

# SENATE 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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OLYMPIA, WASH.:

O. C. WHITE, . . . STATE PRINTER.  
1893.



## MEMBERS OF THE THIRD SENATE.

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<i>First District,</i>	R. A. HUTCHINSON.
<i>Second District,</i>	JAS. O'NEILL.
<i>Third District,</i>	B. C. VAN HOUTEN.
<i>Fourth District,</i>	C. W. IDE.
<i>Fifth District,</i>	W. C. BELKNAP.
<i>Sixth District,</i>	R. C. MCCROSKEY.
<i>Seventh District,</i>	T. J. SMITH.
<i>Eighth District,</i>	J. A. KELLOGG.
<i>Ninth District,</i>	J. L. ROBERTS.
<i>Tenth District,</i>	DAVID MILLER.
<i>Eleventh District,</i>	C. I. HELM.
<i>Twelfth District,</i>	J. T. ESHELMAN.
<i>Thirteenth District,</i>	B. F. SHAW.
<i>Fourteenth District,</i>	C. E. FORSYTH.
<i>Fifteenth District,</i>	FRANCIS DONAHOE.
<i>Sixteenth District,</i>	HENRY C. COOPER.
<i>Seventeenth District,</i>	ELLSWORTH L. BROWN.
<i>Eighteenth District,</i>	J. C. HERR.
<i>Nineteenth District,</i>	W. P. SERGEANT.
<i>Twentieth District,</i>	CHAS. E. CLAYPOOL.
<i>Twenty-first District,</i>	JOHN G. CAMPBELL.
<i>Twenty-second District,</i>	LOUIS FOSS.
<i>Twenty-third District,</i>	C. M. EASTERDAY.
<i>Twenty-fourth District,</i>	A. T. VAN DE VANTER.
<i>Twenty-fifth District,</i>	J. M. FRINK.
<i>Twenty-sixth District,</i>	W. R. FORREST.
<i>Twenty-seventh District,</i>	TRUSTEN P. DYER.
<i>Twenty-eighth District,</i>	JOHN R. KINNEAR.
<i>Twenty-ninth District,</i>	W. C. RUTTER.
<i>Thirtieth District,</i>	F. W. HASTINGS.
<i>Thirty-first District,</i>	JOHN E. MCMANUS.
<i>Thirty-second District,</i>	J. J. EDENS.
<i>Thirty-third District,</i>	W. H. GILBERT.
<i>Thirty-fourth District,</i>	FRANK H. RICHARDS.

## OFFICERS OF THE SENATE.

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PRESIDENT:

LIEUT. GOV. F. H. LUCE,

DAVENPORT.

SECRETARY:

ALLEN WEIR,

OLYMPIA.

<i>Assistant Secretary,</i>	. . . . .	F. J. KINGHORN.
<i>Minute Clerk,</i>	. . . . .	MISS ELLA PROEBSTEL
<i>Journal Clerk,</i>	. . . . .	MRS. JOSIE FERRY.
<i>Assistant Journal Clerk,</i>	. . . . .	MRS. M. HAYES.
<i>Enrolling Clerk.</i>	. . . . .	L. M. GLIDDEN.
<i>Engrossing Clerk,</i>	. . . . .	P. R. HELM.
<i>Bill Clerk,</i>	. . . . .	MISS ANNA UNDERWOOD.
<i>Sergeant-at-Arms,</i>	. . . . .	M. D. SMITH.
<i>Assistant Sergeant-at-Arms,</i>	. . . . .	E. E. HUNTINGTON.
<i>Watchman,</i>	. . . . .	R. T. REYNOLDS.
<i>Messenger and Postmaster,</i>	. . . . .	C. S. PAINTER.
<i>Assistant Messenger and Postmaster,</i>	. . . . .	RAYMOND LAUGHTON.
<i>Janitor,</i>	. . . . .	ISAAC CARSON.
<i>Assistant Janitor (Committee Rooms),</i>	. . . . .	A. F. HAYNES.
<i>Doorkeeper,</i>	. . . . .	M. KNISELL.
<i>Speaker's Page,</i>	. . . . .	MORTON MATSON.
<i>Page,</i>	. . . . .	HUGH THOMPSON.
<i>Page,</i>	. . . . .	THOMAS BEEDE.

# JOURNAL OF THE SENATE.

## FIRST DAY.

### AFTERNOON SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Monday, January 9, 1893. }  
12 o'clock M.

The third Senate of the State of Washington assembled at the Senate chamber, in the state capitol, pursuant to law, at 12 M. on this day. Lieut. Gov. Laughton, *ex officio* president of the second Senate, called the Senate to order.

On motion of Senator Dyer, Allen Weir was elected temporary secretary.

The secretary pro tem. presented and read the following:

OLYMPIA, January 7, 1893.

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

SIR—I have the honor to transmit herewith a certified list containing the names of all persons elected as members of the State Senate, State of Washington, at the last general election, as shown by the official returns on file in my office.

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 list contains the names of all persons elected as members of the State Senate of the State of Washington, at the last general election, as shown by the official returns on file in my office.

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

[SEAL.]

