday night, February 27, 1893.

A. CAMERON,

Chairman of Horticulture, Agriculture and Forestry.

JOE MERCHANT,

Chairman of Penitentiary and Reform School.

On motion of Mr. Meany, the report was adopted.

#### MESSAGES FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 215, entitled "An act to amend certain sections relating to municipal corporations," with amendments noted in bill, and the same is herewith returned to the House.

ALLEN WEIR, Secretary.

The House refused to concur in Senate amendments to House bill No. 215, and the chief clerk was instructed to inform the Senate and ask them to recede from their amendments.

MR. SPEAKER:

The Senate has passed Senate bill No. 221, entitled "An act providing for the taxation of mines, and exempting certain mining property from taxation."

Also, House concurrent resolution No. 22, Asking permission to introduce a bill repealing House bill No. 332.

Also, Senate bill No. 237, Relating to assessment and collection of taxes in municipal corporations of the third and fourth class.

The president has signed House bill No. 236.

Also, House bill No. 72.

Also, House concurrent resolution No. 21.

The Senate has receded from its amendment to House bill No. 215.

And the same are herewith returned to the House.

ALLEN WEIR, Secretary.

#### SPECIAL ORDER.

The hour having arrived, the House took under consideration House bill No. 292, by Mr. Mentzer, An act to provide for the location and erection of a capitol building, and declaring an emergency, special order for 2 P. M.

The bill was read the second time.

On motion of Mr. Mentzer, the amendments proposed in the majority report of the committee were considered separately.

MAJORITY REPORT OF COMMITTEE ON STATE BUILDINGS,  
PUBLIC GROUNDS AND LIBRARY.

MR. SPEAKER:

We, your Committee on State Buildings, Public Grounds and Library, to whom was referred House bill No. 292, entitled "An act to provide for the location and erection of a capitol building, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as follows:

Strike out in section 1, line 5, after the word "governor," the words "secretary of state."

Also, strike out in section 1, line 5, the word "two" and insert the word "three."

Also, in section 1, line 6, after the word "Senate," insert "*Provided*, That each one of the said commissioners, so appointed by the governor, shall be members of different political organizations."

Also, in section 4, line 5, strike out the word "two" and insert the word "five," and also strike out figure "2" where it occurs in the same line and insert the figure "5."

In section 4, line 15, after the words "shall be" insert the following: "Filed in the office of the auditor of the state and published on the first day of January of each year in two newspapers to be selected by the board, and a copy."

In section 4, line 24, strike out "secretary of state" and insert "auditor of state."

In section 6, line 17, strike out the word "two" and insert "four daily," and after the word "papers" in the same line insert the word "one."

In section 6, line 18, after the word "localities" insert the words "outside of the State of Washington."

In section 7, line 15, strike out the word "ten" and insert the word "twenty."

In section 8, line 13, after the word "two" insert the words "or more." With these amendments we recommend that the bill do pass.

Respectfully submitted.

T. F. MENTZER, Chairman.

We concur in this report:

ALBERT SHERMAN,  
C. F. KELLER,  
J. H. SMITHSON,  
C. J. MOORE,  
A. S. MCKENZIE.

MINORITY REPORT.

I concur in the majority report in regard to the general provisions of the act, but differ in reference to the following provisions, viz.:

1. That the cost of the capitol building should be limited to an expenditure of one million dollars.

2. That not more than \$250,000 be appropriated at the present session of the legislature for the erection of the first section or wing of the capitol building, subject to provision that actual contracts for construction work shall not be let until \$100,000 has accumulated from the sale of public lands belonging to the capitol building fund.

3. That the capitol building shall be built according to the style of the Grecian square cross plan of architecture, with an appropriate dome built over the inner square of the building, or in accordance with a design that will be in harmony with architectural beauty. The object being to secure a symmetrical building which would permit construction in separate wings, yet when completed, a beautiful design.

J. B. SMITH.

On motion, all amendments suggested in the majority report were adopted, except the amendment to line 1 of section 6: "*Provided*, That each one of the said commissioners so appointed by the governor shall be members of different political organizations."

The house refused to indefinitely postpone by a divisional vote of 36 to 15.

Amendment presented by Mr. Scott to House bill No. 292. Add to section 13 the following: "*Provided*, That a sufficient sum to pay for the same shall have been derived from the sale of lands for that purpose."

The amendment was adopted.

Mr. Scott presented the following amendment. Add to section 15: "*Provided*, That no appropriation shall be made from any fund except the fund derived from the sale of lands granted for public buildings at the state capital.

The amendment was adopted.

Mr. Mentzer presented the following amendment: Section 1, line 6, after the word senate insert: "*Provided*, That not more than three members of said board shall belong to any one political organization."

The amendment was adopted.

On motion of Mr. Roth, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 53, nays 19, absent 6.

Yeas: Messrs. Anderson of Whatcom, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Crockett, Denn, Durant, Farrish, Foster, Green, Hamill, Hurd, Judson, Karr, Keller, Letterman, Ludden,

Mays, Mead, Meany, Mentzer, Merchant, Moore, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Tucker, Tull, Turpin, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Baker, Burton, Cowan, Edmonds, Edwards, Egbert, Gilman, Greenberg, Hoole, Kelly, Kline, Leo, Morrison, McElwain, Nash, Neergaard, Sallee, and Washburn.

Absent: Messrs. Anderson of Whitman, Collin, Heliker, Roscoe, Speck, and Temple.

The emergency clause passed by the following vote: Yeas 53, nays 17, absent 8.

Yeas: Messrs. Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Crockett, Denn, Durant, Edwards, Farish, Foster, Hurd, Judson, Karr, Keller, Kelly, Kline, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Tucker, Tull, Turpin, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Burton, Cowan, Edmonds, Egbert, Gilman, Greenberg, Hoole, Leo, Morrison, McElwain, Neergaard, Sallee, Scott, and Washburn.

Absent: Messrs. Collin, Green, Hamill, Heliker, Payne, Roscoe, Speck, and Temple.

The title was amended by adding the words "and making an appropriation therefor," and, as amended, was approved.

Mr. Leo was given permission to introduce House concurrent resolution No. 23, Providing that the provisions of House bill No. 332 be applied only to cases arising before its passage.

The concurrent resolution was read the first time in full.

On motion of Mr. Leo, the rules were suspended, and House concurrent resolution No. 23 was read the second and third time, and placed on final passage.

The resolution was passed by the following vote: Yeas 57, nays 1, absent 20.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Denn, Ed-

wards, Egbert, Farrish, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Leo, Letterman, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Pierce of Lewis, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nay: Mr. Meany.

Absent: Messrs. Anderson of Whitman, Brock, Collin, Cowan, Crockett, Durant, Edmonds, Foster, Heliker, Kline, Ludden, Nelson, Payne, Pierce of Klickitat, Rinehart, Roscoe, Speck, Temple, Tucker, and Turpin.

The chief clerk was instructed to transmit the resolution to the Senate at once.

#### MESSAGES FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 65, entitled "An act relating to private sales of real property belonging to estates of minors, etc.," with amendments as noted in section 3 of the bill, and the same is herewith returned to the House.

ALLEN WEIR, Secretary.

The House concurred in Senate amendments to House bill No. 65.

MR. SPEAKER:

The Senate has passed House bill No. 114, entitled "An act in relation to garnishments," with amendment to section 26, as noted in the bill, and the same is herewith returned to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Gilman, the House concurred in Senate amendment to House bill No. 114.

MR. SPEAKER:

The Senate has passed Senate concurrent resolution No. 17, "Relative to federal immigration law."

Also, House bill No. 217, Relating to municipal corporations.

Also, Senate Memorial No. 9, For the relief of Dennis Storrs and others.

The Senate has indefinitely postponed House bill No. 301, An act to regulate the operating of railroads.

Also, has indefinitely postponed House bill No. 174, Amending certain sections of the school laws.

The president of the Senate has signed Senate bill No. 161.

Also, Senate bill No. 271.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The speaker signed Senate bills Nos. 271 and 161 in open session of the House.

REPORT OF COMMITTEE ON STATE BUILDINGS, PUBLIC  
 GROUNDS AND LIBRARY.

MR. SPEAKER:

We, your Committee on State Buildings, Public Grounds and Library, to whom was referred House bill No. 293, entitled "An act to provide for the sale of lands granted to the State of Washington for the purpose of erecting public buildings at the state capital, and for the preservation of said lands and the proceeds thereof," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as follows, and that as amended, it do pass:

In section 3, line 3, after the word "lie," strike out the remainder of the sentence down to and including the word "governor."

In section 4, line 1, strike out the words "or upon sealed bids."

In section 5, line 2, after the word "sale," strike out all of lines 2, 3 and 4 down to and including the word "bids."

In section 5, line 12, after the word "paid," add "the contract or certificate of purchase herein provided for shall be in such form as the said land commission shall prescribe, and shall be executed in duplicate, one copy of which shall be returned to the purchaser, and one copy filed in the office of the commissioner of public lands."

In section 7, line 1, after the word "to," insert the following: "The commissioner of public lands, by draft payable to." Also, strike out in said section 7, lines 2 and 3, the following words: "The state treasurer shall certify all payments so made to the land commissioner who," and insert in lieu thereof the words "and the commissioner of public lands."

In section 9, line 5, strike out "secretary of state," and in lieu thereof insert "commissioner of public lands."

At end of section 10, after word "both," insert, "*Provided*, That nothing in this act shall be so construed as to prevent any purchaser, who shall purchase said land for the purpose of a home, from cutting such timber as may be necessary for domestic use, or to clear land for actual cultivation."

Respectfully submitted.

We concur in this report:

T. F. MENTZER, Chairman.

ALBERT SHERMAN,

C. T. KELLER,

J. H. SMITHSON,

C. J. MOORE,

J. B. SMITH,

A. S. MCKENZIE.

The report of the committee, with amendments, was adopted.

On motion of Mr. Mentzer, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.



The bill passed by the following vote: Yeas 58, nays 13, absent 7.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Farrish, Foster, Green, Greenberg, Hamill, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Moore, Mulkey, McKenzie, McMullan, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Tucker, Tull, Turpin, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Burton, Collin, Edwards, Egbert, Gilman, Hoole, Morrison, McElwain, Neergaard, Scott, Smith of Douglas, and Washburn.

Absent: Messrs. Anderson of Pierce, Brock, Heliker, Merchant, Roscoe, Sallee, and Temple.

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

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copy of House concurrent resolution No. 22, Asking permission to introduce a bill repealing an act relating to second appeals in criminal cases, being House bill No. 332, which was returned to the House without the governor's approval, has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above House concurrent resolution No. 22.

Mr. Anderson, of Whitman, presented the following notice:

MR. SPEAKER:

Your special committee, appointed to investigate the affairs of the Washington Agricultural College and School of Science, beg leave to report that they appointed Mr. Chas. P. Lund, of Spokane, as stenographer, beginning February 13, 1893, at a salary of \$5 per day.

Respectfully,

D. F. ANDERSON, Chairman.

Mr. Rinehart moved that the House take a recess to 7 P. M.

The House refused to take a recess by a vote of 36 yeas to 31 nays.

On motion of Mr. Kelly, the House adjourned at 5:30 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## FIFTY-FIFTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Saturday, March 4, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.

The roll was called; all the members present.

Mr. Mead moved the rules be suspended, the reading of the journal dispensed with and stand approved.

The motion prevailed, and yesterday's journal was approved.

The speaker appointed the following gentlemen as a committee to investigate the affairs of the adjutant general's office, as per Meany's resolution of yesterday:

Messrs. Roth, Pierce of Lewis, Greenberg, Letterman, and Judson.

On motion, the committee on calendar were instructed to place House bill No. 340 at the head of the calendar.

### PETITIONS, ETC.

By Mr. Smith, of Okanogan: Remonstrance from citizens of Okanogan county, Stehekin Valley, signed by C. H. Cole and twenty-five others, against the division of Okanogan county.

Referred to Committee on Counties.

On motion of Mr. Meany, the amended printed bill, House bill No. 470, was substituted for the original.

Mr. Wheeler gave notice of proposing the following standing rule:

"There shall be three daily sessions of the House, commencing, respectively, at 10 o'clock A. M., 2 o'clock P. M., and 7:30 o'clock P. M.

Resolution by Mr. Meany, in reference to the State University, was referred to Committee on Appropriations.

On motion of Mr. Hoole, the revenue bill, Senate bill No. 260, was made special order for Monday at 10 o'clock A. M.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1893.

MR. SPEAKER:

□ The Senate has passed Senate bill No. 219, entitled "An act amending certain sections of the code relating to cities of the fourth class."

Also, Senate bill No. 97, Relating to instructions to juries.

Also, House bill No. 71, Relating to county, school, city and town warrants.

Also, House bill No. 263, Preventing deficiencies in public institutions and state departments.

Also, House bill No. 20, Relating to appeals.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

## REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

MR. SPEAKER:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 117, entitled "An act to secure secrecy in the transmission of telegraph and telephone messages, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

W. H. LUDDEN, Chairman.

We concur in this report:

ROTH,  
NASH,  
MCELWAIN,  
PAYNE.

The bill was read the second time.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 56, nays 16, absent 6.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Edmonds, Farrish, Gilman, Greenberg, Hamill, Heliker, Hoole, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Sherman, Smith of Okanogan, Speck, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, and Mr. Speaker.

Nays: Messrs. Baker, Crockett, Denn, Durant, Edwards, Egbert, Foster, Green, Judson, Mays, Moore, Neergaard, Scott, Shelton, Smith of Douglas, and Woodworth.

Absent: Messrs. Anderson of Pierce, Hurd, Kline, McMillan, Smithson, and Speck.

The emergency clause passed by the following vote: Yeas 53, nays 17, absent 8.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Burton, Bush of Chehalis, Bush of Pacific, Collin, Farrish, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Shadle, Sherman, Smith of Okanogan, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Foster, Judson, Mays, Moore, Morrison, McElwain, Scott, Shelton, and Smith of Douglas.

Absent: Messrs. Anderson of Pierce, Cameron, Hurd, Kline, Roth, Smithson, Turpin, and White.

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

On motion of Mr. McElwain, the emergency clause on Senate bill No. 117 was stricken out.

Mr. Leo moved that the rules be suspended and the House concur in Senate concurrent resolution No. 18.

The House refused to suspend the rules.

On motion of Mr. White, House bill No. 349 was referred to Committee on Judiciary and made a special order for Monday at 2 o'clock P. M.

#### MESSAGES FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1893.

MR. SPEAKER:

The Senate has passed Senate concurrent resolution No. 18, asking permission to introduce Senate bill No. 312, Relating to grain warehouses, and the weighing, handling and inspection of grain at Tacoma, Seattle and Spokane, and the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

MR. SPEAKER:

The Senate has passed House bill No. 377, Relating to bills of exceptions and statements of facts; also, the Senate has indefinitely postponed House bill No. 231, Relating to leasing of school lands; and the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

## MESSAGES FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 3, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN—I have this day received from Hon. J. H. Price, secretary of state, a communication of which the following is a copy:

“OLYMPIA, March 3, 1893.

*“Hon. J. H. McGraw, Governor of the State of Washington:*

“SIR—I have the honor to inform you that the House of Representatives of the State of Washington has this day transmitted to this office House bill No. 332, entitled ‘An act allowing a second appeal to the supreme court in certain cases where persons have been convicted of felony, and declaring an emergency,’ for record, ‘for the reason that the veto message and bill were not returned to the House within the time prescribed by the constitution.

“I have the honor to be, very respectfully, your obedient servant,

“J. H. PRICE, Secretary of State.”

While it is true that the receipt signed by E. C. Macdonald, private secretary in the executive department, for House bill No. 332 (and also House bills Nos. 66 and 234), was dated February 23, 1893, yet as a matter of fact the same was not signed until February 24, 1893, at the hour of 12:50 P. M., at which time the said House bills Nos. 332, 66 and 234 were presented and received at this office, which fact is clearly shown by records of the executive department kept for that sole purpose. The receipt referred to was prepared by a clerk of the House of Representatives, and simply signed in this office, the date thereof being inadvertently overlooked.

House bill No. 332 was vetoed on March 1, 1893, and the veto message transmitted to your honorable body on the morning of the 2d instant. So far as this office is concerned, the provisions of section 12, article 3 of the constitution of the State of Washington have been complied with; and House bill No. 332, together with the veto message, was returned to your body within the time prescribed by the constitution.

To avoid further misunderstanding in this matter, I deem it my duty to give you official notice of the facts herein set forth.

I have the honor to be, very respectfully, your obedient servant,

J. H. MCGRAW, Governor.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 3, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN—I have this day approved and signed the following:

House bill No. 216, entitled “An act to provide means for the validation of certain warrants and other evidences of indebtedness on the part of cities and towns, issued by the corporate authorities thereof in excess of their legal authority, in cases where any such city or town has, since

such attempted incurring of indebtedness, or may hereafter, become consolidated with any other city or town, or has annexed, or may hereafter annex, any new territory, and declaring an emergency."

House bill No. 278, entitled "An act to amend sections 1 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.'"

House bill No. 333, entitled "An act relating to legal publication."

House bill No. 237, entitled "An act concerning the manner of electing county commissioners, and amending sections 272 and 266 of the first volume of Hill's Annotated Statutes and Codes of Washington."

House bill No. 95, entitled "An act making it a misdemeanor to sell, or offer for sale, within the State of Washington, cans, cases or packages of fish that are not plainly branded or marked on their exterior."

I have the honor to be, very respectfully, your obedient servant,

J. H. MCGRAW, Governor.

#### REPORT OF COMMITTEE ON STATE BUILDINGS, PUBLIC GROUNDS AND LIBRARY.

MR. SPEAKER:

We, your Committee on State Buildings, Public Grounds and Library, to whom was referred Senate bill No. 53, entitled "An act relating to the state library," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as follows:

First amendment: Strike out the word "seven," where it occurs in line 9 of section 8, and insert the word "six."

Second amendment: Strike out the words "or less" in line 4 of section 10 in printed bill, and insert in same line before the word "one," the words "less than."

Third amendment: Strike out the word "eighteen," where it occurs in line 1 of section 12 of the printed bill, and insert the word "seventeen."

Fourth amendment: Strike out the word "eighteen," where it occurs in section 16, and insert the word "fifteen."

Fifth amendment: Strike out section 19 and insert in lieu thereof the following: "Sec. 19. All acts and parts of acts in conflict with this act are hereby repealed."

And that the bill, when so amended, do pass.

Respectfully submitted.

T. F. MENTZER, Chairman.

We concur in this report:

A. S. MCKENZIE,

J. B. SMITH,

ALBERT SHERMAN,

C. F. KELLER,

C. J. MOORE,

J. H. SMITHSON.

Report adopted.

Mr. Ludden moved to amend the report of the committee on

Senate bill No. 53 by striking out "\$1,500" and inserting "\$1,800."

The roll was called, and the House refused to adopt the amendment by the following vote: Yeas 20, nays 47, absent 11.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Burton, Cameron, Gilman, Heliker, Hoole, Leo, Letterman, Ludden, Mentzer, Merchant, Morrison, McElwain, Nash, Nelson, Pierce of Klickitat, Rinehart, Roth, Wheeler, and White.

Nays: Messrs. Baker, Bush of Chehalis, Bush of Pacific, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Greenberg, Hamill, Judson, Karr, Keller, Kelly, Kline, Mays, Moore, Mulkey, McKenzie, McMillan, McMurphy, McNew, Payne, Pierce of Lewis, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Tucker, Tull, Turpin, Washburn, Westfall, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Hurd, Mead, Meany, Neergaard, Roscoe, Smithson, Temple, Webb, Weed, and Winchell.

The report of the committee was adopted, with the amendments.

The bill was read the second time.

On motion, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 63, nays 8, absent 7.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Denn, Durant, Edmonds, Farrish, Foster, Gilman, Green, Greenberg, Heliker, Hoole, Karr, Keller, Kelly, Leo, Letterman, Ludden, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Edwards, Egbert, Hamill, Judson, Kline, Mays, Smithson, and Turpin.

Absent: Messrs. Anderson of Pierce, Collin, Crockett, Hurd, Mead, Roscoe, and Temple.

The emergency clause passed by the following vote: Yeas 64, nays 5, absent 9.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman,

Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Karr, Keller, Kelly, Leo, Letterman, Ludden, Meany, Mertzner, Merchant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Edwards, Egbert, Judson, Mays, and Turpin.

Absent: Messrs. Anderson of Pierce, Durant, Edmonds, Hurd, Kline, Mead, Mulkey, Sallee, and Temple.

The title of the bill was amended by adding the words "and declaring an emergency," and as amended was agreed to.

The following Senate bills were read first time and referred to committees:

Senate bill No. 97, by Judiciary Committee (substitute for Senate bill No. 8): An act to amend paragraphs of the General Statutes and Codes of the State of Washington, by Wm. Lair Hill, relating to instructions to juries.

Referred to Judiciary Committee.

Senate bill No. 219, by Senator McManus (substitute for Senate bill No. 139): An act to amend section 673 of Hill's Annotated Statutes and Codes of Washington, defining the general powers of town councils of cities of the fourth class, and declaring an emergency.

Referred to Committee on Municipal Corporations.

Senate bill No. 221, by Senator Hutchinson: An act providing for the taxation of the net proceeds of mines, exempting mines, and declaring an emergency.

Referred to Committee on Mines and Mining.

Senate bill No. 237, by Senator Brown (substitute for Senate bill No. 68): An act to provide for the assessment and collection of taxes, and declaring an emergency.

Referred to Committee on Municipal Corporations.

Senate bill No. 262, by Committee on Public Revenue and Taxation: An act amending Session Laws of 1885-6, relating to the duties of prosecuting attorneys, and declaring an emergency.

Referred to Judiciary Committee.



Senate bill No. 240, by Senator Sergeant: An act to establish a state road through the Cascade mountains.

Referred to Committee on Roads and Highways.

Senate bill No. 255, by Senator Hutchinson: An act to provide for the establishment of a state road through the Cascade mountains via pass north of Mt. Baker.

Referred to Committee on Roads and Highways.

Senate memorial No. 9, by Senator Edens: Praying for an appropriation for Dennis Storrs, living, and to the heirs of Donald McDonald, Fritz Dibben, Daniel Hines.

Referred to Committee on Appropriations.

House concurrent resolution No. 17: Relating to federal immigration law.

Referred to Committee on Federal Relations.

Senate bill No. 206, by Senator Helm: An act to protect the owners of stock from injury by moving railway trains, etc.

Referred to Committee on Railroads.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 206, entitled "An act to protect stock from damage by railroad trains."

The Senate has passed House bill No. 262, entitled "An act enabling cities to exercise the right of eminent domain."

Also, House bill No. 415, Relating to assessment and collection of taxes in cities of the first class.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Ludden, the chief clerk was instructed to transmit Senate bill No. 53 to the Senate at once.

On motion of Mr. Meany, House bill No. 470 was ordered reprinted as amended.

On motion of Mr. Weed, the House reconsidered the motion whereby the House refused to suspend rules on Senate concurrent resolution No. 18.

#### JOINT SESSION.

The Senate appearing, the senators were invited by the speaker to seats within the bar, and the president to preside.

The roll was called. Senators Dyer, Frink, Kinnear, McManus,

Richards, T. J. Smith, and Van De Vanter, and Messrs. Roth and Temple were absent.

On motion of Mr. Hoole, the rules were suspended, the reading of yesterday's joint journal dispensed with, and journal approved.

Pairs for today: Ludden and Temple, Gilman and Roth, Richards and Kinnear, Smith of Whitman and Frink, Sherman and Meade, Eshelman and Dyer, Ide and Van De Vanter.

The president instructed the clerk to call the roll for the ninety-second ballot.

NINETY-SECOND BALLOT.

John B. Allen received 38 votes.

George Turner received 15 votes.

C. W. Griggs received 13 votes.

L. C. Gilman received 15 votes.

Frank D. Nash received 3 votes.

J. W. Arrasmith received 2 votes.

Clarence W. Ide received 1 vote.

John R. Kinnear received 1 vote.

J. C. Van Patten received 8 votes.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Edens, Farrish, Forrest, Forsyth, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, McKenzie, McMurphy, McNew, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Sallee, Sergeant, Speck, Tucker, Washburn, Wheeler, White, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, McMillan, Mentzer, Nash, Nelson, Pierce (D. W.), Smithson, Tull, Van Houten, and Westfall.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Donahoe, Foss, Green, Hamill, Judson, Leo, Letterman, Mays, McCroskey, Miller, and Smith (H. F.).

Those voting for J. C. Van Patten were: Baker, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Those voting for L. C. Gilman were: Burton, Cowan, Crockett, Edmonds, Foster, Hutchinson, Kline, McElwain, Moore, Mulkey, Payne, Shaw, Shelton, Turpin, and Webb.

Those voting for F. D. Nash were: Kelly, Shadle, and Woodworth.

Those voting for J. W. Arrasmith were: Roscoe and Weed.

Mr. Bush (N. W.) voted for R. O. Dunbar.

Mr. Winchell voted for John R. Kinnear.

Senator Rutter voted for Clarence W. Ide.

The president announced that no person had been elected United States senator, and instructed the clerk to call the roll for the ninety-third joint ballot.

NINETY-THIRD JOINT BALLOT.

John B. Allen received 38 votes.

George Turner received 15 votes.

C. W. Griggs received 14 votes.

Clarence W. Ide received 1 vote.

Frank Hastings received 1 vote.

W. R. Hoole received 1 vote.

J. C. Van Patten received 7 votes.

T. J. Smith received 3 votes.

Parson Brownlow Egbert received 2 votes.

John R. Kinnear received 1 vote.

H. C. Cooper received 1 vote.

C. L. Webb received 1 vote.

L. C. Gilman received 12 votes.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Edens, Farrish, Forrest, Forsyth, Gilbert, Heliker, Horr, Karr, Kellogg, Kelly, McElwain, McKenzie, McMurphy, McNew, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Rutter, Sergeant, Speck, Tucker, Webb, Weed, Wheeler, White, and Mr. Speaker.

Those voting for George Turner were: Cooper, Easterday, Helm, Hurd, McMillan, Mentzer, Nash, Nelson, Pierce (D. W.), Roscoe, Shadle, Smithson, Tull, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Donahoe, Foss, Green, Hamill, Judson, Leo, Letterman, Mays, McCroskey, Miller, Shelton, and Smith (H. F.).

Those voting for J. C. Van Patten were: Burton, Collin, Denn, Durant, Edwards, Egbert, and Smith (J. B.).

Those voting for T. J. Smith were: Claypool, Sallee, and Van Houten.

Those voting for Parson Brownlow Egbert were: Baker and Scott.

Those voting for L. C. Gilman were: Gowan, Crockett, Edmonds, Foster, Hutchinson, Keller, Kline, Moore, Mulkey, Payne, Shaw, and Turpin.

Mr. N. W. Bush voted for H. C. Cooper.

Mr. Greenberg voted for Clarence W. Ide.

Mr. Hoole voted for Frank Hastings.

Senator Hastings voted for W. R. Hoole.

Mr. Winchell voted for John R. Kinnear.

Mr. Washburn voted for C. L. Webb.

No election of United States senator occurring on the ninety-third joint ballot, the president dissolved the joint session at 12:35 P. M. to meet Monday at 12 o'clock noon.

The following bills were introduced and read the first time:

House bill No. 483, by Mr. Leo: An act allowing a second appeal to the superior court, and declaring an emergency.

Referred to Judiciary Committee.

House bill No. 484, by Mr. Meany: Repealing an act entitled "An act allowing a second appeal to the supreme court in certain cases."

Referred to Judiciary Committee.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1893.

MR. SPEAKER:

The Senate has passed House concurrent resolution No. 23, Asking that House bill No. 332 be reconsidered.

And the same is herewith returned to the House.

ALLEN WEIR, Secretary.

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed bills respectfully reports that the enrolled copy of House bill No. 71, entitled "An act in relation to county, school, city and town warrants, and the manner of their payment," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above House bill No. 71.

REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED  
BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 159, entitled "An act for the protection of the public health, and to provide for certain boards of health and to regulate their duties."

House bill No. 283, An act granting a bounty for the production and manufacture of sugar in the State of Washington.

House bill No. 252, An act to amend section 14 of an act entitled "An act in relation to prosecuting attorneys, defining their duties, and fixing their compensation, the same being section 231 of volume 1 of Hill's Annotated Statutes and Codes of Washington."

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above House bills Nos. 159, 283 and 252.

On motion of Mr. Rinehart, the House adjourned at 12:50 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

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FIFTY-SEVENTH DAY.

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MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Monday, March 6, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.

The roll was called; all the members were present except Messrs. Farrish, Morrison, Speck, Weed, and Winchell.

On motion of Mr. Wheeler, the rules were suspended, the reading of the journal dispensed with, and the journal approved.

On motion of Mr. Hurd, the House took under consideration House bill No. 284.

REPORT OF COMMITTEE ON MEDICINE, SURGERY AND  
HYGIENE.

MR. SPEAKER:

We, your Committee on Medicine, Surgery and Hygiene, to whom was referred House bill No. 284, entitled "An act to amend section 2186, of the Code of 1881, relating to quarantine," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

J. H. RINEHART, Chairman.

The bill was read the second time in full.

On motion of Mr. Hurd, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 61, nays 2, absent 15.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Merchant, Moore, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Payne, Pierce of Lewis, Rinehart, Roscoe, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Temple, Tucker, Tull, Turpin, Washburn, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Egbert, and Pierce of Klickitat.

Absent: Messrs. Anderson of Pierce, Denn, Farrish, Keller, Mentzer, Morrison, Nelson, Roth, Scott, Smith of Okanogan, Speck, Webb, Weed, Westfall, and Winchell.

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

On motion of Mr. Hurd the rules were suspended for the day, and the chief clerk was instructed to transmit to the Senate all bills as soon as passed by the House.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 6, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 232, Providing for the insurance of the state library.

Also, Senate bill No. 27, Providing for additional land and improvements for the state reform school.

The president of the Senate has signed Senate bill No. 88, Amending certain sections regulating the registration of voters, and the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The speaker signed Senate bill No. 88, in open session of the House.

#### REPORTS OF SPECIAL COMMITTEES.

The report of the joint committee to visit the state university was received.

On motion of Mr. Meany the report was received and spread on the journal, to wit:

#### REPORT OF SPECIAL COMMITTEE ON STATE UNIVERSITY.

MR. SPEAKER:

Your committee appointed to serve with a like committee from the Senate in visiting the state university at Seattle, beg leave to report as follows:

We proceeded to Seattle on Friday, February 17th, and began at once the work entrusted to our hands.

On Saturday morning by previous appointment we met at the chamber of commerce and were there joined by Messrs. J. R. Hayden, Wm. D. Wood and David Kellogg, who comprise the executive committee of the board of university regents; by Mr. John Arthur, president *pro tem.* of the board of university land and building commissioners, Mr. Fred G. Plummer, the engineer of the said board of university land and building commissioners, and by President T. M. Gatch and Professor J. M. Taylor, members of the faculty of the state university.

With these gentlemen we proceeded to the present site of the university and carefully inspected the buildings and grounds. We found the grounds, comprising ten acres, admirably situated in almost the exact center of the city, and we estimate that this land will easily bring between \$400,000 and \$500,000, if properly sold, as soon as the present prevailing money stringency is relieved.

The main university building we found in neat and tidy condition, but the rooms and equipments are in a pitifully cramped and inadequate condition for effective work. The recitation rooms are very small. The cloak rooms have been transformed into recitation rooms, while the hallways have been made to serve for cloak rooms. The chemical laboratory is not more than twelve by fifteen feet in dimensions, with very scant apparatus and materials with which to impart the instruction usually taught in such departments. The hallway on the second floor has been partitioned off to serve as a library. It makes a room about forty feet long and only five feet wide. The dormitories, and class rooms for the arts, music and other special studies, are all cramped and in no sense comfortable. In short, there is no city or town in the state but can boast of public school buildings that will immeasurably surpass in their pro-

visions for educational facilities the small accommodations supplied for the state university. The astronomical observatory is the most complete structure on the grounds. It is a new acquisition and can readily be removed to the proposed new site.

We found on one corner of the grounds the armory for the accommodation of the Seattle companies of the National Guard of Washington, which building is allowed to remain there under a lease from the board of regents. And we also found the hall of the Young Naturalists' Association. This latter building stands on ground which is leased to the said association. In this building is maintained an excellent collection of specimens illustrative of all branches of natural history, to which all the professors and students of the university have free access.

After visiting and inspecting these grounds and buildings, we proceeded to the office of W. E. Boone, the architect of the university land and building commission, and there inspected the plans which had been prepared by Mr. Boone and accepted by the university land and building commission. The plans were elaborate and complete in all details, but in our judgment the buildings planned are much too expensive for the requirements of the state at the present time or for many years to come. We ascertained that the building commissioners had made a contract with Mr. Boone, and that the latter had traveled extensively to gather information on the subject of university buildings. The commissioners were authorized under the law of 1891 to offer premiums for designs, but had preferred to hire Mr. Boone. The plans contemplated by Mr. Boone embraced fourteen buildings. The main structure, known as the administration and belles letters buildings, was advertised and the bids received ranged from about \$450,000 to about \$750,000. The board rejected these bids and resolved to build the structure by day work, but all operations were stopped by the state auditor refusing to issue any further warrants.

We then proceeded to the office of the university land and building commissioners and inspected their records, which we found had been kept in most excellent form.

Here we also consulted with the executive committee of the board of regents about future needs of the university, and especially about the needs of maintenance and support until provision is made to remove into the proposed new buildings.

Discussion of what had become of the lands granted to the university by congress prior to 1860, and also about the vexed questions constantly arising as to the perfecting of titles to lands sold at that time from that grant, came up, and Rev. Daniel Bagley, who was the president of the board of university commissioners, was sent for. Mr. Bagley has had in his possession for years the only complete record of these old land transactions, the other records having been destroyed by fire together with other valuable public records. Mr. Bagley finally agreed to turn over to the board of university regents all his records of these university land transactions, provided the regents would have prepared for him a certain copy of all those records for his own protection. This was all agreed to, and the board of regents will now be in a position to settle many vexed



questions arising as to the disposition and title to all the old granted university lands. Mr. Bagley's testimony before your committee may some time prove of great value in determining questions that may arise in finally adjusting these matters, and we therefore submit the testimony as reported at the time by a stenographer in the employ of your committee.

The testimony was as follows:

Major Hayden presented a list loaned him by the regents of the university, belonging to Mr. Bagley.

Mr. Dyer asked Mr. Bagley as follows:

State for the information of the committee, is this a detailed statement of the present condition of the university lands, also amount of lands sold during your administration?

MR. BAGLEY: This is a list of lands unsold during my administration.

MR. DYER: How many acres of university land at present unsold?

MR. BAGLEY: 2,550 $\frac{55}{100}$ .

MR. DYER: Can you state where these lands are located, or about where?

MR. BAGLEY: All over the state. First is Twp. 22 N., R. 1 E., 49 acres; Twp. 22 N., R. 1 E., 95 acres; Twp. 27 N., 1 E., 80 acres; 28 N., 1 E., 40 acres and then 80 acres; 24 N., 2 E., 80 acres, etc. (See list as indicated by Mr. Bagley.)

MR. DYER: Have you the original entries from which you took this copy; and would you object to furnishing that to the committee?

MR. BAGLEY: No; if the committee will return it. The courts have charged me not to let those lists out of my hands. They are all that are known—my land list, cash book, memoranda.

MR. TURPIN: You simply hold those as a matter of protection for yourself, as regent?

MR. BAGLEY: That is the only thing. I have no objections to your having it at any time. These are the unsold lands from the time I began until I closed up; that is, those that were unsold for various causes. A forty would drop out from what had been engaged by other parties. Some are very valuable. There is a quarter section in Sander's prairie near Olympia in which are nearly 300 acres.

MR. DYER: Your books show that there is 2,550.55 acres of land that remain unsold.

MR. BAGLEY: Yes, sir; I have examined carefully.

MR. DYER: State to the committee the qualifications of these lands in order that they may be traced up.

MR. BAGLEY: There were three of us, Adam Carr, John Webster and myself, appointed by the legislature a committee to select and sell these lands and use the funds in improving the ten acres that should be donated to us for university purposes, here in Seattle. We met the 22d day of February, 1861, according to order, and they appointed me president with full power to act, without calling them together. In 1861 Arthur Denny made donation of ten acres up here, except a fraction which Terry and Lander owned, and they donated them to the university. I got title to that, passed it to the governor, and he to the attorney general. We went on, selected lands and sold them and gave certificate of sale. The courts

called it a deed, so far as my acts were concerned. I signed those as Daniel Bagley, president of the board of university commissioners. I went on the first year and selected lands, when a couple of mill companies wanted lands; parties who had lands preëmpted wanted lands and were willing to help educational interests. They bought lands of me. I improved grades, cleared grounds, put up university buildings, dwelling house and boarding house. In 1861, when the legislature met, they sent down a committee to examine gifts and receive property. Then I went on again the next year, selected more lands, sold them, used the funds. Finally, a year or two afterwards, I closed up, mainly, the selection and passed the thing over to the regents, as my successors to do the business. I was president until 1867.

These lands, two townships, were donated under the law. I met with this difficulty. I went on to Washington three or four times to get a ruling. The interior department ruled I should not select less than 160 acres in one place for university purposes, in a body, unless I called it 160 acres, and charged the university with 160 acres. In other words, if I selected 10 acres in a lot, they made me call it 160 acres. That is one reason for some of these small places. This is one of the irregularities.

*Another Irregularity:* After I had selected and sold nearly all the lands and spent the money in improving the 10 acres, they ruled we had no right to sell, and that I must reconstruct my books to conform to their ruling. Therefore, it was a serious question for me. Parties paid \$10,000 for land which they thought was theirs. I went to Washington and could not get the ruling changed. The act of March, 1864, certifies the secretary of the interior, approving everything was done legally and according as it ought to be done, the secretary would issue you clear list, which served really as a United States patent to that amount to cover this irregularity.

MR. TURPIN: Did the secretary of the interior approve this list?

MR. BAGLEY: Yes; but in every case we had to give testimony, make affidavits in due form, and he would issue list. It went on until we became a state, then he certified all the university lands were turned over to the State of Washington. Now, instead of going before the secretary of the interior, as we did to get the full complete title, we have to bring suit against the State of Washington, service upon the governor, and get testimony that everything was done legally to the best that it could be done in our judgment, all done fairly, money used in university; then the court gives a mandate in keeping with that, and that serves as full title. This is the reason of all the suits against the state.

MR. DYER (taking list): Of these figures here showing what was done, was all this done on rules of the department.

MR. BAGLEY: Yes, sir. They were not disposed of at less than \$1.25 per acre.

MR. DYER: Was the money paid for the construction of these buildings derived from the sale of these lands, or was it by appropriation?

MR. BAGLEY: By the sale of the lands.

MR. DYER: You had control of the money?

MR. BAGLEY: Yes, sir. Whenever I selected a tract of land and sold it, I charged myself with that sum of money. Anything I could not account for I had to pay off myself.

Originally 46,080 acres of land were donated. Of this amount all has been sold except 2,550.55. There are 1,200 acres to select yet.

MR. DYER: Did you sell other lands except those donated by the government so as to cure defects in former titles?

MR. BAGLEY: The government said I had no right to sell and had no right to take pay for less than 160 acres, but I did it and found \$10,000 parties had paid me for university land in small pieces. I went to Washington and tried to get the thing remedied, and got that act. Then I reconstructed by books and selections, carried on selections and asked the commissioner to substitute my new list for the old list; that was done. Then, what was to be done with that \$10,000 of lien land? I let those go to the general land office in the territory, and bought them myself for the purpose of protecting purchasers. In other words, I entered them as cash entries, and saved the parties from losing their money. That is the way I cured defect. When you have my books you can see that.

MAJOR HAYDEN: Does it not appear on your books that when you have so many acres sold and so many selected, the books would show more than were sold? Could I not believe as a matter of fact that you sold more lands than the list called for, and in order to secure that you entered the lands as private lands to secure the parties? The "ps" showing private cash entry are reported to Washington City.

Is it possible that there are some titles to be perfected where you sold lands you had no right to sell.

MR. BAGLEY: It is possible that some of the titles have not been cured, as I don't know whether the regents did their duty.

MR. WOOD: In case of 80 acres you were selecting and selling immediately after selection or until after you had secured approval, or in other words, you selected and sold the same day?

MR. BAGLEY: Yes. When I sold 80 acres at \$1.25 I reserved that for university funds; if I got more than that I would turn it to the University funds.

MR. TURPIN: Regarding yourself, where you took 40 acres where the department required you to take 160 acres, does your estimate of the amount of land the state now owns based on the principle that where you took 80 or 40, you had to do it based on the plans that it went for 160?

MR. BAGLEY: No.

MR. TURPIN: This aggregate amount that you have as owned by the state, was that based on the principle of the department rulings?

MR. BAGLEY: Yes. It gave us the whole lands.

Major Hayden asked if the list of Mr. Bagley for 2,550.55 acres were those which we had title to.

MR. BAGLEY: (Taking list). For instance, there is the E.  $\frac{1}{4}$ , N. E.  $\frac{1}{4}$  S. W.  $\frac{1}{4}$  N. E.  $\frac{1}{4}$ ; and the N. E.  $\frac{1}{4}$  of the S. E.  $\frac{1}{4}$  sec. 21, twp. 28 N., R. 2 E., 160 acres. See letter "K," July 15, '90, list 20, approved July 20, 1890. That

is the record that the authorities at Washington approved of this land. It has their 'finger mark.

MR. WOOD: Is that an approval of the selection of the land or of the sale?

MR. BAGLEY: It is an approval of the selection.

MR. WOOD: I have this understanding: The act of 1864 provided that sales made before that date, upon the approval of the secretary of the interior, would be confirmed. Have any confirmations been made since that time?

MR. BAGLEY: In round numbers 20,000 acres have been made since, 1864.

MR. WOOD: I thought that act only related to prior to its passage.

MR. BAGLEY: There has been very few selections since the act, but a few have been. I can tell by my books. I have made sales since '64.