ALLEN WEIR, Secretary of State.

*First District,* . . . . . R. A. HUTCHINSON.  
*Third District,* . . . . . B. C. VAN HOUTEN.  
*Fourth District,* . . . . . C. W. IDE.

<i>Fifth District,</i>	W. C. BELKNAP.
<i>Eighth District,</i>	J. A. KELLOGG.
<i>Ninth District,</i>	J. L. ROBERTS.
<i>Tenth District,</i>	D. MILLER.
<i>Eleventh District,</i>	C. I. HELM.
<i>Thirteenth District,</i>	B. F. SHAW.
<i>Fifteenth District,</i>	FRANCIS DONAHOE.
<i>Seventeenth District,</i>	ELLSWORTH L. BROWN.
<i>Eighteenth District,</i>	J. C. HERR.
<i>Nineteenth District,</i>	W. P. SERGEANT.
<i>Twenty-first District,</i>	JOHN G. CAMPBELL.
<i>Twenty-second District,</i>	LOUIS FOSS.
<i>Thirty-first District,</i>	J. E. McMANUS.
<i>Thirty-third District,</i>	W. H. GILBERT.

By direction of the president, the temporary secretary called the roll of the Senate, showing the following named members present: 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.

On motion of Senator Dyer, a committee of three was appointed to invite Judge T. L. Stiles, of the supreme court, to administer the oath of office to the newly elected members of the Senate.

Senators Dyer, Horr and Van Houten were appointed as such committee.

Lieut. Gov.-elect Luce was invited to a seat beside the president.

The committee appeared, escorting Judge Stiles, who administered the oath of office to the following named Senators-elect: R. A. Hutchinson, B. C. Van Houten, C. W. Ide, W. C. Belknap, J. A. Kellogg, J. L. Roberts, D. Miller, C. I. Helm, B. F. Shaw, Francis Donahoe, Ellsworth L. Brown, J. C. Horr, W. P. Sergeant, John G. Campbell, Louis Foss, J. E. McManus, and W. H. Gilbert.

On motion of Senator Dyer, the Senate proceeded to the election of permanent officers.

Senator Dyer was nominated for president pro tem. of the Senate. There being no further nominations, Senator Dyer was unanimously elected, all present and voting except Senator Cooper.

Senator Easterday placed in nomination the following:

<i>For President, pro tem.,</i>	SENATOR TRUSTEN P. DYER.
<i>For Secretary,</i>	ALLEN WEIR.
<i>For Assistant Secretary,</i>	F. J. KINGHORN.

<i>For Minute Clerk,</i>	ELLA PROEBSTEL.
<i>For Journal Clerk,</i>	JOSIE P. FERRY.
<i>For Enrolling Clerk,</i>	L. M. GLIDDEN.
<i>For Engrossing Clerk,</i>	P. R. HELM.
<i>For Bill Clerk,</i>	ANNA UNDERWOOD.
<i>For Sergeant-at-Arms,</i>	M. D. SMITH.
<i>For Assistant Sergeant-at-Arms,</i>	E. E. HUNTINGTON.
<i>For Messenger and Postmaster,</i>	CHAS. PAINTER.
<i>For Pages,</i>	{ HUGH THOMPSON, THOS. BEEDE.

On motion of Senator Easterday, the persons placed in nomination for the offices named were elected by the following vote: Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neil, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van Houten, and Van De Vanter—33.

Not voting: Senator Cooper.

The aforementioned persons were declared duly elected.

On motion of Senator Dyer, Judge Stiles was invited to administer the oath of office, which was taken by the following officers elect: Secretary, Allen Weir; assistant secretary, F. J. Kinghorn; journal clerk, Josie P. Ferry; engrossing clerk, P. R. Helm; sergeant-at-arms, M. D. Smith; messenger and postmaster, Chas. Painter; page, Thos. Beede.

On motion of Senator Edens, the rules of the last preceding session were adopted as the rules governing the present session of the senate.

The president announced that the Senate was now regularly and formally convened, and, on invitation, prayer was offered by the Rev. S. A. Bright, of Olympia.

On motion of Senator Dyer, a committee of three was appointed to wait upon his excellency the governor, and notify him that the Senate had convened.

Senators Forrest, Richards and O'Neill were appointed as such committee.

Senator Brown nominated M. Knisell for doorkeeper.

Mr. Knisell was unanimously elected, and the oath of office was administered by the president.

Senator Van Houten nominated R. T. Reynolds for watchman.

Mr. Reynolds was unanimously elected, and the oath of office was administered by the president to Mr. Reynolds and to page Hugh Thompson.

On motion of Senator Claypool a committee of three was appointed to wait on the House, with the notification that the Senate had convened.

Senators Claypool, Rutter and Eshelman were appointed as such committee.

At 12:40 P. M., on motion of Senator Kinnear, a recess of fifteen minutes was taken.

At 1 P. M., the Senate was called to order by president Laughton.

Senator Claypool reported that the House had been notified that the Senate had convened.

The report was accepted and the committee discharged.

On motion of Senator Edens, Mr. A. F. Haynes was elected janitor of the Senate committee rooms.

The oath of office was administered to Mr. Haynes by the president.

The following was introduced by Senator Rutter and adopted:

*Resolved by the Senate:* That the sergeant-at-arms be instructed to furnish to the members of the Senate such stationery and supplies as may be necessary, including five dollars in Columbian postage stamps to each member.

Senator Forrest reported that the governor had been notified that the Senate had convened.

The report was accepted and the committee discharged.

Senate concurrent resolution No. 1, providing for the appointment of a joint committee to arrange for the inauguration ceremonies, was introduced by Senator Dyer and adopted.

Senator Claypool nominated Isaac Carson for janitor. Mr. Carson was unanimously elected, and received the oath of office from the president.

A communication was received from the secretary of state, announcing that Acting Governor Laughton had vetoed Senate bill 19 (of 1891), and section 43 of Senate bill 259 (of 1891).

On motion of Senator Van De Vanter, the veto messages were made a special order for Monday, January 16th, at 2 o'clock P.M.

On motion of Senator Kinnear, the Senate, at 2:30 P.M., adjourned until Tuesday, January 10th, at 10 A. M.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## SECOND DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Tuesday, January 10, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Laughton in the chair.

Roll called; all present excepting Senators Frink and Hutchinson. Journal of the preceding day read and approved.

The oath of office was received by the president pro tem., Trusten P. Dyer; minute clerk, Miss Ella Proebstel; enrolling clerk, L. M. Glidden.

On motion of Senator Sergeant, Will Clogston was appointed assistant to enrolling and engrossing clerks.

Senator Easterday moved that a committee of three be appointed to wait upon the House, and announce that the Senate is now ready to meet in joint session to canvass the returns of the votes for the various state officers. The president appointed Senators Easterday, Kinnear and Cooper as such committee.

On motion of Senator Dyer a recess of five minutes was taken.

Senate called to order at 10:25. Senator Rutter presented the following:

*Resolved by the Senate,* That a committee of three be appointed for the purpose of fixing the compensation of employes of the Senate.

Resolution adopted.

The president appointed as such committee Senators Rutter, Van Houten, and Foss.

Senator Sergeant offered the following:

*Resolved,* That the sergeant-at-arms be instructed to move the stove outside of the room and into the lobby.

Resolution lost.

### INTRODUCTION OF BILLS.

Senate bill No. 1, by Senator Dyer: An act to provide an appropriation for the expenses of the third legislature of the State of Washington.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

Considered in committee of the whole, Senator Claypool in the chair, and reported back with recommendation to pass.

President Laughton in the chair.

Report of committee adopted, rules further suspended, bill considered engrossed, read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Donahoe, Dyer, Easterday, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten — 30.

Absent or not voting: Senators Claypool, Edens, Frink, and Van De Vanter — 4.

The title of the bill to remain the title of the act.

Senator Dyer moved that the privileges of the floor of the Senate be and the same are hereby extended to the members of the press.

Motion carried.

The president appointed a committee consisting of Senators Forrest, Richards and O'Neill to act with a like committee from the House, in waiting upon the governor and announcing to him that the legislature is organized and ready to receive any communication he may desire to make.

On motion of Senator McCroskey, the sergeant-at-arms was instructed to remove the stove to the corner of the room, and to arrange the seats and desks to suit the convenience of the senators.

Senator Easterday announced that the House had been notified that the Senate is in readiness to meet the House in joint session for the purpose of canvassing the vote for the state officers.

On motion of Senator Kinnear, a recess of five minutes was taken.

The Senate was called to order at 11:10 A. M., and a committee from the House announced that the House will be in readiness to meet the Senate in joint session for the purpose of canvassing the vote at 1 o'clock P. M. to-day.

On motion of Senator Horr, a recess was declared until 12:45 o'clock P. M.

## AFTERNOON SESSION.

At 12:45 P. M., the Senate was called to order. President Laughton in the chair.

Roll call; all present excepting Senators Frink and Hutchinson. A. F. Haynes was sworn in as janitor of the committee rooms.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 9, 1893.

MR. PRESIDENT:

The speaker of the House has appointed Messrs. Hoole, Mentzer and Burton to act with a like committee of the Senate to wait upon the governor and inform him that the Legislature is organized and ready to receive any communication he may desire to offer.

The House has passed the following resolution:

*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 the governor, Elisha P. Ferry.

T. G. NICKLIN, Chief Clerk.

Senator Richards reported that the committee appointed to wait upon the governor had performed its duty, and stated that the governor would be in readiness to meet the House and Senate in joint session at noon of Wednesday, January 11, 1893.

Senator Easterday reported that the House had been notified that the Senate was ready to meet in joint session.

The following resolution was introduced by Senator Van Houten and adopted:

*Resolved by the Senate,* That the secretary of state be directed to furnish the members of the Senate with a copy of Hill's Code and Session Laws of 1891.

On motion of Senator Claypool, the report of the committee appointed to wait upon the governor was received and the committee discharged, and the invitation to join the House at noon of January 11, 1893, for the purpose of participating in the inaugural ceremonies, was accepted.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 10, 1893.