MR. WOOD: Did the act of 1864 provide for approvals after its date?

MR. BAGLEY: I did not say so, so as to cut it off.

MR. DYER: What we want is: What has been done with the lands? The money is gone, and what lands are left now?

MR. BAGLEY: My understanding is that that is subject to your sale at any time, on my list; that it has gone through the land office, and my understanding is that the 1,100 or 1,200 acres besides these are to be selected and sold by you. The 2,550.55 acres I spoke of have been selected and certified to.

MR. MEANY: Of those lands you afterwards entered by private entry will those be subtracted from the lands selected for the university?

MR. BAGLEY: You are entitled to 46,080. They cut no figure. They are dropped out. The only question is, whether 1,200 acres of those lands have been entered by the board of regents. The lands which Bagley took for private entry cuts no figure with the land selected by the university.

MR. DYER: State for the benefit of the committee how this error came by you originally, about selling lands that did not belong to the university.

MR. BAGLEY: I cannot tell. I believed we had a right to sell and they generally said so. I sold the lands, but did not think I was doing anything wrong.

MR. DYER: Does that act of congress say how these lands should be taken?

MR. BAGLEY: Yes, you could take offered or unoffered.

MR. DYER: How did it happen that this ruling was changed by the department?

MR. BAGLEY: The ruling was wrong in regard to the parcels and regard to the fact, but we had to submit.

MR. DYER: What explanation did they give?

MR. BAGLEY: That it was a reservation to be appropriated and set apart for state purposes, and on admission the state would take them.

MR. TURPIN: Do you remember a conversation that there were certain marks like "P.," indicating private entry, etc.? I would like to have those marks explained.

MR. BAGLEY: First it is written out in full, "private entry." After that it is "P.," which stands for private entry. "R." stands for reported, and that means reported to Washington City. I sometimes abandoned a piece of land where a man had no money to pay for it. My sign for that is "abandoned." In that case, I returned the money where he had paid anything. I don't think there are any other marks. (See report of select committee of the House of Representatives, attached.)

MR. SMITHSON: Are we entitled to sell that land (2,550.55 acres) for any appraised value we think it is worth, or have we to sell for \$1.25 per acre?

MR. ARTHUR: We could sell it for what it is worth. Mr. Bagley also stated that these lands could not be sold for less than \$10 an acre.

MR. TURPIN: Are there any suggestions you have in reference to cure defects in titles that may have occurred?

MR. BAGLEY: I know of no defects in titles so far as I am concerned?

Mr. Claypool presented brief of Fred W. Smith vs. State of Washington. Major Hayden said the point in this case is that the land was sold after '64 by Bagley when he had no right to sell. Judge Lichtenberg, of Seattle, decided Bagley had a right to sell it, and the case was brought to the supreme court.

Mr. Arthur read substance of bill with regard to bringing suit to perfect title (Act of March 26, 1890, concerning titles to common school and other lands).

MR. DYER: I understand, Mr. Bagley, you have all the original books and papers.

MR. BAGLEY: I have all, and yet though they were made in triplicate, two copies were destroyed in the Seattle fire, and I have the only one.

MR. DYER: Has this ever been in possession of the board of regents?

MR. BAGLEY: Yes, sir.

MR. DYER: Don't you think these books ought to be in the hands of the regents?

MR. BAGLEY: Yes, but all the regents except me are dead, and if a party wants to perfect his title, I will have to be in court.

MR. DYER: Would you not be in favor of letting certified copies of these books?

Mr. Bagley said the courts at Port Townsend, and also at Seattle, had ordered him not to let these books out of his hands. He had all the records, book of memoranda with annotations, land list with annotations, cash book, list of lands sold by university commissioners.

Mr. Dyer suggested that Mr. Bagley turn over all books to Major Hayden, and that Major Hayden have a certified copy prepared to give Mr. Bagley, and let the board of regents have the original. Mr. Bagley agreed to comply with the suggestion.

On Sunday your committee visited the proposed new site for the University, which is a fractional section of school land bordering on both Lake Union and Lake Washington. This site will form an almost perfect location for a great educational institution. We heartily commend the selection of this site.

As a result of our visit of inspection and investigation, we have come to the conclusion that a vigorous policy must be adopted to place the university of Washington up to the standard it should reach, and we believe that all the requirements of the present looking to the attainment of this desired end will be met by the amended and reprinted House bill No. 470, and we heartily recommend the passage of said House bill No. 470.

Respectfully submitted.

C. E. CLAYPOOL, Chairman,  
TRUSTEN P. DYER, Senate.  
EDMOND S. MEANY,  
F. B. TURPIN,  
J. H. SMITHSON, House.

The rule proposed by Mr. Wheeler, providing for three daily sessions of the House, at 10 A. M., 2 P. M. and 7:30 P. M., for the remainder of the session, was adopted.

Mr. Mulkey presented the following resolution:

*Resolved*, That T. G. Nicklin, chief clerk of the House, be authorized to have the "copy" of the House journal prepared for the printer, and the proof of the same read, and a suitable index prepared for the said journal, and that he be allowed for the said work in preparing "copy," reading proof and indexing, the amount provided in the general appropriation bill. The state auditor to issue warrants for the said work as follows: When the receipt of the state printer for the "copy" is filed with him, \$200; when the certificate of the state printer that the work has been completed and the proof on the index read, is filed with him, \$100.

The resolution was adopted.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 150, entitled "An act for the relief of Elisha P. Ferry and Thomas M. Reed."

Also, Senate bill No. 241, An act for the relief of Stevens county.

Also, House bill No. 302, Relating to the improvement of roads and highways.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Hoole, the House went into committee of the whole for consideration of the revenue law, Senate bill No. 260.

Mr. Hoole was called to the chair.

The committee of the whole rose at 11:50 A. M., and through its chairman reported progress, and asked leave to sit at 2 o'clock P. M.

On motion of Mr. Hurd, the House took a recess at 11:50 A. M., subject to the call of the chair, at 12 o'clock noon.

The speaker called the House to order at 12 o'clock noon.

## JOINT SESSION.

The Senate appearing at 12 o'clock noon, the speaker invited the honorable senators to seats within the bar and the president of the Senate to preside over the joint session.

The roll was called; all the members of the two Houses were present except Senators Richards, Rutter and Van De Vanter, and Messrs. Farrish and Speck.

Mr. Campbell moved that the rules be suspended, and Saturday's joint journal stand approved without reading.

The motion prevailed, and Saturday's joint journal was approved.

Pairs for to-day—Senators Rutter and Richards, Ide and Van De Vanter, Messrs. Green and Farrish.

The president announced that no election of United States senator had occurred at Saturday's joint session, and instructed the clerk to call the roll for the ninety-fourth ballot.

## NINETY-FOURTH JOINT BALLOT.

John B. Allen received 45 votes.

George Turner received 22 votes.

C. W. Griggs received 15 votes.

J. C. Van Patten received 9 votes.

L. C. Gilman received 9 votes.

R. O. Dunbar received 1 vote.

R. C. McCroskey received 1 vote.

John Kinnear received 1 vote.

B. F. Shaw received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Sergeant, Tucker, Washburn, Webb, Weed, Wheeler, White, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Westfall, Van Houten, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D.

E.), Campbell, Donahoe, Eshelman, Foss, Hamill, Judson, Leo, Letterman, Mays, McCroskey, Miller, Payne, Shelton, and Smith (H. F.).

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Those voting for L. C. Gilman were: Cowan, Crockett, Edmonds, Foster, Hutchinson, Kline, Mulkey, Shaw, and Turpin.

Mr. Bush (N. W.) voted for R. O. Dunbar.

Mr. Gilman voted for B. F. Shaw.

Mr. Winchell voted for John R. Kinnear.

Senator McManus voted for R. C. McCroskey.

There being no election of United States senator on the ninety-fourth joint ballot, the president instructed the clerk to call the roll for the ninety-fifth joint ballot.

#### NINETY-FIFTH JOINT BALLOT.

John B. Allen received 44 votes.

George Turner received 20 votes.

C. W. Griggs received 15 votes.

J. C. Van Patten received 9 votes.

L. C. Gilman received 9 votes.

B. F. Shaw received 2 votes.

T. J. Smith received 1 vote.

John R. Kinnear received 2 votes.

R. C. McCroskey received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roscoe, Roth, Tucker, Washburn, Webb, Weed, Wheeler, White, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, McMillan, Mentzer, Nash, Nelson, Pierce (D. W.), Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Chauncey W. Griggs, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Donahoe, Eshelman, Foss, Hamill, Judson, Leo, Letterman, Mays, McCroskey, Miller, Payne, Shelton, and Smith (H. F.).



Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Those voting for L. C. Gilman were: Cowan, Crockett, Edmonds, Foster, Hutchinson, Kline, Mulkey, Shaw, and Turpin.

Those voting for B. F. Shaw were: Gilman and Moore.

Those voting for John R. Kinnear were: Roscoe and Winchell.

Mr. N. W. Bush voted for R. O. Dunbar.

Senator McManus voted for R. C. McCroskey.

Mr. Sallee voted for T. J. Smith.

The president announced that no person had received the requisite number of votes to elect a United States senator, and at 12:26 p. m. dissolved the joint session to meet to-morrow at 12 o'clock noon.

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

##### MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 114, entitled "An act in relation to garnishments."

House bill No. 86, An act to regulate the practice of dentistry, and declaring an emergency.

House bill No. 215, An act to amend an act entitled "An act to amend sections 105, 106, 114 and 117 of an act approved March 9, 1891, to provide for the organization, classification, incorporation and government of municipal corporations, etc., and declaring an emergency."

Respectfully submitted. J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above House bills Nos. 114, 86 and 215.

On motion of Mr. Mead, the House took a recess at 12:27 p. m., to meet at 2 o'clock this afternoon.

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 AFTERNOON SESSION.
 

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The House re-convened after recess at 2 o'clock; the speaker presiding.

The roll was called; all present except Messrs. Farrish and Speck.

## PETITIONS, REMONSTRANCES, ETC.

By Mr. Anderson, of Whatcom: Petitions for and remonstrances against the taxation of church property, from citizens of Whatcom county.

Referred to Committee on Revenue and Taxation.

By Mr. Mays: Petition from citizens of Garfield county, to regulate tolls in flouring mills, etc.

Referred to Committee on Commerce.

By Mr. Hoole: Petition from citizens of Clallam county asking that the road tax be payable in work, etc.

Referred to Committee on Roads and Highways.

The following Senate bills were introduced and read the first time, and referred to the proper committees:

Senate bill No. 27, by Senator Donahoe: An act relating to the state reform school.

Referred to Committee on Penitentiary.

Senate bill No. 150, by Senator Claypool: An act for the relief of Elisha P. Ferry and Thomas M. Reed.

Referred to Committee on Appropriations and Claims.

Senate bill No. 232, by Senator Rutter: An act to appropriate \$640 for the insurance, against fire, of the state library.

Referred to Committee on Appropriations and Claims.

Senate bill No. 241, by Senator O'Neill: An act for the relief of Stevens county.

Referred to Committee on Appropriations and Claims.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 192, Authorizing cities and towns to file corrected plats for erroneous surveys.

Also, Senate memorial No. 8, Relative to the consular seal privilege.

The president of the Senate has signed House bill No. 252, House bill No. 71, House bill No. 159, House bill No. 283, and House concurrent resolution No. 22.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copy thereof, and found correctly enrolled:

House bill No. 377, entitled "An act providing for and regulating the taking of exceptions, and the settling and certifying of bills of exceptions and statements of facts, and declaring the effect thereof."

House bill No. 263, An act to prevent the making of deficiencies in the public institutions and departments of the State of Washington, and providing for an emergency board.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bills Nos. 377 and 263.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 6, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 131, entitled "An act regulating police departments in cities of first class."

And the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

#### SENATE BUSINESS.

The following Senate bills were read and referred to proper committees:

Senate bill No. 131, by Senator Claypool: An act to define and regulate and govern police departments of cities of the first class, and declaring an emergency.

Referred to Committee on Municipal Corporations.

Senate bill No. 192, by Senator Cooper: An act to amend section 756 of volume 1 of Hill's Code.

Referred to Committee on Municipal Corporations.

Senate memorial No. 8, by Senator Richards: Relative to consular seal privileges.

Referred to Committee on Federal Relations.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 6, 1898.

MR. SPEAKER:

The Senate has passed Senate bill No. 197, entitled "An act prohibiting the laying of poison."

And the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

The House again went into committee of the whole, Mr. Hoole in the chair, for the consideration of Senate bill No. 260.

The committee of the whole rose at 5:45 P. M., and reported progress, and asked leave to sit again at 7:30 P. M.

Mr. Roscoe presented the following resolution, which was adopted:

WHEREAS, House bills Nos. 133 and 134, concerning the payment of wages in time checks, are of great importance to the laboring classes of this state; and

WHEREAS, Several hundred laboring men have petitioned this legislature to pass House bill No. 134: therefore, be it

*Resolved*, That the committee on calendar be requested to place said bills on the calendar that speedy action may be had thereon.

On motion of Mr. Mentzer, the House adjourned at 5:55 P. M. to meet at 7:30 P. M.

## EVENING SESSION.

The speaker called the House to order at 7:30 o'clock.

The roll was called. The following representatives were absent: Messrs. Denn, Nash, Sherman, Speck, and Westfall.

Mr. Brock moved that the rules be suspended, the reading of the journal be dispensed with, and stand approved.

The motion prevailed, and the journal of this morning and evening was approved.

Senate bill No. 260 was read the second time in full.

The House again resolved itself into committee of the whole for the consideration of Senate bill No. 260; Mr. Hoole, chairman.

At 9:50 P. M., Mr. Hoole, as chairman of the committee of the

whole, reported progress and asked leave for the committee to sit again at 10 o'clock to-morrow (Tuesday) morning.

On motion of Mr. Rinehart, the House adjourned at 9:50 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## FIFTY-EIGHTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Tuesday, March 7, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.

The roll was called; all the representatives were present.

The journal of last evening's session was read and approved.

On request of Mr. Kelly, Senate bill No. 221 was recommitted to Committee on Revenue and Taxation.

Senate bill No. 197, by Senator Roberts: An act prohibiting the placing of poison in places where the same may be obtained by dogs or other domestic animals, was read the first time, and referred to the Committee on Agriculture.

### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1893.

MR. SPEAKER:

The president of the Senate has signed House bill No. 263, House bill No. 215, House bill No. 86, House bill No. 377, Senate bill No. 117, Senate bill No. 21, House bill No. 114, and Senate bill No. 53, and the same are herewith transmitted to the House. ALLEN WEIR, Secretary.

The speaker signed Senate bills Nos. 21, 53 and 117 in open session of the House.

The speaker called Mr. Hoole to the chair.

### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 260, entitled "An act to provide for the assessment and

collection of taxes in the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be referred to the committee of the whole House.

Respectfully submitted.

D. W. PIERCE, Chairman.

The House resolved itself into committee of the whole.

The speaker called Mr. Ludden to the chair.

On arising the committee of the whole House made the following report:

#### REPORT OF THE COMMITTEE OF THE WHOLE.

MR. SPEAKER:

We, your committee of the whole House, to whom was referred Senate bill No. 260, entitled "An act to provide for assessment and collection of taxes in the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it pass with numerous amendments hereto attached:

Strike from section 3 of the bill all of lines 10 and 11 and insert in lieu thereof the following:

"All credits, including accounts, notes, bonds, certificates of deposit, judgments, choses in action and all other debts of whatsoever kind or nature, due or to become due, whether secured or not by mortgage or otherwise: *Provided, however,* That in making up the amount of money or credits which any person is required to list, or have listed or assessed, he will be entitled to deduct from the gross amount thereof all debts in good faith owing by him, but no acknowledgment not founded on actual consideration, and no such acknowledgment made for the purpose of being deducted, shall be considered a debt within the intent of this section, and so much only of any liability of such person as security for another shall be deducted as the person making the list believes he is equitably or legally bound to pay, and so much only as he believes he will be compelled to pay on account of the inability of the principal debtor, and if there are other sureties able to contribute, then so much only as he in whose name the list is made will be bound to contribute; but no person will be entitled to any deduction on account of any obligation of any kind given to any insurance company for the premiums of insurance, nor on account of any unpaid subscription to any institution, society, corporation or company; and no person shall be entitled to any deduction on account of any indebtedness contracted for the purchase of United States bonds or other non-taxable property: *Provided,* That credits shall be assessed at their true and actual value."

Amendment to section 5, line 6, after the word "donations" insert "whose seats are free to all."

Amend section 5, line 17, by adding after the word "reform" the following: "And the grounds whereon such libraries, hospitals, asylums, institutions or homes are built, not exceeding one hundred and twenty feet

by two hundred feet, when used exclusively for the purposes in this subdivision enumerated."

Section 5, line 16, strike out the word "whether" and the words "or in part."

Amend line 18, section 5, by striking out the word "personal."

Strike out the word "square" in line 7, section 5.

Line 11, section 5, insert after the word "buildings" "or property." Same line, after the word "township" insert the word "city."

Line 8, section 5, after the word "2" insert "any county, municipal corporation."

In lieu of the former word "square" in section 5, line 7, insert the words "in quantity."

Insert after the end of section 6 the following: "*Provided*, That real estate shall be valued once in two years."

In section 8, line 2, after the word "moneys," insert "notes, accounts and other credits."

In section 16, under "Items of Property," insert, as item 24, "notes, accounts, warrants and other credits," and re-number thereafter consecutively.

Strike out the word "poll," where it occurs first in line 38 of section 16; also the word "poll" in line 44 of same section.

Section 29, line 2, strike out "each year;" insert "every two years."

Amendment to section 43: In lines 5 and 6, after the word "year," strike out "and the amount of all losses paid;" line 7, after the word "collected," strike out "less the amount of losses paid."

Amendment to section 43, line 9: Strike out "less losses as aforesaid."

Strike out all of line 11 after the word "receipts;" all of line 12, and line 13 to the word "any."

Amend section 45 by striking out the word "may," where it occurs in line 2, and inserting the word "shall."

Line 8, strike out "five" and insert "three."

Amend section 55 by adding, after the word "county," in line 19, the words, "*Provided*, That the failure of the assessor to attach his certificate shall in no wise invalidate the assessment."

Strike out sections 59 to 66, both inclusive.

After the word "weeks," in line 38 of section 67, insert: "And shall remain in session not less than three days."

Insert after the word "taxes," section 72, line 7, the words "shall be."

Section 72, line 6, by substituting "eight" for "six."

Amend section 72, line 7, by striking out "five," where it occurs the second time, and insert "three."

Strike out sections 82 and 83.

After word "owner," in line 7, section 91, add the words, "make and deliver to the applicant."

Strike out section 93 and substitute the following: "All taxes not paid on or before the first day of April shall then become delinquent, and a penalty of five per centum shall thereupon be added, and from and after

the first day of April said unpaid taxes shall bear interest at the rate of 20 per cent. per annum from said date until paid."

Section 103, by striking out all after the word "action," in line 7.

Add to end of line 1, section 104, the word "alternate."

Amend section 105, page 28, line 11, by inserting the word "state" before the word "auditor."

Amend section 106 by inserting the words "the official" before the word "newspaper," in line four (4), and strike out the letter "a" before the word "newspaper," in line 4.

Section 131, line 2, strike out the word "two" and insert the word "five (5)."

In line 15, section 137, insert "the official" after the word "same."

In line 1 of section 140, amend to read "five years" instead of "two."

Strike out "or claiming," in line 1, section 112.

Respectfully submitted.

W. H. LUDDEN,

Chairman of Committee of Whole House.

On motion of Mr. Hoole, the report of the committee was adopted.

On motion of Mr. Hoole, the bill was read in full as amended.

On motion of Mr. Shadle, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 54, nays 18, absent 6.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Edwards, Farrish, Gilman, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Roscoe, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Burton, Crockett, Denn, Durant, Edmonds, Egbert, Foster, Green, Keller, Ludden, Merchant, Payne, Rinehart, Sallee, Scott, Shadle, Turpin, and Wheeler.

Absent: Messrs. Anderson of Pierce, Greenberg, Roth, Sherman, Speck, and Winchell.

The emergency clause passed by the following vote: Yeas 53, nays 16, absent 9.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Edwards, Farrish, Gilman, Green, Hamill, Heliker, Hoole, Hurd, Judson, Kelly, Leo, Letterman, Ludden, Mays, Mead, Mentzer,



Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Roscoe, Shadle, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Temple, Tucker, Tull, Washburn Webb, Weed, Westfall, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Burton, Crockett, Denn, Durrant, Edmonds, Egbert, Foster, Keller, Merchant, Payne, Rinehart, Sallee, Scott, Turpin, and Wheeler.

Absent: Messrs. Collin, Greenberg, Karr, Kline, Meany, Roth, Sherman, Speck, and Winchell.

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

On motion of Mr. Nash, the rules were suspended for the day, and it was ordered that all bills that pass the House this day be transmitted to the Senate at once.

On motion of Mr. White, the House took a recess at 11:47, subject to the call for the joint convention.

The speaker called the House to order at 12 o'clock noon.

#### JOINT SESSION.

At 12 o'clock noon the Senate appeared, and on invitation the honorable senators took seats within the bar, and the president of the Senate presided.

The roll was called; all the members of the two Houses were present except Mr. Neergaard, Senators Richards, Rutter, Smith and Van De Vanter.

Mr. Mead moved that the reading of yesterday's joint journal be dispensed with, and stand approved.

The motion prevailed, and yesterday's joint journal was approved.

Pairs for today: Senators Rutter and Richards, Senators Smith and Frink, Senators Ide and Van De Vanter, Messrs. Nash and Neergaard.

There being no election for United States senator at yesterday's joint session, the president of the senate instructed the clerk to call the roll for the ninety-sixth joint ballot.

#### NINETY-SIXTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 20 votes.

J. C. Van Patten received 9 votes.

C. W. Griggs received 7 votes.

R. O. Dunbar received 1 vote.

R. C. McCroskey received 19 votes.

L. K. Church received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, McMillan, Mentzer, Moore, Nelson, Pierce (D. W.), Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Westfall, Van Houten, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Donahoe, Foss, Leo, Mays, and Smith (H. F.).

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Those voting for R. C. McCroskey were: Cowan, Crockett, Edmonds, Eshelman, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Letterman, McManus, Miller, Mulkey, Payne, Shaw, Shelton, and Turpin.

Mr. N. W. Bush voted for R. O. Dunbar.

Senator McCroskey voted for L. K. Church.

The president announced that no person had received a majority of the votes cast for United States senator, and instructed the clerk to call the roll for the ninety-seventh joint ballot.

#### NINETY-SEVENTH JOINT BALLOT.

John B. Allen received 46 votes.

George Turner received 19 votes.

C. W. Griggs received 7 votes.

J. C. Van Patten received 9 votes.

R. C. McCroskey received 20 votes.

R. O. Dunbar received 1 vote.

T. J. Smith received 1 vote.

L. K. Church received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, McMillan, Mentzer, Nelson, Pierce (D. W.), Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Donahoe, Foss, Leo, Mays, and Smith (H. F.).

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Those voting for R. C. McCroskey were: Cowan, Crockett, Edmonds, Eshelman, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Letterman, McManus, Miller, Moore, Mulkey, Payne, Shaw, Shelton, and Turpin.

Mr. Bush (N. W.) voted for R. O. Dunbar.

Mr. Sallee voted for T. J. Smith.

Senator McCroskey voted for L. K. Church.

No person being elected United States senator, the president of the Senate, as presiding officer, at 12:18 P. M., dissolved the joint session to meet to-morrow at 12 o'clock noon.

#### REPORTS OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

##### MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House concurrent resolution No. 10, Authorizing the governor of the State of Washington to receive and receipt for money due said state from the general government of the United States on account of the payment of the direct tax.

House concurrent resolution No. 23, Authorizing and directing the consideration of a bill not introduced ten days before the final adjournment of the legislature.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House concurrent resolutions Nos. 10 and 23.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 65, entitled "An act relating to private sales of real property belonging to estates of decedents, minors and insane persons.

House bill No. 415, An act providing for the assessment and collection of taxes of cities of the first class, and specifying the duty of certain county officers in regard thereto.

House bill No. 217, An act legalizing indebtedness of cities and towns contracted prior to consolidation of said cities and towns.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bills Nos. 65, 217 and 415.

On motion of Mr. Rinehart, the House adjourned at 12:20 P. M. to meet this afternoon at 2 o'clock.

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#### AFTERNOON SESSION.

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The speaker called the House to order at 2 o'clock.

The roll was called; all members present.

Mr. Anderson, of Whatcom, offered the following resolution:

*Resolved*, That the thanks of this honorable body be and the same are hereby extended to the Hon. C. T. Roscoe, Senator McManus and the citizens of Everett and Snohomish for the courtesies and many kindnesses shown, whereby the excursion to their magnificent young manufacturing city was made so pleasant and enjoyable, and one long to be favorably remembered in the minds of those participating therein.

On motion of Mr. Egbert, the resolution was adopted.

#### SPECIAL ORDER.

The hour of 2 o'clock having arrived the House took under consideration House bill No. 349, by Mr. White, "An act prescribing the way 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, and making a grant of certain lands, and declaring an emergency," special order for this hour.

## REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

Your Committee on Judiciary, to whom was referred House bill No. 349, entitled "An act prescribing the way 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 the right-of-way across lands belonging to the state, and making a grant of certain lands, and declaring an emergency," have had the same under consideration, and beg to report the same back to the House with the recommendation that it be amended as follows:

First amendment: Strike out of the title the words "and declaring an emergency."

Second amendment: Strike out section 1 of the printed bill and insert in lieu thereof the following:

"SECTION 1. The commissioner of public lands of the State of Washington may, when in his judgment the interests of commerce would be subserved thereby, enter into contract with any person or persons or incorporated companies doing business in the State of Washington, for the excavation of any waterway or waterways through any lands belonging to the State of Washington, or to any citizen or corporation of said state, and for the filling in and raising above high tide of any tide or shore lands belonging to the State of Washington; and upon the completion of such contract, such person or persons or incorporated company shall become entitled to and shall have a lien, as in this act provided, upon all tide and shore lands belonging to the State of Washington adjacent to such waterway and remaining unsold at the date of the approval of this act, that they may fill in and raise above high tide; and all purchasers of said tide and shore lands from the State of Washington shall take the same subject to said lien: *Provided, however,* That such contract shall not become binding or operative until approved by the governor, nor until such person or persons or incorporated company shall have filed with the commissioner of public lands a bond in the penal sum of not less than twenty-five hundred nor more than twenty-five thousand dollars, as in the judgment of said commissioner of public lands shall be considered necessary in a particular case, with sureties to be approved by said commissioner of public lands, said bond to be conditioned for the faithful performance of said contract: *Provided further,* That no lands shall be affected thereby except lands within or in front of incorporated cities or towns, or within one mile thereof on either side, nor lands between any inner and outer harbor lines established by proper authority."

Third amendment: Amend section 2 by adding thereto the following: "*Provided,* That when harbor lines and waterways have been established by the harbor line commission of the state, no other waterways shall be excavated except the waterways exhibited on the final maps of said harbor line commission, except with the consent and approval of such harbor line commission; and where no harbor lines and waterways have been so established, then the plan for waterways mentioned in said contract must,

before being adopted by said commissioner, be submitted to and approved by the harbor line commission: *And provided further*, That if no harbor line commission be in existence then, the commissioner of public lands shall establish waterways, which may be excavated as herein provided."

Fourth amendment: Strike out the words "parties to said contract" in line 5 of section 3, and insert in lieu thereof the words "the commissioner of public lands."

Fifth amendment: Strike out the word "and" in line 8, section 3, and insert the word "or" in lieu thereof.

Sixth amendment: Strike out section 4 of the printed bill and insert in lieu thereof the following:

"SEC. 4. Upon the completion of the work provided for by said contract, or any part thereof capable of separate use for the purposes of navigation, according to the terms and conditions of said contract, and within the time provided therein, or such other extension of time as may have been granted by virtue of the preceding section, the commissioner of public lands shall issue his certificate to the contracting parties or their assigns, showing the actual cost of the filling in and raising above high tide of all tide and shore lands so filled in and raised above high tide by such completion of said work, or of such separate portion thereof, and specifying and describing, with reasonable certainty, the lands so filled in and raised above high tide. Upon the filing in the office of the county auditor of the county or counties in which such lands are situated of such certificate of the commissioner of public lands, said contracting parties shall acquire a lien, and the same shall thereupon attach for the amount specified in such certificate, with fifteen per cent. additional thereon, and with interest on such amount and additional percentage from the date of such certificate at the rate of eight per cent. per annum until paid (provided, however, that such lien shall not be operative for an amount exceeding the cost of the work as stated in the contract, or, as the case may be, such portion of said stated cost as shall be proportionate to the part of the work with reference to which the certificate has issued), upon the lands specified in such certificate. Such lien shall not be *in solido*, and upon the sale by the state to any person, or by any owner claiming under the state to any other person, of any part of the tide and shore lands specified in such certificate, the lien herein granted may be discharged, as hereinbelow provided, as to any such part of said lands separately granted or owned, by the payment of such part of the amount for which the lien upon all the lands was given in the first instance, as shall bear the same proportion to said whole amount which the area of such separate part of such lands bears to the area of the whole thereof. The amount due on such lands, or any proportionate part thereof separately payable as above provided, shall be payable by any owner of said lands, or of any part thereof separately owned, as the case may be, other than the state, in ten equal annual installments. The first installment at the end of the first year after the sale of such lands, or of such separate portion thereof, and the remaining installments, one at the end of each year thereafter; with accrued interest on each of such installments, as hereinbefore provided,

to the time of the payment thereof, and such lien may be foreclosed in the manner provided by law for the foreclosure of other liens on real estate, for non-payment of the whole amount due or of any separate installment or installments thereof, which shall have become due. If such lands specified in any such certificate shall not be sold by the state within one year after the date of such certificate, the parties in whose favor such certificate was issued, or their assigns, shall have the option, during the next succeeding six months, to purchase such lands, or any part thereof, from the state in the manner provided by then existing laws for the sale of tide lands of the state. This act shall not be construed as to create any obligation on the part of the state to pay or discharge any lien which may attach to such lands by virtue of the provisions thereof."

Seventh amendment: Insert after the word "days," in line 4 of section 5, the words "after the completion of the publication hereinafter mentioned."

Eighth amendment: Add to section 5 the following: "*Provided, however,* That this section shall not be so construed as to require the commissioner of public lands to enter into any contract whatever, or the governor to approve any contract whatever; and said commissioner of public lands shall have the right to refuse to make any contract, and the governor shall have the right to refuse to approve any contract, which, in their judgment, or in the judgment of either of them, would be detrimental to the interests of the state: *And provided further,* That the commissioner of public lands shall publish for thirty days, at the expense of the applicant, in some newspaper of general circulation in the county where said lands are situated, notice of the pendency of such application, and request all interested parties to appear before him at the time and place mentioned in said notice and state their objections; and no contract shall be entered into by the commissioner of public lands for the improvement of any such waterway or waterways, until after the date fixed in said notice at which interested parties may appear and be heard."

Ninth amendment: Strike out of section 6 the following words in lines 1, 2 and 3, to wit: "On account of the largely increased value that will be given to the tide and shore lands and other lands belonging to the State of Washington by reason of the excavation of waterways through the same as herein provided."

Tenth amendment: Strike out from section 6 the whole thereof after line 5, and insert in lieu thereof the following: "The width and definite location of such right-of-way, however, shall be plainly and completely specified in the contract herein provided for."

Eleventh amendment: Strike out the whole of section 7 and insert in lieu thereof the following: "SEC. 7. All contracts provided for herein shall specify the character of all bulkheads and other restraining works, and be accompanied by drawings and specifications of the same, and the commissioner of public lands shall be the judge of the sufficiency thereof, and of the minimum depth to which any waterway shall be excavated in

order to make the same useful for the purposes of commerce and navigation."

Twelfth amendment: Strike out of line 11, in section 9, the words "of the cost thereof with interest," and insert in lieu thereof the words "the reasonable value of the same at the date of such appropriation, said reasonable value to be ascertained and determined as any other case of condemnation of private property for public use."

Thirteenth amendment: Strike out section 10, and insert in lieu thereof the following: "SEC. 10. If the commissioner of public lands shall determine to let any contract for the excavation of a waterway as hereinbefore provided, the tide land appraisers appointed for the county in which said tide lands lie shall forthwith appraise the tide lands which it is proposed to fill in by the excavation of such waterway at their actual value at the time of letting said contract, and such lands so appraised shall never be disposed of by the state for less than such appraised value."

And as so amended that the bill do pass.

A. E. MEAD, Chairman.

On motion of Mr. Gilman, the report of the committee recommending the amendments to House bill No. 349 was adopted.

On motion of Mr. Gilman, the reprinted amended bill was substituted for the original.

On motion of Mr. Ludden, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 50, nays 24, absent 4.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Crockett, Gilman, Green, Hoole, Hurd, Karr, Kelly, Kline, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Morrison, McElwain, McKenzie, McMurphy, Nash, Nelson, Payne, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Burton, Collin, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Greenberg, Hamill, Heliker, Judson, Keller, Leo, Mays, Mulkey, McMillan, McNew, Neergaard, Pierce of Klickitat, Shelton, and Smith of Douglas.

Absent: Messrs. Baker, Moore, Scott, and Shadle.

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



## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1893.

MR. SPEAKER:

The Senate has refused to concur in the House amendments to Senate bill No. 260, and asks this House to recede from its amendments.

And the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Wheeler, the House refused to recede from its amendments to Senate bill No. 260.

On motion of Mr. Wheeler, that a conference committee be appointed, the speaker appointed Messrs. Wheeler, Pierce of Klickitat, Neergaard, Judson and Mays as such committee on the part of the House.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1893.

The Senate has passed House bill No. 93, entitled "An act regulating railroad freight rates," with amendments as noted in the bill.

And the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

The House refused to concur in Senate amendments to House bill No. 93, and the Senate was requested to recede from its amendments.

House bill No. 340 (substitute for House bill No. 23), by Judiciary Committee, "An act concerning insane persons," was read the second time.

On motion of Mr. Bush, of Chehalis, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 67, nays 2, absent 9.

Yeas: Messrs. Anderson of Pierce, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hamill, Heliker, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Temple,

Tucker, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Denn and Scott.

Absent: Messrs. Anderson of Whatcom, Cameron, Greenberg, Hoole, Merchant, Payne, Smithson, Tull, and Winchell.

The emergency clause passed by the following vote: Yeas 66, nays 2, absent 10.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Collin, Cowan, Crockett, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Denn and Scott.

Absent: Messrs. Cameron, Edwards, Hamill, Heliker, Hoole, Moore, Nash, Payne, Sallee, and Smithson.

The title of the bill was amended by adding the words "and declaring an emergency," and, as amended, was approved.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1898.

MR. SPEAKER:

The president has signed House bill No. 217, Relating to indebtedness heretofore incurred by certain cities and towns.

Also, House concurrent resolution No. 23, Asking permission to introduce a bill.

Also, House concurrent resolution No. 10, Authorizing the governor to receive tax money from the general government.

Also, House bill No. 65, Relating to private sales of real property of minors and others.

Also, the Senate has passed Senate bill No. 170, entitled "An act relating to crimes against public morals."

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

## REPORT OF COMMITTEE ON TIDE LANDS.

MR. SPEAKER:

We, your Committee on Tide Lands, to whom was referred House bill No. 299, entitled "An act to amend and reënact an act entitled 'An act for the appraising and disposing of tide lands and shore lands belonging to the State of Washington,' approved March 26, 1890," have had the same under consideration, and respectfully report the same back to the House, with the recommendation that it do pass with the following amendments:

First amendment: In line 3 of section 4 of the printed bill, strike out the word "one" and insert the word "two," and change the word "mile" to "miles;" also in lines 4 and 5 of section 4, make the same changes.

Second amendment: In line 1 of section 6 of the printed bill, strike out the word "aly" and the brackets.

Third amendment: In lines 2 and 4 of the the printed bill, strike out the brackets, both in section 12.

Fourth amendment: In line 3 of section 14 of the printed bill, strike out the brackets.

Fifth amendment: In line 5 of section 18 of the printed bill, strike out the word "and" and the parentheses.

Sixth amendment: In line 3 of section 20 of the printed bill, strike out the words "of the sale" and the brackets.

Seventh amendment: In line 5 of section 21 of the printed bill, strike out the words "from the action," and the brackets.

Eighth amendment: In line 8 of section 22 of the printed bill, change the word "portions" to "portion."

Ninth amendment: In lines 2 and 5 of section 24 of the printed bill, strike out the words "of" and "and," respectively, and the brackets surrounding them.

Tenth amendment: In line 13 of section 26 of the printed bill, change the word "and" to "of."

Eleventh amendment: Add to section 31 the following: "*Provided*, That nothing in this section shall be construed to prevent the upland owner from having the preference right, for sixty days from the time of appraisalment under the provisions of this act as hereinbefore provided, to purchase said land."

Twelfth amendment: In line 1 of section 34 of the printed bill, strike out the word "fifty" and insert the words "seventy-five," and in lines 2 and 3 of the same section change the words "one mile" to read "two miles."

Respectfully submitted.

J. S. SALLEE, Chairman.

On motion of Mr. Ludden, the report of the committee recommending amendments was adopted.

Mr. Sallee moved that House bill No. 299 be recommitted to Committee on Tide Lands.

The motion was lost.

The bill was read the second time in full.

Amendment proposed by Mr. Gilman: Strike out all of line 2 in section 6 after the word "line."

The amendment was adopted.

Amendment proposed by Mr. Gilman: Strike out commencing with line 3, section 6, as far as "they" in line 7.

The amendment was adopted.

Mr. Gilman proposed the following amendment: Insert the words "and new streets" after the word "extended" in line 14 of section 6.

The amendment was adopted.

Mr. Wheeler presented the following amendment: Insert in line 12, section 5, after the word "state," "and the meander line made in the government survey of the adjoining upland is used as the boundary line in describing the lands embraced in said patent, then."

The amendment was adopted.

The chief clerk was instructed to make section 6 read as follows:

"SEC. 6. So soon as such plats are completed, they shall deliver one copy thereof to the city council or other governing body of such city, and notify said council to cause the streets of such city to be extended upon said plat in pursuance to the provisions of the constitution. It shall thereupon be the duty of said council without delay to cause the streets of said city to be extended across the entire area lying between the inner harbor line and the line of ordinary high tide in such manner as such council shall deem most beneficial to the public interests, doing no unnecessary injury to such improvements as are heretofore mentioned. Said council is also hereby authorized to lay out upon such plats streets intersecting the streets of the city so extended, and new streets as they shall deem necessary for the public good, reference being had to the future development of said city and improvements of such harbor line. They shall indicate accurately upon such plat the course and distance each street so extended or laid out and the dimensions of each block created by the extension and laying out of such street, which course, distance and dimensions shall be marked upon the street or block to which they apply."

On motion of Mr. Ludden, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 45, nays 20, absent 13.

Yeas: Messrs. Anderson of Pierce, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Edmonds, Farrish, Foster, Gilman, Green, Greenberg, Judson, Keller, Kelly, Kline, Letterman, Lud-

den, Mays, Mead, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Nash, Neergaard, Payne, Pierce of Lewis, Rinehart, Roth, Smithson, Speck, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, and Mr. Speaker.

Nays: Messrs. Anderson of Whatcom, Baker, Burton, Crockett, Denn, Durant, Edwards, Egbert, Hoole, Hurd, Karr, Leo, Pierce of Klickitat, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, and Smith of Douglas.

Absent: Messrs. Anderson of Whitman, Collin, Cowan, Hamill, Heliker, Meany, Mentzer, Merchant, McMillan, Nelson, Smith of Okanogan, Temple, and Woodworth.

On motion of Mr. Gilman, the title of House bill No. 299 was amended to read as follows: "An act for the appraising and disposing of tide and shore lands belonging to the State of Washington."

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

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 262, Relating to right of eminent domain in cities of the first class.

The Senate has refused to recede from its amendments to House bill No. 93, and has named as Senate members of conference committee, Senators Ide, Edens, and Miller.

ALLEN WEIR, Secretary.

The speaker appointed Messrs. Neergaard, Anderson of Whitman, Webb and Green as conference committee on part of the House to meet a like committee from the Senate, to consider Senate amendments to House bill No. 93.

On motion of Mr. Rinehart, the House adjourned at 5:12 P. M., to meet this evening at 7:30 o'clock.

## EVENING SESSION.

The speaker called the House to order at 7:30 o'clock.

The roll was called; all the members were present.

On motion of Mr. Mays, the rules were suspended, and the reading of the journal of the morning and afternoon sessions was dispensed with, and it stood approved.

Senate bill No. 170, by Senator Dyer, An act relating to crimes against public morals and decency, was read the first time, and referred to Committee on Education.

## MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 7, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN— I have this day approved and signed the following:

House bill No. 252, entitled "An act to amend section fourteen of an act entitled 'An act in relation to prosecuting attorneys, defining their duties and fixing their compensation,' approved February 4, 1886, the same being section 231 of volume 1 of Hill's Annotated Statutes and Codes of Washington."

House bill No. 236, entitled "An act making it unlawful for any person or persons to buy, sell or give away, or manufacture, cigarettes or cigarette paper, and providing the punishment for the violation thereof."

House bill No. 159, entitled "An act for the protection of the public health and to provide for certain boards of health, and to regulate their duties, and declaring an emergency."

House bill No. 72, entitled "An act to amend section 3272 of the Code of Washington of 1881, the same being section 2137 of volume 1 of Hill's Annotated Statutes and Codes of Washington, relating to the erection of wharves at the termini of public highways."

House bill No. 285, entitled "An act to amend section 2650 of the Code of Washington of 1881, relating to the scalement and measurement of logs, and declaring an emergency."

House bill No. 71, entitled "An act in relation to county, school, city and town warrants, and the manner of their payment."

I have the honor to be, very respectfully, your obedient servant.