MR. PRESIDENT:

The House has concurred in Senate concurrent resolution No. 1, Relative to appointment of committee to arrange for inauguration of governor, and the speaker has appointed Messrs. Washburn, Neergaard, Mentzer, Cameron, and Judson.  
T. G. NICKLIN, Chief Clerk.

Senator Dyer moved that a committee of three be appointed to notify the House that the Senate was now ready to meet with them.

Senators Easterday, Kinnear and Cooper were appointed as such committee.

The sergeant-at-arms reported that the House was not in session, and on motion of Senator Dyer a recess of fifteen minutes was had.

Senate called to order at 11:50 A. M.

Miss Anna Underwood appeared and was sworn in as bill clerk.

Senator Easterday stated that the House was now in readiness to receive the Senate in joint session.

The sergeant-at-arms proceeded to marshal the Senate, and announced the presence of the members of the Senate at the bar of the House.

## JOINT SESSION.

Senate and House of Representatives met in joint session in Representative hall to canvass, open, publish and declare the result of the election for state officers.

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

The secretary of the Senate called the roll of the Senate; all present excepting Senator Frink.

Roll call of the House; all members present excepting Messrs. C. M. Pierce, Reinhart, H. F. Smith, and Tull.

Senator Rutter presented the following resolution, which was unanimously adopted.

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

The speaker, in the presence of the Senate and House of Representatives, proceeded to open the returns.

OFFICIAL ELECTION RETURNS OF THE STATE OF WASHINGTON, GENERAL ELECTION, NOVEMBER, A. D. 1892.

NAME OF OFFICE.	NAMES OF CANDIDATES.	Adams.....	Asotin.....	Chelan.....	Clallam.....	Clatsop.....	Columbia.....	Cowlitz.....	Douglas.....	Franklin.....	Garfield.....	Island.....	Jefferson.....	King.....	Kittitas.....	Klickitat.....	Lewis.....	Lincoln.....	Mason.....	Okanogan.....	Pacific.....	Pierce.....	San Juan.....	Shaght.....	Skamania.....	Snohomish.....	Spokane.....	Stevens.....	Thurston.....	Wahkiakum.....	Walla Walla.....	Waconia.....	Whitman.....	Yakima.....	Totals.....	Plurality.....	
Governor.....	John H. McGraw.....	226	183	793	526	890	571	646	353	27	322	130	568	7,773	774	501	557	1,168	858	352	594	721	1,790	341	1,103	81	1,388	3,214	633	784	252	1,211	1,331	2,063	504	33,228	4,280
	Henry J. Snively.....	132	143	796	391	1,091	647	500	263	52	800	106	624	3,222	784	291	264	1,041	860	349	440	560	5,034	191	793	97	1,311	2,267	480	797	230	1,322	1,123	1,843	604	28,948	
	C. W. Young.....	207	25	663	408	484	209	547	383	43	237	130	180	3,496	724	567	411	823	697	193	155	111	3,770	84	899	38	1,704	1,808	552	671	74	88	1,431	1,563	405	23,780	
Lieutenant Governor.....	Roger S. Greene.....	6	21	142	14	162	112	65	24	2	50	38	21	503	39	86	72	231	81	22	6	60	522	34	139	3	118	265	16	266	8	276	226	288	23	3,941	6,101
	Frank H. Luce.....	220	183	913	518	979	582	695	357	27	330	139	575	6,985	810	475	573	1,238	961	357	577	723	3,074	342	1,146	79	1,412	3,211	626	927	260	1,263	1,544	2,002	571	34,624	
	Henry C. Willison.....	137	148	745	423	1,064	652	526	272	51	280	112	652	3,954	743	312	252	1,001	816	354	454	548	3,991	214	851	98	1,321	2,255	482	759	219	1,309	1,086	1,939	513	28,523	
Secretary of State.....	C. P. Twiss.....	192	19	604	388	442	191	470	350	40	228	114	127	3,105	631	539	406	791	629	152	152	96	3,341	51	746	32	1,480	1,730	545	613	54	69	1,117	1,427	365	21,236	6,601
	D. G. Strong.....	5	16	66	12	123	107	44	20	2	51	24	17	478	34	75	62	182	64	11	6	41	388	21	86	4	106	197	15	133	6	197	182	225	21	3,021	
	James H. Price.....	225	182	949	518	1,021	587	726	376	27	347	148	595	6,625	868	478	584	1,292	897	290	576	749	3,414	349	1,167	32	1,456	3,299	623	991	270	1,314	1,618	1,972	605	35,220	
Treasurer.....	John McReavy.....	136	147	714	432	1,041	643	514	259	51	276	113	646	4,142	743	320	241	953	873	465	445	542	3,841	214	864	100	1,335	2,186	478	775	213	1,298	1,078	2,042	489	28,619	6,870
	Lyman Wood.....	195	19	596	380	438	185	452	351	40	227	107	113	3,351	607	535	412	779	619	132	144	84	3,320	48	703	29	1,462	1,707	552	584	51	65	1,188	1,392	366	21,233	
	W. H. Gillstrap.....	5	14	46	6	101	103	37	19	2	45	20	14	442	33	68	54	170	59	11	5	35	366	17	69	4	90	155	12	107	6	143	157	169	16	2,600	
Auditor.....	Ozro A. Bowen.....	227	183	953	519	1,018	587	716	372	27	342	150	596	6,630	854	484	583	1,276	882	355	584	745	3,680	349	1,000	81	1,455	3,256	628	1,018	350	1,313	1,560	2,035	605	35,413	7,064
	Harrison Clothier.....	137	147	733	432	1,031	652	518	263	50	273	118	627	4,291	727	314	237	966	885	356	446	545	3,540	212	1,151	99	1,350	2,216	485	725	172	1,292	1,116	1,952	485	28,543	
	W. C. P. Adams.....	187	18	593	381	439	186	448	357	40	234	102	112	3,069	601	527	420	783	616	145	145	85	3,291	46	650	31	1,437	1,740	542	581	41	64	1,323	1,388	368	20,990	
Attorney General.....	G. W. Stewart.....	6	13	48	10	104	104	36	20	2	44	19	18	472	31	65	53	182	61	14	5	37	330	17	63	4	89	151	13	101	1	143	160	185	16	2,617	7,760
	Laban R. Grimes.....	222	183	946	518	1,009	585	714	367	27	345	155	588	6,631	923	481	584	1,266	876	357	582	750	3,676	344	1,148	81	1,443	3,255	621	999	260	1,319	1,477	2,076	606	35,414	
	Samuel Bass.....	135	150	726	425	1,034	653	516	261	49	275	113	624	4,302	681	306	235	962	875	355	444	540	3,511	216	872	100	1,347	2,227	480	731	216	1,291	1,295	1,921	482	28,350	
Superintendent of Public Instruction.....	Charles C. Rodolph.....	190	16	589	375	432	188	447	350	41	226	102	179	3,017	591	532	410	767	613	146	146	79	3,247	44	694	29	1,429	1,696	542	580	48	64	1,138	1,375	361	20,683	7,812
	Christian Carlson.....	6	13	46	9	100	101	36	19	2	41	21	17	482	34	68	53	167	57	12	5	36	350	17	72	4	93	154	13	104	6	139	158	173	14	2,622	
	William C. Jones.....	225	182	944	520	1,016	583	725	330	26	345	142	598	6,676	853	489	580	1,265	899	358	579	750	3,660	347	1,188	80	1,468	3,407	624	992	259	1,302	1,615	2,077	563	35,667	
Commissioner of Public Lands.....	Richmond W. Starr.....	136	151	712	421	1,028	652	515	331	50	280	117	623	4,210	725	314	238	960	876	349	439	541	3,439	202	860	96	1,323	2,139	377	720	204	1,283	1,049	1,923	524	27,907	7,812
	Govnor Teats.....	186	17	608	381	432	185	456	342	39	222	102	110	3,023	597	523	408	786	605	157	144	86	3,354	56	677	29	1,443	1,653	539	588	57	64	1,197	1,370	356	20,792	
	Everett Smith.....	6	13	46	9	102	105	35	16	2	41	23	18	558	32	68	54	168	59	13	6	37	354	17	78	4	92	163	17	109	6	145	173	173	21	2,763	
Commissioner of Public Lands.....	Charles W. Bean.....	225	177	914	521	1,018	583	717	361	27	337	147	589	6,665	742	475	578	1,333	869	364	565	747	3,790	348	1,158	81	1,466	3,213	612	989	259	1,298	1,601	2,107	592	35,468	7,812
	John H. Morgan.....	138	148	761	429	1,032	661	521	264	50	283	116	626	4,275	921	314	236	957	885	344	443	534	3,467	214	876	97	1,341	2,117	475	739	213	1,342	1,087	2,014	495	28,615	
	John M. Smith.....	187	18	571	376	428	179	436	359	39	215	96	108	3,004	541	535	413	772	604	139	143	82	3,261	46	681	30	1,406	1,594	526	572	50	57	1,145	1,270	350	20,233	
Commissioner of Public Lands.....	W. M. Heiney.....	6	12	47	7	95	102	37	18	2	45	21	16	466	26	67	52	143	57	12	3	36	340	17	75	4	94	139	10	103	6	131	172	153	24	2,538	7,812
	William T. Forrest.....	227	185	937	467	1,025	586	717	369	28	345	161	591	6,749	858	478	582	1,311	877	359	581	743	3,755	372	1,181	83	1,461	3,279	621	1,025	262	1,309	1,627	2,032	595	35,778	
	Freeborn S. Lewis.....	131	150	742	516	1,029	649	507	258	48	280	109	627	4,197	732	312	226	957	888	349	439	539	3,467	215	867	99	1,326	2,173	473	716	208	1,285	1,055	1,914	483	27,966	
Commissioner of Public Lands.....	T. M. Calloway.....	188	19	591	336	429	184	442	354	40	221	98	106	3,001	589	530	431	754	601	141	148	80	3,242	43	691	28	1,429	1,683	547	574	45	62	1,170	1,360	359	20,516	7,812
	R. M. Gibson.....	6	9	42	6	93	104	34	19	2	45	20	17	456	31	65	51	170	59	12	4	36	333	16	67	4	89	140	12	104	6	138	164	171	14	2,539	



At 3:45 P. M., on motion of Representative Meany, the joint convention took a recess for two hours.