J. H. MCGRAW, Governor.

## REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER:

We, your Committee on Education, to whom was referred House bill No. 274, entitled "An act providing for the board of directors, to consist

of five members, in school districts having three hundred or more children of school age, and not within an incorporated city of ten thousand inhabitants or more," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass with the following amendment:

Strike out all of section after the word "years" in line 3 of section 3.

Respectfully submitted.

C. F. WESTFALL, Chairman.

WINCHELL,

SHADLE,

DURANT.

The report of the committee was adopted.

The bill was read the second time.

On motion of Mr. Meany, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 53, nays 9, absent 16.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Durant, Edmonds, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mead, Meany, Merchant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Lewis, Rinehart, Roscoe, Shadle, Shelton, Sherman, Smithson, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, and Winchell.

Nays: Messrs. Denn, Edwards, Egbert, Hamill, Mays, Mulkey, Smith of Douglas, Smith of Okanogan, and Mr. Speaker.

Absent: Messrs. Brock, Collin, Heliker, Hurd, Kline, Mentzer, Neergaard, Pierce of Klickitat, Roth, Sallee, Scott, Speck, Westfall, Wheeler, White, and Woodworth.

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

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 30, entitled "An act creating a board of harbor line commissioners, and defining their powers and duties."

And the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

Senate bill No. 30, by Senator Richards, An act creating a board of harbor commissioners, etc., was read first time and referred to Committee on Tide Lands.

#### REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER:

We, your Committee on Education, to whom was referred Senate bill No. 90, entitled "An act to establish a system of public schools in cities of ten thousand or more inhabitants, and to provide for properly maintaining, governing and grading the same," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. F. WESTFALL, Chairman,  
WINCHELL,  
EDMONDS,  
FARRISH,  
SHADLE,  
SHELTON,  
DURANT.

On motion of Mr. Hoole, the report of the committee was adopted, and Senate bill No. 90 indefinitely postponed.

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copy of House bill No. 302, entitled "An act relating to the construction, repair and improvement of public roads, providing revenue for such purpose, defining the powers and duties of certain officers in relation thereto, and fixing their compensation, and to repeal an act entitled 'An act to provide for keeping highways in repair,' etc., and declaring an emergency," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above House bill No. 302.

#### REPORT OF COMMITTEE ON EDUCATION.

MR. SPEAKER:

We, your Committee on Education, to whom was referred House bill No. 259, entitled "An act to establish a system of public schools in cities of ten thousand or more inhabitants, and to provide for properly maintaining, governing and grading the same," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass as amended.



First amendment: Section 2, line 3, after the word "and," insert the word "they;" after the word "their," where it appears first time in line 3, insert the word "respective;" add the letter "s" to the word "office," making it read "respective offices;" line 4, after the word "the," insert the words "members of the;" after the word "board," same line, strike out the words "or boards;" strike out all of same line after the word "director;" and all of line 5 as far as the word "in;" line 6, after the word "unexpired," insert the words "term or;" in same line strike out the words "and shall constitute," and insert the words "as members at large;" strike out all of line 6 after the word "education," and all of line 7 as far as the word "provided;" after the word "provided," same line, strike out the words "that in the," and insert the words "at the first annual;" after the word "election," same line, strike out as far as the word "it," and insert the words "after this act shall go into effect;" in line 8, after the word "one-third," insert the words "or as nearly one-third as possible;" line 9, after the word "expire," insert the word "in;" after the word "one-third," same line, insert the words "or as nearly one-third as possible;" in same line strike out the words "another year," and insert the words "in two years;" line 10, strike out the words "the third year," and insert the words "in three years."

Second amendment: Section 3, line 2, strike out the words "first Saturday of November," and insert in lieu thereof the words "day of the annual election in the common school districts of the state."

Third amendment: Section 4, line 1, after the word "city" insert the words "in which the election is to be held." Same section, line 10, strike out the word "judges," and insert the words "election officers."

Fourth amendment: Section 12, line 5, after the word "constitution" insert the words "of the United States and the state."

Fifth amendment: Section 13, line 1, after the word "monthly" insert the words "or oftener."

Sixth amendment: Section 14, line 3, strike out the words "resident taxpayers," and insert "any citizen."

Seventh amendment: Section 16, line 1, strike out the word "that;" strike out the word "directors," same line, and insert "education;" in line 3 after the word "returns" insert the words "of said election."

Eighth amendment: Section 18, line 7, strike out the word "annually," and after the word "examine" insert the word "annually."

Ninth amendment: Section 19, line 14, after the word "including" insert the word "kindergarten."

Tenth amendment: Section 20, line 1, strike out the word "annually," and after the word "taken" insert the word "annually;" in line 6, same section, strike out the words "or its proper committee."

Eleventh amendment: Section 21, line 6, strike out all after the word "officer."

Twelfth amendment: Section 23, line 2, after the word "stationery" insert the word "printing;" strike out the word "or" where it appears first time in same line; line 3, strike out the words "to the same," also the word "five" and insert the word "two;" line 6, strike out the word

“bids” and insert the words “sealed proposals;” line 7, after the word “stationery” insert the word “printing;” in same line after the word “repairs” insert the words “and shall designate the time at which said proposals shall cease to be received;” in line 8, strike out the word “bids” and insert the words “proposals;” after the word “public” in same line insert the words “and shall reserve the right to reject any or all of them.”

Thirteenth amendment: Strike out sections 24, 25, 26, 27, 28 and 29, and renumber the remaining sections as 24, 25, 26 and 27, respectively.

Respectfully submitted.

C. F. WESTFALL, Chairman.

We concur in this report.

WINCHELL,  
WEED,  
SHADLE,  
EDMONDS,  
FARRISH,  
SHELTON,  
DURANT.

The report of the committee, with amendments, was adopted.

House bill No. 259 was read the second time.

Amendment proposed by Mr. Shadle:

“SEC. 28. The provisions and benefits of this act may be extended to incorporated cities in the state having from 3,000 to 10,000 inhabitants whenever by vote of the people at a regular school election a majority of citizens voting thereat shall so express their desire.”

The amendment was adopted.

Amendment by Mr. Nash:

Amend section 15 so that it shall read as follows:

“SEC. 15. The county treasurer shall be the *ex officio* treasurer of the board of education; he shall report to the board in writing on the first day of each month the state of the finances, and shall pay school moneys placed to the credit of the district only upon warrants signed by the president, or by a majority of the board of education and countersigned by the secretary. Such warrants, when presented and refused payment for want of funds, shall be stamped by the treasurer, with the date of presentation, and shall bear the legal rate of interest from that date until called in by the treasurer, provided the board fail to make disposition of its warrants as in section nineteen (19) of this act provided.”

The amendment was adopted.

By Mr. Nash:

Amend section 19 by adding thereto the following: “The board of education shall have the power to have any number or all claims audited at any one time, to be audited in one account, and a single warrant or any number of warrants amounting to the whole account, issued therefor; and such warrants may be made payable to any person or persons who pay the par value thereof in cash to the secretary of the board, and

with the money so obtained said secretary shall pay the several claims included in said audited account. Whenever, according to the statement of the treasurer, the amount of funds in the treasury to the credit of the district is less than the sum of the claims audited at any one time, the board of education may cause a warrant or warrants to the amount of the excess over the available funds in the treasury to be issued, to be entitled time warrants. Such warrants shall be presented to the treasurer and by him endorsed and registered as other school warrants are when not paid for want of funds. The secretary of the board shall sell such warrants under the instructions of the board, at not less than par value, and on the best terms obtainable, at a rate of interest not exceeding eight (8) per cent. per annum, and with the money thus obtained shall pay the several claims and demands included in the audited accounts. Such warrants shall run for such time, to be fixed by the board, not exceeding nine (9) months, as in their judgment may be necessary for the treasurer to collect sufficient taxes to pay such warrants, and at the time fixed such warrants shall be paid by the treasurer as other school warrants are paid. The board shall require of its secretary a sufficient bond to protect the district from loss by reason of the transactions in this section provided for."

The amendment was adopted.

By Mr. Nash: Amend by inserting the following as sec. 29:

"The provisions of the act of March 7, 1891, entitled 'An act to regulate the disbursement of all moneys by the officers of the State of Washington, and all district, county and precinct officers and commissioners of the State of Washington, and declaring an emergency,' being 'Title LXXXIII of Hill's Statutes and Codes of Washington,' shall not apply to the school district officers provided for in this act."

Amend by correcting the section numbers after 29.

The amendment was adopted.

By Mr. Shadle: Title to be changed to conform with the amendment providing for cities of 3,000 or more.

The amendment was adopted.

Amendment proposed by Mr. Shadle: Strike out sec. 32 (26) as it appears in the printed bill.

The amendment was adopted.

Amendment proposed by Mr. Winchell:

"Whereas there is no sufficient provision of law relating to school elections, an emergency is hereby declared to exist, and this act shall be in force and take effect from and after its passage and approval by the governor."

The amendment was adopted.

On motion of Mr. Shadle, the printed bill, as amended, was substituted for the original.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read the third time and placed on its final passage.

On Motion of Mr. Winchell, the call of the House was ordered.

The roll was called, and Messrs. Anderson of Pierce, Anderson of Whitman, Baker, Collin, Green, Mentzer, McMillan, Pierce of Klickitat, Roth, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Westfall, and Woodworth, were found absent without leave.

On motion of Mr. Anderson, of Whatcom, further proceedings under call of the House was dispensed with.

House bill No. 259 passed by the following vote: Yeas 63, nays 3, absent 12.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mead, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Nays: Messrs. Bush of Chehalis, Mays, and Meany.

Absent: Messrs. Anderson of Pierce, Bush of Pacific, Collin, Mentzer, Pierce of Klickitat, Roth, Smith of Okanogan, Smithson, Speck, Temple, Westfall, and Woodworth.

The emergency clause passed by the following vote: Yeas 56, nays 3, absent 19.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Greenberg, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mead, Merchant, Moore, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Tucker, Turpin, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Nays: Messrs. Mays, Meany, and McElwain.

Absent: Messrs. Anderson of Pierce, Burton, Collin, Green, Ham-

ill, Hurd, Mentzer, Moore, Nelson, Payne, Pierce of Klickitat, Roth, Smith of Okanogan, Smithson, Speck, Temple, Tull, Westfall, and Woodworth.

The title of the bill was amended by adding the words "and declaring an emergency," and as amended the title was approved.

REPORT OF COMMITTEE ON COMPENSATION AND FEES OF STATE AND COUNTY OFFICERS.

MR. SPEAKER:

We, your Committee on Compensation and Fees of State and County Officers, to whom was referred House bill No. 390, entitled "Fees of county officers," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass with the attached amendments.

Amend section 2 to read:

"SEC. 2. The fees of clerks of the superior courts specified in section 1 of this act shall not be applicable to civil actions and proceedings other than probate causes, but instead thereof the parties to such civil actions and proceedings shall pay to the clerk of the superior court of the proper county, for the use of the county, the sundry clerk's fees hereinbelow prescribed, and it shall be the duty of such clerks to collect such fees for the use of the county, at or prior to the times hereinbelow prescribed for the payment of the same, respectively; that is to say:

The plaintiff or other party instituting any such action or proceeding shall pay, when the cause is entered in the court, or when the first paper on his part is filed therein, a fee of four dollars. \$4 00

The defendant or other adverse party, or any one or more of several defendants or other adverse or intervening parties appearing separately from the others, shall pay, when his or their appearance is entered in the cause, or when the first paper on his or their part is filed therein, a fee of two dollars..... 2 00

Where no issue of fact is joined in the cause and no judgment other than a dismissal or a discontinuance without trial of an issue of fact is rendered, no further fee need be paid. Where, after an issue of fact has been joined, the cause is dismissed or discontinued without trial of such issue, the party causing such dismissal or discontinuance to be entered shall pay, at the time of the entry thereof, a further fee of one dollar..... 1 00

If a judgment other than a dismissal or discontinuance is rendered, the party obtaining the same shall pay, at the time of the entry thereof, a further fee, as follows:

- (1) Where the judgment is rendered without the taking of proof of any fact pleaded—(a) if no adverse party has appeared in the cause, two dollars ..... \$2 00
- (b) Or, if an adverse party has appeared, three dollars..... 3 00

Where the judgment is rendered upon proof taken, but without assessment of damages by a jury, and in a case other than for foreclosure of a lien or mortgage, or partition of real estate, if no adverse party has appeared in the cause, three dollars.....	\$3 00
Or, if an adverse party has appeared, five dollars .....	5 00
Where the judgment is rendered upon an assessment of damages by a jury, no adverse party having appeared in the cause, five dollars.....	5 00
Where judgment is rendered after appearance by an adverse party and a trial by jury, or by the court or judge, referee or commissioners thereof, in a cause other than for foreclosure of a lien or mortgage, or partition of real estate, six dollars.....	6 00
Where the judgment is rendered in an action for the foreclosure of a lien or mortgage, or the partition of real estate, if no adverse party has appeared, six dollars.....	6 00
Or, if an adverse party has appeared, eight dollars.....	8 00

In addition to the fees prescribed in this section, any party ordering a final record to be made in any cause other than probate, affecting the title to real estate, or ordering any files or records in a cause to be transcribed and certified for the purpose of appeal, or for any other purpose, shall pay clerk's fees for such recording or transcribing, when he orders the same done, at the rate of fifteen cents for each folio of the matter to be recorded, or ten cents for each folio of the matter to be transcribed, besides twenty-five cents for any certificate required to any such transcript: *Provided*, That in the case of transcripts such party may himself furnish to the clerk a transcript of any matter that he may desire to have certified, and in such case the clerk's fee to be paid for comparing the transcript furnished with the original, and certifying the same, shall be one-half the amount per folio above prescribed, besides the full fee above prescribed for the certificate. The fees prescribed in this section shall be in full for all services performed by the clerks of the superior courts in the progress of civil actions and proceedings other than probate causes, from the beginning thereof down to and including the entry, collection and satisfaction of final judgment therein, and including all proceedings in open court, and all entries, filings and recordings therein, except for the recording and transcribing for which special fees are prescribed in this section: *Provided*, That this section shall apply only to actions and proceedings begun after this act shall take effect.

Respectfully submitted.

D. W. MCMURPHY, Chairman.

On motion of Mr. Wheeler, the report of the committee, recommending certain amendments to House bill No. 390, was adopted.

The bill was read the second time.

Mr. Roscoe presented the following amendment: Amend section 1 by striking out all of subdivision 13, or lines 25, 26, 27, 28 and 29.

The amendment was adopted.

Mr. Gilman presented the following amendments: Line 23 of

section 1, change \$4 to \$3; line 27 of section 1, change \$4 to \$3; line 28 of section 1, change \$6 to \$5; line 30 of section 1, change \$6 to \$5; line 37 of section 1, change \$8 to \$6; line 38 of section 1, change \$10 to \$8.

The amendments were adopted.

Amendment by Mr. Roscoe: Line 33, section 1, change \$3 to \$1.50; line 45, section 1, change 50 cents to 25 cents.

The amendments were adopted.

By Mr. Roscoe: Amend section 1 by striking out all of subdivision 29, line 53.

The amendment was adopted.

By Mr. Baker: Amend section 1, line 119, by striking out 15 and insert 10 in place thereof.

The amendment was adopted.

Amendment by Mr. McElwain: Section 1, line 57, change 80 cents to 60 cents; section 1, line 59, change 80 cents to 60 cents.

The amendments were adopted:

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 67, nays 2, absent 9.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Scott, Shadle, Sherman, Smith of Douglas, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Nays: Messrs. Ludden and Roth.

Absent: Messrs. Bush of Pacific, Collin, Sallee, Shelton, Smith of Okanogan, Smithson, Speck, Westfall, and Woodworth.

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

Mr. Judson moved that the appropriation bill, House bill No. 482, and others be made a special order for Wednesday morning at 10 o'clock.

The motion prevailed.

On motion of Mr. Anderson, of Pierce, the House adjourned at 10:15 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## FIFTY-NINTH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Wednesday, March 8, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.  
The roll was called. All the representatives were present except Messrs. Collin and Heliker.

On motion of Mr. Shadle, the rules were suspended, the reading of the journal was dispensed with, and it was approved.

#### PRESENTATION OF PETITIONS, MEMORIALS, ETC.

By Mr. Bush, of Pacific: House memorial No. 11, Asking for the opening of North River, by removing obstructions.

Referred to Committee on Federal Relations.

By Mr. Bush, of Pacific: House memorial No. 12, Praying the United States government to establish an experimental station for the propagation of eastern oysters in Willapa Bay.

Referred to Committee on Federal Relations.

The following resolutions were presented:

By Mr. Anderson, of Whatcom (by request): Resolution appropriating \$25 to state librarian to take inventory of capitol furniture, etc.

On motion of Mr. Egbert, the resolution was laid on the table.

By Mr. Brock:

“Resolved, That Geo. A. Noble, clerk of Committees on Insurance, Counties and Harbors and Waterways, be allowed such additional com-



compensation as will make his compensation the same as that of the clerk on Fisheries and Game, to wit, \$5 per day for the session.

EUGENE BROCK,  
Chairman of Committee on Counties,  
M. ANDERSON,  
Chairman of Committee on Harbors and Waterways,  
C. T. ROSCOE,  
Chairman of Committee on Insurance.

On motion of Mr. Baker, the resolution was tabled.

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copy of House bill No. 331, entitled "An act to amend sections 107, 109, 113, 116, 124, 125, 126, 132, 133, 134, 135 and 136 of an act governing municipal corporations," has been carefully compared with the original copy thereof and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bill No. 331.

J. B. McMillan, chairman of the Committee on Enrolled and Engrossed Bills, reported that Miss Anna Tarbell had been appointed assistant enrolling clerk, commencing March 4, 1893.

#### REPORT OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

MR. SPEAKER:

We, your Committee on Appropriations and Claims, to which was referred House bill No. 482, entitled "An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning April 1, 1893, and ending March 31, 1895, and for other purposes," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that the printed bill submitted herewith be substituted for the original bill, and that the printed bill do pass.

Respectfully submitted.

G. W. TEMPLE, Chairman.

We concur in this report:

JOE MERCHANT,  
A. S. BUSH,  
J. H. SMITHSON,  
CHAS. I. ROTH,  
R. C. WASHBURN,  
JAMES BURTON,  
E. H. LETTERMAN,  
T. F. MENTZER,  
S. JUDSON,  
C. L. WEBB.

The report of the committee was adopted.

House bill No. 482 was read the second time in full.

Amendment by Mr. Kelly: Section 1, line 152, add: "\$1,000 per year for expenses and instruments for two coal mine inspectors; total, \$2,000."

The amendment was adopted.

Mr. Hoole presented the following amendment: Amend the 135th line of printed bill by striking out "\$200," and inserting in lieu thereof "\$300."

The amendment was adopted.

By Mr. Baker: Section 1, line 25, strike out "\$1,500" and insert "\$1,000," and strike out "\$3,000" and insert "\$2,000."

The amendment was adopted.

By Mr. Wheeler: Amend line 111 by striking "\$3,000" and "\$6,000" and insert "\$2,000" and "\$4,000."

The amendment was adopted.

By Mr. Webb: Amend by inserting in line 137 the words "for \$20,000 insurance on state library for two years, \$640."

The amendment was adopted.

By Mr. Kelly: Amend section 1, line 114, by changing "\$1,200 per year" to "\$3,000 per year," and change "\$2,400" to "\$6,000."

The amendment was adopted.

At 11:55 the House took a recess until 12 o'clock noon, on motion of Mr. Mays.

The House was called to order at 12 o'clock noon.

#### JOINT SESSION.

The Senate appeared at the bar of the House at 12 o'clock noon, to meet in joint session. The speaker invited the honorable senators to seats within the bar, and the president of the Senate to preside over the joint convention.

The roll was called; all members of the two Houses were present except Senator Van De Vanter and Mr. Heliker.

Mr. Anderson, of Pierce, moved that the rules be suspended, and the joint journal of yesterday be approved without reading.

The motion prevailed, and yesterday's joint journal was approved.

Pairs for to-day—Senator Smith and Mr. Heliker.

Senator Horr gave notice that he would move to rescind the resolution the joint body adopted to take only two ballots per day.

There being no election of United States senator at yesterday's session, the president instructed the clerk to call the roll for the ninety-eighth joint ballot.

## NINETY-EIGHTH JOINT BALLOT.

John B. Allen received 48 votes.

George Turner received 20 votes.

C. W. Griggs received 7 votes.

J. C. Van Patten received 9 votes.

Wm. C. Jones received 3 votes.

B. L. Sharpstein received 20 votes.

Stephen W. de Lacey received 1 vote.

R. O. Dunbar received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Shadle, Sherman, Smithson, Temple, Tull, Westfall, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Donahoe, Foss, Leo, Mays, and Smith (H. F.).

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Those voting for B. L. Sharpstein were: Cowan, Crockett, Edmonds, Eshelman, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Letterman, McCroskey, McManus, Miller, Mulkey, Payne, Shaw, Shelton, and Turpin.

Those voting for Wm. C. Jones were: Hurd, Sallee, and Van Houten.

Mr. N. W. Bush voted for R. O. Dunbar.

Mr. Roscoe, voted for S. W. De Lacey.

No person having been elected United States senator, the presi-

dent instructed the clerk to call the roll for the ninety-ninth joint ballot.

NINETY-NINTH JOINT BALLOT.

John B. Allen received 47 votes.

George Turner received 21 votes.

C. W. Griggs received 7 votes.

J. C. Van Patten received 9 votes.

Wm. C. Jones received 2 votes.

B. L. Sharpstein received 21 votes.

R. O. Dunbar received 1 vote.

J. M. Frink received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Ide, McMillan, Mentzer, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Westfall, Van Houten, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Donahoe, Foss, Leo, Mays, and Smith (H. F.).

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Those voting for B. L. Sharpstein were: Cowan, Crockett, Edmonds, Eshelman, Foster, Gilman, Green, Hamill, Hutchinson, Judson, Kline, Letterman, McCroskey, McManus, Miller, Moore, Mulkey, Payne, Shaw, Shelton, and Turpin.

Those voting for Wm. C. Jones were: Hurd and Sallee.

Mr. Bush (N. W.) voted for R. O. Dunbar.

Senator Rutter voted for J. M. Frink.

There being no election of United States senator on the ninety-ninth ballot, the president dissolved the joint session at 12:25 P. M., to meet to-morrow at 12 o'clock noon.

Mr. Pierce, of Lewis, moved that Senate bill No. 190 be made a special order at 7:30 o'clock this evening.

The motion prevailed.

On motion of Mr. Mead, the House adjourned at 12:29 P. M. to meet at 2 o'clock this afternoon.

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AFTERNOON SESSION.

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The House was called to order at 2 o'clock by the speaker.  
The roll was called; all members present.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1893.

MR. SPEAKER:

The president of the Senate has signed House bill No. 331, amending certain sections of the laws governing municipal corporations, and the same is herewith returned to the House.

The president of the Senate has appointed as Senate members of conference committee on Senate bill No. 260, Senators Forrest, Belknap and McManus.

The Senate has passed Senate concurrent resolution No. 20, Relative to printing of Senate and House journals.

The Senate has passed Senate bill No. 155, entitled "An act to aid the state historical society."

Also, House bill No. 147, State agricultural fair, with amendments as noted in the bill.

The president of the Senate has signed House bill No. 415, Collection of taxes in cities of the first class.

Also, House bill No. 302, Relating to public roads.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 8, 1893.

*To the Honorable the House of Representatives of the State of Washington:*

GENTLEMEN—I have this day approved and signed the following:

House bill No. 86, entitled "An act to regulate the practice of dentistry in the State of Washington, and declaring an emergency."

House bill No. 114, entitled "An act in relation to garnishments."

House bill No. 377, entitled "An act providing for and regulating the taking of, excepting and the settling and certifying of bills of exceptions and statements of facts, and declaring the effect thereof."

House bill No. 263, entitled "An act to prevent the making of deficien-

cies in the public institutions and departments of the State of Washington, and providing for an emergency board."

House bill No. 215, entitled "An act to amend an act entitled 'An act to amend sections 105, 106, 114 and 117 of an act entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency," and approved March 26, 1890,' approved March 9, 1891, and declaring an emergency."

House bill No. 217, entitled "An act authorizing cities and towns, in cases where any such city or town has been, or may hereafter be, formed by the consolidation of two or more former cities or towns, or has annexed or may hereafter annex any new territory; and where the corporate authorities of either such former city or town, or of such city or town prior to such annexation, attempted to incur indebtedness on its part in excess of their legal authority, to submit to the voters in such consolidated or existing city or town propositions to fund indebtedness thereof by the issuing of bonds therefor at the same election at which said previous attempted incurring of such indebtedness, or any thereof, on the part of either such former city or town, or of such city or town prior to such annexation, may be ratified, or at a separate election, and declaring an emergency."

House bill No. 65, entitled "An act relating to private sales of real property belonging to estates of decedents, minors and insane persons."

I have the honor to be, very respectfully, your obedient servant,

J. H. MCGRAW, Governor.

On motion of Mr. Weed, the House concurred in Senate amendments to House bill No. 147, An act relating to an agricultural fair at Yakima.

The House resumed consideration of House bill No. 482, the general appropriation bill.

Mr. Turpin moved to amend section 1 by striking out, in line 215, "\$60,000" and inserting "\$30,000."

The House refused to adopt the amendment by the following vote: Yeas 32, nays 43, absent 3.

Yeas: Messrs. Anderson of Pierce, Baker, Burton, Bush of Chehalis, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Foster, Gilman, Hamill, Judson, Karr, Keller, Kelly, Kline, Leo, Mays, Moore, Nash, Payne, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Tucker, Turpin, Washburn, and Woodworth.

Nays: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Pacific, Cameron, Collin, Green, Greenberg, Heli-ker, Hoole, Hurd, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nelson, Pierce of Klickitat, Rinehart, Roscoe, Roth, Sallee, Shadle, Sherman, Smithson, Speck, Temple, Tull,

Webb, Weed, Westfall, Wheeler, White, Winchell, and Mr. Speaker.

Absent: Messrs. Farrish, Neergaard, and Pierce of Lewis.

Amendment proposed to House bill No. 482, by Mr. Meany: Between lines 228 and 229 insert, "for paying the expense of selling the present site of the state university, for preparing the grounds at the new site, and for the erection of the new buildings of the state university, \$150,000: *Provided*, That the money hereby appropriated for this purpose shall be returned into the state treasury by the board of university regents from the proceeds of the first sales of the old site of the university consisting of ten acres in the city of Seattle."

The amendment was adopted.

Amendment proposed by Mr. Hoole: Amend line 207 by adding "\$3,000 of which shall be appropriated for the care and custody of children of feeble mind, who are not capable of receiving instruction, to be disbursed under such regulations as may be prescribed by the board of control of this institution."

The amendment was adopted.

Amendment by Mr. Temple: Add at end of line 271 the words "the first."

The amendment was adopted.

Amendment by Mr. Tucker: Amend the "totals" to correspond with the amendments to the items.

The amendment was adopted.

Amendment to general appropriation bill, presented by Mr. Hoole:

Amend by appropriating \$1,400 for the purchase of 1,000 copies of Barton's Legislative Manual: *Provided*, That the secretary of state shall deliver five copies of said book to each of the members of the senate and house of representatives; one copy each to the secretary of the senate and chief clerk of the house; one copy to each of the judges of the supreme court, clerk and reporter of the supreme court, and each of the judges of the superior courts of the state; five copies each to the governor and lieutenant governor; two copies each to the auditor, secretary of state, treasurer, attorney general, superintendent of public instruction, commissioner of public lands and state printer; one copy each to the members of the board of education; one copy each to the county school superintendents, and ten copies to the state librarian for use in the state library. That one copy of the said book be sent by the secretary of state to each of the state libraries of the several states and territories of the union, in exchange for books of a similar character now in use in the library of this state, and that one copy be sent to each of the United States senators and

representatives in congress of this state. All of said books remaining in the possession of the secretary of state after such distribution is made, shall be distributed pro rata by the secretary of state among the educational institutions and the several boards of trustees and commissions of the state."

The amendment was adopted by the following vote: Yeas 37, nays 35, absent 6.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Farrish, Greenberg, Hamill, Heliker, Hoole, Hurd, Keller, Kelly, Letterman, Mead, Mentzer, Merchant, Morrison, McElwain, McKenzie, McMillan, Nash, Payne, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Sherman, Smithson, Weed, Westfall, White, and Woodworth.

Nays: Messrs. Anderson of Pierce, Baker, Burton, Cowan, Crockett, Denn, Durant, Edmonds, Egbert, Foster, Gilman, Green, Judson, Karr, Kline, Leo, Ludden, Mays, Meany, Moore, Mulkey, McNew, Nelson, Scott, Smith of Douglas, Smith of Okanogan, Speck, Temple, Tucker, Tull, Washburn, Webb, Wheeler, Winchell, and Mr. Speaker.

Absent: Messrs. Edwards, McMurphy, Neergaard, Pierce of Klickitat, Shelton, and Turpin.

Mr. Baker moved to amend by striking out lines 264 to 268, inclusive, in section 1.

On motion of Mr. Rinehart, the previous question was ordered.

Mr. Baker's amendment was lost.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 63, nays 11, absent 4.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Crockett, Farrish, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.



Nays: Messrs. Baker, Burton, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Foster, Scott, and Smith of Douglas.

Absent: Messrs. Collin, Kline, Moore, and Turpin.

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

On motion, the rules were suspended for the day, and the chief clerk was instructed to transmit the bills to the Senate as soon as they pass the House.

#### MESSAGES FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 193, entitled "An act authorizing certain cities to extend their credit."

Also Senate bill No. 120, Assessment and collection of bank taxes.

Also Senate bill No. 166, Maximum express charges.

The president of the Senate has signed House bill No. 20, Relating to appeals.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copy of House bill No. 20, entitled "An act relating to appeals to the supreme court," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above House bill No. 20.

A motion to adjourn at 5:10 was lost.

Mr. Gilman moved that the House do now take under consideration House bill No. 261.

The motion prevailed.

#### REPORT OF COMMITTEE ON FISHERIES AND GAME.

MR. SPEAKER:

We, your Committee on Fisheries and Game, to whom was referred House bill No. 261, entitled "An act to protect salmon and other food fishes in the waters of Puget Sound and in all streams flowing into Puget Sound, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass, amended as follows:

Change "and" to "nor" in second line of first section; also strike out

“nor within one-half mile of the mouth of any such stream at low tide,” beginning in third line of section 1.

Respectfully submitted.

We concur in this report:

A. S. BUSH, Chairman.

W. P. McELWAIN,

WALTER CROCKETT,

R. T. COWAN,

E. BROCK.

The report of the committee was adopted.

The bill was read the second time.

On motion of Mr. Gilman, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 59, nays 0, absent 19.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farish, Foster, Gilman, Green, Heliker, Hoole, Karr, Keller, Kelly, Kline, Leo, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Rinehart, Roscoe, Scott, Shadle, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Collin, Greenberg, Hamill, Hurd, Judson, Letterman, Mulkey, McKenzie, McMillan, Neergaard, Pierce of Lewis, Roth, Sallee, Shelton, Sherman, Wheeler, White, and Winchell.

The emergency clause passed by the following vote: Yeas 61, nays 0, absent 17.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Edmonds, Edwards, Egbert, Farish, Foster, Gilman, Green, Heliker, Hoole, Karr, Keller, Kelly, Kline, Leo, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Nash, Nelson, Payne, Rinehart, Sallee, Scott, Shadle, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Durant, Greenberg, Hamill, Hurd, Judson, Letterman, Moore, McMillan, Neergaard, Pierce of

Klickitat, Pierce of Lewis, Roscoe, Roth, Shelton, Sherman, and Winchell.

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

On motion of Mr. Ludden, Senate bill No. 241, An act for the relief of Stevens county, was taken under consideration.

#### REPORT OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

##### MR. SPEAKER:

We, your Committee on Appropriations and Claims, to whom was referred Senate bill No. 241, entitled "An act for the relief of Stevens county," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

G. W. TEMPLE, Chairman.

The bill was read the second time in full.

On motion of Mr. Ludden, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 62, nays 0, absent 16.

Yeas: Messrs. Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hoole, Karr, Keller, Kelly, Kline, Leo, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Rinehart, Sallee, Scott, Shadle, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whatcom, Edmonds, Greenberg, Hamill, Heliker, Hurd, Judson, Letterman, McMillan, Neergaard, Pierce of Lewis, Roth, Roscoe, Shelton, and Sherman.

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

On motion of Mr. Nash, the House took under consideration Senate bill No. 125.

#### REPORT OF COMMITTEE ON JUDICIARY.

##### MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred Senate bill No. 125, entitled "An act to amend sections 2 and 4 of an act entitled 'An act to provide for the publication, distribution and sale of the supreme

court reports of the State of Washington, and declaring an emergency," approved February 25, 1891," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The bill was read the second time in full.

On motion of Mr. Nash, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 59, nays 0, absent 19.

Yeas: Messrs. Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Egbert, Farrish, Foster, Gilman, Green, Heliker, Hoole, Karr, Keller, Kelly, Kline, Leo, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Rinehart, Scott, Shadle, Shelton, Smith of Douglas, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whatcom, Edmonds, Edwards, Greenberg, Hamill, Hurd, Judson, Letterman, McMillan, Neergaard, Pierce of Lewis, Roscoe, Roth, Sallee, Sherman, Smith of Okanogan, Tull, and Winchell.

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

Mr. Hoole moved to adjourn at 5:35.

The House refused to adjourn.

On motion of Mr. Burton, the House took under consideration Senate bill No. 237.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 237, entitled "An act to provide for the assessment and collection of taxes in municipal corporations of the third and fourth class in the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

W. H. LUDDEN, Chairman.

The bill was read the second time in full.

On motion of Mr. Morrison, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 52, nays 4, absent 22.

Yeas: Messrs. Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Crockett, Denn, Durant, Egbert, Farrish, Foster, Gilman, Green, Heliker, Hoole, Karr, Keller, Kelly, Kline, Leo, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Scott, Shadle, Shelton, Smith of Douglas, Speck, Temple, Tucker, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell; and Woodworth.

Nays: Messrs. Cowan, Moore, Pierce of Klickitat, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whatcom, Cameron, Collin, Edmonds, Edwards, Greenberg, Hamill, Hurd, Judson, Letterman, Payne, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Sherman, Smith of Okanogan, Smithson, Tull, and Turpin.

The emergency clause passed by the following vote: Yeas 54, nays 3, absent 21.

Yeas: Messrs. Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Crockett, Denn, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Hamill, Hoole, Karr, Keller, Kelly, Kline, Leo, Ludden, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Nelson, Payne, Rinehart, Scott, Shadle, Shelton, Smith of Douglas, Smithson, Speck, Temple, Tucker, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, and Woodworth.

Nays: Messrs. Cowan, Moore, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whatcom, Collin, Durant, Edwards, Greenberg, Heliker, Hurd, Judson, Letterman, Mays, Neergaard, Pierce of Klickitat, Pierce of Lewis, Roscoe, Roth, Sallee, Sherman, Smith of Okanogan, Tull, and Turpin.

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

On motion of Mr. Hoole, the House adjourned at 5:47, to meet to-night at 7:30 o'clock.

## EVENING SESSION.

The speaker called the House to order at 7:30 o'clock.

The roll was called; all present.

The following Senate bills were read first time and referred:

Senate bill No. 193, by Senator Cooper, An act to amend sections 1 and 3 of the law passed February 26, 1890, in relation to cities and towns, etc.

Referred to Committee on Judiciary.

Senate bill No. 120, by Senator Forrest, An act relating to collection of taxes on banks and bank shares.

Referred to Committee on Revenue and Taxation.

Senate bill No. 155, by Senator Dyer, An act to aid the Washington state historical society, and other purposes.

Referred to Committee on Appropriations.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 258, entitled "An act amending certain sections of Hill's Code."

Also, House bill No. 417, Economical management of county affairs.

Also, Senate bill No. 160 $\frac{1}{2}$ , Regulating the public lands.

Also, House bill No. 94, School districts.

Also, House bill No. 322, Regulating city assessments.

Also, House bill No. 88, Improvement of cities of the first class.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

## REPORT OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

MR. SPEAKER:

We, your Committee on Appropriations and Claims, to which was referred House bill No. 184, entitled "An act appropriating for jute factory and brick factory at penitentiary," have had the same under consideration and we respectfully report the same back to the House, with the recommendation that it pass, with the following amendment:

Strike out all of section 7 after "\$50,000," in line 8.

Respectfully submitted.

G. W. TEMPLE, Chairman.

The report of the committee, with amendment, was adopted.

Mr. Pierce, of Klickitat, moved to amend section 5, line 2, by

inserting after the word "commissioners" the words "who are residents of the State of Washington."

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 59, nays 8, absent 11.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cowan, Crockett, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McKenzie, McMurphy, McNew, Nash, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Weed, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Burton, Collin, Denn, Durant, Edwards, Scott, and Smith of Douglas.

Absent: Messrs. Cameron, Hamill, Heliker, Ludden, Meany, McElwain, McMillan, Neergaard, Payne, Webb, and Winchell.

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

#### REPORT OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

MR. SPEAKER:

We, your Committee on Appropriations and Claims, to whom was referred House bill No. 454, entitled "An act making appropriations for sundry deficiency expenses of the various state institutions for the fiscal term beginning April 1, 1891, and ending March 31, 1893, and for other purposes," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that the printed bill submitted herewith be substituted for the original bill.

Respectfully submitted.

G. W. TEMPLE, Chairman.

The report of the committee was adopted, on motion of Mr. Temple.

The bill was read the second time.

Amendment proposed by Mr. Mentzer: Insert between lines 32 and 33 the following: "For the relief of W. T. Cavanaugh, as compensation for services rendered during the years 1891 and 1892 in securing the confirmation of state selections to lands granted by the enabling act, one thousand dollars (\$1,000)."

The amendment was adopted.

Amendment by Mr. Kelly: Line 62, insert "for relief of coal mine inspectors, first and second districts, expenses, \$300."

The amendment was adopted by a divisional vote of 29 yeas to 13 nays.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 56, nays 12, absent 10.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Mead, Meany, Mentzer, Merchant, Morrison, McKenzie, McMillan, McMurphy, Nash, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Shadle, Shelton, Sherman, Smith of Okanogan, Speck, Temple, Tucker, Tull, Washburn, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Denn, Durant, Edmonds, Edwards, Egbert, Ludden, Mays, Moore, Mulkey, Scott, and Smith of Douglas.

Absent: Messrs. Crockett, Heliker, McElwain, McNew, Neergaard, Payne, Sallee, Smithson, Turpin, and Webb.

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

#### MESSAGES FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 3, entitled "An act appropriating money for school for defective youth."

Also, Senate bill No. 14, Authorizing improvements at the school for defective youth.

Also, Senate bill No. 290, Giving right of action to representatives of persons whose death is caused by the wrongful act of another.

Also, House bill No. 347, Relating to municipal corporations.

Also, House bill No. 208, Authorizing counties to invalidate certain indebtedness.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.



## REPORT OF COMMITTEE ON FORESTRY, AGRICULTURE AND HORTICULTURE.

MR. SPEAKER:

We, your Committee on Forestry, Agriculture and Horticulture, to whom was referred House bill No. 376 entitled "An act appropriating four thousand dollars for the purpose of sinking an artesian well in Walla Walla county," etc., have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

ALEX. CAMERON, Chairman.

We concur in this report:

A. S. MCKENZIE,

M. ANDERSON,

C. J. MOORE.

The bill was read the second time.

On motion of Mr. Tull, House bill No. 376 was indefinitely postponed.

## REPORT OF COMMITTEE ON ROADS AND HIGHWAYS.

MR. SPEAKER:

We, your Committee on Roads and Highways, to whom was referred Senate bill No. 255, entitled "An act to establish a state road through the Cascade mountains via pass north of Mount Baker," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

ELLIS MORRISON, Chairman,

A. E. MEAD.

Amendment by Mr. Nelson: Section 1, line 5, strike out "the Methow river in Okanogan county" and insert "a point on the Columbia river opposite the town of Marcus, Stevens county."

The amendment was adopted.

Amendment by Mr. Egbert: Section 11, in lines 1 and 2, strike out the words "and fifty cents."

The amendment was adopted.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 53, nays 15, absent 10.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Brock, Bush of Chehalis, Bush of Pacific, Collin, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Green, Greenberg, Hamill, Hoole, Hurd, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McMillan, McMurry, McNew, Nash, Nelson, Pierce of Lewis, Rinehart, Roscoe,

Roth, Sallee, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Burton, Cameron, Farrish, Foster, Gilman, Judson, Karr, Ludden, Moore, Pierce of Klickitat, Scott, Shadle, Tucker, Tull, and Washburn.

Absent: Messrs. Anderson of Whitman, Cowan, Heliker, McElwain, McKenzie, Neergaard, Payne, Smithson, Temple, and Turpin.

The title of the bill was amended by adding the words "and providing an appropriation therefor," and as amended the title was approved.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 287, entitled "An act relating to the state penitentiary, and declaring an emergency."

Also, House bill No. 148, Relating to county commissioners.

Also, House bill No. 156, To authorize county commissioners to provide suitable offices for county officers.

Also, Senate bill No. 278, Changing the name of the town of Sidney.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

#### REPORT OF JOINT COMMITTEE ON FISHERIES AND GAME.

MR. SPEAKER:

We, your Joint Committee on Fisheries and Game, to whom was referred House bill No. 179, entitled "An act appropriating money from the fish commission fund for the enforcement of the fish laws," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass.

Respectfully submitted.

A. S. BUSH,

Chairman House Committee.

J. C. HERR,

Chairman Senate Committee.

#### REPORT OF COMMITTEE ON APPROPRIATIONS AND CLAIMS.

MR. SPEAKER:

We, your Committee on Appropriations and Claims, to whom was referred House bill No. 179, entitled "An act appropriating money from the fish commission fund for the enforcement of fish laws," have had the same under consideration, and we respectfully report the same back to the House with the recommendation that it do pass with the following amendment: That in line 1, section 1 of the printed bill, the words "one thou-

sand" be changed to "five hundred;" also, the figures "\$1,000," in the following line, be changed to "\$500."