The joint convention was called to order at 5:50 P. M., and the speaker declared that the following named persons had been shown by the official canvass to have received the highest number of votes, and were therefore declared regularly and legally elected to the various state offices:

<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.

On motion of Senator Dyer, the joint convention dissolved.

Senate called to order by President Laughton at 5:55 P. M.

The following was introduced by Senator Van Houten:

*Resolved by the Senate,* That the sergeant-at-arms be instructed to purchase revolving office chairs for the use of the members and officers of the Senate, and that the Secretary and President of the Senate be instructed to draw a warrant upon the State Treasurer to defray such expense out of the appropriation for legislative expenses.

President Laughton declared the resolution carried.

Division was called for; 14 senators rose, voting in the affirmative; 9 in the negative.

Senator Horr objected, asking if a less number than a majority of Senators elected could legally pass a measure appropriating a sum of money. Senator Eshelmen objected on the ground that such an appropriation could be legally made only in the form of a bill.

Resolution declared adopted.

E. E. Huntington was sworn in as assistant sergeant-at-arms.

The president appointed Senators Dyer, Claypool and Eshelman as Senate members of the committee on inaugural ceremonies.

On motion of Senator Eshelman, the Senate, at 6:15 P. M., adjourned until 11 o'clock A. M., Wednesday, January 11, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## THIRD DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Wednesday, January 11, 1893. }  
11 o'clock A. M. }

Senate called to order, pursuant to adjournment, at 11 A. M.  
President Laughton in the chair.

Roll call; all members present.

On motion of Senator Horr, the reading of yesterday's journal was deferred.

A recess of thirty minutes was taken.

Senate called to order at 11:35 A. M.

The following report was received and the recommendations contained therein were adopted:

MR. PRESIDENT:

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

It is recommended that the House convene at 11:30 A. M., and 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 the joint committee on arrangements. 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.

TRUSTEN P. DYER, Senate.

R. C. WASHBURN, House.

Joint Committee on Inaugural Ceremonies.

A committee from the House of Representatives appeared, and stated that the House is now in readiness to receive the Senate for the purpose of witnessing the ceremonies of inauguration. The president requested the House committee to report that the Senate was ready to meet the House, and instructed the sergeant-at-arms to marshal the Senate and announce the presence of its members to the speaker of the House.

President Laughton called the joint session to order.

Roll call of the House; all members present excepting Messrs. Farrish, Heliker, Rinehart, H. F. Smith, Smithson, and Tull.

Quorum of the House present.

Roll call of the Senate; all members present.

There being a quorum of both houses in attendance, the joint session was declared to be regularly convened.

On motion of Senator Forrest, the committee on inaugural ceremonies were requested to escort Governor Ferry and Governor-elect McGraw before the joint convention.

Governor Ferry and Governor-elect McGraw, escorted by the committee, entered, and were introduced by President Laughton.

#### MESSAGE OF GOVERNOR FERRY.

At 12 o'clock meridian Governor Ferry proceeded to deliver his outgoing message, as follows:

*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 .....	<u>\$1,382,694 17</u>
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
	<u>873,526 49</u>
Total estimate including bonded debt.....	\$509,167 68
Deduct bonded indebtedness.....	300,000 00
Total estimated floating debt March 31, 1893.....	<u>\$209,167 68</u>

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 ascertain 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 transportation 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 impera-

tively 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 re-

sort 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 main-

tenance 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 coöperation met with such hearty and magnanimous 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.

Governor Ferry delivered a brief address, stating his sincere appreciation of the cordial treatment extended to him by the legislature and the people of the state.

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

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 them-

selves 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.

On motion of Senator Dyer, the joint convention was dissolved at 1 o'clock p. m.

Immediately after the inauguration of Governor McGraw and other state officers, the Senate was called to order at 1:30 o'clock p. m., President Laughton in the chair.

The following was introduced by Senator Dyer and unanimously adopted:

*Resolved*, That the thanks of the Senate are hereby extended to the retiring lieutenant governor for the impartial and able manner in which he has presided over the deliberations of the Senate during his incumbency in office, and that he be allowed his mileage in attending the present session.

President Laughton, in retiring from the chair, addressed the Senate as follows:

*Gentlemen of the Senate:*

The pleasurable duty that has been mine for more than three years past of presiding over your deliberations and the business of this honorable body, to-day, by expiration of my term of office, devolves upon a successor of marked ability and intelligence. He is no stranger to you, having had the honor of representing in this body at its first session the largest senatorial district in this state, and representing it with great satisfaction to a constituency whose diversified interests demanded the most careful and able consideration. That his work and efforts were appreciated by the whole people of the state, is shown by their verdict at the polls on the 8th day of last November. I commend him to you most heartily, and retire from the office which I have had the honor of filling, asking and knowing full well that you will give to him as your presiding officer that same generous, considerate and hearty coöperation that you have invariably extended to me, and for which I thank you.