Respectfully submitted.

G. W. TEMPLE, Chairman.

The report was adopted.

The bill was read the second time in full.

On motion of Mr. Mentzer, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 46, nays 16, absent 16.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Burton, Bush of Chehalis, Bush of Pacific, Crockett, Denn, Egbert, Farrish, Gilman, Greenberg, Hoole, Hurd, Keller, Kelly, Letterman, Ludden, Mays, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMurphy, McNew, Nash, Neergaard, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Shadle, Smithson, Speck, Temple, Tucker, Tull, Webb, Weed, Westfall, Wheeler, White, and Woodworth.

Nays: Messrs. Baker, Cowan, Durant, Edmonds, Edwards, Foster, Green, Hamill, Judson, Karr, Kline, Mulkey, Scott, Shelton, Smith of Douglas, and Turpin.

Absent: Messrs. Anderson of Pierce, Cameron, Collin, Heliker, Leo, Mead, Meany, McMillan, Nelson, Payne, Sallee, Sherman, Smith of Okanogan, Washburn, Winchell, and Mr. Speaker.

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

#### REPORT OF COMMITTEE ON FISHERIES AND GAME.

MR. SPEAKER:

We, your Committee on Fisheries and Game, to whom was referred House bill No. 396, entitled "An act to establish and maintain a state fish hatchery, making an appropriation therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass with the following amendment: Amend section 8 to read as follows:

"SEC. 8. Whereas, on account of the nearness of the season for the running of salmon on the Columbia river and its tributaries, and immediate action being necessary to prevent the exhaustion of the supply of salmon in said streams, an emergency is declared to exist: therefore this act shall take effect and be in force from and after its passage and approval by the governor."

Respectfully submitted.

A. S. BUSH, Chairman.

The report of the committee recommending the amendments was adopted.

The bill was read the second time.

On motion of Mr. Bush, of Pacific, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill failed to pass by the following vote: Yeas 34, nays 30, absent 14.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Farrish, Gilman, Hoole, Hurd, Leo, Ludden, Mead, Meany, Merchant, Morrison, McElwain, Nash, Rinehart, Roscoe, Sallee, Shadle, Sherman, Smith of Okanogan, Smithson, Tucker, Webb, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Burton, Collin, Durant, Edmonds, Edwards, Egbert, Foster, Green, Greenberg, Hamill, Judson, Karr, Keller, Kelly, Kline, Letterman, Mays, Mulkey, McNew, Pierce of Klickitat, Scott, Shelton, Smith of Douglas, Speck, Temple, Tull, Turpin, Washburn, and Westfall.

Absent: Messrs. Anderson of Pierce, Heliker, Mentzer, Moore, McKenzie, McMillan, McMurphy, Neergaard, Nelson, Payne, Pierce of Lewis, Roth, Weed, and Winchell.

#### MESSAGES FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 98, entitled "An act fixing the fees and compensation of justices of the peace."

Also, House bill No. 184, Appropriating money for the jute factory and brick factory at the penitentiary.

And the same are herewith returned to the House.

ALLEN WEIR, Secretary.

#### REPORT OF COMMITTEE ON ROADS AND HIGHWAYS.

MR. SPEAKER:

We, your Committee on Roads and Highways, to whom was referred Senate bill No. 240, entitled "An act to establish a state road through the Cascade mountains," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass as amended.

Respectfully submitted.

ELLIS MORRISON, Chairman.

The report of the committee, with amendments, was adopted by a divisional vote of 21 yeas to 4 nays.

The bill was read the second time.

Mr. Ludden was called to the chair.

Mr. Tull moved to indefinitely postpone Senate bill No. 240.

The bill was indefinitely postponed by the following vote: Yeas 33, nays 31, absent 14.

Yeas: Messrs. Burton, Bush of Chehalis, Bush of Pacific, Crockett, Denn, Durant, Edmonds, Farrish, Foster, Gilman, Green, Greenberg, Judson, Karr, Ludden, Moore, Mulkey, McMillan, McNew, Neergaard, Nelson, Pierce of Klickitat, Roscoe, Scott, Shelton, Smith of Douglas, Smithson, Temple, Tucker, Tull, Turpin, Westfall, and Mr. Speaker.

Nays: Messrs. Anderson of Whatcom, Baker, Cameron, Edwards, Egbert, Hamill, Hoole, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Merchant, Morrison, McElwain, McKenzie, Nash, Rinehart, Roth, Shadle, Sherman, Smith of Okanogan, Washburn, Webb, Weed, Wheeler, White, and Woodworth.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1893.

#### MR. SPEAKER:

The Senate has passed House bill No. 337, entitled "An act prescribing that all fees paid salaried officers shall be paid into the county treasury."

Also, House bill No. 445, An act providing liens upon sawlogs, etc.

Also, House bill No. 340, An act concerning insane persons.

Also, House bill No. 180, Authorizing fish commissioner to make research for purpose of enforcing the fish laws.

Also, Senate bill No. 275, Relating to state printing and binding, etc.

Also, House bill No. 181, Authorizing fish commissioner to make arrests.

Also, House bill No. 182, Authorizing fish commissioner to appoint special deputies.

Also, House bill No. 31, Appropriating money for the payment of agents for the state land commission.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Tull, the House adjourned at 10:57 P. M.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

## SIXTIETH DAY.

### MORNING SESSION.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASHINGTON, Thursday, March 9, 1893. }  
10 o'clock A. M.

The speaker called the House to order at 10 o'clock A. M.

The roll was called. All the representatives were present.

On motion of Mr. Mays, the rules were suspended, the reading of the journal for yesterday morning, afternoon and evening sessions was approved.

On motion of Mr. McElwain, Senate bills Nos. 178 and 275 were placed on the calendar in place of Senate bills Nos. 255 and 240, action having been taken on the two latter after the copy for the calendar had been prepared.

### REPORTS OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed bills respectfully reports that the enrolled copy of House bill No. 180, entitled "An act to authorize the fish commissioner to make research for the purpose of enforcing the fish laws of the State of Washington," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above House bill No. 180.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following bills have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 262, entitled "An act to enable cities of the first class to exercise the right of eminent domain for the taking and damaging of land and property for public purposes, etc."

House bill No. 98, An act fixing the fees and compensation of justices of the peace.

House bill No. 94, An act relating to school districts.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above House bills Nos. 262, 98 and 94.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 293, "An act to provide for the sale of lands granted to the State of Washington for the purpose of erecting public buildings at the state capital," etc.

Also, House bill No. 292, "An act to provide for the location and erection of a capitol building, and declaring an emergency," with amendments noted in the bill.

And the same are herewith returned to the House.

The Senate has adopted the minority report of the conference committee on House bill No. 93, and a copy of majority and minority reports are herewith transmitted.

The Senate has refused to pass House bill No. 150, Relating to a forfeiture of certain contracts.

The president of the Senate has signed Senate bill No. 241, An act for the relief of Stevens county.

Also, Senate bill No. 125, Providing for printing and distribution of supreme court reports.

Also, Senate bill No. 237, Providing for assessment and collection of taxes in cities of the third and fourth class.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The speaker of the House signed Senate bills Nos. 237, 241 and 125 in open session of the House.

On motion of Mr. Ludden, Senate bill No. 275, An act providing for state printing and binding, was taken up, and was read first and second time under suspension of the rules.

On motion of Mr. Mead, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 68, nays 1, absent 9.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Farrish, Foster, Green, Greenberg, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Scott, Sherman, Smith of Douglas, Smith of Okanogan,

Smithson, Speck, Temple, Tucker, Tull, Turpin, Webb, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nay: Mr. Egbert.

Absent: Messrs. Collin, Gilman, Hamill, Meany, Sallee, Shadle, Shelton, Washburn, and Weed.

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

On motion of Mr. Mentzer, the House concurred in Senate amendments to House bill No. 292, An act in relation to state capitol.

Mr. Kline moved to make special order of House bills Nos. 430 and 432.

The motion was lost.

The House took under consideration Senate bill No. 190, made a special order for 7:30 last evening.

#### REPORT OF COMMITTEE ON ROADS AND HIGHWAYS.

MR. SPEAKER:

We, your Committee on Roads and Highways, to whom was referred Senate bill No. 190, entitled "An act providing for a system of improved roads in counties and providing for the manner of laying out, constructing and maintaining the same, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

ELLIS MORRISON, Chairman.

C. T. ROSCOE,

WM. PAYNE,

D. F. ANDERSON,

D. W. MCMURPHY.

The bill was read the second time.

On motion of Mr. Hurd, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 65, nays 10, absent 3.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Edmonds, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson,



Speck, Temple, Tucker, Tull, Webb, Weed, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Burton, Denn, Durant, Edwards, Egbert, Karr, Keller, Moore, and Scott.

Absent: Messrs. Turpin, Washburn, and Winchell.

The title of the bill was amended by striking out the words "and declaring an emergency," and as amended was approved.

On motion, the rules were suspended for the day and the chief clerk was instructed to transmit all bills, as soon as the House passes the same, to the Senate.

#### MAJORITY REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 93.

MR. PRESIDENT:

Your committee of conference on House bill No. 93, entitled "An act regulating and fixing maximum freight rates in the State of Washington, and providing a penalty for the violation thereof," respectfully report the same back to the Senate with the following recommendations:

*First:* That the House concur in the Senate amendment in line 4 of section 1 of the printed bill, to strike out the word "seventy-five," and insert in lieu thereof the words "eighty-five."

*Second:* That the House concur in the Senate amendment to section 2 of the printed bill by adding to said section the words "*Provided, That this section shall not apply in respect to rates that were in existence at the date last named, made in competition with transportation wholly or partly by water.*"

*Third:* That the Senate recede from its amendment in lines 5 and 6 of section 1 of the printed bill, to strike out " $4\frac{50}{100}$ " and insert in lieu thereof the word "five," and that " $\frac{80}{100}$ " in lieu of " $\frac{50}{100}$ " be inserted in line 6, section 1, of the printed bill.

Respectfully submitted.

DAVID MILLER,  
J. J. EDENS,  
R. J. NEERGAARD,  
D. F. ANDERSON,  
JOHN F. GREEN,  
C. L. WEBB.

#### MINORITY REPORT.

*To the President of the Senate:*

The undersigned, a minority of the Senate committee on conference, having had under consideration the differences existing between the Senate and House of Representatives on House bill No. 93, An act regulating and fixing railroad freight rates in the State of Washington, submit the following report: Would recommend that the Senate adhere to the amendments to said bill fixing as the rate 85 per centum of the rate existing January 3, 1893. Also, recommend that the Senate adhere to the amendment to section 2 of the bill by adding the words: "*Provided, That this*

section shall not apply in respect to rates that were in existence at the date last named, made in competition with transportation wholly or partly by water." And that the words "\$5" in section 1 be stricken out and the words "\$4.75" be inserted in lieu thereof, so that the amendment will read "no greater rate than \$4.75 per ton for a haul of 500 miles or less."

All of which is respectfully submitted.

C. W. IDE.

Adopted by Senate.

Mr. Neergaard moved that the House concur in the Senate amendments to House bill No. 93 as modified by the minority conference report adopted by the Senate.

The motion prevailed.

#### REPORT OF COMMITTEE ON CONFERENCE ON HOUSE PROPOSED AMENDMENT TO SENATE BILL No. 260.

MR. SPEAKER:

We, your Committee of Conference, to whom was referred Senate bill No. 260, entitled "An act to provide for the assessment and collection of taxes in the State of Washington, and declaring an emergency," together with the House amendments thereto, have had the various amendments proposed by the House of representatives under consideration, and we respectfully report the same back to the House, with recommendations as attached hereto, viz.:

First: That the House amendment to section 3 be concurred in, provided the following amendment be added to such amendment, to wit: "*And provided*, That mortgages, and all credits for the purchase of real estate shall not be considered as property for the purposes of this act."

Second: That the House amendment to line 15, section 4, be concurred in.

Third: That the House amendment in lines 6, 7, 8, 11, 16 and 17, section 5, be concurred in.

Fourth: That the House amendment striking out the word "personal" in line 18 of section 5, be not concurred in, and that the House be asked to recede.

Fifth: That the House amendment to section 6, providing that real estate be valued only once in two years, be not concurred in, and that the House be asked to recede.

Sixth: That the House amendment to section 6, providing a maximum amount of three hundred dollars as the assessed valuation of any animal kept for stock purposes only, be concurred in.

Seventh: That the House amendment to section 8, line 2, be concurred in.

Eighth: That the House amendment to section 8, between lines 24 and 25 in the "detail list," be concurred in, as also in lines 38 and 44 in detail list of real property.

Ninth: That the House amendment to line 2, section 29, be not concurred in, and that the House be asked to recede.

Tenth: That the House amendment to section 43 be not concurred in, and that the House be asked to recede.

Eleventh: That the House amendment to section 45 be concurred in.

Twelfth: That the house amendment to section 47, fixing the pay of deputy assessors at three dollars per day, be not concurred in, and that the House be asked to recede, and that the words "five dollars per day," in line 8 of said section, be stricken out and the following inserted after the word "sum" in said line 8, viz.: "which may be designated and allowed by the board of county county commissioners, not exceeding five dollars per day."

Thirteenth: That the House amendment to line 19 of section 55 be concurred in.

Fourteenth: That the action of the House in striking out sections 59, 60, 61, 62, 63, 64, 65 and 66 be concurred in.

Fourteen and a half: That the House amendment to line 38, section 67, be concurred in.

Fifteenth: That the House amendment to lines 6 and 7 in section 72 be concurred in.

Sixteenth: That the House amendment to line 5, section 81, be concurred in.

Seventeenth: That the action of the House in striking out sections 82 and 83 be concurred in.

Eighteenth: That the House amendment to lines 6 and 8 of section 90 be concurred in.

Nineteenth: That the House amendment to line 7 of section 91 be concurred in.

Twentieth: That the House amendment to section 93 be not concurred in, and that the House be asked to recede therefrom, and that the rate of rebate be changed in the original section by striking therefrom, in line 2, the word "three," and inserting in lieu thereof the word "two."

Twenty-first: That the House amendment to section 103, lines 7 and 8, be concurred in.

Twenty-second: That the House amendment changing the form of assessment roll in section 105 by inserting 5 per cent. penalty instead of 10 per cent. penalty be concurred in, and that the changing of the 3 per cent. rebate by striking the same out be not concurred in, and that the words "3 per cent. rebate" in said form be stricken out, and the words "2 per cent. rebate" be inserted in lieu thereof.

Twenty-third: That the House amendment to section 106, line 4, be not concurred in, and the House asked to recede.

Twenty-fourth: That the House amendment to section 112, line 1, be concurred in.

Twenty-fifth: That the House amendment to section 116, line 21, be concurred in.

Twenty-sixth: That the House amendment to section 118, line 10, be concurred in.

Twenty-seventh: That the House amendment to section 136, line 8, be concurred in.

Twenty-eighth: That the House amendment to section 137, line 15, be not concurred in, and that the House be asked to recede.

Twenty-ninth: That the House amendment to section 140, line 1, be not concurred in, and that the House be asked to recede.

Thirtieth: That the sections be renumbered to correspond with the above amendments if the same be adopted.

L. H. WHEELER, Chairman.

Mr. Roth moved that the report of the committee of conference on Senate bill No. 260 be adopted.

The House refused to adopt the report by the following vote: Yeas 35, nays 41, absent 2.

Yeas: Messrs. Anderson of Whatcom, Brock, Bush of Pacific, Cameron, Gilman, Green, Greenberg, Heliker, Karr, Keller, Kelly, Ludden, Mead, Meany, Merchant, Morrison, Nash, Nelson, Payne, Roscoe, Roth, Sallee, Shadle, Sherman, Smithson, Speck, Temple, Tull, Turpin, Webb, Weed, Westfall, White, Winchell, and Woodworth.

Nays: Messrs. Anderson of Pierce, Anderson of Whitman, Baker, Burton, Bush of Chehalis, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Hamill, Hoole, Hurd, Judson, Kline, Leo, Letterman, Mays, Mentzer, Moore, Mulkey, McElwain, McKenzie, McMurphy, McNew, Neergaard, Pierce of Klickitat, Pierce of Lewis, Rinehart, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Tucker, Wheeler, and Mr. Speaker.

Absent: Messrs. McMillan and Washburn.

Mr. Roth gave notice that he would move to reconsider the vote whereby the House refused to adopt the report at the next session.

Mr. Mentzer moved to reconsider the motion whereby the report of Mr. Wheeler, of the committee, was lost, and that the motion lie on the table.

The motion was lost.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 49, entitled "An act providing for the selection of granted lands."

The president of the Senate has signed House bill No. 94, Relating to school districts.

Also, Senate bill No. 255, Establishing a state road through the Cascade mountains.

Also, House bill No. 262, Enabling cities of the first class to exercise right of eminent domain.

Also, House bill No. 180, Relating to fish commissioners.

Also, House bill No. 98, Relating to justices of the peace.

The Senate has passed Senate bill No. 44, entitled "An act providing for appointment of short hand reporters."

Also, House bill No. 349, An act relating to water ways.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The speaker signed Senate bill No. 255 in open session of the House.

#### REPORTS OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 156, entitled "An act to authorize boards of county commissioners to provide suitable offices for the use of each county officer."

House bill No. 337, An act prescribing that all fees which are paid salaried officers by virtue of their office, etc., and declaring an emergency.

House bill No. 182, entitled "An act to authorize the fish commissioner to appoint a special deputy in each county."

House bill No. 347, An act relating to municipal corporations.

House bill No. 181, An act authorizing the fish commissioner and his deputies to make arrests.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bills Nos. 182, 181, 347, 156 and 337.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 292, entitled "An act to provide for the location and erection of a capitol building, and declaring an emergency."

House bill, No. 293, An act to provide for the sale of lands granted to the state of Washington for the purpose of erecting public buildings at the state capital, and for the preservation of said lands and the proceeds thereof.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bills Nos. 292 and 293.

Mr. Payne introduced the following resolution:

*Resolved*, That a committee of three members of this House be ap-

pointed to examine the journal of the House and report the condition of the same before the final adjournment.

The resolution was adopted.

On motion of Mr. Neergaard, the chief clerk was instructed to inform the Senate of the action of the House on the report of the conference committee on Senate bill No. 260; and the speaker appointed five members from the House to act with a similar committee of the Senate as a free conference committee.

The speaker appointed as such committee, on part of the House, Messrs. Neergaard, Pierce of Klickitat, Judson, Wheeler, and Mays.

#### REPORT OF COMMITTEE ON JUDICIARY.

##### MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred Senate bill No. 167, entitled "An act to provide for the manner of commencing civil actions in the superior courts, and bringing the same to trial," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it be amended as indicated in the attached sheet, and that as so amended it do pass.

First amendment: Insert immediately after subdivision 5 of section 7, a new subdivision to be numbered "6," as follows: "If against an insurance company, to any agent authorized by such company to solicit insurance within this state."

Second amendment: Strike out the word "causes" in line 23 of section 7 of the printed bill, and insert in lieu thereof the word "cases."

Third amendment: Strike out the words "in the city of Olympia" in line 11, section 8 of the printed bill, and insert in lieu thereof the words "at the seat of government of this state."

Fourth amendment: Strike out all of sections 16 and 17 of the bill.

Fifth amendment: Insert immediately after the word "demurs" in line 1 of section 18 of the printed bill, the words "makes any application for an order therein."

Sixth amendment: Strike out the words "notices of" in line 4, section 18 of the printed bill, and insert in lieu thereof the words "notice or papers."

Seventh amendment: Add to section 18 the following: "Every such appearance made in an action shall be deemed a general appearance unless the defendant in making the same states that the same is a special appearance."

Eighth amendment: Strike out the words "on an order therefor" where they occur in line 16, section 19 of the printed bill.

Ninth amendment: Strike out the word "arising" in line 1, section 30 of the printed bill, and insert in lieu thereof the word "arise."

Tenth amendment: Strike out from and including the word "at" where it occurs in line 3, section 37 of the printed bill, down to and including the word "trial" in line 5 of said section, and insert in lieu thereof the

following: "by serving upon the opposite party a notice of trial at least three days before any day provided by rules of court for setting causes for trial."

Eleventh amendment: Strike out the words "such succeeding session of" in line 7, section 37 of the printed bill, and insert in lieu thereof the words "the time set by."

Twelfth amendment: Strike out the words "first day of such session" where they occur in line 8, section 37 of the printed bill, and insert in lieu thereof the words "day of setting such cause for trial."

Thirteenth amendment: Strike out the words "at the session of the day" in line 19, section 37 of the printed bill, and insert in lieu thereof the words "at the time."

Fourteenth amendment: Renumber sections 18 to 40, inclusive, of the printed bill so that the same shall be sections 16 to 38, inclusive.

Fifteenth amendment: Insert after the word "complaint" in line 10, section 4 of the printed bill, the words "which will be filed with the clerk of said court or a copy."

Sixteenth amendment: Strike out the words "a copy" where the same occur in line 10, section 4 of the printed bill."

Respectfully submitted.

A. E. MEAD, Chairman.

The report of the committee with amendments was adopted.

The bill was read the second time.

On motion of Mr. Mead, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 67, nays 6, absent 5.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Crockett, Farrish, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Denn, Durant, Edmonds, Edwards, Egbert, and Foster.

Absent: Messrs. Cowan, Judson, Kline, Roth, and Wheeler.

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

Mr. McMillan, chairman of Committee on Enrolled Bills, made the following announcement:

The following persons have been appointed assistant enrolling clerks: C. C. Fisher, J. D. L. McGaughey, D. S. Baker, Miss Lamont and one other whose name will be given to the chief clerk hereafter. Appointments to date from March 7, 1893.

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 208, entitled "An act to enable counties to invalidate certain indebtedness attempted to be incurred on the part of such counties by the corporate authorities thereof in cases of their legal authority, and declaring an emergency to exist."

House bill No. 31, An act appropriating money for the payment of agents for the state land commission.

House bill No. 147, An act to establish a state fair for the State of Washington, making an appropriation therefor, and declaring an emergency."

Respectfully submitted,

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bills Nos. 208, 31 and 147.

#### JOINT SESSION.

The honorable senators appeared before the bar of the House for the last time in the session of 1893, at 12 o'clock noon, and the speaker invited the gentlemen to seats within the bar, and the president of the Senate to preside over the joint convention. The senators were well received with due respect and loud applause.

The roll was called; all the members of the two Houses were present.

On motion of Mr. Brock, the rules were suspended, the reading of yesterday's joint journal was dispensed with, and it stood approved.

No election occurring at yesterday's joint session, the clerk called the roll for the one hundredth ballot.

#### ONE HUNDREDTH JOINT BALLOT.

John B. Allen received 50 votes.

George Turner received 23 votes.

C. W. Griggs received 7 votes.

J. C. Van Patten received 9 votes.

B. F. Shaw received 17 votes.



R. O. Dunbar received 1 vote.

W. C. Jones received 2 votes.

B. L. Sharpstein received 1 vote.

H. C. Wallace received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Westfall, Van Houten, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Donahoe, Foss, Hamill, Leo, and Mays.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Those voting for B. F. Shaw were: Cowan, Crockett, Edmonds, Eshelman, Foster, Gilman, Green, Hutchinson, Judson, Kline, Letterman, McCroskey, McManus, Miller, Payne, Shelton, and Turpin.

Those voting for Wm. C. Jones were: Moore and Smith (H. F.).

Mr. N. W. Bush voted for R. O. Dunbar.

Mr. Mulkey voted for H. C. Wallace.

Senator Shaw voted for B. L. Sharpstein.

The president announced that no person had been elected United States senator, and the clerk was instructed to call the roll for the one hundred and first joint ballot.

ONE HUNDRED AND FIRST JOINT BALLOT.

John B. Allen received 50 votes.

George Turner received 24 votes.

C. W. Griggs received 8 votes.

J. C. Van Patten received 9 votes.

B. F. Shaw received 15 votes.

Henry Drum received 3 votes.

R. O. Dunbar received 1 vote.

B. L. Sharpstien received 1 vote.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Frink, Gilbert, Hastings, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kelly, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Westfall, Van Houten, and Woodworth.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Donahoe, Foss, Hamill, Leo, Mays, and Smith (H. F.).

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.).

Those voting for B. F. Shaw were: Cowan, Crockett, Edmonds, Eshelman, Foster, Gilman, Greene, Hutchinson, Judson, Kline, Letterman, McCroskey, McManus, Miller, and Shelton.

Those voting for Henry Drum were: Mulkey, Payne, and Turpin.

Mr. N. W. Bush voted for R. O. Dunbar.

Senator Shaw voted for B. L. Sharpstein.

The president announced that no person had received the 57 necessary votes to elect a United States senator; therefore, there was no election, and the joint session was dissolved at 12:35 P. M.

On motion, the House adjourned at 12:36 P. M.

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#### AFTERNOON SESSION.

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The speaker called the House to order at 2 o'clock P. M.

The roll was called; all the representatives were present.

By Mr. Mays:

*Resolved*, That the sergeant-at-arms is hereby instructed to lay Barton's Hand Book on the desks of the members of this House.

The resolution was adopted.

Mr. Roth gave notice that he waived the motion to reconsider House bill No. 93.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 93, entitled "An act regulating and fixing railroad freight rates," with amendments as noted in bill, and the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

The House concurred in the Senate amendments to House bill No. 93 by the following vote: Yeas 62, nays 2, absent 14.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Burton, Bush of Chehalis, Cameron, Collin, Cowan, Durrant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Judson, Karr, Keller, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Moore, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smithson, Speck, Temple, Tucker, Washburn, Webb, Weed, Westfall, Wheeler, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Denn and Smith of Douglas.

Absent: Messrs. Anderson of Pierce, Brock, Bush of Pacific, Crockett, Heliker, Hurd, Kelly, Merchant, Morrison, Roth, Smith of Okanogan, Tull, Turpin, and White.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate has passed Senate bill No. 158, entitled "An act relating to public works for county purposes."

The Senate has indefinitely postponed House bill No. 124, To prevent corrupt practices at elections.

Also, House bill No. 259, Establishing a system of public schools in cities of ten thousand or more inhabitants.

The president of the Senate has signed House bill No. 292, House bill No. 293, and House bill No. 156, and the same are herewith transmitted to the House.

The president of the Senate has signed House bill No. 31, Relating to payment of agents of state land commission.

Also, House bill No. 208, Enabling counties to validate certain indebtedness.

Also, House bill No. 181, Authorizing fish commissioner to make arrests.

Also, House bill No. 182, Authorizing fish commissioner to appoint special deputies.

Also, House bill No. 337, Prescribing all fees paid officers be paid in the treasury.

Also, House bill No. 347, Relating to municipal corporations.

Also, House bill No. 147, Establishing a state fair.

The Senate has passed House bill No. 69, entitled "An act relating to injuring domestic animals."

And the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 148, entitled "An act relative to the qualifications and compensation of county commissioners."

House bill No. 417, An act to provide for the economical management of county affairs.

House bill No. 445, An act providing for liens upon saw logs, spars, piles, or other timber, and upon lumber and shingles, etc.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above House bills Nos. 148, 417 and 445.

#### REPORT OF COMMITTEE ON MILEAGE AND CONTINGENT EXPENSES.

MR. SPEAKER:

We, your Committee on Mileage and Contingent Expenses, to whom was referred sundry accounts, recommend the accounts herewith be allowed:

Account of Fred C. Stewart, postmaster House of Representatives.....	\$19 00
Representative Smithson, account of mileage of joint committee to visit state university.....	17 00
Representative Turpin, same.....	17 00
Representative Meany, same.....	17 00
Stenographer John Clark.....	10 00
E. S. Meany, telegrams.....	2 50
Use of basement of court house of Thurston county for committee rooms.....	225 00
Bilger & Going, account.....	2 65
D. E. Lesh, mileage and attendance as witness before agricultural college committee..	41 40

Charles Knem, for witness fees and mileage.....	\$26 80
J. Benson Starr, account.....	6 00
Dent.....	10 00
George Anderson.....	1 00
J. W. Hartman.....	5 00
J. Meacham & Co., account.....	8 00
Hill Hamond, account.....	2 60
M. O'Connor, account.....	238 70
M. O'Connor, account March 9.....	5 25
Bilger & Going, account.....	3 35
Bilger & Going, account March 7.....	1 50

All of which are respectfully submitted.

H. F. SMITH, Chairman,  
 SAMUEL DENN,  
 L. C. GILMAN,  
 MILO KELLY,  
 J. O. EDWARDS,  
 L. G. SHELTON.

On motion, the report was adopted.

House bill No. 348 (substitute for House bill No. 202), An act relating to the militia, was read the second time in full.

By Mr. Weed: Strike out in line 4 in section 1 the word "three" and insert the word "four."

The amendment was adopted.

On motion of Mr. Mead, of Chehalis, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 48, nays 27, absent 3.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Farrish, Green, Greenberg, Heliker, Hoole, Kelly, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Morrison, McElwain, McKenzie, McMillan, McMurphy, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Shadle, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Baker, Burton, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Foster, Gilman, Hamill, Judson, Karr, Keller, Kline, Leo, Mays, Moore, Mulkey, McNew, Scott, Shelton, Smith of Douglas, Turpin, Washburn, and Webb.

Absent: Messrs. Crockett, Hurd, and Roth.

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

## COMMUNICATION FROM THE SENATE.

STATE OF WASHINGTON, SENATE CHAMBER,  
OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

I am instructed by the Senate to notify the House that the Senate is working entirely upon House bills, and the House is respectfully requested to act upon Senate bills in preference to House bills.

ALLEN WEIR, Secretary.

## MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 8, 1893.

*To the Honorable the House of Representatives:*

GENTLEMEN—Governor McGraw directs me to inform your honorable body that he has this day approved and signed House bill No. 20, entitled "An act relating to appeals to the supreme court."

Respectfully yours, E. C. MACDONALD, Private Secretary.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 9, 1893.

*To the Honorable the House of Representatives:*

GENTLEMEN—Governor McGraw directs me to inform your honorable body that he has this day approved and signed House bill No. 283, entitled "An act granting a bounty for the production and manufacture of sugar in the State of Washington."

House bill No. 331, entitled "An act to amend sections 107, 109, 113, 116, 124, 125, 126, 132, 133, 134, 135 and 136 of an act providing for the organization, classification, incorporation and government of municipal corporations, approved March 27, 1890, and declaring an emergency."

House bill No. 415, 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."

House bill No. 302, entitled "An act relating to the construction, repairing and improvement of public roads, providing revenue for such purpose, defining the powers and duties of certain officers in relation thereto and fixing their compensation, and to repeal an act entitled 'An act to provide for keeping highways in repair, and for the levy and collection of road poll and road property taxes, and declaring an emergency,' approved March 7, 1890, and declaring an emergency."

House bill No. 98, entitled "An act fixing the fees and compensation of justices of the peace, and declaring an emergency."

House bill No. 94, entitled "An act concerning the formation of new school districts, and changing the boundaries and transferring territory from one district to another."

House bill No. 180, entitled "An act to authorize the fish commissioner to make research for the purpose of enforcing the fish laws of the State of Washington."

I have the honor to be, very respectfully, your obedient servant,

E. C. MACDONALD, Private Secretary.

REPORT OF COMMITTEE ON WATER, WATER RIGHTS AND  
IRRIGATION.

MR. SPEAKER:

We, your Committee on Water, Water Rights and Irrigation, to whom was referred Senate bill No. 145, entitled "An act to provide for payment for state lands for their share of the expense of constructing drainage ditches, and declaring an emergency," respectfully report the same back to the House with the recommendation that it pass.

Respectfully submitted.

WM. FARRISH, Chairman,  
J. J. DURANT,  
SAM'L DENN,  
T. G. MULKEY,  
GEO. W. KLINE,  
A. S. BUSH.

The bill was read the second time.

On motion of Mr. Mead, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 71, nays 0, absent 7.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Scott, Shadle, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Crockett, Hurd, Ludden, Payne, Sallee, Shelton, and Tull.

The emergency clause passed by the following vote: Yeas 69, nays 0, absent 9.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Denn, Durant, Edmonds, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth,

Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Burton, Crockett, Edwards, Hurd, Ludden, Meany, Nash, Payne, and Tull.

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

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 390, entitled "An act in relation to fees of state and county officers."

Also, House bill No. 261, An act protecting salmon and other food fishes, etc.

Also, House bill No. 212, entitled "An act to prevent attempts to commit burglaries."

Also, House bill No. 232, Relating to persons divorced.

Also, House bill No. 76, relating to proceedings supplemental to execution.

The president of the Senate has signed House bill No. 445, Providing for liens upon saw logs, etc.

Also, House bill No. 148, Relating to county commissioners.

Also, House bill No. 417, Relating to economic management of county affairs.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

House concurrent resolution No. 24, by Mr. Mulkey, Relating to the printing and distribution of the session laws of 1893, was adopted.

Mr. Hoole was called to the chair.

#### MINORITY REPORT OF COMMITTEE OF FREE CONFERENCE ON SENATE BILL NO. 260.

MR. SPEAKER:

Your committee on free conference, to whom was referred Senate bill No. 260, entitled "An act to provide for the assessment and collection of taxes," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that the report of committee on conference heretofore submitted be adopted.

Respectfully submitted.

L. H. WHEELER.

Mr. Wheeler moved the adoption of the report.

Mr. Roth moved the previous question.



The motion prevailed by a divisional vote of 47 yeas to 17 nays.

The House adopted the minority report by the following vote:

Yeas 45, nays 28, absent 5.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Pacific, Cameron, Collin, Crockett, Gilman, Green, Greenburg, Hamill, Heliker, Karr, Keller, Kelly, Ludden, Mead, Meany, Merchant, Morrison, Mulkey, McElwain, McMillan, Nash, Nelson, Payne, Rinehart, Roscoe, Roth, Sallee, Shadle, Sherman, Smithson, Speck, Temple, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, and Woodworth.

Nays: Messrs. Anderson of Pierce, Baker, Bush of Chehalis, Cowan, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Hoole, Judson, Kline, Leo, Letterman, Mays, Mentzer, Moore, McMurphy, Neergaard, Pierce of Klickitat, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Tucker, and Mr. Speaker.

Absent: Messrs. Burton, Hurd, McKenzie, McNew, and Pierce of Lewis.

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

##### MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 340, An act concerning insane persons.

Also, House bill No. 184, An act appropriating money for the purchase of materials, and regulating the manufacture and sale of jute and other fabrics and brick at the state penitentiary.

Also, House bill No. 49, An act to amend section 7 of an act entitled "An act to provide for the selection of granted lands, and declaring an emergency."

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above House bills Nos. 49, 184 and 340.

Mr. Westfall moved that the House reconsider the vote whereby Senate bill No. 240 was indefinitely postponed.

The motion prevailed, and the House took up Senate bill No. 240 for consideration.

The bill failed to pass the House by the following vote: Yeas 39, nays 27, absent 12:

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Cameron, Collin, Edwards, Greenberg, Heliker, Keller, Kelly, Kline, Leo, Mead, Meany, Mer-

chant, Morrison, McElwain, McMurphy, Nash, Neergaard, Nelson, Pierce of Lewis, Rinehart, Roth, Sallee, Shadle, Sherman, Smith of Okanogan, Smithson, Speck, Webb, Weed, Westfall, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Bush of Chehalis, Cowan, Crockett, Denn, Durant, Edmonds, Farrish, Foster, Gilman, Green, Hoole, Judson, Karr, Letterman, Ludden, Mays, Mentzer, Moore, Mulkey, Roscoe, Scott, Shelton, Smith of Douglas, Temple, Tucker, Turpin, and Washburn.

Absent: Messrs. Burton, Bush of Pacific, Egbert, Hamill, Hurd, McKenzie, McMillan, McNew, Payne, Pierce of Klickitat, Tull, and Wheeler.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 266, House bill No. 108, with amendments noted in the bill; also, House bill No. 110.

Also, the Senate has refused to pass House bill No. 299.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred Senate bill No. 60, entitled "An act to amend section 2741 of title 3, chapter 1, volume 1 of the General Statutes and Codes of Washington, as arranged and annotated by William Lair Hill, relating to securing creditors," respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

Senate bill No. 60 was read the second time.

On motion the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 47, nays 21, absent 10.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Foster, Gilman, Green, Greenberg, Heliker, Hoole, Karr, Keller, Kelly, Kline, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Lewis, Rinehart, Roscoe, Shadle, Temple, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, Woodworth, and Mr. Speaker.

Nays: Messrs. Anderson of Pierce, Baker, Burton, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Leo, Mays, Pierce of Klickitat, Roth, Sallee, Scott, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Speck, and Tucker.

Absent: Messrs. Bush of Chehalis, Hamill, Hurd, Judson, Mulkey, McMillan, McMurphy, Sherman, White, and Winchell.

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

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 454, entitled "An act making sundry deficiencies appropriations," with amendments as noted in the bill.

And the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

Senate bill No. 160½ (substitute for Senate bill No. 177, Senate bill No. 151, Senate bill No. 160, House bill No. 116 and House bill No. 145), was read the first time by title and the second time in full.

Amendment proposed by Mr. Wheeler:

Add to section 1: "*Provided further*, That the board of state land commissioners shall be subject to rules and regulations of and all its acts, proceedings and contracts to the approval of a board consisting of the governor, the secretary of state and the members of the said board of state land commissioners as created by this act."

The amendment was adopted.

Amendment proposed by Mr. Wheeler:

"SEC. 36. Said state land commission shall have full power and authority, in all cases where it may deem necessary, to prosecute any and all persons, or corporations, for any trespass, or any act done, or suffered to be done, by each person or corporation, whereby the said lands may be damaged or the value thereof impaired."

The amendment was adopted.

Amendment by Mr. Meany:

Amend section 6 by adding, at the end of the addition thereto made by amendment adopted by the Senate, the following words: "And all powers vested by the act last mentioned in the harbor line commission therein mentioned, are hereby transferred to and devolved upon said board of state land commissioners hereby created, and said board are hereby authorized to draw warrants upon the state treasurer against the harbor improvement fund of the proper city for the amounts of all ex-

penditures made by them in the improvement of harbors in pursuance of said act last mentioned, or of any law in force for the time being, and are hereby vested with all other powers and authority necessary to carry into effect the full intent and purpose of said act and of all provisions of law relative to the improvement or leasing of harbors or harbor areas."

The amendment was adopted.

On motion of Mr. Leo, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 52, nays 11, absent 15.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Edmonds, Farrish, Foster, Gilman, Greenberg, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Ludden, Mead, Meany, Mentzer, Merchant, Morrison, McElwain, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Lewis, Rinehart, Sallee, Shadle, Shelton, Smith of Okanogan, Smithson, Speck, Tucker, Turpin, Washburn Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Burton, Denn, Durant, Edwards, Green, Hamill, Mays, Pierce of Klickitat, Scott, and Smith of Douglas.

Absent: Messrs. Anderson of Pierce, Collin, Cowan, Crockett, Egbert, Hurd, Letterman, Moore, Mulkey, McMillan, Roscoe, Roth, Sherman, Temple, and Tull.

The emergency clause passed by the following vote: Yeas 54, nays 6, absent 18.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Brock, Bush of Chehalis, Bush of Pacific, Collin, Cowan, Edmonds, Farrish, Foster, Gilman, Greenberg, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Lewis, Rinehart, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Tucker, Turpin, Washburn, Webb, Weed, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Burton, Denn, Durant, Edwards, and Smith of Douglas.

Absent: Messrs. Anderson of Pierce, Cameron, Crockett, Egbert, Green, Hamill, Hurd, Letterman, Mulkey, McMillan, Pierce of Klickitat, Roscoe, Roth, Sallee, Scott, Temple, Tull, and Westfall.

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

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 349, entitled "An act prescribing the way in which waterways for the uses of navigation may be excavated by private contract, providing for liens upon tide and shore lands."

House bill No. 93, An act regulating and fixing railroad freight rates in the State of Washington.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above House bills Nos. 349 and 93.

#### REPORT OF COMMITTEE ON TIDE LANDS.

MR. SPEAKER:

We, your Committee on Tide Lands, to whom was referred Senate bill No. 30, entitled "An act creating a board of harbor line commissioners, defining their powers and duties, and fixing their compensation," respectfully report the same back to the House without recommendation.

Respectfully submitted.

J. S. SALLEE, Chairman.

On motion of Mr. Roth, Senate bill No. 30 was indefinitely postponed.

#### REPORT OF THE COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred Senate bill No. 262, entitled "An act amending section 8, page 61, Session Laws of 1885-6, relating to the duties of prosecuting attorneys, and declaring an emergency," respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The bill was read the second time in full.

On motion, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 61, nays 0, absent 17.

Yeas: Messrs. Anderson of Whitman, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Greenberg, Hamill, Heliker, Hoole, Judson, Karr, Keller, Kelly, Leo, Letterman, Mays, Mead,

Meany, Mentzer, Merchant, Moore, Morrison, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Scott, Shadle, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Brock, Burton, Denn, Gilman, Hurd, Kline, Ludden, Mulkey, McElwain, Payne, Roth, Sallee, Sherman, and Webb.

The emergency clause passed by the following vote: Yeas 65, nays 1, absent 12.

Yeas: Messrs. Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Heliker, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Tucker, Tull, Turpin, Weed, Westfall, Wheeler, and Mr. Speaker.

Nay: Mr. Washburn.

Absent: Messrs. Anderson of Pierce, Burton, Hamill, Hurd, Mulkey, Roth, Sherman, Temple, Webb, White, Winchell, and Woodworth.

There being no objections, 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, March 9, 1893.

*To the Honorable the House of Representatives:*

GENTLEMEN—Governor McGraw has this day approved and signed the following:

House bill No. 182, entitled "An act to authorize the fish commissioner to appoint a special deputy in each county."

House bill No. 156, entitled "An act to authorize boards of county commissioners to provide suitable offices for the use of each county officer."

House bill No. 81, entitled "An act appropriating money for the payment of agents for the state land commission."

House bill No. 347, entitled "An act to legalize and validate the incor-

poration or re-incorporation of towns and cities incorporated or re-incorporated under an act approved March 24, 1890, entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' and to legalize and validate existing contracts and obligations of such towns and cities."

House bill No. 337, entitled "An act prescribing that all fees paid salaried officers by virtue of their office shall be paid into the county treasury, and prescribing a penalty for the failure so to do, and declaring an emergency."

House bill No. 181, entitled "An act authorizing the fish commissioner and his deputies to make arrests."

House bill No. 208, entitled "An act to enable counties to validate certain indebtedness attempted to be incurred on the part of such counties by the corporate authorities thereof in excess of their legal authority, and declaring an emergency to exist."

I have the honor to be, very respectfully, your obedient servant,

E. C. MACDONALD, Private Secretary.

The speaker appointed the following committee to inquire into condition of journal: Messrs. Payne, Mentzer, and Webb.

On motion, the House adjourned at 5:30 P.M.

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### EVENING SESSION.

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The speaker called the House to order at 7:30 o'clock.

At the last roll call for the session of 1893 all the honorable and highly esteemed members were present.

### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The president of the Senate has signed House bill No. 349.

Also, House bill No. 93.

Also, House bill No. 340.

Also, House bill No. 49.

Also, House bill No. 184.

Also, Senate bill No. 190.

Also, Senate bill No. 275.

Also, Senate bill No. 145.

Also, House bill No. 349.

The Senate has passed Senate bill No. 286, entitled "An act appointing a normal school site commission."

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

In open session the speaker signed Senate bill No. 190, Senate bill No. 275 and Senate bill No. 145.

#### REPORTS OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

**MR. SPEAKER:**

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copy thereof, and found correctly enrolled:

House bill No. 232, entitled "An act prohibiting divorced persons from contracting marriages within the period in which an appeal may be taken, and providing punishment for the violation thereof."

House bill No. 88, An act relating to improvements in cities of the first class, authorizing issuance and collection of bonds upon property benefited by local improvements, and declaring an emergency.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bills Nos. 232 and 88.

**MR. SPEAKER:**

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copy thereof, and found correctly enrolled:

House bill No. 261, entitled "An act to protect salmon and other food fishes in the waters of Puget Sound, and in all streams flowing into Puget Sound, and declaring an emergency."

House bill No. 266, An act to amend sections 17, 18, 20 and 23 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.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bills Nos. 261 and 266.

**MR. SPEAKER:**

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copy thereof, and found correctly enrolled:

House bill No. 110, entitled "An act to prevent the fraudulent disposition of mortgaged personal property, and to provide punishment for violations thereof."

House bill No. 322, An act relating to and authorizing the collection of assessments for local improvements by a new assessment or reassessment of the cost and expense of making same in cities and towns, etc.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bills Nos. 110 and 322.



MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copy thereof, and found correctly enrolled:

House bill No. 69, entitled "An act to amend section 59, chapter 2, of crimes against property of the laws of the State of Washington as compiled and arranged by William Lair Hill, under an act of the legislature of the State of Washington, approved February 18, 1890, entitled 'An act to appoint a commissioner to compile, re-arrange and annotate the laws of Washington, and to provide for publication and distribution thereof, and the payment therefor.'"

House bill No. 212, An act to prevent attempts to commit burglaries and declaring the possession of burglar's tools with intent to use the same for unlawful purposes to be a misdemeanor, and declaring a rule of evidence in such cases.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bills Nos. 69 and 212.

The House concurred in Senate amendments to House bill No. 454, Relating to certain deficiencies and making an appropriation therefor.

#### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 204, entitled "An act legalizing tax levies for the year 1892, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass with the following amendments:

That the word "levy" in line 1, section 2, be stricken out, and the words "heretofore levied" be substituted therefor; also, in section 3, line 1, after the word "tax," the word "heretofore" be inserted; also, in section 4, line 2, after the word "tax," the words "heretofore levied" be inserted; also, strike out all of section 3 after the word "body" in line 2.

Respectfully submitted.

D. W. PIERCE, Chairman.

The report recommending certain amendments was adopted.

The bill was read the second time.

On motion, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 73, nays 0, absent 5.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Judson, Karr, Keller, Kelly,

Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Hurd, Kline, Smith of Okanogan, Smithson, and Weed.

The emergency clause passed by the following vote: Yeas 73, nays 0, absent 5.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hamill, Hoole, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Absent: Messrs. Burton, Greenberg, Heliker, Hurd, and Weed.

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

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate has concurred in House amendments to sections 5 and 6 of Senate bill No. 160½, and has refused to concur in amendment to section 1, and asks that the House recede from said amendment.

ALLEN WEIR, Secretary.

The House receded from its first amendment to section 1 of Senate bill No. 160½.

#### COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, March 9, 1893.

*To the Honorable the House of Representatives:*

GENTLEMEN — Governor McGraw directs me to inform you that he has this day approved and signed the following:

House bill No. 262, entitled "An act to enable cities of the first class to exercise the right of eminent domain, for the taking and damaging of land and property for public purposes, providing a method for making compensation therefor, and providing for special assessments in certain cases upon property benefited, and declaring an emergency."

House bill No. 148, entitled "An act relative to the qualifications and compensation of county commissioners."

House bill No. 293, entitled "An act to provide for the sale of lands granted to the State of Washington for the purpose of erecting public buildings at the state capital, and for the preservation of said lands and the proceeds thereof."

I have the honor to be, very respectfully, your obedient servant,  
E. C. MACDONALD, Private Secretary.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 245, entitled "An act in relation to sheriffs."

Also, House bill No. 162.

Also, House concurrent resolution No. 18.

Also, House bill No. 193.

ALLEN WEIR, Secretary.

#### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 261, entitled "An act amending section 2331, Code 1881, Laws of the State of Washington, relating to the filing and cancellation of plats," respectfully report the same back to the House, with the recommendation that it do pass with the accompanying amendment, which shall be numbered section 2, and sections 2 and 3 of the printed bill shall be numbered, respectively, 3 and 4.

"SEC. 2. That any person filing a plat subsequent to April 1st in any year, and prior to the date of the collection of taxes, the said party shall deposit with the county treasurer a sum equal to an increase of 25 per cent. of the amount of the tax for the previous year on the property platted. The treasurer's receipt for said amount shall be taken by the auditor as evidence of the payment of the tax. The treasurer shall appropriate so much of said deposit as will pay the taxes on the said property when the tax rolls are placed in his hands for collection, and in case the sum deposited is in excess of the amount necessary for the payment of the said taxes, the treasurer shall return to the party depositing the amount of said excess, taking his receipt therefor, which receipt shall be accepted for its face value on the treasurer's quarterly settlement with the county auditor."

Respectfully submitted.

D. W. PIERCE, Chairman.

The report of the committee was adopted.

The bill was read the second time.

On motion of Mr. Mead, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 74, nays 1, absent 3.

Yeas: Messrs. Anderson of Pierce, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nay: Mr. Denn.

Absent: Messrs. Anderson of Whatcom, Greenberg, and Kline.

The emergency clause passed by the following vote: Yeas 75, nays 1, absent 2.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Kline, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nay: Mr. Denn.

Absent: Messrs. Green and Sallee.

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

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The president of the Senate has signed House bill No. 212.

Also, House bill No. 232.

Also, House bill No. 110.

Also, House bill No. 69.

Also, House bill No. 88.

Also, House bill No. 266.

Also, House bill No. 322.

Also, House bill No. 261.

The Senate has passed House bill No. 482, with amendments as noted in the bill.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Judson, the House considered each Senate amendment to House bill No. 482 separately.

First amendment—House concurred.

Second amendment—House concurred.

Third amendment—House refused to concur.

Fourth amendment—totals; no action.

Fifth amendment—House refused to concur.

Sixth amendment—House refused to concur.

Seventh amendment—House concurred.

Eighth amendment—House concurred.

Ninth amendment—House refused to concur.

Tenth amendment—total; not acted on.

Eleventh amendment—House refused to concur.

Twelfth amendment—House refused to concur.

Thirteenth amendment—House refused to concur.

Fourteenth amendment—total.

Fifteenth amendment—House refused to concur.

Sixteenth amendment—total.

Seventeenth amendment—House concurred.

Eighteenth amendment—House concurred.

Nineteenth amendment—total.

Twentieth amendment—House concurred.

Twenty-first amendment—House refused to concur.

Twenty-second amendment—total.

Twenty-third amendment—House refused to concur.

Twenty-fourth amendment—House refused to concur.

Twenty-fifth amendment—House concurred.  
 Twenty-sixth amendment—House concurred.  
 Twenty-seventh amendment—total.  
 Twenty-eighth amendment—House refused to concur.  
 Twenty-ninth amendment—House concurred.  
 Thirtieth amendment—House concurred.  
 Thirty-first amendment—total.  
 Thirty-second amendment—no change; House concurred.  
 Thirty-third amendment—House concurred.  
 Thirty-fourth amendment—House concurred.  
 Thirty-fifth amendment—House concurred.  
 Thirty-sixth amendment—House concurred.  
 Thirty-seventh amendment—House concurred.  
 Thirty-eighth amendment—House refused to concur.  
 Thirty-ninth amendment—House concurred.  
 Fortieth amendment—House concurred.  
 Forty-first amendment—House refused to concur.

On motion of Mr. McMillan, the Senate was requested to recede from Senate amendments to House bill No. 482 which the House had refused to concur in.

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed bills respectfully reports that the enrolled copy of House bill No. 108, entitled "An act providing for viewing, laying out and surveying public roads, and providing for the award of damages in the location of said roads," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above, House bill No. 108.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 99.

Also, House memorial No. 7.

The Senate has indefinitely postponed House bill No. 75.

Also, House bill No. 104.

Also, House bill No. 230.

Also, House bill No. 194.

Also, House bill No. 274.

Also, sends back Senate bill No. 30.

The Senate has passed House bill No. 142, with amendments.

Also, House bill No. 136.

Also, Senate bill No. 62.

And the same are herewith.

The president of the Senate has signed House bill No. 108.

And the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

The House concurred in Senate amendments to House bill No. 142.

#### MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 9, 1898.

*To the Honorable the House of Representatives:*

GENTLEMEN—Governor McGraw directs me to inform you that he has this day approved and signed the following:

House bill No. 110, entitled "An act to prevent the fraudulent disposition of mortgaged personal property, and to provide punishment for violation thereof."

House bill No. 232, entitled "An act prohibiting divorced persons from contracting marriage within the period in which an appeal may be taken, and providing punishment for the violation thereof."

House bill No. 322, entitled "An act relating to and authorizing the collection of assessments for local improvements by a new assessment or reassessment of the cost and expense of making same in cities and towns, and declaring an emergency."

House bill No. 69, entitled "An act to amend section 59, chapter 2 of crimes against property of the laws of the State of Washington, as compiled and arranged by William Lair Hill, under an act of the legislature of the State of Washington, approved February 18, 1890, entitled "An act to appoint a commissioner to compile, rearrange and annotate the laws of Washington, and to provide for publication and distribution thereof and the payment therefor.'"

House bill No. 88, entitled "An act relating to internal improvements in cities, authorizing the issuance and collection of bonds upon the property benefited by local improvements, and declaring an emergency."

House bill No. 49, entitled "An act to amend section 7 of an act entitled 'An act to provide for the selection of lands granted to the State of Washington under an act of congress approved February 22, 1889, for the purpose of the erection of public buildings and a penitentiary, the use and support of agricultural and scientific and normal schools, and charitable, penal and reformatory institutions; also, providing for the selection of lands granted to the State of Washington under sections 1947, 2275 and 2276 of the revised statutes of the United States,' approved March 10, 1891, and declaring an emergency to exist."

House bill No. 212, entitled "An act to prevent attempts to commit burglaries and declaring the possession of burglars' tools, with intent to

use the same for unlawful purposes, to be a misdemeanor, and declaring a rule of evidence in such cases."

House bill No. 261, entitled "An act to protect salmon and other food fishes in the waters of Puget Sound, and in all streams flowing into Puget Sound, and declaring an emergency."

House bill No. 266, entitled "An act relating to ballots furnished for state and other elections, and amending section 18 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 same being section 380 of volume 1 of Hill's Annotated Statutes and Codes of Washington."

House bill No. 184, entitled "An act appropriating money for the purchase of materials and regulating the manufacture and sale of jute and other fabrics and brick at the state penitentiary."

House bill No. 93, entitled "An act regulating and fixing maximum railroad freight rates in the State of Washington, and providing a penalty for violation thereof."

I have the honor to be, very respectfully,

Your obedient servant,

E. C. McDONALD,

Private Secretary.

#### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 264, entitled "An act amending section 10, page 638, Session Laws of 1889-90, relating to the duties of the state auditor," respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

D. W. PIERCE, Chairman.

The bill was read the second time.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 56, nays 0, absent 22.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Bush of Chehalis, Bush of Pacific, Collin, Crockett, Denn, Durant, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Hoole, Hurd, Judson, Karr, Keller, Kline, Leo, Letterman, Ludden, Mentzer, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Payne, Pierce of Klickitat, Pierce of Lewis, Roscoe, Sallee, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Speck, Temple,



Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker.

Absent: Messrs. Burton, Cameron, Cowan, Edmonds, Heliker, Kelly, Mays, Mead, Meany, Merchant, Moore, McElwain, Neergaard, Nelson, Rinehart, Roth, Scott, Smithson, Tull, Turpin, Westfall, and Woodworth.

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

#### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 265, entitled "An act amending sections 2710, 2712, 2571, 2713, 2714, 2717, 2718, 2720, 2726, 2727 and 2728 of the Code of 1881, and repealing section 2721, Code of 1881, as amended by subdivision 9 of section 1, page 45, Session Laws of 1883, laws of the Territory (now State) of Washington, relating to the duties of county auditors, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass, with the following amendments:

First amendment: Strike from section 11 paragraphs 2, 5, 6 and 9.

Second amendment: Amend paragraph 11 of section 11 so as to read as follows:

11. All such other papers or writings as are required by law to be recorded, and such as are required by law to be filed, if requested so to do by the party filing the same.

Respectfully submitted.

D. W. PIERCE, Chairman.

The report of the committee, with amendments, was adopted.

The bill was read the second time.

On motion of Mr. Mead, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 60, nays 1, absent 17.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Denn, Edmonds, Edwards, Foster, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nay: Mr. Mays.

Absent: Messrs. Baker, Collin, Durant, Egbert, Farrish, Gilman, Kline, McElwain, McKenzie, McMillan, Neergaard, Pierce of Klickitat, Roth, Smith of Douglas, Smith of Okanogan, Westfall, and Winchell.

The emergency clause passed by the following vote: Yeas 63, nays 0, absent 13.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cowan, Crockett, Denn, Edmonds, Edwards, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Cameron, Collin, Durant, Egbert, Farrish, Kline, Mulkey, McElwain, McMillan, Payne, Pierce of Klickitat, Roth, Smith of Okanogan, Speck, and Winchell.

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

Mr. Baker moved that the House reconsider the vote whereby Senate bill No. 30 was indefinitely postponed.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 386, with amendments in bill.

Also, House bill No. 385.

Also, House bill No. 348.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

Mr. Turpin moved that the House concur in Senate amendments to House bill No. 386.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate has refused to recede from amendments to House bill No.

482, and has appointed as conference committee Senators Van De Venter, Richards and Hutchinson, and asks that the House take similar action.

ALLEN WEIR, Secretary.

Mr. Kelly moved that the Speaker appoint a committee of four on conference on House bill No. 482.

The motion prevailed and the speaker appointed Messrs. Kelly, Washburn, Roth and Mulkey as such committee.

#### REPORTS OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following bills have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 245, entitled "An act to prohibit the appointment of the sheriff of any county receiver or assignee in cases of insolvency or assignment."

House bill No. 193, An act for punishment of bank officers for receiving deposits knowing the bank to be insolvent.

House bill No. 454, An act making appropriation for sundry deficiencies for the various state institutions, etc.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above House bills Nos. 245, 193 and 454.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copy of House concurrent resolution No. 18, Relating to Pacific Park reservation, has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above House concurrent resolution No. 18.

#### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 266, entitled "An act to amend sections 2740, 2747 and 2748 of the Code of 1881; and section 21, page 52, Session Laws of 1885-86, relating to the duties of county treasurers, and declaring an emergency," respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

D. W. PIERCE, Chairman.

The bill was read the second time.

On motion of Mr. Rinehart, the rules were suspended, the bill was

considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 58, nays 0, absent 20.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Hoole, Judson, Karr, Keller, Kelly, Leo, Letterman, Mead, Meany, Mentzer, Merchant, Moore, Morrison, McKenzie, McNew, Neergaard, Nelson, Payne, Pierce of Klickitat, Rinehart, Roscoe, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Collin, Denn, Gilman, Green, Greenberg, Hamill, Heliker, Hurd, Kline, Ludden, Mays, Mulkey, McElwain, McMillan, McMurphy, Nash, Pierce of Lewis, Roth, Sallee, and Winchell.

The emergency clause passed by the following vote: Yeas 53, nays 0, absent 25.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Durant, Edmonds, Edwards, Farrish, Foster, Hoole, Hurd, Keller, Leo, Letterman, Ludden, Meany, Merchant, Moore, Morrison, McKenzie, McMurphy, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Scott, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Webb, Weed, Westfall, Wheeler, White, Woodworth, and Mr. Speaker.

Absent: Messrs. Crockett, Denn, Egbert, Gilman, Green, Greenberg, Hamill, Heliker, Judson, Karr, Kelly, Kline, Mays, Mead, Mentzer, Mulkey, McElwain, McMillan, McNew, Nash, Roth, Sallee, Smith of Douglas, Washburn, and Winchell.

There being no objections, 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, March 9, 1893.

*To the Honorable the House of Representatives:*

GENTLEMEN—Governor McGraw directs me to inform you that he has this day approved and signed the following:

House bill No. 108, entitled "An act providing for viewing, laying out

and surveying public roads, and providing for the award of damages in the location of said roads, and declaring an emergency."

House bill No. 349, 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."

I have the honor to be, very respectfully, your obedient servant,

E. C. MACDONALD, Private Secretary.

#### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

MR. SPEAKER:

We, your Committee on Revenue and Taxation, to whom was referred Senate bill No. 267, entitled "An act amending sections 2667 and 2678, Code of 1881, relating to the duties of county commissioners, and declaring an emergency," respectfully report the same back to the House, with the recommendation that it do pass, with the following amendments:

In section 2, after the words "preceding year," in line 5, strike out the remainder of the section, and substitute the amendments. Let sections 3 and 4 of the original bill be numbered, respectively, 6 and 7.

#### AMENDMENTS.

In section 2, after the words "preceding year," in line 5, strike out the remainder of the section, and substitute the following:

"The county commissioners of each county in this state shall, at each regular quarterly meeting, appoint an investigating board, composed of three competent freeholders, who shall, at any time during said quarter, at a time to be decided by the first man appointed, meet, and without notice to the county treasurer, proceed to examine his accounts and count the money in the treasury belonging to said county, and if said board do not find that the accounts of said treasurer are correctly kept, or they do not find the amount of money on hand that the said books call for, the said board shall report the same to the county attorney of said county, who will immediately call the county commissioners together, whose duty it will be to proceed to an investigation of the accounts of the treasurer, and if the report of the investigating board is found to be correct, the commissioners shall immediately declare the office of county treasurer vacant, and they shall instruct the county attorney to proceed to recover the amount of the deficiency from the said treasurer and his bondsmen, and shall further prosecute said treasurer as provided by law.

SEC. 3. Any person appointed on said investigating board who shall give notice to any one when said board will investigate the accounts of said treasurer, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be confined in the penitentiary for a term not less than one year, and not more than five years.

SEC. 4. The persons appointed on said investigating board shall be allowed five dollars per day for a term not exceeding three days, and mileage at the rate of five cents per mile going to and returning from their homes.

SEC. 5. The same person shall not be appointed on said investigating board oftener than once in three years.

Respectfully submitted.

D. W. PIERCE, Chairman.

The report of the committee recommending certain amendments was adopted.

The bill was read the second time.

On motion of Mr. Mead, the rules were suspended, the bill was considered engrossed, and was read the third time and placed on its final passage.

The bill passed by the following vote: Yeas 57, nays 2, absent 19.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Hamill, Heliker, Hoole, Judson, Karr, Keller, Leo, Letterman, Ludden, Mead, Meany, Merchant, Moore, Morrison, McElwain, McMurphy, McNew, Nash, Nelson, Pierce of Klickitat, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Hurd and McKenzie.

Absent: Messrs. Denn, Foster, Gilman, Green, Greenberg, Kelly, Kline, Mays, Mentzer, Mulkey, McMillan, Neergaard, Payne, Pierce of Lewis, Roth, Smith of Douglas, Washburn, Westfall, and Winchell.

The emergency clause passed by the following vote: Yeas 35, nays 3, absent 20.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Hamill, Heliker, Hoole, Karr, Keller, Leo, Letterman, Mead, Meany, Merchant, Moore, Morrison, McElwain, McMurphy, McNew, Nash, Pierce of Klickitat, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Temple, Tucker, Tull, Turpin, Webb, Weed, Wheeler, White, Woodworth, and Mr. Speaker.

Nays: Messrs. Hurd, Judson and McKenzie.

Absent: Messrs. Anderson of Whitman, Denn, Gilman, Greenberg, Kelly, Kline, Ludden, Mays, Mentzer, Mulkey, McMillan,

Neergaard, Nelson, Payne, Pierce of Lewis, Roth, Speck, Washburn, Westfall, and Winchell.

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

#### REPORT OF JOINT COMMITTEE ON STATE UNIVERSITY.

MR. SPEAKER:

We, your Joint Committee on State University, to whom was referred House bill No. 470, entitled "An act providing for the location, construction and maintenance of the University of Washington," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass as amended.

Respectfully submitted. EDMOND S. MEANY, Chairman.

The report was adopted with amendments.

The bill was read the second time in full.

Mr. Meany presented the following amendments:

Section 2, line 1, after the word "material," insert "exceeding five hundred dollars."

Section 3, line 7, after the word "sureties," insert the word "each."

Section 7, line 36, after the word "and," insert the word "upon."

Renumber sections after section 9, as shown in brackets in printed bill. Strike out section 9, as the matter is covered by a provision in House bill No. 482.

Renumber subsequent sections to correspond.

The amendments were adopted.

Mr. Leo moved to amend House bill No. 470 by striking out section 3.

The amendment was lost.

On motion of Mr. Meany, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 66, nays 3, absent 9.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Cowan, Crockett, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Letterman, Mead, Meany, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Nash, Nelson, Payne, Pierce of Klickitat, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb,

Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Denn, Leo, and Neergaard.

Absent: Messrs. Anderson of Whitman, Collin, Kline, Ludden, Mays, McMillan, Pierce of Lewis, Shelton, and Sherman.

The emergency clause passed by the following vote: Yeas 58, nays 1, absent 19.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Cowan, Crockett, Edmonds, Edwards, Egbert, Farrish, Foster, Gilman, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Keller, Letterman, Mays, Mead, Meany, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Smith of Okanogan, Smithson, Tucker, Tull, Turpin, Washburn, Webb, Weed, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nay: Mr. Denn.

Absent: Messrs. Anderson of Whitman, Durant, Green, Karr, Kelly, Kline, Leo, Ludden, Mentzer, McMillan, McNew, Nash, Roth, Shelton, Sherman, Smith of Douglas, Speck, Temple, and Westfall.

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

#### REPORTS OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copy of House bill No. 76, entitled "An act relating to proceedings supplemental to execution," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above House bill No. 76.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following House bills have been carefully compared with the original copy thereof, and found correctly enrolled:

House bill No. 162, entitled "An act to amend section 2695 of the Code of Washington of 1881, the same being section 298 of Hill's Annotated Statutes and Codes of Washington, relating to appeals to the superior court from any decision or order of the board of county commissioners."



House bill No. 390, An act in relation to fees of state and county officers, witnesses and jurors, and amending section 2088 of the Code of Washington of 1881.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bills Nos. 162 and 390.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 99, entitled "An act to amend sections 1456 and 1457 of the Code of Procedure of the State of Washington, relating to the issuance," etc.

House bill No. 136, An act authorizing private corporations, other than religious, incorporated by the legislative assembly of the Territory of Washington prior to January 1, 1862, to issue notes, bonds, etc.

House memorial No. 7, To prevent pauper immigration.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bills Nos. 99 and 136, and House memorial No. 7.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred Senate bill No. 111, entitled "An act in relation to attachments, garnishments and procedure therein, and declaring an emergency," respectfully report the same back to the House, with the recommendation that it be amended as indicated in the attached sheet, and as so amended do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

On motion of Mr. Mead, Senate bill No. 111 was indefinitely postponed, and Senate bill No. 206 took its place on the calendar.

#### REPORT OF COMMITTEE ON RAILROADS.

MR. SPEAKER:

We, your Committee on Railroads, to whom was referred Senate bill No. 206, entitled "An act to protect the owners of stock from injury thereto by moving railway trains, declaring the law of negligence, and providing for a reasonable attorney's fee in all actions for such injury," respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

W. R. HOOLE, Chairman.

We concur in this report:

D. F. ANDERSON,  
R. J. NEERGAARD,  
W. P. MCELWAIN,  
C. L. WEBB,  
CHAS. I. ROTH,  
ALEX. CAMERON.

The bill was read the second time.

On motion of Mr. Mead, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 66, nays 1, absent 11.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Brock, Burton, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Denn, Durant, Edmonds, Edwards, Egbert, Farrish, Foster, Green, Heliker, Hoole, Judson, Karr, Keller, Kline, Leo, Letterman, Ludden, Mays, Mead, Mentzer, Merchant, Moore, Morrison, Mulkey, McElwain, McKenzie, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Sallee, Scott, Shadle, Shelton, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Webb, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nay: Mr. Sherman.

Absent: Messrs. Cowan, Crockett, Gilman, Greenberg, Hamill, Hurd, Kelly, Meany, McMillan, Roth, and Washburn.

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

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copy of House bill No. 385, entitled "An act to amend section 3085 of the Code of Washington of 1881, the same being section 407 of volume 1 of Hill's Annotated Statutes and Codes of Washington, relating to elections," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bill No. 385.

Resolution by Mr. Wheeler:

WHEREAS, The new revenue law and new road law and the assessment law affecting collection of taxes of cities just passed by this legislature will be in effect immediately upon the approval of the same by the governor; and

WHEREAS, It is necessary that the various county officers be informed of the provisions therein contained; be it

*Resolved by the House, the Senate concurring,* That the secretary of state be and he is hereby directed to have five thousand copies of each of said acts printed in pamphlet form, and that he distribute the same among the various county officers of the state.

The resolution was adopted.

Resolution by Mr. McMillan:

*Resolved*, That the enrolling clerk be allowed the additional sum of one dollar per day for the session.

The resolution was adopted.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate has indefinitely postponed House bill No. 160.

Also, House bill No. 235.

The Senate has concurred in House concurrent resolution No. 17.

The Senate has refused to concur in House amendments to Senate bill No. 265.

The Senate has passed House memorial No. 1.

The Senate has concurred in House concurrent resolution No. 19.

The Senate has passed House bill No. 227; amendments noted in bill.

The Senate has passed House bill No. 183.

Also, House bill No. 260.

Also, House memorial No. 9.

Also, House bill No. 295.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

On motion of Mr. Smith, of Douglas, the House concurred in Senate amendments to House bill No. 227.

The House refused to recede from amendments to Senate bill No. 265.

The Speaker, appointed as committee on conference Messrs. Pierce, of Klickitat, Temple, and Letterman, to consider amendments to Senate bill No. 265.

#### REPORT OF COMMITTEE ON STATE UNIVERSITY AND NORMAL SCHOOLS.

MR. SPEAKER:

We, your Committee on State University and Normal Schools, to whom was referred Senate bill No. 45, entitled "An act to establish a state normal school for the state of Washington in the town of Kelso and county of Cowlitz," have had the same under consideration, and we respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

EDMOND S. MEANY, Chairman.

The bill was read the second time.

Mr. Sallee moved to indefinitely postpone Senate bill No. 45.  
The motion prevailed.

REPORT OF COMMITTEE ON STATE BUILDINGS, PUBLIC  
GROUNDS AND LIBRARY.

MR. SPEAKER:

We, your Committee on State Buildings, Public Grounds and Library, to whom was referred Senate bill No. 178, entitled "An act to encourage the establishment and to aid in the maintenance of law libraries in the several counties of the State of Washington, respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

T. F. MENTZER, Chairman.

We concur in this report:

A. S. MCKENZIE,

J. B. SMITH,

C. J. MOORE,

J. H. SMITHSON,

ALBERT SHERMAN.

The bill was read the second time in full.

Mr. Roscoe moved to suspend the rules.

The motion was lost.

The House concurred in Senate amendments to House bill No. 53.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate has passed House bill No. 53, with amendments.

Also, House bill No. 470.

The Senate has refused to concur in the House amendments to Senate bill No. 265, and has appointed as conference committee Senators Forrest, Donahoe and Forsyth.

The president has signed Senate bill No. 262.

Also, Senate bill No. 60.

Also, Senate bill No. 261.

ALLEN WEIR, Secretary.

In open session, the speaker signed Senate bill No. 262, Senate bill No. 60, and Senate bill No. 261.

REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED  
BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed bills respectfully reports that the following enrolled copy of House bill No. 348, entitled "An act to amend an act entitled 'An act to provide for the organization, maintenance and discipline of the militia of the State of Washington,' approved

March 27, 1890," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bill No. 348.

#### REPORT OF COMMITTEE ON ENROLLED AND ENGROSSED BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed bills respectfully reports that the enrolled copy of House bill No. 386, entitled "An act relating to elections, and providing a penalty for violating the provisions thereof," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bill No. 386.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The president of the Senate has signed House bill No. 162.

Also, House memorial No. 7.

Also, House bill No. 385.

Also, House bill No. 390.

Also, House bill No. 136.

Also, House bill No. 99.

Also, House bill No. 76.

Also, House concurrent resolution No. 18.

Also, House bill No. 454.

Also, House bill No. 193.

Also, House bill No. 245.

And the same are herewith.

ALLEN WEIR, Secretary.

By Mr. Mulkey:

*Resolved*, That as a token of our esteem and friendship for the Hon. J. W. Arrasmith, the courteous and efficient speaker of this House, we cheerfully present him the chair which he has so fairly and ably occupied, and extend to him a vote of fervent thanks.

Amended to include the gavel.

The resolution was adopted unanimously.

The speaker returned thanks for the kind expressions contained in the resolution.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL  
No. 482.

MR. SPEAKER:

Your committee on conference, to whom was referred the differences existing between the Senate and House of Representatives in House bill No. 482, beg leave to report as follows:

Third amendment: House concurs in Senate amendment, line 11.

Fourth amendment: Total.

Fifth amendment: House concurs in Senate amendment, line 20.

Sixth amendment: House concurs in line 21.

Ninth amendment: House concurs in amendment, line 22.

Eleventh amendment: House concurs in Senate amendment, line 36.

Twelfth amendment: Senate recedes, line 37.

Thirteenth amendment: House concurs in Senate amendment, line 38.

Fifteenth amendment: House concurs in Senate amendment, line 50.

Twenty-first amendment: Committee recommends that line 114 be amended to read \$2,400 per year, or \$4,800 per term.

Twenty-third amendment: House concurs in Senate amendment, line 144.

Twenty-eighth amendment: Committee recommends that to the Whatcom normal school there be appropriated the sum of \$30,000 for building purposes, lines 224, 225, 226, 227 and 228.

Thirty-eighth amendment: House concurs in Senate amendment.

Forty-first amendment: Committee recommends that to the Washington state historical society the sum of \$500 per year shall be appropriated.

All of which is respectfully submitted.

MILO KELLY,  
CHAS. I. ROTH,  
JOHN G. CAMPBELL,  
R. C. WASHBURN,  
A. T. VAN DE VANTER,  
T. G. MULKEY.

The report of the conference committee was adopted.

MR. SPEAKER:

We, your special committee appointed to examine the House journal and report as to its condition, would submit the following:

*First*, We find that the journal work has been done in a neat and systematic manner which reflects much credit on the journal clerk of this House.

*Second*, That the minutes are journaled up to the evening session of the fifty-eighth day of the session, and we recommend that the journal clerk be released from further duty, and that the chief clerk, who has been authorized to prepare the journal for the printer, be allowed not to exceed twenty-five dollars (\$25) for completing said journal.

Respectfully submitted.

WM. PAYNE, Chairman.

We concur:

C. L. WEBB,

T. F. MENTZER.

The report was adopted.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate has concurred in House amendments to Senate bill No. 265.

ALLEN WEIR, Secretary.

The following resolution was adopted:

*Resolved*, That the sum of twenty-five dollars is hereby allowed the sergeant-at-arms, custodian of the capitol building and grounds, for cleaning up and repairing building, taking inventory of stock, and removing chairs from committee rooms to proper places.

The resolution was adopted.

Introduced by Mr. Hurd:

*Resolved*, That the docket clerk be allowed the additional sum of one dollar per day for the session.

The resolution was adopted.

Resolution by Mr. Leo:

WHEREAS, The fairness, impartiality and executive ability of Speaker J. W. Arrasmith entitle him to our respect and gratitude: therefore, be it

*Resolved*, That we extend to him our sincere thanks, and hereby express our high esteem and profound respect for him, and wish for him a long life of usefulness and happiness.

The resolution was adopted.

Resolution of Mr. Pierce of Lewis:

WHEREAS, The Hon. Steve Judson, of the good county of Pierce, is a venerable gentleman of much naval knowledge and experience, and possesses in an eminent degree Spartan courage, having more than once been the proud, heroic Navarch on the billowy bosom of hostile waters, albeit he has never been graced and adorned by the titular name of commodore, which is usually conferred by military academies on account of accuracy in and knowledge of tactics and naval warfare: therefore, be it

*Resolved by the House of Representatives*, That the titular sobriquet of commodore be and is hereby bestowed on the said Hon. Steve Judson, to nobilitate and honor him for the splendid naval services heretofore performed by him in behalf of the people of the State of Washington.

The resolution was adopted.

## REPORT OF COMMITTEE ON STATE UNIVERSITY AND NORMAL SCHOOLS.

MR. SPEAKER:

Your Committee on State University and Normal Schools, to whom was referred Senate bill No. 83, entitled "An act to provide for the management and control of state normal schools in the State of Washington,"

respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

EDMOND S. MEANY, Chairman.

The bill was read the second time in full.

Mr. McElwain presented the following amendment: Strike out "and provide" in line 8, section 4, and insert "provide" before the second word "books" in same line.

The amendment was adopted.

On motion of Mr. Shadle, the rules were suspended, the bill was read third time and placed on final passage.

The bill passed by the following vote: Yeas 62, nays 7, absent 11.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Baker, Bush of Chehalis, Bush of Pacific, Durant, Gilman, Green, Greenberg, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McElwain, McMurphy, McNew, Nash, Neergaard, Nelson, Payne, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Sallee, Scott, Shadle, Sherman, Smith of Douglas, Smith of Okanogan, Smithson, Speck, Temple, Tucker, Tull, Turpin, Washburn, Webb, Weed, Westfall, Wheeler, White, Winchell, and Mr. Speaker.

Nays: Messrs. Cowan, Crockett, Denn, Edmonds, Egbert, Foster, and Moore.

Absent: Messrs. Brock, Burton, Cameron, Collin, Edwards, Farish, Kline, McKenzie, McMillan, Shelton, and Woodworth.

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

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The president of the Senate has signed House bill No. 348.

Also, House bill No. 386.

The Senate has concurred in House amendment to Senate bill No. 83.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

#### REPORT OF COMMITTEE ON JUDICIARY.

MR. SPEAKER:

We, your Committee on Judiciary, to whom was referred Senate bill No. 146, entitled "An act providing for the removal from office of officers



not liable to impeachment," respectfully report the same back to the House, with the recommendation that it do pass.

Respectfully submitted.

A. E. MEAD, Chairman.

The bill was read the second time in full.

On motion of Mr. Turpin, the rules were suspended, the bill was considered engrossed, and was read third time and placed on final passage.

The bill passed by the following vote: Yeas 58, nays 11, absent 9.

Yeas: Messrs. Anderson of Pierce, Anderson of Whatcom, Anderson of Whitman, Bush of Chehalis, Bush of Pacific, Cameron, Collin, Farrish, Gilman, Green, Hamill, Heliker, Hoole, Hurd, Judson, Karr, Keller, Kelly, Leo, Letterman, Ludden, Mays, Mead, Meany, Mentzer, Merchant, Morrison, Mulkey, McKenzie, McMillan, McMurphy, McNew, Nash, Neergaard, Nelson, Pierce of Klickitat, Pierce of Lewis, Rinehart, Roscoe, Roth, Scott, Shadle, Shelton, Sherman, Smith of Douglas, Smithson, Speck, Temple, Tucker, Tull, Turpin, Weed, Westfall, Wheeler, White, Winchell, Woodworth, and Mr. Speaker.

Nays: Messrs. Baker, Brock, Burton, Crockett, Denn, Durant, Egbert, Foster, Greenberg, McElwain, and Smith of Okanogan.

Absent: Messrs. Cowan, Edmonds, Edwards, Kline, Moore, Payne, Sallee, Washburn, and Webb.

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

Mr. Gilman moved that Senate bill No. 30 be placed on calendar in place of Senate bill No. 118.

The motion prevailed.

Mr. Leo moved that the House adjourn.

The House refused to adjourn.

Resolution by Mr. Wheeler:

WHEREAS, The chief clerk of the House, Mr. Thos. G. Nicklin, has performed his duties in a most faithful, courteous and efficient manner: therefore, be it

*Resolved*, That he is entitled to the thanks and gratitude of the House, and that the same are hereby acknowledged.

The resolution was adopted.

Resolution, which was adopted:

*Resolved*, That the watchman of this House is hereby instructed to remain on guard of this building until to-day at noon, so that none of the books, etc., of the members may be removed.

Resolution by Mr. Mead:

WHEREAS, The reading clerk of this House, Mr. Harry Carroll, has, in the most earnest, assiduous, painstaking and efficient manner, performed his arduous duties, and by his courteous and gentlemanly conduct, has endeared himself to the members of this house: therefore, be it

*Resolved*, That this House does hereby extend to him its sincerest thanks, and expresses the hope that his life may be long and his pathway smooth and pleasant as has been our experience with him.

Adopted unanimously.

### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The Senate refused to concur in House amendments to Senate bill No. 267, and asks that the House recede.

The president of the Senate has signed Senate bill No. 204.

Also, Senate bill No. 264.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The House receded from amendments to Senate bill No. 267.

Resolution by Mr. Shadle:

WHEREAS, The members of the third legislature of the State of Washington have been the recipients of many courtesies at the hands of the citizens of Olympia: therefore, be it

*Resolved*, That we tender them our heartfelt thanks.

The resolution was unanimously adopted.

### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The president of the Senate has signed Senate bill No. 266, and the same is herewith transmitted to the House.

ALLEN WEIR, Secretary.

In open session of the House the speaker signed Senate bill No. 266.

Mr. Washburn, moved that a committee of three be appointed to ascertain from the governor of the State of Washington if he had any further communications to make to the House of Representatives.

The speaker appointed as such committee Messrs. Washburn, Turpin, and Anderson of Whitman.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The president of the Senate has signed Senate bill No. 167.

Also, Senate bill No. 206.

Also, Senate bill No. 146.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The speaker signed the above bills in open session of the House.

Resolution:

WHEREAS, The members of the press have been fair and impartial in their reports of the proceedings of this session: therefore, be it

*Resolved*, That we extend our greetings to the press gang and our hope that they may live long and prosper.

The resolution was adopted.

Resolution by Mr. Rinehart:

*Resolved*, That the thanks of the members of this House are extended to Miss Carrie Miller, Miss Nannie Rainwater, and to Fred Z. Alexander, clerks of this House, for the efficient service rendered in the transaction of the business of this session, and the courteous attention to their respective duties.

The resolution was adopted.

REPORTS OF COMMITTEE ON ENROLLED AND ENGROSSED  
BILLS.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 260, entitled "An act to amend section 8, chapter 153, of the session laws of 1891, State of Washington, regulating the practice of pharmacy.

Also, House concurrent resolution No. 17, Asking that proper provisions be made by congress to require that road engineering be taught in all agricultural colleges receiving support from the national government.

Also, House concurrent resolution No. 19, Relating to the employment of aliens on public works.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above, House bill No. 260, House concurrent resolution No. 17, and House concurrent resolution No. 19.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 53, entitled "An act in relation to conditional sales of personal property."

House memorial No. 1, Relating to opening the Columbia river and the Snake river for navigation.

House memorial No. 9, Memorial relative to school lands held in reservation, etc.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House, the speaker signed the above, House bill No. 53, House memorial No. 1, and House memorial No. 9.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copy of House bill No. 142, entitled "An act relating to the common school system of the State of Washington, amending sections 21, 25, 34, 54 and 71 of 'An act to establish a general uniform system of common schools in the State of Washington, and declaring an emergency,' approved March 27, 1890, and interpolating in said act sections 31½ and 70½," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bill No. 142.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

House bill No. 183, entitled "An act to protect the food fishes of the State of Washington, and amending section 8 of the law approved February 11, 1890, entitled 'An act to protect salmon, etc.'"

House bill No. 227, entitled "An act providing for county canvassing boards of election returns."

House bill No. 295, entitled "An act to provide for the punishment of the crime against nature."

House concurrent resolution No. 19, Relating to employment of aliens on public works.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above House bills Nos. 183, 227 and 295, and House concurrent resolution No. 19.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the copy of House bill No. 470, entitled "An act providing for the location, construction and maintenance of the University of Washington, and making an appropriation therefor, and declaring an emergency," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above, House bill No. 470.

MR. SPEAKER:

Your Committee on Enrolled and Engrossed Bills respectfully reports that the enrolled copy of House bill No. 482, entitled "An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning April 1, 1893, and ending March 31, 1895, and for other purposes," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

J. B. McMILLAN, Chairman.

In open session of the House the speaker signed the above, House bill No. 482.