The relations between the members of a legislative body and its presiding officer are of a delicate and reciprocal character, and a due regard for this fact is prolific of cordial relations and eminently satisfactory results.

It was then, and is now, a matter of deep regret to me that, during the last session of the legislature, exigencies arose which transferred me from the honorable position to which I had been chosen by a flattering majority of this people, to another in which the conscientious performance of duty frequently brings severe and harsh criticism from elements that are interestedly antagonistic to what an executive officer may conceive to be justice and right, and consequently of the greatest benefit to the greatest number.

In the possession of your approbation at this time, however, I have grateful assurance that those other duties, the details and requirements of which no one can fully understand or appreciate who is not similarly placed, were performed with all patriotic, conservative and honorable motives and intentions.

For the gentlemen of the Senate and the officers who have been called to aid in the conduct of the business of this body during my incumbency as your presiding officer, I shall ever bear in pleasant memory the many and gratifying evidences, then and since given, of your distinguished consideration and regard.

Officially and socially, these gentlemen and their assistants, without regard to political party or affiliations, were ever courteous and cordial towards me, and I entertain not the slightest doubt that these same relations will be had and the same sentiment will be continued towards my successor in office, whom I now have the honor as well as the personal pleasure of introducing to you as the president of the Senate, Lieutenant Governor F. H. Luce.

President Luce took the chair and responded briefly to the sentiments just expressed, stating that it would be his endeavor to preside fairly and impartially over the deliberations of the Senate.

On motion of Senator Claypool the Senate, at 2 p. m., adjourned until 2 o'clock p. m. January 12, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## FOURTH DAY.

### AFTERNOON SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Thursday, January 12, 1893. }  
2 o'clock p. m.

Senate called to order pursuant to adjournment at 2 o'clock p. m.  
President Luce in the chair.

Roll call; all present excepting Senators Frink and Van De Vanter, who were excused.

Journals of second and third days were read and approved.

### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 12, 1893.

MR. PRESIDENT:

The house has passed Senate bill No. 1, Making appropriations for the expenses of the third legislature of the State of Washington. Yeas 74, nays 0.

The house has also passed house concurrent resolution No. 1, Relative to the printing of the governor's message. Yeas 69, nays 5.

And the same are herewith transmitted.

T. G. NICKLIN, Chief Clerk.

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

Read first time, rules suspended; read second time by title, rules further suspended, bill considered engrossed, read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Donahoe, Dyer, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten — 32.

Not voting: Senators Frink and Van De Vanter — 2.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Donahoe, Dyer, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten — 32.

Absent or not voting: Senators Frink and Van De Vanter — 2.

The title of the bill to remain the title of the act.

On motion of Senator Forrest, the president was allowed the services of a page, to be selected by himself.

Senator Frink entered and was noted present.

The following list of appointments and reappointments made by Governor Ferry were received and read, and, on motion of Senator Claypool, laid on the table subject to call:

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

*To the Honorable the Senate of the State of Washington:*

On the 11th day of March, 1892, I appointed Henry Landes, esq., Robert C. Hill, esq., and Thomas Jackman, esq., all of Jefferson county, members of the board of health for collection district of Puget Sound, until the 7th day of March, 1894, in place of L. B. Hastings, esq., J. N. Laubach, esq., and H. L. Tibbals, jr., esq., respectively, whose terms had expired.

On the 9th day of July, 1892, I reappointed J. R. Smith, esq., of Clarke

county, a member of the board of trustees of the Washington school for defective youth, for the term ending July 1, 1898.

On the 28th day of July, 1892, I reappointed S. A. Wells, esq., of Spokane county, a member of the board of trustees of the normal school at Cheney, for the term ending July 29, 1898.

On the 1st day of July, 1892, I appointed James W. Langley, esq., of King county, a member of the board of trustees of the Washington soldiers' home, until June 26, 1897, in place of M. M. Holmes, esq., whose term had expired.

On the 28th day of April, 1891, I appointed James R. Hayden, esq., of Seattle, a member of the board of regents of the University of Washington, until March 3, 1893, in place of John Leary, esq., resigned.

On the 26th day of December, 1891, I appointed Archibald H. Adams, esq., of Olympia, a member of the board of trustees of the Washington soldiers' home until June 26, 1894, in place of J. F. McLean, esq., resigned.

On the 1st day of October, 1892, I appointed D. E. Lesh, esq., of Yakima county, a member of the board of regents of the agricultural college and school of science, until March 9, 1897, in place of George W. Hopp, esq., whose office became vacant by reason of his failure to file a new bond as provided by law.

On the 30th day of December, 1892, I reappointed N. Fred Essig, esq., of Spokane county, a member of the state board of health, for the term of five years.

On the 25th day of June, 1892, I reappointed Fred W. Agatz, esq., of Kittitas county, a member of the board of trustees of the normal school at Ellensburg for the term of six years.