MR. SPEAKER:

The committee appointed to wait on the governor, begs leave to report that he has no further communications to make to the House.

MR. WASHBURN, Chairman.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

The president has signed Senate bill No. 160½.

Also, Senate bill No. 265.

Also, Senate bill No. 83.

Also, House concurrent resolution No. 17.

Also, House bill No. 142.

Also, House bill No. 470.

Also, House bill No. 295.

Also, House concurrent resolution No. 19.

Also, House bill No. 260.

Also, House memorial No. 9.

Also, House memorial No. 1.

Also, House bill No. 53.

Also, House bill No. 183.

Also, House bill No. 227.

Also, Senate bill No. 267.

Also, Senate bill No. 260.

Also, House bill No. 482.

And the same are herewith transmitted to the House.

ALLEN WEIR, Secretary.

The speaker of the House signed Senate bills Nos. 160½, 265, 267, 83 and 260 in open session of the House.

The committee from the Senate notified the House that they had transacted all their business, and wished to be notified when the House was ready to adjourn.

On motion of Mr. Mead, a committee of three was appointed to inform the Senate that the House had completed its labors.

The speaker appointed Messrs. Mead, Anderson, of Pierce, and McElwain as such committee.

The committee appointed to notify the Senate that the House had completed its labors reported that the duty was performed.

On motion of Mr. McElwain, the rules were suspended, the morning, afternoon and evening sessions' journal was, without reading, approved.

On motion of Mr. Morrison, the House adjourned without day.

J. W. ARRASMITH, *Speaker*.

T. G. NICKLIN, *Chief Clerk*.

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## ERRATA.

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Page 250—"House concurrent resolution No. 2," read *House concurrent resolution No. 6*.

Page 467—"House bill No. 105," read *House bill No. 115*.

Page 561—"Senate bill No. 235," read *House bill No. 235*.

Page 587—"Mr. Wilson," read *Mr. Winchell*.

Page 606—"House bill No. 136," read *House bill No. 134*.

Page 655—"House concurrent resolution No. 17," read *Senate concurrent resolution No. 17*.

Page 658—"Superior court," read *supreme court*.

LIST OF MEMBERS AND COMPENSATION DRAWN BY EACH.

NAME.	COUNTY.	Amount of per- dium drawn.	Mileage com- ing to and going from session.....	Mileage as members of committees to visit other institutions.....	Total com- pensation.....
Anderson, D. F.....	Whitman.....	\$300 00	\$99 00	\$111 20	\$510 20
Anderson, W. D. E.....	Pierce.....	300 00	7 40	111 20	418 60
Anderson, M.....	Whatcom.....	300 00	46 40		346 40
Arrasmith, J. W.....	Whitman.....	300 00	112 60	*180 00	592 60
Baker, F. R.....	Pierce.....	300 00	7 20		307 20
Brock, Eugene.....	Cowlitz.....	300 00	20 40	27 60	348 00
Burton, James.....	Snohomish.....	300 00	23 00		323 00
Bush, A. S.....	Pacific.....	300 00	28 60	27 60	356 20
Bush, N. W.....	Chehalis.....	300 00	14 60		314 60
Cameron, Alex.....	Walla Walla.....	300 00	76 20		376 20
Collin, G. H.....	Spokane.....	300 00	94 80		394 80
Cowan, R. T.....	Clark.....	300 00	37 40	30 00	367 40
Crockett, Walter.....	Island.....	300 00	20 00		320 00
Denn, Samuel.....	Stevens.....	300 00	104 20		404 20
Durant, J. J.....	Franklin.....	300 00	61 60		361 60
Edmonds, E. E.....	Clarke.....	300 00	37 40		337 40
Edwards, John O.....	Pierce.....	300 00	14 20	30 00	344 20
Egbert, P. B.....	Pierce.....	300 00	6 40	6 60	313 00
Farrish, Wm.....	Asotin.....	300 00	100 40		400 40
Foster, J. J.....	Wahkiakum.....	300 00	39 20		339 20
Gilman, L. C.....	King.....	300 00	16 20	27 60	343 80
Green, John F.....	Lincoln.....	300 00	104 00		404 00
Greenberg, H. W.....	Spokane.....	300 00	92 00	10 40	402 40
Hamill, S. W.....	Columbia.....	300 00	84 20	76 20	460 40
Heliker, E. P.....	King.....	300 00	22 20	102 40	424 60
Hoole, W. R.....	Clallam.....	300 00	50 80		350 80
Hurd, M. P.....	Skagit.....	300 00	35 20	10 40	345 60
Judson, S.....	Pierce.....	300 00	10 00	102 40	412 40
Karr, J. A.....	Chehalis.....	300 00	15 20		315 20
Keller, C. F.....	King.....	300 00	14 20		314 20
Kelly, Milo.....	Pierce.....	300 00	13 60		313 60
Kline, G. W.....	Kittitas.....	300 00	49 00		349 00
Leo, John.....	Pierce.....	300 00	7 40		307 40
Letterman, E. H.....	Whitman.....	300 00	107 20	10 40	417 60
Ludden, W. H.....	Spokane.....	300 00	92 00		392 00
Mays, F. W. D.....	Garfield.....	300 00	90 80		390 80
Mead, A. E.....	Whatcom.....	300 00	46 10		346 10
Meany, E. S.....	King.....	300 00	16 20	17 00	332 20
Mentzer, T. F.....	Thurston.....	300 00	3 60		303 60
Merchant, Joe.....	Walla Walla.....	300 00	69 40	76 20	445 60
Moore, C. J.....	Skamania.....	300 00	40 00		340 00
Morrison, Ellis.....	King.....	300 00	16 80		316 80
Mulkey, T. G.....	Whitman.....	300 00	100 10		400 10
McElwain, W. P.....	King.....	300 00	16 20	111 20	427 40
McKenzie, A. S.....	Thurston.....	300 00	6 00		306 00
McMillan, J. B.....	Skagit.....	300 00	46 40		346 40
McMurphy, D. W.....	Lewis.....	300 00	12 00		312 00
McNew, W. N.....	Lincoln.....	300 00	101 00	102 40	503 40
Nash, F. D.....	Pierce.....	300 00	7 40		307 40
Nelson, O. B.....	Spokane.....	300 00	92 00	111 20	503 20
Neergaard, R. J.....	Adams.....	300 00	79 20		379 20
Payne, Wm.....	Jefferson.....	300 00	23 60		323 60
Pierce, C. M.....	Lewis.....	300 00	6 40	17 00	323 40
Pierce, D. W.....	Klickitat.....	300 00	52 40	10 40	362 80
Rinehart, J. H.....	King.....	300 00	16 20		316 20
Roscoe, C. T.....	Snohomish.....	300 00	23 00		323 00
Roth, C. I.....	Whatcom.....	300 00	43 60		343 60
Sallee, J. S.....	King.....	300 00	18 00		318 00
Scott, C. H.....	Kitsap.....	300 00	23 00		323 00
Shadle, J. A.....	Pierce.....	300 00	10 00	89 00	399 00
Shelton, L. D. W.....	Mason.....	300 00	6 00		306 00
Sherman, Albert.....	Whatcom.....	300 00	43 60		343 60

\* Extra compensation as speaker.

## LIST OF MEMBERS AND COMPENSATION DRAWN—CONTINUED.

NAME.	COUNTY.	Amount of per dium drawn.	Mileage com- ting to and going from session.....	Mileage as member of committee to visit state institutions...	Total com- pensation.....
Smith, H. F.....	Okanogan.....	\$300 00	\$143 60		\$443 60
Smith, J. B.....	Douglas.....	300 00	51 00		351 00
Smithson, J. H.....	Kittitas.....	300 00	33 60	\$17 00	350 60
Speck, R. D.....	Spokane.....	300 00	98 00	6 60	404 60
Temple, G. W.....	Spokane.....	300 00	92 00		392 00
Tucker, J. E.....	San Juan.....	300 00	40 00		340 00
Tull, F. M.....	Spokane.....	300 00	92 00	30 00	422 00
Turpin, F. E.....	Jefferson.....	300 00	23 60	17 90	340 60
Washburn, R. C.....	King.....	300 00	16 20		316 20
Webb, C. L.....	King.....	300 00	16 20		316 20
Weed, A. B.....	Yakima.....	300 00	40 20		340 20
Westfall, C. F.....	Spokane.....	300 00	95 20	89 00	484 20
White, W. R.....	King.....	300 00	16 20		316 20
Wheeler, L. H.....	King.....	300 00	16 20		316 20
Winchell, R. W.....	King.....	300 00	16 20	89 00	405 20
Woodworth, A.....	Pierce.....	300 00	7 40	10 40	317 80



## LIST OF OFFICERS AND EMPLOYÉES OF HOUSE.

NAME.	COUNTY.	POSITION FILLED.	No. days employed.....	Pay per day.....	Total compensation drawn by each.....
Alexander, F. Z.....	Spokane.....	Assistant clerk.....	57	\$6 00	\$342 00
Baker, D. S.....	Thurston.....	Asst. enrolling clerk.....	3	5 00	15 00
Brook, W. F.....	Walla Walla.....	Committee clerk.....	40	4 00	160 00
Carroll, H. W.....	King.....	Reading clerk.....	59	6 00	354 00
Carver, Miss C. M.....	Spokane.....	Committee clerk.....	50	4 00	200 00
Chandler, W. M.....	Thurston.....	Asst. clerk pro tem.....	3	6 00	18 00
Chandler, W. M.....	Thurston.....	Committee clerk.....	50	4 00	200 00
De Lacy, S. W.....	Pierce.....	Committee clerk.....	36	4 00	144 00
Fisher, C. C.....	.....	Asst. enrolling clerk.....	3	5 00	15 00
Forbes, Miss M. E.....	King.....	Committee clerk.....	35	5 00	175 00
Gallagher, Nellie J.....	.....	Asst. enrolling clerk.....	10	5 00	50 00
Gill, Hiram C.....	King.....	Committee clerk.....	49	5 00	245 00
Hagemeyer, W. A.....	Thurston.....	Messenger.....	58	4 00	232 00
Harmon, Hill.....	Pierce.....	Watchman.....	57	4 00	228 00
Jones, John T.....	Lewis.....	Speaker's secretary.....	52	4 00	208 00
Lamont, Miss.....	Thurston.....	Asst. enrolling clerk.....	3	5 00	15 00
Lund, Chas. P.....	Spokane.....	Stenog. to Ag. Col. Com.....	25	5 00	125 00
Lund, Chas. P.....	Spokane.....	Mileage.....	.....	.....	111 20
Lysons, J. W.....	Jefferson.....	Committee clerk.....	50	5 00	250 00
Megary, Wilber M.....	Thurston.....	Page.....	57	2 00	114 00
Miller, Carrie M.....	King.....	Engrossing clerk.....	59	5 00	295 00
Milroy, W. J.....	Thurston.....	Asst. sergeant-at-arms.....	59	4 00	236 00
Milroy, W. J.....	Thurston.....	Fees and mileage.....	.....	.....	24 20
Moore, G. B.....	Thurston.....	Janitor and watchman.....	4	5 00	20 00
McGaughey, J. D. L.....	King.....	Asst. enrolling clerk.....	3	5 00	15 00
McDonough, James.....	Clallam.....	Asst. watchman.....	57	4 00	228 00
McDougal, Alice.....	.....	Asst. enrolling clerk.....	10	5 00	50 00
Newell, Bernice E.....	Pierce.....	Committee clerk.....	50	4 00	200 00
Nieklkin, T. G.....	Whatcom.....	Chief clerk.....	60	7 00	420 00
Nieklkin, T. G.....	Whatcom.....	Mileage, etc.....	.....	.....	43 60
Nichols, Miss Carrie E.....	Thurston.....	Committee clerk.....	48	4 00	192 00
Noble, G. A.....	Skagit.....	Committee clerk.....	50	4 00	200 00
Nye, Geo. T.....	Thurston.....	Page.....	57	2 00	114 00
O'Rear, N. W.....	Jefferson.....	Journal clerk.....	59	5 00	295 00
Owens, James E.....	King.....	Committee clerk.....	36	4 00	144 00
Parker, Thomas.....	Thurston.....	Page.....	3	2 00	6 00
Phillips, Chas.....	.....	Asst. enrolling clerk.....	1	5 00	5 00
Rainwater, Nannie.....	Columbia.....	Docket clerk.....	59	5 00	295 00
Regan, Annie M.....	King.....	Asst. journal clerk.....	34	5 00	170 00
Russell, Miss L. O.....	.....	Asst. enrolling clerk.....	20	5 00	100 00
Smith, Roy.....	.....	Speaker's page.....	57	2 00	114 00
Smith, Guy L.....	.....	Committee clerk.....	50	4 00	200 00
Smith, W. H.....	.....	Asst. enrolling clerk.....	17	5 00	85 00
Sternberg, Dora.....	Thurston.....	Enrolling clerk.....	59	6 00	354 00
Steward, Fred C.....	Clarke.....	Postmaster.....	59	5 00	295 00
Strohm, Alice C.....	Thurston.....	Committee clerk.....	13	4 00	52 00
Tarbell, Anna.....	Thurston.....	Asst. enrolling clerk.....	6	5 00	30 00
Waldrip, I. S.....	San Juan.....	Doorkeeper.....	59	4 00	236 00
Ward, H. O.....	Whitman.....	Sergeant-at-arms.....	60	5 00	300 00
Ward, H. O.....	Whitman.....	Mileage.....	.....	.....	111 20
White, Horace.....	Clallam.....	Committee clerk.....	50	4 00	200 00
Willis, J. W.....	Thurston.....	Asst. doorkeeper.....	59	4 00	236 00



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**INDEX.**

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**TITLE AND HISTORY OF HOUSE AND SENATE BILLS,**

**AND**

**GENERAL AND PERSONAL INDEX.**

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TITLE AND HISTORY OF HOUSE BILLS.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments.	Third reading and vote on passage...	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
1. Mr. KARR: An act in relation to poll tax and its use in road districts.....	68	333	68						
2. Mr. KARR: An act in relation to opening and improving roads.....	68	333	68						
3. Mr. KARR: An act to amend section 1 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..	68	314	68						
4. Mr. KARR: An act in relation to the collection of delinquent personal property tax.....	68	336	68		336				
5. Mr. KARR: An act in relation to assessing and collecting taxes.....	68		68						
6. Mr. KARR: An act in relation to the assessing and collection of taxes in the State of Washington, amendatory of sections 30, 34 and 75 of the revenue law, approved March 9, 1891.....	68		68						
7. Mr. ANDERSON, of Whitman: An act to amend section 342 of chapter 32 of the Code of Washington of 1881, relating to property exempt from levy and sale under attachment and execution.....	69		69						
8. Mr. ANDERSON, of Whatcom: An act providing for the appointment of a state inspector of oils, and defining his duties and prescribing his compensation.....	69	632	69		632				
9. Mr. NELSON: An act to provide for free text books, apparatus and supplies for the pupils attending the public schools in the State of Washington.....	69		69						
10. Mr. ROSCOE: An act to repeal sections fifty-nine (59), sixty (60), sixty-one (61), sixty-two (62), sixty-three (63), sixty-four (64), sixty-five (65), sixty-six (66) and sixty-seven (67) of an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington, and declaring an emergency".....	69	358	69	358	{ 360 415 }				

11. Mr. ROSCOE: A bill to amend section 12 of chapter 7 of the laws of the State of Washington for the year 1890, entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency," approved March 27, 1890.....	69		69						
12. Mr. TEMPLE: An act abolishing the poll tax.....	69	337	69		337				
13. Mr. WHEELER: An act authorizing any judge of the superior court of this state whose term of office expired on the second Monday of January, 1893, to settle and certify statements of facts for the purposes of perfecting appeals to the supreme court in cases tried before him, and declaring an emergency to exist.....	69	103	69	104		114	114	114	120
14. Mr. WEBB: An act to amend sections 2 and 16 of an act entitled "An act in relation to attachments and garnishments," approved February 3, 1886.....	69		69						
15. Mr. SCOTT: An act to prevent discrimination in the use of lawful money of the United States.....	69	135	69		135				
16. Mr. GILMAN: A bill for an act to amend section 1680 of the first volume of Hill's Annotated Statutes and Codes of Washington, the same being section 1942 of the Code of Washington of 1881, relating to the giving of liens upon manufactured lumber to persons performing labor in the manufacture of the same.....	69	143	{ 69 143 }	144	{ 247 274 }	{ 241 264 280 }	313	401	436
17. Mr. GILMAN: A bill for an act to amend section 1664 of the first volume of Hill's Annotated Statutes and Codes of Washington, the same being section 1598 of the Code of Washington of 1881, relating to liens for labor performed upon real property.....	70		70						
18. Mr. GILMAN: A bill for an act to submit to the qualified electors of the State of Washington, for their approval, at the general election to be held in November, 1894, an amendment to section 33 of article 2 of the constitution of the State of Washington.....	70	473	70	474					
19. Mr. GILMAN: A bill for an act creating the office of public administrator in each of the counties of the State of Washington, providing for the appointment of such public administrator and prescribing his powers and duties and fixing his compensation.....	70	149	{ 70 149 150 480 }	150					
20. Mr. WHEELER: A bill for an act relating to appeals to the supreme court.....	70	476	480	480		649	711	711	740
21. Mr. WHEELER: An act creating and providing for the enforcement of liens for labor and material.....	70	192	{ 70 192 194 }	221	387	387	436	451	499
22. Mr. SHERMAN (by request): An act providing for an additional superior court judge for Whatcom county.....	70	375	70		375				
23. Mr. NASH: An act concerning foreign and domestic guardians.....	70	373	70		373				

TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments.....	Third reading and vote on passage.....	Other action by House.....	Report from Senate.....	Signed by Speaker.....	Signed by President of Senate.....	Message from Governor.....
24. Mr. NASH: An act to amend sections 1, 4, 6, 7, 8, 9, 10, 11, 13 and 14 of an act entitled "An act to create a state board of horticulture, and appropriate money therefor".....	70	{ 254 419 542 }	70		{ 423 542 }				
25. Mr. GILMAN: A bill for an act to enable cities and towns to validate certain warrants and other obligations and evidences of indebtedness on the part of such cities and towns issued by the corporate authorities thereof in excess of their legal authority, and declaring an emergency to exist.....	70	377	70		377				
26. Mr. SCOTT: An act to prevent strikes.....	71	202	71		203				
27. Mr. MEAD: An act requiring railroad companies to fence their tracks.....	71	{ 185 377 }	71	378					
28. Mr. TEMPLE: An act amending section 3 of "An act for the preservation of large game....."	71	554	71		554				
29. Mr. KELLER: An act to authorize the formation of township organization, and to regulate the same.....	71		71						
30. Mr. ANDERSON, of Whatcom: An act providing that time checks and due bills issued for labor shall bear interest until paid.....	71	203	71		204				
31. Mr. WEED: An act appropriating money for the payment of agents for the state land commission.....	71	{ 420 420 626 }	{ 71 420 423 }	{ 423 627 }	437	723	734	737	748
32. Mr. NASH: An act to subject community real estate to debts.....	71	71	71						
33. Mr. NASH: An act concerning homesteads and their exemption.....	71		71						
34. Mr. TULL: An act to prevent private persons and corporations from employing armed men or detectives.....	74		74						
35. Mr. McELWAIN: An act to provide for the process of garnishment in the superior courts of the State of Washington.....	74		74						

36. Mr. McELWAIN: An act providing for an additional judge for the superior court of the State of Washington for King county, and declaring an emergency.....	74	466	74	467				
37. Mr. McELWAIN: An act in relation to the fees of state and county officers, witnesses and jurors, amending section 1 of volume 1 of Hill's Statutes and Codes of Washington of 1891.....	74	459	74		460			
38. Mr. RINEHART: An act to amend section 1680 of the Statutes of Washington, relating to liens upon sawlogs manufactured into lumber.....	75	378	75		378			
39. Mr. BUSH, of Chehalis: An act providing for the licensing of persons to operate steam engines, steam boilers and steam generators, and for the establishing of a board of examining engineers.....	75	195	{ 75 195 }		195			
40. Mr. SMITH, of Douglas: An act to amend section 1988 of the Code of Washington Territory of 1881 (embraced in section 1649 of volume 1 of Hill's Code) relating to the recording of chattel mortgages.....	75		75					
41. Mr. BROCK: An act to protect sturgeon during certain months herein named, and declaring an emergency.....	75	494	75		494			
42. Mr. McNEW: An act for the collection of delinquent taxes.....	75		75					
43. Mr. McNEW: A bill entitled "An act to amend road law".....	75	333	75					
44. Mr. WHEELER: An act relating to the recording of conveyances of real property.....	75		75					
45. Mr. TURPIN: An act relating to Mechanics' liens, and repealing sections 1957 and 1968 of chapter 138 of the Code of Washington of 1881.....	75		75					
46. Mr. MORRISON: A bill proposing amendments to the constitution and providing for the submission thereof to the qualified electors of this state for approval at the next general election to be held in November, 1894.....	75	251	75					
47. Mr. MORRISON: An act to create a banking department.....	75		75					
48. Mr. WEED: An act relating to the maturity of contracts.....	76	144	76		150			
49. Mr. WEED: An act to amend section 7 of an act entitled "An act to provide for the selection of lands granted to the State of Washington under an act of congress approved February 22, 1889," and declaring an emergency to exist".....	76	{ 424 627 }	76	628	{ 424 437 }	730	743	749
50. Mr. BAKER: An act to amend section 2795 of chapter 54 of the Code of Washington, and declaring an emergency.....	79	337	79		337			

TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments,	Third reading and vote on passage...	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
51. Mr. McELWAIN: An act in relation to the manner of commencing civil actions, amending sections 171, 172, 175, and 179 of volume 2 of Hill's Statutes and Codes of Washington of 1891.....	79	.....	79	.....	.....	.....	.....	.....	.....
52. Mr. McELWAIN: An act in relation to the amendment and codification of the laws of the State of Washington, and for the creation of a code commission.....	79	.....	79	.....	.....	.....	.....	.....	.....
53. Mr. McELWAIN: An act in relation to conditional sales of personal property...	79	144	79	150	770	770	778	779	.....
54. Mr. MORRISON: An act in relation to fencing and operating railroads.....	79	{ 194 } 332	79	.....	195	.....	.....	.....	.....
55. Mr. FOSTER: An act for the protection of sturgeon in the Columbia river and its tributaries.....	79	493	79	.....	493	.....	.....	.....	.....
56. Mr. FOSTER: An act to amend section 274 of the penal code of "Hill's Annotated Statutes and Codes of Washington," and for the protection of salmon in the Columbia river and its tributaries .....	79	493	79	.....	493	.....	.....	.....	.....
57. Mr. NELSON: An act for the appointment of a state veterinary surgeon, and defining his duties.....	79	278	79	.....	279	.....	.....	.....	.....
58. Mr. NELSON: An act regulating the service of process issued by any justice of the peace within the State of Washington.....	80	162	80	.....	162	.....	.....	.....	.....
59. Mr. BUSH, of Pacific: An act regulating fish traps, pound nets, weirs, set nets, fish wheels or other fixed appliances, for catching salmon on the waters of the Columbia river and its tributaries, for providing for the licensing thereof and the disposition of the funds arising therefrom, and declaring an emergency....	80	263	80	.....	.....	.....	.....	.....	.....
60. Mr. WHITE: An act for the relief of C. F. Clapp and Thomas F. Drew, and making an appropriation therefor, and declaring an emergency.....	80	184	80	.....	{ 184 } 200	.....	.....	.....	.....
61. Mr. SMITH, of Douglas: An act providing for the levy, collection and disposal of inheritance tax, and declaring an emergency.....	80	234	80	.....	234	.....	.....	.....	.....



62. Mr. LETTERMAN: An act for the detention of domestic animals doing damages, and giving a lien for damages upon such animals.....	80	255	80	256	460	498	534	571
63. Mr. HOOLE: An act to regulate common carriers, and creating a railroad and steamboat commission of the State of Washington, and defining the duties and powers thereof in relation to common carriers.....	80	476	80	476				
64. Mr. GILMAN: A bill for an act creating the office of court commissioner in each county of the State of Washington, and prescribing the qualifications and duties and fixing the compensation of court commissioners.....	80		80					
65. Mr. GILMAN: A bill for an act relating to private sales of real property belonging to estates of decedents, minors and insane persons.....	80	409	80	410	645	682	688	708
66. Mr. ANDERSON, of Whatcom: An act to establish a state normal school in the county of Whatcom.....	90	237	90	262	435	453	498	570
67. Mr. HOOLE: An act to amend section 1296 of Hill's Code of an act providing for the relief of indigent soldiers, sailors and marines.....	90	314	90					
68. Mr. COWAN: An act for the relief of S. W. Brown and others.....	90	195	90	195				
69. Mr. SALLEE: An act to amend section 59, chapter 2, of crimes against property, of the laws of the State of Washington, as compiled and arranged by William Lair Hill, under an act of the legislature of the State of Washington, approved February 18, 1890, entitled "An act to appoint a commissioner to compile, rearrange and annotate the laws of Washington, and to provide for publication and distribution thereof and the payment therefor".....	90	279	90	279	204	738	751	755
70. Mr. MERCHANT: An act to appropriate money to pay the deficiency in the appropriations for the maintenance of the state penitentiary for the two years ending March 31, 1893.....	90		90					
71. Mr. KAER: An act in relation to county, school, city and town warrants, and the manner of their payment.....	90	{ 195 264 }	{ 90 265 }	267	{ 196 200 }	649	658	673
72. Mr. BROCK: A bill for an act to amend section 2137 of chapter 4 of title 23 of the General Statutes of the State of Washington, as arranged and annotated by William Lair Hill, relating to the erection of wharves at the termini of public highways.....	91	{ 160 410 }	411	411	602	629	641	692
73. Mr. McNEW: An act to amend an act establishing a general and uniform system of common schools in the State of Washington, chapter 127, sections 1 and 18.....	91	337	91	337				
74. Mr. NEERGAARD: A bill for an act to establish maximum rates for the transportation of passengers on railroads in this state, and prescribing the penalty for violation thereof.....	105	444	105	445				

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NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments,	Third reading and vote on passage.....	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
75. Mr. RINEHART: An act to prevent the spread of contagious or infectious diseases among cattle, horses and other domestic animals.....	105	280	105	281		756			
76. Mr. NASH: An act relating to proceedings supplemental to execution.....	106	249	{ 106 326 }	{ 327 365 }	327	742	766	771	
77. Mr. KARR: An act in relation to giving notice in the matter of the foreclosure of tax liens.....	106		106						
78. Mr. SMITH, of Douglas: An act relating to the exemptions of work, labor and personal services of laborers, mechanics or other persons in mesne and final process.....	106	553	106		553				
79. Mr. LETTERMAN: An act making an appropriation for the construction of buildings and for maintenance of the Agricultural College, Experiment Station and School of Science of the State of Washington for the years 1893 and 1894, and declaring an emergency to exist.....	106		106						
80. Mr. SCOTT: An act repealing the poll tax and providing for revenue for the construction and maintenance of public roads.....	106	333	106						
81. Mr. WEED: An act concerning irrigation.....	106		106						
82. Mr. FOSTER: An act to prohibit the catching of salmon and other food fishes by means of fish wheels.....	106	379	106		379				
83. Mr. FOSTER: An act to protect the lives and property of persons engaged in fishing and navigating the waters of the Columbia river.....	106	493	106		493				
84. Mr. WHITE: A bill for an act to amend section 1063 of the Code of 1881, and 1271, volume 2 of Hill's Code, by providing for compensation of counsel appointed to defend indigent prisoners.....	106	373	106		373				
85. Mr. WHEELER: An act to provide for the appointment and compensation of counsel to defend persons in a condition of poverty charged with felony.....	107	282	107		282				

86. Mr. WHEELER: An act to regulate the practice of dentistry in the State of Washington.....	107	221	107	222	608	602	671	675	707
87. Mr. LUDDEN: An act to provide for filing and recording plats of land within and adjacent to cities and incorporated towns or villages, and declaring an emergency.....	107	450	107						
88. Mr. GREENBERG: An act relating to internal improvements in cities of the first class, authorizing the issuance and collection of bonds upon the property benefited by local improvements, and declaring an emergency.....	107	407	{ 107 463 }	463	469	716	750	755	757
89. Mr. ROTH: An act to quiet possession and confirm titles to land.....	107	229	107	229		365	386	401	436
90. Mr. LUDDEN: An act establishing a general normal school board, and fixing the legal status of normal diplomas and certificates.....	115		115						
91. Mr. WESTFALL: An act appropriating money and providing for the construction and furnishing of a normal school building at Cheney, Washington.....	115		115						
92. Mr. SMITH, of Douglas: An act providing for the creation of boards of public highways, and for the construction and maintenance of public highways or roads, and for the levy of taxes for the payment of expenditures required for the same, and for the abolition of poll tax, and for the levy of road poll tax, and declaring an emergency.....	115		115						
93. Mr. ANDERSON, of Whitman: An act regulating and fixing railroad freight rates in the State of Washington.....	115	{ 441 727 }	{ 115 442 }	442	{ 687 691 727 737 }	{ 687 691 725 737 }	747	749	758
94. Mr. MOORE: An act concerning the formation of new school districts, changing the boundaries and transferring territory from one district to another.....	116	337	116	338		716	725	730	740
95. Mr. WEBB: An act making it a misdemeanor to buy, sell, handle, or offer for sale, within the State of Washington, cans, cases or packages of fish that are not plainly branded or marked on their exterior.....	116	379	116	380	567	567	576	581	652
96. Mr. GREENBERG: 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.....	116	492	116		492				
97. Mr. COLLIN: An act relating to the election of United States senators.....	116		116						
98. Mr. MCELWAIN: An act fixing the fees and compensation of justices of the peace..	116	514	515	515		722	725	731	740
99. Mr. MCELWAIN: An act to amend sections 1456 and 1457 of the Code of Procedure of the State of Washington, relating to the issuance, service and return of process and the complaint and notice issued by justices of the peace, and to provide for the service and return of summons and of complaint and notice issued by justices of the peace by persons other than sheriffs and constables.....	116	499	{ 116 500 }	500		756	767	771	

TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments,	Third reading and vote on passage...	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
100. Mr. McELWAIN: An act to amend section 1534 of the Code of Procedure relating to costs in civil actions before justices of the peace, and to provide for taking an attorney's fee as part of the costs in such action.....	116	215	116	216	.....	365	404	431	436
101. Mr. MULKEY: An act to legalize and confirm the acts, proceedings and contracts of cities and towns in this state which were reorganized under an act approved March 24, 1890, entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency".....	116	398	116	.....	399	.....	.....	.....	.....
102. Mr. BUSH, of Pacific (by request): An act to amend sections 274 and 279 of Penal Code of 1891, relating to protection of food fishes, and declaring an emergency.....	117	{ 492 } 571	117	.....	571	.....	.....	.....	.....
103. Mr. BUSH, of Chehalis: An act concerning the exercise of the right of eminent domain by corporations other than municipal corporations.....	117	356	117	.....	.....	.....	.....	.....	.....
104. Mr. BUSH, of Chehalis: An act relating to the liens of mechanics and others upon real estate, curing defects in lien notices, and declaring an emergency...	117	197	117	197	.....	756	.....	.....	.....
105. Mr. BUSH, of Chehalis: An act relating to liens of mechanics and others upon real property, repealing section 1961 of the Code of Washington of 1881, and declaring an emergency.....	117	.....	117	.....	.....	.....	.....	.....	.....
106. Mr. GILMAN: An act relating to wills and the custody, control and delivery thereof, and defining the crime of suppressing, secreting or destroying any last will and testament, or consenting to the same, and providing for the punishment thereof.....	117	216	117	217	.....	467	498	534	571
107. Mr. BAKER: A bill relating to an act exempting homestead improvements in the sum of \$1,000 from taxation.....	117	338	117	.....	338	.....	.....	.....	.....
108. Mr. MORRISON: An act providing for viewing, laying out and surveying public roads, and providing for the award of damages in the location of said roads..	124	619	{ 124 } 621	622	.....	744	756	757	762

109. Mr. KARR: An act in relation to the business of logging.....	124	256	124	.....	256	.....	.....	.....	.....
110. Mr. ANDERSON, of Whitman: An act to prevent the sale or injury of mortgaged personal property, and to provide punishment for violations thereof....	125	380	125	381	.....	744	750	755	757
111. Mr. ANDERSON, of Whitman: An act concerning mortgages of personal property, and to repeal chapter 141 of the Code of Washington, 1881.....	125	461	125	.....	462	.....	.....	.....	.....
112. Mr. SMITH, of Douglas: An act providing for the use of the American flag in the schools of the state.....	125	215	125	.....	215	.....	.....	.....	.....
113. Mr. SMITH, of Douglas: An act aiding indigent persons in the prosecution of suits at law in the courts of the state.....	125	282	125	.....	282	.....	.....	.....	.....
114. Mr. GILMAN: A bill for an act in relation to garnishments.....	125	252	{ 125 327 }	328	645	645	671	675	707
115. Mr. NASH: An act amending section 8 of an act entitled "An act to secure creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors," approved March 6, 1890, and repealing section two thousand and thirty-two (2032) of the Code of Washington Territory of A. D. 1881, and fixing the compensation of assignees for the benefit of creditors.....	125	256	125	257	442	435	461	467	499
116. Mr. MOORE: A bill for an act to amend section 3145 of the first volume of Hill's Annotated Statutes and Codes of Washington, the same being section 12 of the Code of Washington of 1890, relating to bushels of certain commodities, what constitutes weight of.....	125	{ 234 235 }	125	236	.....	416	436	451	499
117. Mr. GILMAN: A bill for an act in relation to attachments.....	125	.....	125	.....	.....	.....	.....	.....	.....
118. Mr. GILMAN: An act amending section 412 of chapter 10, title 7 of the Code of Civil Procedure of 1891, relating to judgments on failure to appear and answer.....	126	.....	126	.....	.....	.....	.....	.....	.....
119. Mr. GILMAN: An act in relation to the manner of commencing civil actions, amending sections 171, 172, 173, 174, 175, 178, 179 and 183 of chapter 4, title 5 of the Code of Civil Procedure of 1891.....	126	.....	126	.....	.....	.....	.....	.....	.....
120. Mr. McNEW: A bill in relation to sale of school land upon which there is improvements.....	126	582	126	.....	582	.....	.....	.....	.....
121. Mr. ANDERSON, of Whatcom: An act for the destruction of the thistle known as the Canada thistle.....	126	.....	126	.....	.....	.....	.....	.....	.....
122. Mr. ANDERSON, of Whatcom: An act creating an office to be known as the office of register of deeds.....	126	.....	126	.....	.....	.....	.....	.....	.....
123. Mr. GILMAN: A bill for an act to amend section 1400 of volume 1 of Hill's Annotated Statutes and Codes of Washington, the same being section 2410 of the Code of Washington of 1881, relating to community real estate.....	126	.....	126	.....	.....	.....	.....	.....	.....

TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee .....	Second reading and amendments.	Third reading and vote on passage....	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
124. Mr. GILMAN: A bill for an act to prevent and punish corrupt practices in elections, and to provide for publicity in election expenses.....	126	{ 198 381 }	126	382		737			
125. Mr. BUSH, of Pacific: An act providing for the survey, appraisal and sale of tide lands of the second class, and declaring an emergency.....	126		126						
126. Mr. BUSH, of Pacific: An act to amend an act entitled "An act to provide for assessment and collection of taxes in the State of Washington".....	126	399	126		399				
127. Mr. SALLEE: An act to provide for keeping highways in repair, and for the levy and collection of road poll and road property taxes, and declaring an emergency.....	127	333	127						
128. Mr. ROTH: An act relating to the time of bringing actions to recover lands held under tax deed.....	127		127						
129. Mr. MERCHANT: An act to authorize the board of penitentiary directors, at the Walla Walla penitentiary, to grant rights-of-way for railroad purposes over penitentiary grounds located at Walla Walla.....	136	{ 254 456 }							
130. Mr. CAMERON: An act amendatory of and to repeal section ten (10) of "An act to protect salmon and other food fishes in the State of Washington and upon all waters upon which this state has jurisdiction and concurrent jurisdiction," approved February 11, 1890.....	137								
131. Mr. SMITH, of Douglas: An act providing for the trial of suits before justice of the peace courts in precincts other than at the county seat, and providing for the payment of the traveling expenses of county attorneys in such suits at law.....	137	491			491				
132. Mr. JUDSON: An act regulating interest on state, county, city and school warrants.....	137	399			399				

133. Mr. RINEHART: An act to provide against the payment of wages in scrip, orders, etc., redeemable otherwise than in money, and against selling goods or supplies to employes at excessive rates.....	137							
134. Mr. ROSCOE: An act making it unlawful for an employer or employers of labor to pay the wages of workmen by them employed in either store goods, merchandise, printed, written or verbal orders or time checks, or due bills of any kind, and providing punishment for the violation thereof.....	137							
135. Mr. WHEELER: An act providing for the legalizing of marriage where divorce has been granted and marriage has taken place within six months from the time divorce was granted.....	137	210		210		435		
136. Mr. WHEELER: An act authorizing private corporations, other than religious, incorporated by the legislative assembly of the Territory of Washington prior to January 1, 1862, to issue notes, bonds, mortgages or other evidences of indebtedness.....	137	382	383	383		757	767	771
137. Mr. GILMAN (by request): An act to amend section 838 of the Code of Washington of 1881, relating to crimes against property.....	138	211			212			
138. Mr. DENN: A bill for an act to provide for the payment of road taxes in work.....	141	333						
139. Mr. JUDSON: An act to appropriate money to pay deficiencies for supplies furnished for the Western Washington Hospital for Insane, at Fort Steilacoom, State of Washington.....	142							
140. Mr. NASH: An act relating to and authorizing the collection of assessment for local improvements by a new assessment or re-assessment of the cost and expense of making same in cities of the first class, and declaring an emergency.....	142	357			357			
141. Mr. TUCKER (by request): An act to amend section 52 of chapter 12 of the Laws of 1889-90, entitled "An act to establish a general uniform system of common schools in the State of Washington, and declaring an emergency," approved March 27, 1890, as amended by section 16 of chapter 127 of the Laws of 1891, approved March 7, 1891.....	142	205	205	205				
142. Mr. TUCKER: An act relating to the common school system of the State of Washington, amending sections 5, 22, 25, 33, 34, 54, 71 and 75 of an act entitled "An act to establish a general uniform system of common schools in the State of Washington, and declaring an emergency," approved March 27, 1890, and interpolating in said act sections 31½ and 70½.....	142	217		218	757	757	778	779
143. Mr. WESTFALL: An act to appropriate money to cover the deficiency for maintaining the Eastern Washington Hospital for the Insane to April first, eighteen hundred and ninety-three (1893), and declaring an emergency.....	142							

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NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments,	Third reading and vote on passage...	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
144. Mr. WHEELER: An act to provide for the redemption of real property sold under execution or other process issued in pursuance of judgment or decree of court in the foreclosure of liens created by statute.....	142								
145. Mr. WHEELER: An act to provide for the appraisalment and disposition of school lands.....	142	237			207	603			
146. Mr. SMITH, of Douglas: An act providing for the foreclosure of chattel mortgages.....	143	258			259				
147. Mr. WEBB: An act concerning a state agricultural fair for the State of Washington, and to declare an emergency.....	143	564	{ 564 579 }	{ 564 580 }	{ 579 708 }	707	734	738	
148. Mr. CROCKETT: An act relative to the qualification and compensation of county commissioners.....	143	383	384	385		720	738	742	753
149. Mr. BURTON: An act to amend sections 105 and 106 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 the same is amended by an act entitled "An act to amend sections 105, 106, 114 and 117 of an act entitled 'An act providing for the organization, classification and government of municipal corporations, and declaring an emergency,' and approved March 27, 1890," approved March 9, 1891.....	143	494			494				
150. Mr. KARR: An act in relation to making a declaration of forfeiture of certain contracts.....	147	257		258		725			
151. Mr. WINCHELL: An act providing for free text books in the common schools of the State of Washington, and appropriating money therefor.....	148	374			374				
152. Mr. SMITH, of Douglas: An act providing that prisoners, when found guilty, shall be charged with cost of board, stage and car fare if, in the judgment of the court, they are able to pay the same.....	148	465			465				



153. Mr. SMITH, of Douglas: An act providing that justice of the peace courts shall have jurisdiction of proceedings in forcible entry, forcible detainer, and unlawful detainer of real property.....	148	258			258				
154. Mr. SHADLE: An act to amend sections 80, 81 and 82 of the Session Laws of 1889-90, relating to compulsory education.....	148								
155. Mr. MOORE: An act providing for the appointment of a state inspector of dairy products.....	148	424							
156. Mr. SHELTON (by request): An act to authorize boards of county commissioners to provide a suitable office for the prosecuting attorney of their county, and supplies therefor, and certain books.....	148	389	390	390		720	731	737	748
157. Mr. MERCHANT: An act authorizing the establishment of public libraries in cities.....	148								
158. Mr. WHITE: An act to create a state fair association and provide for the maintenance of the same.....	159								
159. Mr. HELIKER: An act for the protection of the public health and to provide for certain boards of health and regulate their duties.....	159	339	339	339	608	602	659	673	692
160. Mr. WHEELER: An act relating to the service of summons upon corporations.....	163	{ 199 } 408	408	408		160			
161. Mr. WHEELER: An act relating to confession of judgment.....	163								
162. Mr. WHEELER: An act to amend section 2695 of the Code of Washington of 1881, the same being section 298 of Hill's Annotated Statutes and Codes of Washington.....	163	282		283		753	767	771	
163. Mr. WHEELER: An act to amend section 1 of an act entitled "An act relative to filling vacancy in board of county commissioners," approved November 23, 1883, the same being section 274 of Hill's Annotated Statutes and Codes of Washington.....	163	283		284	512	511	527	537	571
164. Mr. HOOLE: An act providing for the transcribing of county records.....	163	259		259	164	164	436	451	481
165. Mr. HOOLE: An act providing that all county commissioners of the several counties in the state of Washington shall give official bonds.....	163								
166. Mr. ANDERSON, of Whatcom: An act relating to the sale of spirituous liquors to employes in or about coal mines in the State of Washington.....	163	400			400				
167. Mr. CROCKETT: An act to prevent unnecessary destruction of and damage to public roads, highways and turnpikes, and to regulate the width of wagon tires or wheel bands to be used thereon, and to provide punishment for the violation of this act.....	163	360	360		360				

TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments,	Third reading and vote on passage...	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
168. Mr. SMITH, of Douglass: An act providing for the regulation of flouring mills in relation to the maximum rates of toll for custom work, and providing a penalty for the violation of this act.....	163								
169. Mr. JUDSON: An act in relation to the apportionment of the school funds of this state.....	164	344			344				
170. Mr. BAKER: An act relating to the taxation of mortgages, notes, bonds and other securities, and providing for the proper assessments thereof.....	164	582			582				
171. Mr. HOOLE: An act to amend Section 2 of an act entitled "An act providing for the payment of certain expenses of and the manner in which salaries of the judges of the supreme and superior courts shall be paid, and declaring an emergency to exist," approved January 27, 1890, and declaring an emergency to exist for the passage of this amendatory act.....	164	284		285		487	493	534	571
172. Mr. LEO: An act in relation to the possession, rents and profits of real estate and buildings during the time allowed for redemption from execution sale.....	164	259		260		331			
173. Mr. TUCKER (by request): An act to amend section 1 of an act entitled "An act to amend section 2 of an act entitled 'An act to authorize county commissioners to issue bonds for road purposes,' approved March 22, 1890," and approved March 6, 1891, and also to amend sections 1 and 5 of an act entitled "An act to authorize county commissioners to issue bonds for road purposes," approved March 22, 1890.....	164	361	361	376					
174. Mr. MCKENZIE: An act to amend sections 8, 12, 64, 65 and 72 of school laws.....	164	416	520	521		645			
175. Mr. WESTFALL: An act to appropriate money for the maintenance, improvements and repairs of the Eastern Washington Hospital for the Insane, for the fiscal term beginning April 1, 1893, and ending March 31, 1895.....	164								
176. Mr. WESTFALL: An act to provide for the erection and furnishing of an addition to the Eastern Washington Hospital for the Insane, and to appropriate money therefor.....	164								

177. Mr. WESTFALL: An act to establish a system of public schools in cities of 10,000 or more inhabitants, and to provide for properly maintaining, governing and grading the same.....	165	374			375			
178. Mr. GREENBERG: An act to amend section 2213 of Hill's Statutes and Codes of the State of Washington relating to work required on mining claims.....	165							
179. Mr. BUSH, of Pacific: An act appropriating money from the fish commission fund for the enforcement of the fish laws.....	165	720	721	721				
180. Mr. BUSH, of Pacific: An act to authorize the fish commissioner to make research for the purpose of enforcing the fish laws of the State of Washington.....	165	522	522	522		723	724	731
181. Mr. BUSH, of Pacific: An act authorizing the fish commissioner and his deputies to make arrests.....	165	522	523	523		723	731	738
182. Mr. BUSH, of Pacific: An act to authorize the fish commissioner to appoint a deputy in each county.....	165	523	523	524		723	731	738
183. Mr. BUSH, of Pacific: An act to protect the food fishes of the State of Washington, and amending section 8 of the law approved February 11, 1890, entitled "An act to protect salmon and other food fishes in the waters of Washington and upon all waters of which the state has joint jurisdiction and concurrent jurisdiction.....	165	554	555	555		769	778	779
184. Mr. CAMERON: An act appropriating money for the purchase of materials and regulating the manufacture and sale of jute and other fabrics and brick at the state penitentiary.....	186	716		717		722	743	749
185. Mr. CROCKETT (by request): An act providing for the exemption of homesteads from attachment and sale on execution.....	186							
186. Mr. MORRISON: An act in relation to liens by docketing judgments of justices' courts, amending section 455 of the Code of 1891.....	186							
187. Mr. MORRISON: An act in relation to documentary evidence.....	186	286		286		416		
188. Mr. SMITH, of Douglas: An act providing a penalty for public officers of Washington who accept or use a pass, or who purchase transportation from any railroad or other corporation other than as the same may be purchased by the general public, and declaring an emergency.....	186	425			425			
189. Mr. ANDERSON, of Whitman (by request): An act concerning the construction of statutes.....	186	417			417			

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TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments.	Third reading and vote on passage...	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
190. Mr. NASH: An act to amend an act entitled "An act creating and establishing municipal courts in cities of the State of Washington having more than 20,000 inhabitants, defining and prescribing their jurisdiction, regulating their practice and procedure, and providing judges and clerks therefor, and declaring an emergency".....	186								
191. Mr. EDMONDS: An act to amend section 12 of an act entitled "An act to establish a general uniform system of common schools in the State of Washington," approved March 27, 1890, and declaring an emergency.....	187								
192. Mr. COWAN: An act to amend the road law and divide the same into three classes, and provide for the maintenance thereof.....	187	333							
193. Mr. LETTERMAN: An act punishing bank officials for receiving deposits knowing the bank to be insolvent.....	187	400	400	400		753	761	771	
194. Mr. EGBERT: An act to prohibit the collection of hospital and other dues from railroads and other classes of employers, and providing for a penalty therefor.....	187	446	446	446		756			
195. Mr. McELWAIN: An act to amend an act entitled "An act to protect salmon and other food fishes in the State of Washington and upon all waters upon which the state has jurisdiction and concurrent jurisdiction," approved February 11, 1890.....	187	391			391				
196. Mr. DURANT (by request): An act to repeal sections 41, 42 and 43 of "An act to provide for the organization, maintenance and discipline of the militia of the State of Washington," approved March 27, 1890.....	187								
197. Mr. McNEW: An act to amend an act entitled "An act defining the powers and duties of assessors".....	187								
198. Mr. SHELTON: An act amending section 268 of chapter 11 of the Penal Code of Washington, relating to the unlawful destruction of game and fish.....	187								

199. Mr. SHELTON: An act to amend section 254 of chapter II of the Penal Code of Washington, relating to the unlawful destruction of game and fish, and declaring an emergency.....	187							
200. Mr. SHELTON: An act to repeal sections 247 and 249 and 250 and 252 of chapter II of the Penal Code of Washington, relating to the unlawful destruction of game and fish, and declaring an emergency.....	187							
201. Mr. NELSON: An act to amend section 385 of the Code of Washington Territory, section 226 of volume 2 of Hill's Statutes and Codes of the State of Washington.....	188							
202. Mr. GREENBERG: An act to increase the cavalry battalion of the National Guard of the State of Washington to four companies.....	188	424			424			
203. Mr. McNEW: An act to amend an act entitled "An act to define the powers of county commissioners".....	188							
204. Mr. COLLIN: An act providing for the appointment of a stock inspector, and for the inspection and registration of horses and neat cattle sold, consumed, shipped and slaughtered, and providing penalties for the violation thereof, and declaring an emergency.....	188							
205. Mr. BURTON: An act to provide for the selection of a depository for the county funds of each of the counties of this state.....	188	342	343	344	328	416		
206. Mr. SCOTT: An act fixing a legal and contract rate of interest, and prescribing a penalty for the taking of usury.....	188	583			583			
207. Mr. PAYNE: An act authorizing counties to submit to the voters therein propositions to fund indebtedness thereof by issuing bonds at the same election at which the previously attempted incurring of such indebtedness, or any part thereof, may be ratified.....	198							
208. Mr. PAYNE: An act to enable counties to validate certain indebtedness attempted to be incurred on the part of such counties by the corporate authorities therefor in excess of their legal authority, and declaring an emergency to exist.....	198	428	428	428		718	734	738 749
209. Mr. BUSH, of Pacific: An act making appropriations for the payment of the salaries and traveling expenses of the state fish commissioner and his deputies.....	198							
210. Mr. WESTFALL: An act to appropriate money to cover the deficiency for maintaining the State Normal School at Cheney, Wash., to March 1, 1893.....	199							
211. Mr. EGBERT: An act to amend an act approved January 29, 1889, entitled "An act to amend section 347 of the Code of Washington Territory, in relation to exemption".....	199	554			554			

TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments.	Third reading and vote on passage...	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate....	Message from Governor.....
212. Mr. LEO: An act to prevent attempts to commit burglaries, and declaring the possession of burglars' tools, with intent to use the same for unlawful purposes, to be a misdemeanor, and declaring a rule of evidence in such cases.....	199	391	392	392	.....	742	751	755	757
213. Mr. SCOTT: An act entitled "An act to provide for the protection of laborers, mechanics and material men, and persons performing work and furnishing material in the construction of railroads, and declaring an emergency".....	199	558	.....	.....	559	.....	.....	.....	.....
214. Mr. WHEELER: An act to amend chapter 140 of the laws of 1891, approved March 9, 1891, relating to the assessment and collection of taxes.....	199	583	.....	.....	{ 430 } { 583 }	.....	.....	.....	.....
215. Mr. RINEHART: An act to amend an act entitled "An act to amend sections 105, 106, 114 and 117 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' and approved March 27, 1890," approved March 9, 1891..	208	538	541	541	641	641	671	675	708
216. Mr. ROTH: An act to provide means for the validation of certain warrants and other evidences of indebtedness on the part of cities and towns issued by the corporate authorities thereof in excess of their legal authority in cases where any such city or town has since such attempted incurring of indebtedness or may hereafter become consolidated with any other city or town, or has annexed or may annex any new territory, and declaring an emergency....	208	401	401	402	534	534	576	581	651
217. Mr. ROTH: A bill for an act authorizing cities and towns, in cases where any such city or town has been or may hereafter be formed by the consolidation of two or more former cities or towns, or has annexed or may hereafter annex any new territory, and where the corporate authorities of either such former city or town, or of such city or town prior to such annexation, attempted to incur indebtedness on its part in excess of their legal authority, to submit to the voters in such consolidated or existing city or town propositions to fund indebtedness thereof by the issuing of bonds therefor, at the same election at which said previous attempted incurring of such indebtedness, or any part thereof, on the part of either such former city or town, or of such city or town prior to such annexation, may be ratified, or at a separate election, and declaring an emergency.....	208	403	403	403	.....	645	682	688	708

218. Mr. ROSCOE: An act to prevent combinations or pools of insurance companies or their agents tending to defeat or lessen competition in the business of life insurance in the State of Washington.....	208								
219. Mr. MENTZER: An act to define and punish an attempt to break and the breaking into any railway car situated in the State of Washington, and to protect property therein contained.....	208								
220. Mr. SMITH, of Douglas: An act regulating foreclosure and redemption of mortgages on real estate.....	209								
221. Mr. SMITH, of Douglas: An act regulating the payment of attorney's fees in judgments in the courts of this state.....	209								
222. Mr. WHITE: An act to regulate railroads and other transportation lines, to prevent unjust discrimination, and to provide for a railroad and transportation commission.....	209	559		559					
223. Mr. WHEELER: An act to amend section 5 of an act entitled "An act relating to the manner of commencing civil actions," approved February 26, 1891, the same being section 175 of volume 2 of Hill's Annotated Statutes and Codes of the State of Washington.....	224								
224. Mr. SMITH, of Okanogan: An act to amend section 4 of an act entitled "An act relating to the location and recording of quartz mining claims, and providing for assessment work thereon," approved February 22, 1888.....	224								
225. Mr. SMITH, of Douglas: An act providing for the appointment of certain officers by the board of county commissioners in case of vacancy.....	224								
226. Mr. SMITH, of Douglas: An act regulating the amount of justification of securities on official bonds.....	224								
227. Mr. SMITH, of Douglas: An act providing for county canvassing boards of election returns.....	225	560	560	560	769	769	778	779	.....
228. Mr. SCOTT: An act providing for a school text book on money and finance.....	225	366	367						
229. Mr. Mead: An act to secure to litigants a fair and impartial trial in the superior courts of this state.....	225								
230. JOINT JUDICIARY COMMITTEE: An act to amend section 1 of an act to provide for the committing of juvenile offenders to the state reform school at Chehalis, approved March 7, 1891, the same being section 1227 of the first volume of Hill's Annotated Statutes and Codes of Washington.....	225		394	394		756			

TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments.	Third reading and vote on passage....	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
231. JOINT JUDICIARY COMMITTEE: An act to amend section 7 of an act entitled "An act to provide for the sale and leasing of school lands, and declaring an emergency," approved March 28, 1890, the same being section 5146 of the first volume of Hill's Annotated Statutes and Codes of Washington, relating to school lands.....	225	460	460	460	.....	650	.....	.....	.....
232. JOINT JUDICIARY COMMITTEE: An act prohibiting divorced persons from contracting marriages within the period in which an appeal may be taken, and providing punishment for the violation thereof.....	225	.....	397	397	.....	742	750	765	757
233. Mr. TEMPLE: An act in relation to the manner of drawing and summoning juries, amending section 58 of the Civil Code of Procedure, and declaring an emergency.....	225	.....	.....	.....	.....	.....	.....	.....	.....
234. JOINT JUDICIARY COMMITTEE: An act providing for the sale of personal property belonging to the state.....	225	.....	397	398	.....	435	453	498	570
235. Mr. DENN: An act to abolish the office of lieutenant governor.....	225	561	.....	572	561	769	.....	.....	.....
236. Mr. ROSCOE: An act making it unlawful for any person to buy, sell or give away or manufacture cigarettes or cigarette paper, and providing the punishment for the violation thereof.....	225	{ 430 607 }	430	430	490	{ 487 517 607 }	629	641	692
237. Mr. ANDERSON, of Whitman: An act concerning the manner of electing county commissioners, and amending sections 272 and 266 of the first volume of Hill's Annotated Statutes and Codes of Washington.....	226	405	406	406	.....	534	576	581	652
238. Mr. ANDERSON, of Whatcom: An act to protect laborers in their rights to labor, and punish obstructionists.....	232	.....	.....	.....	.....	.....	.....	.....	.....
239. Mr. McMILLAN: An act to protect common carriers.....	232	.....	.....	.....	.....	.....	.....	.....	.....
240. Mr. NASH: An act authorizing cities and towns to purchase, construct and maintain water works, system of sewerage, gas and electric light plants, and to issue bonds to pay therefor, and declaring an emergency.....	232	233	233	233	.....	241	268	310	360



241. Mr. MORRISON: An act making it a crime to make false reports against employes, and providing for the punishment of persons making the same.....	232							
242. Mr. ANDERSON, of Whitman (by request): An act to regulate the sale and redemption of transportation tickets of common carriers.....	232							
243. Mr. LEO: An act to define the liability of railroad companies in relation to damages sustained by their employes.....	233							
244. Mr. ANDERSON, of Pierce: An act to provide for the foreclosure of mortgages, and to repeal certain laws in conflict therewith.....	247							
245. Mr. ANDERSON, of Pierce: An act to prohibit the appointment of the sheriff of any county receiver or assignee in cases of insolvency or assignment, and declaring an emergency.....	247	417	417	417	753	761	771	
246. Mr. WEBB (by request): An act for the protection of the records of the several counties of the State of Washington, and regulating the business of abstracting in relation thereto.....	247	418		418				
247. Mr. WHITE: An act for the payment for services in selling school lands by Bickerton & Bell.....	247							
248. Mr. KELLER: An act to regulate the licensing or taxing of dogs and the liability of owners thereof.....	247							
249. Mr. McNEW: To regulate the fares of passengers and the fares of baggage of passengers on railroads.....	247	528		528				
250. Mr. SALLEE: An act providing for the inspection of illuminating oils and for the appointment of a state inspector and deputy inspectors, and fixing their compensation.....	247	632		632				
251. Mr. McELWAIN: An act to repeal section 4 of an act entitled "An act to protect salmon and other food fishes in the State of Washington, and upon all waters upon which this state has jurisdiction and concurrent jurisdiction," and declaring an emergency.....	248	324	324	324	387	436	451	499
252. Mr. MOORE: An act to amend section 14 of an act entitled "An act in relation to prosecuting attorneys, defining their duties and fixing their compensation," approved February 4, 1886, the same being section 231 of volume 1 of Hill's Annotated Statutes and Codes of Washington.....	248	418	418	418	636	659	673	692
253. Mr. WHEELER: An act to amend section 74 of an act entitled "An act to provide for the assessments and collection of taxes in the State of Washington, and declaring an emergency," approved March 9, 1891, the same being section 1083 of volume 1 of Hill's Annotated Statutes and Codes of Washington.....	248	583		583				

TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments.	Third reading and vote on passage...	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
254. (Substitute for House bill No. 59): An act regulating fish traps.....	263	268	268	268		280	282	325	360
255. Mr. HELIKER: An act to amend sections 2390, 2385 and 2386 of the Code of 1881 (the same being sections 1361, 1386 and 1387, respectively, of Hill's Code), and relating to marriage licenses and certificates.....	269								
256. Mr. McMILLAN: An act relating to county surveyors.....	269								
257. Mr. GREENBERG: An act to amend sec. 9 of an act entitled "An act to regulate and license insurance business in this state," approved March 27, 1890.....	269								
258. Mr. McELWAIN (by request): An act to repeal chapter 159 of the Code of Washington of 1881, relating to the quarantine of vessels.....	269								
259. Mr. WINCHELL: An act to establish a system of public schools in cities of ten thousand or more inhabitants, and to provide for properly maintaining, governing and grading the same.....	269	694	696	698		737			
260. Mr. RINEHART: An act to amend sec. 8, chap. 153, of the Session Laws of 1891, State of Washington, regulating the practice of pharmacy, approved March 9, 1891.....	269	589	589	589		769	777	779	
261. Mr. McELWAIN: An act to protect salmon and other food fishes in the waters of Puget Sound and in small streams flowing into Puget Sound, and declaring an emergency.....	269	711	712	712		742	750	755	758
262. Mr. GILMAN: An act to enable cities and towns to exercise the right of eminent domain for the taking and damaging of lands and property for public purposes, providing a method for making compensation therefor, and providing for special assessments in certain cases upon property benefited, and declaring an emergency.....	270	633	633	655		{ 655 691 }	725	731	753
263. Mr. SHADLE: An act to prevent the making of deficiencies in the public institutions and departments of the State of Washington, and providing for an emergency board.....	276	474	475	475		649	673	675	707

264. Mr. BUSH, of Chehalis (by request): An act relating to liens on logs, spars, piles, lumber, shingles and other timber; repealing sections 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955 and 1956 of the Laws of Washington of 1891, the same being sections 1676, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1689, 1690, 1691, 1692, 1693 and 1694 of Hill's Annotated Statutes and Code of Washington, and declaring an emergency.....	276								
265. Mr. SALLIE: An act to prohibit minors from entering saloons and places where intoxicating liquors are sold or offered for sale, and houses of prostitution, or places where gambling is conducted, whether public or otherwise, and declaring an emergency.....	276								
266. Mr. BROCK: An act to amend sections 17, 18, 19, 20 and 23 of an act entitled "An act providing for the printing and distributing of ballots at public expense, and to regulate voting at state and other elections," approved March 19, 1889".....	276	562	562	563		744	750	755	758
267. Mr. MORRISON: An act in relation to insurance and to amend an act entitled "An act to regulate and license insurance business in this state," approved March 27, 1890, by adding a section thereto.....	276								
268. Mr. DENN: An act to provide for the sale and disposal of the lands granted by the United States to the State of Washington for the erection of capitol buildings, and declaring an emergency.....	277								
269. Mr. ANDERSON, of Whatcom: An act in relation to evidence in actions and judicial proceedings.....	277								
270. Mr. ANDERSON, of Whatcom: An act regulating pleadings in certain cases, in actions and judicial proceedings.....	277								
271. Mr. LUDDEN: An act in relation to the manner of commencing civil actions, and amendatory of sections 173 and 175 of the Civil Code of Procedure, and declaring an emergency.....	277								
272. Mr. MOORE: An act to regulate the employment of the members of the faculty of the Washington State Agricultural College.....	277								
273. Mr. SCOTT: An act fixing a maximum rate of charges for the transportation of the articles herein enumerated, and providing penalties for the violation of this act by common carriers in the State of Washington.....	277	527			527				
274. Mr. LETTERMAN: An act providing for the board of directors to consist of five members in school districts having 300 or more children of school age and not within an incorporated city of 10,000 inhabitants or more.....	277	692	693	693		756			
275. Mr. WEED: An act creating a code commission to compile laws and statistics pertaining to irrigation. (Submitted for House bill No. 81.).....	277								

TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee .....	Second reading and amendments.	Third reading and vote on passage....	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor .....
276. Mr. HURD: An act to regulate the fees and compensations of officers and other persons.....	277								
277. Mr. HURD: An act to regulate fees of county clerks as <i>ex officio</i> clerks of the superior courts of the State of Washington.....	277								
278. Substitute for House bill No. 3 and No. 67, for the relief of indigent soldiers.....	314		336	336		534	576	581	652
279. Mr. HURD: An act to permit superior court judges to grant authority to administrator of intestate estates to mortgage real estate for certain purposes, and if necessary appoint special administrator therefor.....	322								
280. Mr. GREENBERG: An act relating to costs in certain actions.....	322								
281. Mr. NELSON (by request): An act to amend section 1650 of volume 1 of Hill's Statutes and Codes of the State of Washington (the same being section 1991 of the Code of Washington of 1881), relating to the foreclosure of chattel mortgages.....	322								
282. Mr. TEMPLE: An act to provide for the payment of time checks.....	322	{ 456 611 }			611				
283. Mr. LUDDEN: An act granting a bounty for the production and manufacture of sugar in the State of Washington.....	322	495	496	497	608	607	659	673	740
284. Mr. HELIKER: An act to amend section 2186 of the Code of 1881 relating to quarantine.....	322	660	660	660					
285. Mr. McMILLAN: An act to amend title 27 of Hill's Code, entitled "Of protection to the lumbering interests".....	322	{ 431 442 }	{ 431 443 }	{ 431 443 }	431	550	576	581	692
286. Mr. KARR: An act relating to corporations organized to drive logs and other timber products, and defining their powers and duties.....	322								

287. Mr. SHELTON: 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.....	322	{ 537 } 554 }			{ 537 } 554 }				
288. Mr. LUDDEN: An act relating to costs upon motions and demurrers in the superior court.....	322								
289. Mr. McMURPHY: An act relating to salaries and compensation of county officers, and amending sections 2974, 2975, 2976, 2977, 2978, 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986, 2987, 2988, 2989, 2990, 2991, 2992, 2993, 2994, 2995, 2996, 2997 and 2998 of the first volume of Hill's Annotated Statutes and Codes of Washington.....	322								
290. Mr. HURD: An act regulating the fees of court stenographers, also defining their duties and prescribing a penalty for making illegal changes.....	323								
291. Mr. TULL: An act defining forcible entry, forcible detainer and unlawful detainer of real property, and providing remedies therefor by summary proceedings.....	323								
292. Mr. MENTZER: An act to provide for the location and erection of a capitol building, and declaring an emergency.....	323	642	641	643	726	725	731	737	
293. Mr. MCKENZIE: An act to provide for the sale of lands granted to the State of Washington for the purpose of erecting public buildings at the state capital, and for the preservation of said lands and the proceeds thereof.....	323	646		647		725	731	737	753
294. Mr. WHITE: An act to amend section 17 of an act entitled "An act to regulate and license insurance business in this state," adopted and approved March 27, 1890.....	323								
295. JUDICIARY COMMITTEE: An act to provide for the punishment of the crime against nature.....	333	335	365	365		769	778	779	
296. Mr. McMILLAN: An act entitled "An act to amend sections 1679, 1682, 1685 and 1690 of Hill's Code, the same being sections 1941, 1944, 1947 and 1952 of the Code of Washington, 1881.....	334	537			537				
297. Mr. SMITH, of Douglas: An act regulating the erection of mill dams.....	334	571			571				
298. Mr. BAKER: An act providing for the levy and collection of an inheritance tax.....	334	{ 467 } 584 }			584				
299. Mr. LUDDEN: An act to amend and re-enact an act entitled "An act for the appraising and disposing of tide and shore lands belonging to the State of Washington," approved March 26, 1890.....	334	689	690	690		299			

TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments.	Third reading and vote on passage...	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
300. Mr. LUDDEN: An act to amend an act entitled "An act to provide for the assessment and collection of taxes in the State of Washington, and declaring an emergency," approved March 9, 1891, the same being section 1022 of volume 1 of Hill's Codes of the State of Washington, and declaring an emergency.....	334	583			583				
301. RAILROAD COMMITTEE (substitute for House bill No. 54): An act to regulate the operating of railroads.....	334		566	566		645			
302. COMMITTEE ON ROADS AND HIGHWAYS: An act relating to the construction, repair and improvement of public roads; providing revenue for such purpose; defining the powers and duties of certain officers in relation thereto, and fixing their compensation; and to repeal an act entitled "An act to provide for keeping highways in repair, and for the levy and collection of road poll and road property taxes, and declaring an emergency," approved March 7, 1890, and declaring an emergency.....	334		573	574		668	694	707	740
303. Mr. JUDSON: An act to authorize and regulate primary elections of voluntary political associations, to provide for punishment of frauds therein, and declaring an emergency.....	334								
304. Mr. NASH: An act relating to the management, sale, leasing, encumbering of the estates of minors and persons incompetent to manage their affairs.....	334								
305. Mr. KELLY: An act providing for the compensation of persons and corporations for property damaged or destroyed by any individual, individuals, mob or riot.....	334								
306. Mr. SALLEE: An act to amend section 7 of an act for the appraising and disposing of the tide and shore lands belonging to the State of Washington, approved March 26, 1890, and declaring an emergency.....	334								
307. Mr. MORRISON: An act providing for the changing of the name of the town of Slaughter to Auburn.....	335	405	405	405		449	461	467	499

308. Mr. MEAD: An act regulating the mode of impaneling petit juries in the trial of causes in the superior, justice and other courts of this state, and the manner of exercising peremptory challenges.....	341								
309. Mr. MEAD: An act allowing cities of the third class and towns of the fourth class, and other cities and towns of this state mentioned herein, to procure abstracts of instruments in writing filed with the county auditor for record.....	341	549				549			
310. Mr. HOOLE: An act for a re-assessment by cities of the third class to pay for street improvements where a former assessment has been declared either by said city or court of competent jurisdiction to have been void.....	341	494				494			
311. Mr. SPECK: An act in relation to the destruction of ground squirrel, and declaring an emergency.....	341								
312. Mr. EGBERT: An act to establish the price for publishing legal notices, and defining the affidavits to be made thereto.....	341								
313. Mr. ROSCOE: An act to provide for the publishing of proceedings of county commissioners and fixing the compensation therefor, and declaring an emergency.....	341								
314. Mr. MEAD: An act to define what constitutes a libel, and to provide punishment for the same.....	341								
315. Mr. MCELWAIN: An act concerning and providing a form for certificates of acknowledgment of officers before whom all deeds and other instruments may be executed.....	341								
316. Mr. MCELWAIN: An act relating to the validity and execution of deeds, mortgages and other instruments of writing without subscribing witnesses.....	341								
317. Mr. MERCHANT: An act taxing sleeping and dining cars.....	342								
318. Mr. MEANY: Requiring the superior court to pass upon the validity and constitutionality of laws enacted by the legislature of the State of Washington, and declaring an emergency.....	342	367	367	367		460			
319. Mr. EDWARDS: An act to regulate pay day at all coal mines which employ over twenty-five persons, and declaring an emergency.....	342								
320. Mr. KLINE: An act to create the county of Wenatchee subject to the requirements of the state constitution in respect to the establishment of new counties, and to provide means for compliance with said requirements and for ascertaining the fact of such compliance, and to provide for the organization of said county thereupon, and declaring an emergency.....	342	492							

TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments,	Third reading and vote on passage....	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
321. COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL (substitute for House bill No. 103): An act concerning the exercise of the right of eminent domain by corporations other than municipal corporations.....	357								
322. COMMITTEE ON MUNICIPAL CORPORATIONS (substitute for House bill No. 140): An act relating to and authorizing the collection of assessments for local improvements by a new assessment or reassessment of the cost and expense of making same in cities and towns, and declaring an emergency.....	357		516	516		716	750	755	757
323. MR. HOOLE: An act extending the time for payment of taxes, remitting penalties and declaring an emergency.....	357		388	388	610	391	404	431	436
324. MR. SCOTT: An act prescribing forms to be used in the sale of real estate for delinquent taxes.....	357	583			583				
325. MR. PIERCE, of Lewis (by request): An act to provide for the publication of laws passed by the legislature in the newspapers.....	357								
326. MR. SHERMAN: An act to aid free public libraries.....	357								
327. MR. WASHBURN: An act in relation to the descent of real estate of deceased persons and sales thereof by executors and administrators, and quieting title acquired by descent.....	357								
328. MR. MEANY: An act providing for the division of the State of Washington into two congressional districts.....	357								
329. MR. MEANY: An act requiring the weekly payment of wages.....	358								
330. MR. MEANY: An act preventing the coercion of employes.....	358								
331. MR. ROTH: An act to amend sections 107, 109, 113, 116, 124, 125, 126, 132, 133, 134, 135, and 136 of an act providing for the organization, classification, incorporation and government of municipal corporations, approved February 26, 1890, and declaring an emergency.....	358	524	526	526		636	703	707	740



332. Mr. LEO: An act allowing a second appeal to the supreme court in certain cases where persons have been convicted of felony, and declaring an emergency .....	358		392	393		449	468	498	{ 608 651
333. Mr. HOOLE: An act relating to legal publication.....	371	534	535	535		550	576	581	652
334. Mr. TURPIN: An act relating to fees for copying public records.....	371								
335. Mr. MORRISON: An act appropriating funds for the maintenance of the bureau of statistics, agriculture and immigration, and to enable said board to make a special effort to advertise this state at Chicago, during the world's fair, in order to promote immigration to this state.....	371	612			612				
336. Mr. MORRISON: An act to establish a bureau of statistics, agriculture and immigration, and declaring an emergency.....	371	612			612				
337. Mr. MEAD: An act prescribing that all fees which are paid salaried officers by virtue of their office shall be paid into the county treasury, and prescribing a penalty for a failure so to do.....	371	390	390	390		723	731	738	749
338. Mr. MCKENZIE: An act fixing the salary of justices of the peace and constables in cities of the third class having over five thousand inhabitants.....	372								
339. Mr. SMITH, of Okanogan: An act to create a lien for miners and laborers.....	372								
340. JUDICIARY COMMITTEE (substitute for House bill No. 23): An act concerning insane persons and persons <i>non compos mentis</i> residing out of the State of Washington; prescribing a mode of procedure for the control and management of the estates and property of such persons and the payment of their debts .....	372		687	687		723	743	749	
341. Mr. DENN: An act to secure the payment of cost in civil suits before justices of the peace.....	372								
342. Mr. MAYS: An act declaring it to be and fixing the 12th day of February as a legal holiday.....	387								
343. Mr. KARR: An act to amend section 1596 of Hill's Annotated Statutes and Code of Washington.....	387								
344. Mr. WASHBURN: An act relating to guaranty and surety bond companies.....	388								
345. Mr. MORRISON: An act to amend sections 848, 849, 889, 895, 901, 905, 954, 957 of the Code of 1891, in relation to probate matters.....	388								
346. Mr. COWAN: An act to amend an act entitled "An act to establish a school for deaf mute, blind and feeble minded youth of Washington Territory," approved February 3, 1886.....	388								

TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments,	Third reading and vote on passage...	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
347. (Substitute for House bill No. 101): An act relating to municipal corporations.....	399	.....	399	399	.....	718	731	738	748
348. (Substitute for House bill No. 202): An act relating to the militia.....	424	.....	739	739	.....	760	771	774	.....
349. Mr. WHITE: An act prescribing the way 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, and making a grant of certain lands, and declaring an emergency.....	414	{ 503 683 }	593	686	.....	731	747	749	763
350. Mr. HOOLE: An act to amend section 11 of an act entitled "An act for the appraising and disposing of the tide and shore lands belonging to the State of Washington, and declaring an emergency".....	414	465	.....	.....	465	.....	.....	.....	.....
351. Mr. DURANT: An act to amend section 3120, Code of Washington Territory for 1881, volume 1, Hill's Code, section 441, relating to awarding costs in contested election cases.....	414	549	.....	.....	549	.....	.....	.....	.....
352. Mr. GILMAN: An act to authorize the superior courts and the judges thereof to enlarge the time prescribed by law for the taking of steps and proceedings in special causes.....	414	.....	.....	.....	.....	.....	.....	.....	.....
353. Mr. WHEELER: An act to amend section 91 of the Code of Washington of the year 1881, said section being section 203 of the General Statutes compiled and published under legislative authority in the year 1891.....	415	.....	.....	.....	.....	.....	.....	.....	.....
354. Mr. ANDERSON, of Whatcom: An act to prevent abusive and obscene language in the presence of another or others, and to provide penalty for its violation.....	415	527	.....	.....	527	.....	.....	.....	.....
355. Mr. GREENBERG: An act to amend section 1 of an act of the Laws of 1891, being an act providing for appeals to the supreme court.....	415	494	.....	.....	494	.....	.....	.....	.....

- 356. COMMITTEE ON AGRICULTURE: Providing for the appointment of a state inspector of dairy and food products, prescribing his duties and powers, and fixing his compensation and term of office.....
- 357. Mr. MORRISON: An act regulating the use of sleeping cars.....
- 358. Mr. WHITE: An act to authorize the interposition of counter claims arising on contracts in actions of unlawful detainer, where the unlawful detainer consists in whole or in part in failure to pay rent.....
- 359. Mr. LUDDEN: An act amending section 519, volume 2 of Hill's Code, relating to possession and enjoyment of property sold on execution.....
- 360. Mr. LUDDEN: An act amending section 202, volume 2 of Hill's Code, relating to pleading in civil actions.....
- 361. Mr. LUDDEN: An act in regard to records in the clerk's office.....
- 362. Mr. LUDDEN: An act amending section 404, volume 2 of Hill's Code, relating to notice and motion for new trial.....
- 363. Mr. LUDDEN: An act to amend sections 1 and 2 of the Session Laws of 1889-90, approved March 6, 1890, the same being sections 2741 and 2751 of volume 1 of Hill's Code, title 53.....
- 364. Mr. LUDDEN: An act in relation to making copies of records and papers in offices of county clerks, and declaring an emergency.....
- 365. Mr. LUDDEN: An act amending section 55, volume 2, Hill's Code, relating to qualifications of persons to serve as jurors.....
- 366. Mr. LUDDEN: An act to amend an act entitled "An act to create a mining bureau and to define its powers and duties, and declaring an emergency".....
- 367. Mr. LUDDEN: An act making an appropriation for the development of the mineral resources of the State of Washington, to be expended by and under the direction of the mining bureau and state geologist.....
- 368. Mr. LUDDEN: An act prescribing how to prepare jury lists and amending section 58, volume 2, Hill's Code.....
- 369. Mr. LUDDEN: An act to establish terms and places for holding the supreme court.....
- 370. Mr. KELLER: An act to regulate the rate of interest by agreement or otherwise, and penalty for violation thereof.....
- 371. Mr. LUDDEN: An act to amend section 1662 of chapter 3 of title 17 of Hill's Statutes and Codes of Washington.....

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TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments,	Third reading and vote on passage...	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
372. Mr. ROTH: An act prohibiting officials from becoming bondsmen.....	439								
373. Mr. ROTH: An act requiring municipal corporations to take bonds from contractors, and to repeal sections 2415, 2416 and 2417 of title 33, Hill's Code.....	439								
374. Mr. MENTZER: An act authorizing the appointment of stenographic reporters for superior courts, prescribing their duties, fixing their compensation, and declaring an emergency.....	440	548			548				
375. Mr. MAYS: An act prohibiting the employment of foreigners as teachers in public schools of the State of Washington.....	440								
376. Mr. CAMERON (by request): An act appropriating four thousand dollars for the purpose of sinking an artesian well in Walla Walla county upon condition that the county commissioners of said county appropriate two thousand dollars, and providing for the disbursement thereof.....	440	719	719		719				
377. JUDICIARY COMMITTEE: An act providing for and regulating the taking of exceptions and the settling and certifying of bills of exceptions and statements of facts, and declaring the effect thereof.....	440		481	481		650	673	675	707
378. Mr. MEANY: An act to create a harbor line commission and prescribe its duties and the compensation of its members, and declaring an emergency.....	440								
379. (Substitute for House bill No. 87): An act in relation to the making and recording of surveys and plats of cities and town, and additions and extensions thereto, providing a penalty, and declaring an emergency.....	448								
380. Mr. HOOLE: An act relating to revenue and taxation, amending section 1020 of the General Statutes of the State of Washington, and declaring an emergency.....	448				{ 450 487 }				
381. Mr. MENTZER (by request): An act for the relief of W. T. Cavanaugh.....	448								

382. Mr. DURANT: An act making it unlawful for any public officer to accept or use a pass.....	448	631			631			
383. Mr. EGBERT: An act to amend sections 2238 and 2239 of the Code of 1881, the same being section — of Hill's Annotated Statutes and Code of Washington..	448	537						
384. Mr. WHEELER: An act relating to estates of deceased persons.....	448							
385. COMMITTEE ON PRIVILEGES AND ELECTIONS: An act to amend section 3085 of the Code of Washington of 1881, the same being section 407 of volume I of Hills Annotated Statutes and Codes of Washington, relating to elections.....	449		630	630		760	768	771
386. COMMITTEE ON PRIVILEGES AND ELECTIONS: An act relating to elections.....	449		630	631	760	760	771	774
387. Mr. TEMPLE: An act making appropriation for the payment of newspapers for publishing the "proposed constitutional amendments".....	465	465	465	465				
388. Mr. WASHBURN: An act in relation to state banks.....	466							
389. Mr. NEERGAARD (by request): An act to regulate the shipping or driving of horses or cattle out of the state, and providing a penalty for violation thereof..	484							
390. COMMITTEE ON FEES AND COMPENSATION OF STATE AND COUNTY OFFICERS (Substitute for House bill No. 37): An act in relation to fees of state and county officers, witnesses, jurors, etc., and amending section 2086 of the Code of Washington of 1881.....	457	699	700	701		742	767	771
391. Mr. LEO: An act to provide for the inspection of illuminating oils, and to protect property and human life by providing against the sale or use of unsafe and inferior illuminating oils, and providing punishment for the violation of this act, and declaring an emergency.....	456							
392. Mr. EDWARDS: An act entitled "An act relating to the proper ventilating of coal mines, and providing the manner of appointment of inspector".....	457							
393. Mr. HOOLE (by request): An act giving to counties or municipalities the power to raise all revenues by means of tax levied on lands, irrespective of improvements.....	457							
394. Mr. HOOLE: An act fixing the time when cities of the third class shall make their annual city tax levy, and declaring an emergency.....	484							
395. Mr. HOOLE: An act declaring councilmen of cities of the third class and towns of the fourth class in the state legal officers thereof, and declaring an emergency.....	484							
396. Mr. BUSH, of Pacific: An act to establish and maintain a state fish hatchery, making an appropriation therefor, and declaring an emergency.....	484	721	722	723				

TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments,	Third reading and vote on passage...	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
397. Mr. KARR: An act in relation to making street improvements in municipal incorporations of the third and fourth classes.....	484								
398. Mr. GREENBERG: An act to provide for two additional county commissioners in counties of the first to the eighth classes, inclusive, and declaring an emergency.....	484								
399. Mr. MEANY: An act for the relief of the members of the electoral college who met and cast the vote of said college at Olympia, January 9, 1893.....	484								
400. Mr. SHERMAN: An act to provide for the construction of buildings for the Washington state normal school of Whatcom county, and making an appropriation therefor.....	485								
401. Mr. MORRISON: An act in relation to life and accident insurance.....	485								
402. Mr. McMILLAN: An act in relation of kindergarten schools, and providing for the establishment thereof.....	485								
403. Mr. ANDERSON, of Whatcom: An act to amend an act entitled "An act to provide for the organization, government and control of building, loan and savings associations, both domestic and foreign, doing business in the State of Washington".....	485	610							
404. Mr. WASHBURN: An act to amend an act entitled "An act to provide for the organization, maintenance and discipline of the militia of the State of Washington," approved March 27, 1890.....	485								
405. Mr. WHITE (by request): An act relating to preliminary examinations before justices of the peace.....	485								
406. Mr. EDMONDS: An act concerning the duties of sheriffs, and repealing 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.....	485								

407. Mr. WESTFALL (by request): An act to regulate the practice of medicine in the State of Washington, and to license physicians and surgeons, and to punish persons violating the provisions of this act.....	485	611			611				
408. Mr. COLLIN (by request): An act to amend an act entitled "An act to regulate the practice of medicine and surgery in the State of Washington, and to license physicians and surgeons, to punish all persons violating the provisions of this act, and to repeal all laws in conflict therewith, and declaring an emergency" .....	485	612			612				
409. Mr. GILMAN: An act defining occupying claimants, and fixing their rights in property.....	486								
410. Mr. GILMAN (by request): An act to authorize the making of bonds and other written obligations for payment of money payable in any specific kind or quality of money that may be then designated.....	486	582			582				
411. Mr. SCOTT: An act providing for and declaring how to fill vacancies in the legislature of the State of Washington.....	486								
412. COMMITTEE ON MUNICIPAL CORPORATIONS: An act to provide for vacating county roads in incorporated cities.....	486	491	491	491					
413. JUDICIARY COMMITTEE (substitute for House bill No. 131): An act providing for the payment of traveling expenses of county attorneys, incurred in attending preliminary examinations and criminal trials before justices of the peace.....	486	491							
414. JUDICIARY COMMITTEE (substitute for House bill No. 365): An act to amend section 6 of an act in relation to juries, approved February 25, 1891.....	486	491							
415. COMMITTEE ON MUNICIPAL CORPORATIONS (substitute for House bill No. 96): An act providing for the assessment and collection of taxes of cities of the first class, and specifying the duty of certain county officers in regard thereto, and declaring an emergency.....	486	492	639	640	655	682	707	740	
416. Mr. NEERGAARD: An act to authorize the payment of certain taxes in interest coupons or warrants, and repealing laws in conflict with this act.....	486	632			633				
417. Mr. ROTH: An act to provide for the economical management of county affairs.....	486	595		596	716	738	742		
418. Mr. MEAD: An act regulating fish traps, and declaring an emergency.....	486								
419. Mr. MORRISON: An act to provide for short forms of deeds and mortgages.....	486								
420. Mr. SHERMAN: An act authorizing cities and towns to borrow money and issue bonds therefor, etc., and declaring an emergency.....	487								

• TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments.	Third reading and vote on passage...	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate....	Message from Governor.....
421. Mr. RINEHART: An act to appropriate money for permanent improvements at the state penitentiary.....	513								
422. Mr. DURANT: An act relating to state officials holding their offices and remaining at the capital, and providing a penalty for such delinquency.....	513	582			582				
423. Mr. WEBB: An act to take the place of paragraph two hundred and forty-two (242), chapter ten (10) of the laws of the State of Washington, Hill's Code, number two (2), and intended to benefit the agricultural interests of Washington, by way of enacting laws which shall protect the dairymen of Washington against the manufacture and sale of unhealthy or adulterated dairy products.....	513								
424. Mr. TEMPLE: An act amending section 94 of the revenue law, and declaring an emergency.....	513	632			632				
425. Mr. MEANY: An act to amend section 5 of an act entitled "An act to authorize cities and towns to borrow money for municipal purposes, and to issue negotiable bonds therefor," approved March 7, 1891.....	513								
426. Mr. MEANY: An act to amend section 2 of an act entitled "An act authorizing cities and towns to construct internal improvements".....	513								
427. Mr. KELLY AND OTHERS: An act to submit to the electors of the state the question of changing the location of the seat of government.....	513								
428. Mr. GILMAN: An act to authorize and direct the secretary of state to contract for the purchase of the Session Laws of Washington, and declaring an emergency.....	513								
429. Mr. KLINE: An act amending section 1787 of Hill's Annotated Statutes and Codes of Washington.....	513								



- 430. Mr. KLINE: An act to create the county of Wenatchee, subject to the requirements of the state constitution and statutes in respect to the establishment of new counties.....
- 431. Mr. GREENBERG: An act making it unlawful for foreign insurance companies, legally admitted and authorized to do business in the State of Washington, to place or cause to be placed insurance on property in the State of Washington in or through offices outside the State of Washington, and prescribing penalties for the violation of the same; and prescribing the duties and compensation of the secretary of state in relation thereto.....
- 432. Mr. MEANY (by request): An act to provide means for compliance with the requirements of the constitution of the State of Washington in respect to the formation of any new county of the state which may be created by or in pursuance of any law heretofore or hereafter enacted by the state legislature, and to prescribe further conditions for the establishment of such new counties and to provide means for compliance with the same, and to provide means for ascertaining the fact of such compliance with said constitutional and statutory requirements, and to provide for the organization of any such new county when created and established.....
- 433. Mr. ANDERSON, of Whatcom: An act entitled "An act to amend section 1382 of Hill's Code of volume 1, in relation to the duties of notaries".....
- 434. Mr. MCKENZIE: An act to amend section 51 of an act to provide for the construction, repairing and protection of drains and ditches for agricultural, sanitary and domestic purposes, and to provide for the organization of drainage districts, and declaring an emergency.....
- 435. Mr. TUCKER: An act to amend section 5 of an act entitled "An act in relation to trade marks," approved February 21, 1891.....
- 436. Mr. ANDERSON, of Pierce: An act to amend an act entitled "An act to amend section 17 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, 1891".....
- 437. Mr. MOORE: An act to provide for taking territory from one county and transferring it to and making it a part of another county.....
- 438. Mr. McNEW: An act entitled an act to amend an act 2728 of Hill's Annotated Code of the State of Washington, defining the purposes for which insurance companies may be formed.....
- 439. Mr. WHEELER: An act making it larceny to unlawfully retain the possession of the goods of another, and providing a penalty.....
- 440. Mr. WHEELER: An act relating to community property.....

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TITLE AND HISTORY OF HOUSE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments,	Third reading and vote on passage...	Other action by House.....	Report from Senate.....	Signed by Speaker..	Signed by President of Senate.....	Message from Governor.....
441. Mr. WHEELER: An act relating to liens created by statute.....	533								
442. Mr. WHEELER: An act providing one additional judge of the superior court for King county.....	533								
443. Mr. MEANY (by request): An act making an appropriation to pay the indebtedness incurred by the university land and building commission.....	533								
444. COMMITTEE ON INSURANCE: An act to amend an act entitled "An act to regulate and license insurance business in the state," approved March 27, 1890.....	534								
445. COMMITTEE ON COMMERCE (substitute for House bills Nos. 287 and 296): 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.....	534		{ 601 606 }	606		723	738	742	
446. Mr. KLINE: An act concerning irrigation districts.....	534								
447. COMMITTEE ON FORESTRY, AGRICULTURE AND HORTICULTURE (substitute for House bill No. 24): An act to amend sections 1, 4, 7, 8, 9, 11 and 13, and repeal section 10 and insert a section in lieu thereof, of an act entitled "An act to create a state board of horticulture, and appropriate money therefor," and declaring an emergency.....	534								
448. Mr. HURD: An act to prohibit mining and manufacturing corporations from engaging in the business of carrying on stores known as company stores or general supply stores.....	550								
449. Mr. KARR: An act relating to logging on streams in the State of Washington.....	550								
450. Mr. BROCK (by request): An act to regulate the granting of licenses to sell intoxicating liquors.....	550	611							

451. Mr. LEO: An act requiring fire insurance companies doing business in this state to issue uniform policies, in this state, and providing in case of total loss for the payment in full of the amount insured for, and making a violation of its provisions a misdemeanor.....	550							
452. Mr. MCKENZIE: An act to prevent unauthorized persons from wearing the badges and emblems of certain societies.....	550							
453. Mr. SCOTT: An act changing the name of Dog Fish Bay to Liberty Bay.....	550							
454. Mr. TEMPLE: An act making appropriations for sundry deficiency expenses of the various state institutions for the fiscal term beginning April 1, 1891, and ending March 31, 1893, and for other purposes.....	550	717	717	718	751	745	761	771
455. Mr. WASHBURN: An act to amend an act entitled "An act to provide for the organization, maintenance and discipline of the militia of the State of Washington," approved March 27, 1890.....	550							
456. Mr. WASHBURN: An act to amend section 261 of the Penal Code of the State of Washington as arranged and annotated by W. L. Hill.....	550							
457. Mr. WASHBURN: An act making an appropriation from the special military fund for the support of the national guard.....	551							
458. Mr. WASHBURN: An act to amend sections 40, 41, 42, 43 and 44 of the Penal Code of the State of Washington.....	551							
459. Mr. WASHBURN: An act to amend an act entitled "An act to provide for the organization, maintenance and discipline of the militia of the State of Washington," approved March 27, 1890.....	551							
460. Mr. GILMAN: An act to provide a method for the review and correction of illegal, erroneous or unequal special assessments in cities of the first class, making said method exclusive of all other methods.....	551							
461. Mr. JUDSON (by request): An act providing for the election of a superintendent of construction of all state buildings, and declaring an emergency.....	551				461			
462. Mr. GILMAN: An act fixing the period of redemption from sales of real estate for taxes in cities of the first class, and prescribing the notice to be given of applications for deeds under tax sales in such cities, and declaring an emergency to exist.....	551							
463. Mr. McMILLAN (by request): An act to authorize certain corporations to appropriate property for corporate purposes.....	551							

TITLE AND HISTORY OF HOUSE BILLS—CONCLUDED.

NUMBER, AUTHOR AND TITLE.	Read first time and referred.....	Report of Committee.....	Second reading and amendments.....	Third reading and vote on passage.....	Other action by House.....	Report from Senate.....	Signed by Speaker.....	Signed by President of Senate.....	Message from Governor.....
464. Mr. SHERMAN: An act amending chapter 17 of volume 1 of Hill's Annotated Statutes and Codes of Washington, relating to the University of Washington, allotting public lands to said university, making an appropriation, and declaring an emergency.....	551								
465. Mr. WHEELER: An act relating to instruments affecting real property.....	551								
466. Mr. WHEELER: An act to prescribe fees of clerks of courts.....	552								
467. Mr. MENTZER: An act to provide for the care, custody and maintenance of certain convicts of the State of Washington.....	552								
468. Mr. MERCHANT (by request): An act to provide for the sale of lands granted to the State of Washington for educational purposes, agricultural in character and other than common school lands.....	552								
469. Mr. GILMAN (by request): An act relating to internal improvements in cities and incorporated towns, authorizing the issuance and collection of bonds upon the property benefited by local improvements, and declaring an emergency.....	552								
470. Mr. MEANY: An act providing for the location and maintenance and construction of the University of Washington.....	552	765	765	765		770	779	779	
471. Mr. ROSCOE: An act to amend section 117 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.....	552								
472. Mr. ROSCOE (by request): An act providing for an additional superior court judge for Snohomish and Kitsap counties, and declaring an emergency.....	552								
473. Mr. MENTZER (by request): An act to amend section 649 of chapter 3, title 9 of volume 1 of Hill's Annotated Statutes and Codes of Washington, and declaring an emergency.....	552								

474. Mr. FOSTER: An act to take a part of Pacific county and annex the same to Wabkiakum county in the State of Washington.....	552								
475. Mr. HURD: An act to amend sections 122, 124, 109, 125 and 139 of an act concerning municipal corporations.....	553								
476. Mr. HURD: An act to amend an act concerning municipal corporations.....	553								
477. Mr. HURD: An act to provide for the re-assessment of special taxes in municipal corporations of the third class, and declaring an emergency.....	553								
478. Mr. HURD: An act requiring municipal corporations to take a bond from contractors contracting to do work.....	553								
479. Mr. HURD: An act prohibiting state, city, county and precinct officers from becoming bondsmen or bail upon arrest.....	553								
480. Mr. HURD: An act to amend section 1, chapter 72 of an act entitled "An act to regulate, restrain, license or prohibit the sale of intoxicating liquors, and declaring an emergency".....	553								
481. Mr. HOOLE: An act prescribing the manner and form for the assessment of the property of railroads and railroad or railway corporations in this state.....	553								
482. COMMITTEE ON APPROPRIATIONS AND CLAIMS: An act making appropriations for sundry civil expenses of the state government for the fiscal term beginning April 1, 1893, and ending March 31, 1895, and for other purposes.....	626	{ 703 772 }	704	710	{ 755 761 772 }	{ 755 761 }	779	780	.....
483. Mr. LEO: An act allowing a second appeal to the supreme court, and declaring an emergency.....	658								
484. Mr. MEANY: An act to repeal an act entitled "An act allowing a second appeal to the supreme court in certain cases".....	658								

TITLE AND HISTORY OF SENATE BILLS IN THE HOUSE.

NUMBER, AUTHOR AND TITLE.	Received from Senate.....	Read, first time and referred.....	Report of Committee .....	Second reading and amendments.	Third reading and vote on passage.....	Other action by House.....	Signed by President of Senate.....	Signed by Speaker..
1. Senator DYER: An act making appropriations for legislative expenses.....	48	57	.....	57	57	.....	64	59
2. Senator RICHARDS: An act to amend section 2 of an act entitled "An act to create a board of harbor line commissioners, prescribing their duties and compensation," approved March 28, 1890, and declaring an emergency.....	64	60	.....	.....	.....	107	.....	.....
3. Senator SHAW: An act to appropriate money for the support of the Washington School for Defective Youth.....	718	.....	.....	.....	.....	.....	.....	.....
7. Senator CLAYPOOL: An act creating municipal courts in cities having more than 20,000 inhabitants.....	264	278	293	.....	.....	293	.....	.....
12. Senator RICHARDS: An act for the relief of the local boards of tide land appraisers.....	128	138	184	185	185	.....	230	232
14. Senator SHAW: An act to authorize necessary improvements at the Washington School for Defective Youth, and to appropriate money therefor.....	718	.....	.....	.....	.....	.....	.....	.....
15. Senator EASTERDAY: An act to provide for the election of judges of the supreme court.....	{ 155 } 230	166	214	214	214	.....	238	238
16. Senator EASTERDAY: An act to provide for voting on a constitutional amendment at the general election to be held in November, 1894, relative to the investment of the permanent school fund.....	127	127	204	127	204	.....	238	238
20. Senator EASTERDAY: An act regulating proceedings of a civil nature.....	331	335	.....	.....	.....	.....	.....	.....
21. Senator MCMANUS: An act to condemn property in municipalities.....	435	440	576	577	577	{ 557 } 572	675	675
25. Senator EDENS: An act relative to commission merchants or persons selling agricultural products and farm produce on commission.....	196	209	375	375	375	.....	449	450

26. Senator FORREST: An act to enable cities and towns to validate certain warrants and other obligations and evidences of indebtedness on the part of such cities and towns, issued by the corporate authorities thereof in excess of their legal authority.....	149	149	190	191	191	.....	238	238
27. Senator DONAHOE: An act making an appropriation for the maintenance and improvement of, and to purchase land and build additional buildings for, the State Reform School, and to declare an emergency.....	660	672	.....	.....	.....	.....	.....	.....
29. Senator GILBERT: An act to provide for township organization, and providing for the assessment, levy and collection of town taxes.....	387	388	.....	.....	.....	.....	.....	.....
30. Senator RICHARDS: An act creating a board of harbor line commissioners, defining their powers and duties and fixing their compensation.....	693	694	747	.....	.....	{ 747 760 775 }	.....	.....
32. Senator FORSYTH: An act for the relief of S. F. Albert, ex-sheriff of Wahkiakum county.....	156	166	287	.....	287	.....	401	401
44. Senator DYER: An act providing for the appointment of shorthand reporters, defining their duties, fixing their compensation, and making their report part of the record on appeal, after being properly certified; also, providing for bill of exceptions in case of the death of reporter; also, providing for additional bill of exceptions to be filed with the report, and declaring an emergency.....	731	.....	.....	.....	.....	.....	.....	.....
45. Senator FORSYTH: An act to establish a state normal school for the State of Washington in the town of Kelso and county of Cowlitz, and to appropriate money for the equipment and support thereof.....	575	575	769	769	.....	769	.....	.....
48. Senator SERGEANT: An act authorizing the state treasurer to receive from the United States any sum of money for the benefit of the Washington State Soldiers' Home, under the provisions of an act of congress approved August 27, 1888, entitled "An act to provide aid to state or territorial homes for the support of disabled soldiers and sailors of the United States," and declaring an emergency.....	209	209	347	347	347	.....	387	389
49. Senator RICHARDS: An act to amend section 4 of an act entitled "An act to establish and define public ways for water crafts across the tide flats within, in front of and for a mile either way from all incorporated cities and towns in the State of Washington," approved March 23, 1890.....	148	149	236	236	236	.....	280	280
51. Senator FOSS: An act entitled "An act fixing the maximum sum to be allowed by the board of county commissioners for the board of prisoners confined in county jails".....	209	209	260	260	260	.....	310	310
53. Senator ESHELMAN: An act relating to the state library.....	270	278	652	653	653	.....	675	675
54. Senator DYER: An act regulating fees of justices of the peace for services rendered by them.....	365	372	.....	.....	.....	.....	.....	.....

TITLE AND HISTORY OF SENATE BILLS IN THE HOUSE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from Senate.....	Read first time and referred.....	Report of Committee.....	Second reading and amendments.	Third reading and vote on passage....	Other action by House.....	Signed by President of Senate.....	Signed by Speaker.....
60. Senator CAMPBELL: An act to amend section 2741 of title 3, chapter 1, volume 1 of the General Statutes and Codes of the State of Washington, as arranged and annotated by Wm. Lair Hill, relating to securing creditors.....	228	228	744	744	744	.....	770	770
62. Senator ROBERTS: An act authorizing the establishment of public libraries in cities.....	757	.....	.....	.....	.....	.....	.....	.....
66. Senator HERR: An act to fix the legal rate of interest.....	{ 238 } 391	248	362	362	363	391	431	431
67. Senator HELM: An act to provide for the construction of buildings for the Washington State Normal School, at Ellensburg, and making an appropriation therefor.....	331	335	.....	.....	.....	.....	.....	.....
69. Senator KINNEAR: An act requiring the appointment of police matrons in certain cities, designating their duties and directing their compensation.....	{ 263 } 387	278	345	345	346	.....	401	401
70. Senator KINNEAR: An act amending "An act in relation to the powers and duties of clerks of courts," approved February 26, 1891.....	426	426	.....	.....	.....	.....	.....	.....
76. Senator CLAYPOOL: An act regulating the appointment and qualifications of officers and employés, and providing punishment for the violation thereof.....	435	440	.....	.....	.....	.....	.....	.....
78. Senator FORREST: An act to define and fix the penalty where the defendant may be found guilty in all criminal actions tried by the superior courts of this state, and repealing all acts and parts of acts in conflict with this act.....	241	248	288	288	{ 288 } 457	{ 312 } 315 } 358	.....	.....
79. Senator FORREST: An act to increase the punishment for crimes and misdemeanors committed a second or more times by the same person, and repealing all acts and parts of acts in conflict with this act.....	228	228	406	.....	.....	406	.....	.....
80. Senator McCROSKEY: An act to amend sec. 20 of an act entitled "An act to regulate and license insurance business in this state," approved March 27, 1890.....	310	323	.....	.....	.....	.....	.....	.....
83. Senator FRINK: An act to provide for the management and control of state normal schools in the State of Washington.....	{ 607 } 774	612	773	774	774	.....	779	780



85. Senator ESHELMAN: An act for the prevention of cruelty to children, animals, fowls and birds.....	{ 264 449 }	278	426	426	427	.....	476	482
87. Senator DYER: An act to create the office of marshal of the supreme court of the State of Washington, and to define his duties and fix his compensation and bond.....	511	514	.....	.....	.....	.....	.....	.....
88. COMMITTEE ON ELECTIONS AND PRIVILEGES: An act to amend sections 6, 7, 8, 11 and 16 of an act entitled "An act to provide for and to regulate the registration of voters-in cities and towns and in precincts having a voting population of two hundred and fifty (250) or more," approved March 27, 1890, and repealing section 10 thereof, and declaring an emergency.....	{ 228 594 }	228	{ 535 610 }	536	536	{ 594 610 }	661	661
89. Senator KINNEAR (substitute for Senate bill No. 39): An act to amend section 53, chapter 1, volume 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by Wm. Lair Hill, relating to juries.....	416	426	.....	.....	.....	.....	.....	.....
90. Senator FRINK: An act to establish a system of public schools in cities of ten thousand or more inhabitants, and to provide for properly maintaining, governing and grading the same.....	238	248	694	.....	.....	694	.....	.....
94. Senator KELLOGG: An act to provide a penalty for persons interfering with or receiving property from the county where the same is under attachment.....	241	249	.....	.....	.....	.....	.....	.....
95. Senator EASTERDAY: An act relating to the lien of judgments upon real estate.....	{ 331 511 }	335	428	428	{ 428 483 }	{ 444 483 }	{ 460 581 }	{ 460 581 }
96. Senator DYER: An act to amend sections 333 and 337 of title 6, chapter 1 of volume 1 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill, relating to notaries public, and declaring an emergency to exist.....	310	323	.....	.....	.....	.....	.....	.....
97. Senator DYER: An act to amend paragraphs 4 and 6 of section 354 and section 355 of chapter 2 in title 7 of vol. 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill, relating to instructions to juries.....	649	654	.....	.....	.....	.....	.....	.....
98. Senator KINNEAR: An act to amend section 1056, chapter 12 of volume 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill, relating to commissions to executors and administrators.....	331	335	.....	.....	.....	.....	.....	.....
99. Senator BROWN: An act to amend section 2181 of chapter 3 of title 24 of Hill's Annotated Statutes and Code of the State of Washington, which act is section 1 of chapter 14 of the Session Laws of 1889 and 1890, entitled "An act granting to the United States for public purposes the use of certain tide lands belonging to the State of Washington".....	387	388	.....	.....	.....	.....	.....	.....
105. Senator CLAYPOOL: An act to provide for the incorporation of associations for social, charitable and educational purposes.....	467	468	.....	.....	.....	.....	.....	.....

TITLE AND HISTORY OF SENATE BILLS IN THE HOUSE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from Senate.....	Read first time and referred.....	Report of Committee.....	Second reading and amendments.	Third reading and vote on passage....	Other action by House.....	Signed by President of Senate.....	Signed by Speaker..
110. Senator MILLER: An act to amend section 1177 of caption 2, title 12, of the Statutes and Code of the State of Washington, as arranged and annotated by William Lair Hill, relating to penal and reformatory institutions.....	365	372						
111. Senator CLAYPOOL: An act in relation to attachments, garnishments and procedure therein, and declaring an emergency.....	330	335	767			767		
112. Senator IDE: An act to amend sections 1620, 1621, 1622, 1624 and 1625 of the Code of the State of Washington of 1881, so as to provide for the mortgaging or leasing of real estate belonging to minors.....	435	441						
114. Senator CLAYPOOL: An act amending sections 830 and 831 of the Code of Washington of 1881, relating to larceny.....	330	335						
115. Senator DYER: An act relating to escheats.....	365	372						
117. Senator FORREST: An act to secure secrecy in the transmission of telegraph and telephone messages, and declaring an emergency.....	310	323	649	649	649	650	675	675
120. Senator FORREST: An act to provide for the assessment and collection of taxes on banks and bank shares in the State of Washington, and declaring an emergency..	711	716						
122. Senator ROBERTS: An act to amend section 380, page 126, Hill's Statutes and Code of Washington, entitled "An act providing for the number of ballots to be prepared for each precinct".....	330	335						
125. Senator KINNEAR: An act to amend section 2 of an act entitled "An act to provide for the publication, distribution and sale of the supreme court reports of the State of Washington, and declaring an emergency," approved February 25, 1891...	549	572	713	714	714		725	725
126. Senator KINNEAR: An act to amend section 28 of chapter 1 of the penal code as embraced in volume 2 of the General Statutes and Codes of the State of Washington as arranged and annotated by William Lair Hill, relating to crimes against the person.....	348	372						

128. JUDICIARY COMMITTEE (substitute for Senate bill No. 91): An act to provide for voting on a constitutional amendment at the general election to be held in November, 1894, relative to original jurisdiction of superior courts.....	416	426						
129. Senator O'NEILL: An act to amend section 2213 of title 25, chapter 2 of volume 1 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill.....	{ 460 } { 603 }	468	588	588	588		636	636
130. Senator FOSS: An act to define and punish obstructions to railroads, railroad trains, railroad tracks, street cars and street car tracks in the State of Washington, and to protect the passengers and employes riding upon, or persons near, any train or car in said state.....	467	468						
131. Senator CLAYPOOL: An act to define, regulate and govern police departments of cities of the first class, and declaring an emergency.....	673	673						
133. Senator FORREST: An act to provide for the validating of meetings of trustees of corporations.....	435	441						
134. Senator FORREST: An act to provide for the amendment of articles of incorporation.....	487							
135. Senator FORREST: An act relative to the classification of capital stock in corporations, and declaring an emergency.....	467	468						
136. Senator EASTERDAY: An act relating to actions against persons liable upon the same obligation or instrument, amending section 16 of Code of Procedure.....	416	426						
140. Senator KELLOGG: An act to govern the levying, assessing and collection of road property tax.....	487							
142. Senator RICHARDS: An act to authorize county commissioners to issue bonds for road and bridge purposes.....	488							
143. Senator RICHARDS: An act to amend sections 4 and 7 of an act entitled "An act authorizing and empowering organized counties of the State of Washington to contract indebtedness, to issue bonds for funding the same, and declaring an emergency," approved March 21, 1890; said sections being sections 2677 and 2680 of the general statutes, compiled and published under authority of the legislature in the year 1891.....	488	495						
145. Senator GILBERT: An act to provide for payment for state lands of their share of the expense of constructing drainage ditches, and declaring an emergency.....	487	495	741	741	741		749	750
146. Senator RICHARDS: An act providing for the removal from office of officers not liable to impeachment.....	449	449	774	775	775		777	777
150. Senator CLAYPOOL: An act for the relief of Elisha P. Ferry and Thomas M. Reed, and making an appropriation therefor.....	668	672						

TITLE AND HISTORY OF SENATE BILLS IN THE HOUSE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from Senate.....	Read first time and referred.....	Report of Committee.....	Second reading and amendment.....	Third reading and vote on passage.....	Other action by House.....	Signed by President of Senate.....	Signed by Speaker.....
155. Senator DYER (by request): An act to aid the Washington State Historical Society, and for other purposes.....	707	716						
158. Senator FORREST: An act to prescribe the powers of counties relative to public works and structures for county purposes.....	737							
160. Senator VAN DE VANTER: An act creating a board of land commissioners and defining the powers and duties thereof, fixing the compensation of the members, and declaring an emergency.....								
160½ JOINT COMMITTEE ON STATE, SCHOOL AND GRANTED LANDS: An act to provide for the management and disposition of the public lands of the state, and declaring an emergency.....	{ 716 } 752 }	745		745	746	752	779	780
161. Senator RICHARDS: An act to repeal section 237 of chapter 6, title 5, volume 1 of the General Statutes and Codes of Washington, as arranged and annotated by William Lair Hill, relating to the taking of a census biennially by the county assessor.....	449	449	594	594	594		645	646
165. Senator DYER: An act to provide for the holding of sessions of the superior court in any county in this state by a judge of the superior court of any other county or counties therein, and declaring an emergency.....	460			469	469		567	567
166. Senator IDE: An act to establish a maximum rate of express charges in the State of Washington, and providing a penalty for the violation thereof.....	711							
167. JUDICIARY COMMITTEE: An act to provide for the manner of commencing civil actions in the superior courts, and bringing the same to trial.....	584	584	732	733	733		777	777
170. Senator DYER: An act relating to crimes against public morals and decency.....	688	692						
178. Senator CLAYPOOL: An act to encourage the establishment and to aid in the maintenance of law libraries in the several counties of the State of Washington, and declaring an emergency.....	488	495	770	770				

179. Senator IDE: An act providing for the apportionment of the State of Washington into two congressional districts.....	487	495						
180. Senator FRINK: An act to amend sections 1 and 2 of an act entitled "An act to regulate, license or prohibit the sale of intoxicating liquors".....	534	542	{ 567 631 }			{ 567 632 }		
181. Senator ROBERTS: An act to authorize the confinement of United States prisoners in the state penitentiary.....	488	495						
185. Senator ESHELMAN: An act for the purchase of Barton's Legislative Hand Book and Manual of the State of Washington for 1893-94, for the use and benefit of the state and state legislature, state officials and others, and making an appropriation therefor.....	488	495						
188. Senator HELM: An act authorizing municipal corporations of the fourth class to prevent and regulate the running at large of any and all domestic animals within the corporate limits of such corporations, or any part thereof, and declaring an emergency.....	567	572						
189. Senator MILLER: An act to cure defective acknowledgments.....	467							
190. Senator DONAHOE: An act providing for a system of improved roads in counties..	435	441	726	726	726		749	750
192. Senator COOPER: An act to amend section 756 of the first volume of Hill's Code..	672	673						
193. Senator COOPER: An act to amend sections one (1) and three (3) of the laws passed February 26, 1890, in relation to cities and towns may extend their credit, and entitled "An act authorizing and empowering cities and towns organized prior to the adoption of the state constitution, to extend the credit and to fund their indebtedness, and validating certain indebtedness already contracted," and declaring an emergency to exist. (Sections 702 and 704 of Hill's Code, volume 1..	711	716						
197. Senator ROBERTS (by request): An act to prohibit the placing of poison in places where the same may be obtained by dogs or other domestic animals.....	674	675						
203. Senator FOSS: An act to amend section 23 of "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 same being section 385 of volume 1 of Hill's Annotated Statutes and Codes of Washington; and to amend section 3087 of the Codes of Washington of 1881, the same being section 409 of volume 1 of Hill's Annotated Statutes and Codes of Washington.....	608	612						
204. Senator HERR: An act legalizing tax levies for the year 1893, and declaring an emergency.....	534	542	751	751	751		776	
205. Senator HELM: An act making it a misdemeanor to flow water across highways for more than forty-eight hours at one time without building culverts or covered drains for the passage of said water.....	435	441						

TITLE AND HISTORY OF SENATE BILLS IN THE HOUSE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from Senate.....	Read first time and referred.....	Report of Committee.....	Second reading and amendments,	Third reading and vote on passage...	Other action by House.....	Signed by President of Senate.....	Signed by Speaker..
206. Senator HELM: An act to protect the owners of stock from injury thereto by moving railway trains, declaring the law of negligence, and providing for a reasonable attorney's fee in all actions for such injury .....	655	655	767	767	768		777	777
210. COMMITTEE ON LABOR AND LABOR STATISTICS: An act to establish a bureau of statistics, agriculture and immigration, and declaring an emergency.....	567	572						
218. APPROPRIATION COMMITTEE: An act making appropriation for the state printing and binding for the balance of the fiscal term ending March 31, 1893.....	449	449	558	558	558		607	607
219. Senator McMANUS: An act to amend section six hundred and seventy-three (673) of Hill's Annotated Statutes and Codes of Washington, defining the general powers of town council of cities of the fourth class, and declaring an emergency .....	649	654						
220. Senator SERGEANT: An act appropriating money for the maintenance of the Soldiers' Home.....	220	450		450	450		476	482
221. Senator HUTCHINSON: An act providing for the taxation of the net proceeds of mines, exempting mines and certain mining property from taxation, and regulating the reduction of ores to further said taxation.....	641	654						
227. Senator VAN HOUTEN: An act to establish terms and places for holding the supreme court.....								
232. Senator RUTTER (by request): An act to appropriate six hundred and forty dollars for the insurance against fire of the state library, in the McKenny block, Olympia, Washington.....	660	672						
237. Senator BROWN: An act to provide for the assessment and collection of taxes in municipal corporations of the third and fourth class in the State of Washington, and declaring an emergency.....	641	654	714	714	714		725	725

240. Senator SERGEANT: An act to provide for the establishment of a state road through the Cascade Mountains via Natchez Pass, to connect Eastern and Western Washington; for the appointment of a board of commissioners to superintend the construction and maintenance of the same, and making an appropriation therefor.....	636	655	722	723	743	{ 723 743 }	.....	.....
241. Senator O'NEILL: An act for the relief of Stevens county.....	668	672	713	713	713	.....	725	725
255. Senator HUTCHINSON: An act to provide for the establishment of a state road through the Cascade Mountains via pass north of Mount Baker, to connect Eastern and Western Washington.....	636	655	719	.....	719	.....	730	731
258. Senator COOPER: An act to amend section 154 of chapter 7 of the Session Laws of 1890, in relation to cities and towns, organization and government of, entitled "An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency" (sec. 673, vol. 1, Hill's Code),	716	.....	.....	.....	.....	.....	.....	.....
260. COMMITTEE ON PUBLIC REVENUE AND TAXATION: An act to provide for the assessment and collection of taxes in the State of Washington, and declaring an emergency.....	{ 594 687 707 }	585	{ 675 676 728 742 }	674	{ 678 743 }	{ 648 668 674 687 730 732 }	779	780
261. COMMITTEE ON PUBLIC REVENUE AND TAXATION: An act amending section 2331, Code of 1881, Laws of the State of Washington, relating to the filing and cancellation of plats.....	581	584	753	754	754	.....	770	770
262. COMMITTEE ON PUBLIC REVENUE AND TAXATION: An act amending section 8, page 61, Session Laws of 1885 and 1886, relating to the duties of prosecuting attorneys.....	602	{ 612 654 }	747	747	747	.....	770	770
263. COMMITTEE ON PUBLIC REVENUE AND TAXATION: An act amending section 37, page 314, Session Laws of 1889 and 1890, relating to the payment of the salaries of county officers.....	602	613	.....	.....	.....	.....	.....	.....
264. COMMITTEE ON PUBLIC REVENUE AND TAXATION: An act amending section 10, page 638, Session Laws 1889 and 1890, relating to the duties of the state auditor.....	602	613	758	758	758	.....	776	.....
265. COMMITTEE ON PUBLIC REVENUE AND TAXATION: Amending sections 2710, 2712, 2571, 2713, 2714, 2717, 2718, 2720, 2726, 2727 and 2728 of the Code of 1881, and repealing section 2721, Code of 1881, as amended by subdivision 9 of section 1, page 45, Session Laws of 1883, Laws of the Territory (now State) of Washington, relating to the duties of county auditors.....	{ 602 769 770 }	613	759	759	759	769	779	780
266. COMMITTEE ON PUBLIC REVENUE AND TAXATION: An act to amend sections 2740, 2747 and 2748 of the Code of 1881, and section 21, page 51, Session Laws of 1885 and 1886, relating to the duties of county treasurers.....	602	613	761	761	762	.....	266	266
267. COMMITTEE ON PUBLIC REVENUE AND TAXATION: An act relating to the duties of county commissioners.....	{ 602 776 }	613	763	764	764	267	779	780

TITLE AND HISTORY OF SENATE BILLS IN THE HOUSE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from Senate.....	Read first time and referred.....	Report of Committee.....	Second reading and amendments,	Third reading and vote on passage...	Other action by House.....	Signed by President of Senate.....	Signed by Speaker..
271. JOINT WORLD'S FAIR COMMITTEE: An act supplementary to an act entitled "An act to provide for the collection, exhibition and maintenance of the products of the State of Washington at the World's Columbian Exposition in 1893," approved March 7, 1891; making an appropriation therefor, and declaring an emergency.....	567			591	592		645	646
275. Senator VAN DE VANTER: An act to amend sections 1 and 5 of an act to provide for the state printing and binding, etc., approved February 19, 1890, the same being sections 2929 and 2933 of volume 2 of Hill's Annotated Statutes and Codes of Washington.....	723	725		725	725		749	750
278. Senator BROWN: An act to provide for the change of the name of the town of Sidney.....	720							
286. Senator RICHARDS: An act appointing a commission to determine the sites for the school buildings known as normal schools, now or hereafter to be located, and authorizing said commissions to accept donations for said sites.....	749							
287. Senator MILLER: An act to amend an act entitled "An act to define, regulate and govern the state penitentiary, and declaring an emergency".....	720							
290. Senator VAN HOUTEN: An act giving a right of action to the personal representatives of a person whose death is caused by the wrongful act or omission of another, fixing the maximum amount of damages to be recovered in such actions, to whom such damages shall be paid in case of recovery, and repealing sections 8 and 148 of the 1881 Code of Washington Territory, and all other laws or parts of laws in conflict with this act.....	718							



## HISTORY OF HOUSE MEMORIALS.

NUMBER, AUTHOR AND SUBJECT.	Read first time and referred.....	Report of Committee.....	Second reading and amendments,	Third reading and vote on passage...	Other action by House.....	Message from Senate.....	Signed by Speaker..	Signed by Presi- dent of Senate.....
1. Mr. MAYS: Praying for improvement of Columbia and Snake rivers.....	74	161	74	161		769	778	779
2. Mr. HELIKER: Relating to protection from infectious diseases.....	159	223	223	223		264	287	348
3. COMMITTEE ON FEDERAL RELATIONS AND IMMIGRATION: Praying for improve- ment of Ozette and Quillayute rivers.....	223			224		264	287	348
4. Mr. MEANY: Praying for establishment of road engineering department in agri- cultural colleges.....	248	462			462			
5. Mr. SMITH, of Okanogan: Praying for establishment of additional light houses....	372		372	372		416	453	467
6. Mr. TURPIN: Praying for construction of coast defenses.....	372		372	372		416	436	451
7. Mr. PIERCE, of Lewis: Praying for prohibition of pauper immigration.....	412	528		528		756	767	771
8. Mr. JUDSON (by request): Praying for relief of settlers in Pacific Park reservation..	483	528			528			
9. COMMITTEE ON SCHOOL LANDS: Praying for confirmation of state land grants.....	532			532		769	778	779
10. Mr. TURPIN (by request): Praying for recognition of certain persons for services in securing certain territorial rights for the United States on northwest coast of America.....	532							
11. Mr. BUSH, of Pacific: Praying for improvement of North river.....	702							
12. Mr. BUSH, of Pacific: Praying for establishment of an oyster experiment station on Willapa bay.....	702							

## HISTORY OF SENATE MEMORIALS IN THE HOUSE.

NUMBER AND SUBJECT.	Message from Senate.....	First reading.....	Report of Committee.....	Second reading.....	Third reading.....	Other action by House.....	Signed by President of Senate.....	Signed by Speaker of House.....
1. Relating to survivors of Indian war of 1855-56.....	310	324						
2. Relating to death of Hon. James G. Blaine.....	207	207		207	207		241	264
5. Praying for establishment of an assay office at Spokane.....	387	388						
6. Praying for opening of World's Fair on Sunday.....	387	388						
7. Praying for a fog signal on Umatilla reef.....	449	449						
8. Relating to consular seal privileges.....	672	673						
9. Praying for relief of Dennis Storrs and others.....	645	655						

## HISTORY OF HOUSE CONCURRENT RESOLUTIONS.

NUMBER, AUTHOR AND SUBJECT.	Presented in House.....	Report of Committee.....	Action of House.....	Message from Senate.....	Signed by Speaker..	Signed by President of Senate....
1. Mr. WASHBURN: Printing governor's message.....	56		56	90	124	141
2. Mr. BAKER: Free coinage of silver.....	{ 58 71 }	{ 160 275 }	{ 160 275 }			
3. Mr. WHITE: Nicaraguan canal.....	67		67	89	124	141
4. Mr. BUSH, of Pacific: To appoint joint committee on fisheries to confer with a committee from the Oregon legislature.....	80	123	123	141	151	155
5. Mr. BAKER: Election of United States senators.....	107	162	162	241	287	348
6. Mr. COLLIN: Relating to circulating medium.....	143	{ 250 458 }	{ 373 250 458 }			
7. Mr. BROCK (by request): Praying for more money.....	166		166			
8. Mr. BAKER: Election of president.....	165					
9. Mr. PAYNE: Annexation of Hawaiian Islands.....	172		172	310		
10. Mr. MEANY: Relating to receipting for direct tax refunded by United States.....	199	462	463	636	681	688
11. Mr. COLLIN: To appoint a joint committee to visit penitentiary.....	248		248	280		
12. Mr. TULL: To appoint a joint committee to visit hospitals for insane and school for defective youth.....	248		248	280		
13. Mr. SMITH, of Douglas: Free coinage of silver.....	323					
14. Mr. SMITH, of Douglas: Amendment of constitution of United States relative to direct taxation of wealth.....	358					
15. Mr. SMITH, of Okanogan: To pay claims of Bilger & Going and E. Graw from legislative appropriation.....	440		{ 440 447 }			
16. Mr. PIERCE, of Lewis: Indorsing Hon. F. W. D. Mays for secretary of agriculture.....	447		447	467		

HISTORY OF HOUSE CONCURRENT RESOLUTIONS—CONCLUDED.

NUMBER, AUTHOR AND SUBJECT.	Presented in House.....	Report of Committee.....	Action of House.....	Message from Senate.....	Signed by Speaker..	Signed by President of Senate.....
17. Mr. MEANY: Relating to teaching road engineering in agricultural colleges.....	484	.....	484	769	777	779
18. Mr. MCKENZIE: Relief of settlers in Pacific Park reservation.....	514	.....	514	753	761	771
19. Mr. SCOTT: Employment of aliens on public works.....	514	.....	514	769	777	779
21. Mr. TEMPLE: Permitting the introduction of appropriation bill.....	605	.....	605	607	629	641
22. Mr. MEANY: Permitting the introduction of a bill.....	636	.....	636	641	647	.....
23. Mr. LEO: Permitting the introduction of a bill.....	644	.....	644	658	681	688
24. Mr. MULKEY: Relating to printing House and Senate journals.....	742	.....	742	.....	.....	.....

## HISTORY OF SENATE CONCURRENT RESOLUTIONS IN THE HOUSE.

NUMBER AND SUBJECT.	Message from Senate.....	Taken up in House.....	Report of Committee.....	Action of House.....	Signed by President of Senate.....	Signed by Speaker of House.....
1. Inauguration of state officers.....	20	20		20		
2. Errors and omissions in laws reported by judges of the supreme court.....	64	65		65		
3. To appoint committee on joint rules.....	64	65		65	238	238
4. Printing of Governor's message.....	73	73		73	238	238
5. To appoint a joint World's Fair committee.....	90	90		90		
6. To appoint a joint committee to investigate the affairs of the Agricultural College.....	90	90		90	238	238
7. To appoint committee to draft memorial on death of Hon. James G. Blaine.....	156	156		156	238	238
8. Annexation of Hawaiian Islands.....	241	249		249	310	313
9. To refer Senate bill No. 50 to Joint Judiciary Committee.....	228	228		228		
10. To appoint a joint committee to visit Penitentiary.....	230	230		230	264	264
11. To appoint a joint committee to visit Hospital for Insane.....	230	230		230	264	364
12. Relating to a state flower.....	365					
13. To appoint a joint committee to visit Penitentiary and Reform School.....	264	278				
14. To purchase Abbott's Real Property Statutes.....	270	278	473	473		
15. To appoint a joint committee to investigate the World's Fair Commission.....	310	321		321	401	401
16. To appoint a joint committee to examine accommodations for state officers.....	436	440				
17. Relating to federal immigration law.....	{ 602 } { 645 }	{ 613 } { 655 }				

## HISTORY OF SENATE CONCURRENT RESOLUTIONS IN THE HOUSE.—CONCLUDED.

NUMBER AND SUBJECT.	<i>Message from Senate.....</i>	<i>Taken up in House.....</i>	<i>Report of Committee.....</i>	<i>Action of House.....</i>	<i>Signed by President of Senate.....</i>	<i>Signed by Speaker of House.....</i>
18. Permitting the introduction of a bill providing for weighing and inspection of grain at Tacoma, Seattle and Spokane.....	650					
20. Relative to printing House and Senate journals.....	707					

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Form of. House bills Nos. 315, 465.	
To cure defective. Senate bill No. 189.	
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