On the 14th day of November, 1892, I appointed as members of the board of regents of the university of Washington, for the term ending the second Monday in March, 1898: Frank Allyn, esq., of Pierce county; David Kellogg, esq., and William D. Wood, esq., of King county, in place of J. W. Sprague, esq., Richard Osborn, esq., and John Paul Judson, esq., respectively, whose terms had expired.

On the 26th day of June, 1891, I reappointed George H. Boardman, esq., of Pierce county, a member of the board of trustees of the Washington soldiers' home, for the term of five years.

On the 6th day of June, 1891, I appointed the following named persons as members of the state board of health for the terms herein specified: George S. Armstrong, esq., Thurston county, until December 30, 1893; J. R. Hathaway, Whatcom county, until December 30, 1894; O. A. Bowen, esq., Wahkiakum county, until December 30, 1895.

On the 21st day of December, 1891, I appointed J. B. Eagleson, esq., of King county, a member of the state board of health, for the term of five years, in place of F. M. Conn, esq., whose term had expired.

On the 21st day of November, 1892; I appointed B. W. Brintnall, esq.,

of Thurston county, a member of the board of education until the first Monday in March, 1893, in place of Frank B. Gault, esq., resigned.

On the 17th day of April, 1891, Lieutenant Governor and Acting Governor Laughton appointed Geo. W. Hopp, esq., of Skagit county, a regent of the Agricultural College and School of Science, until March 9, 1897.

On the 14th day of March, 1891, Lieutenant Governor and Acting Governor Laughton appointed John Arthur, esq., of Seattle, a member of the board of university land and building commissioners, for the term of four years.

On the 18th day of March, 1891, Lieutenant Governor and Acting Governor Laughton appointed the following named persons as regents of the Agricultural College and School of Science: Eugene Fellows, esq., of Spokane county, until March 9, 1893; Andrew H. Smith, esq., of Pierce county, and S. B. Conover, esq., of Jefferson county, until March 9, 1895; and J. H. Bellinger, esq., of Whitman county, until March 9, 1897.

On the 18th day of March, 1891, Lieutenant Governor and Acting Governor Laughton appointed John McReavy, esq., of Mason county, and Charles F. Leavenworth, esq., of Thurston county, as members of the board of university land and building commissioners, for the term of four years.

On the 11th day of February, 1892, I appointed the following named persons, all of Walla Walla county, as directors of the state penitentiary: Frank M. Lowden, for the term of two years from February 18, 1892, succeeding himself; Frank W. Paine, for the term of four years from February 18, 1892, succeeding himself; P. B. Johnson, for the term of six years from February 18, 1892, in place of P. A. Preston, whose term had expired.

I ask that the Senate advise and consent to these appointments.

Respectfully, ELISHA P. FERRY, Governor.

President pro tem. Dyer in the chair.

The following lists of pardons, reprieves and remissions of fines, made by Governor Ferry and Acting Governor Laughton, were received and read, and, by direction of the president pro tem., entered upon the minutes of this session:

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 imprison-

ment 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 Green, 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 parties 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 fur-

ther 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 Settle 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. Settle 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. Whartman 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. Whartman, 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 Bohart 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.

On motion of Senator Claypool, a committee on mileage was appointed.

The president pro tem. named Senators Claypool, Smith and Rutter as such committee.

The following report was received and adopted:

MR. PRESIDENT:

We, your committee to whom was referred the fixing of salaries of employés of the Senate, respectfully submit the following report: Secretary, \$8; assistant secretary, \$6; minute clerk, \$5; journal clerk, \$5; enrolling clerk, \$6; engrossing clerk, \$5; sergeant-at-arms, \$6; assistant sergeant-at-arms, \$5; bill clerk, \$5; messenger and postmaster, \$4.50; janitor, \$4; assistant janitor, \$4; watchman, \$4.50; doorkeeper, \$4; pages, \$2.50. And this committee would recommend that all employés of the Senate be required to report to the sergeant-at-arms in the Senate chamber at 9 A. M. sharp each day.

W. C. RUTTER, Chairman,

LOUIS FOSS,

B. C. VAN HOUTEN.

#### INTRODUCTION OF BILLS.

Senate bill No. 3, by Senator Shaw: An act to appropriate money for the support of the Washington school for defective youth.

No action was taken upon the bill at this time.

Senate bill No. 4, by Senator Easterday: An act in regard to settlement of statements of fact for the purpose of taking appeals from the superior courts to the supreme court, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to a special committee consisting of Senators Kinnear, Brown, Easterday, Richards, Dyer and Claypool.

President Luce in the chair.

Senate bill No. 19 (of 1891), and section 43 of Senate bill No. 259 (of 1891), were read by the secretary.

On motion of Senator Richards, the Senate, at 5 o'clock P. M., adjourned until 10 o'clock A. M., January 13, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## FIFTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Friday, January 13, 1893. }  
10 o'clock A. M. }

Senate called to order pursuant to adjournment at 10 o'clock A. M., President Luce in the chair.

Roll called; all senators present.

Journal of yesterday read and approved.

Senate concurrent resolution No. 2, Providing that the first annual report of the judges of the supreme court be submitted to the Judiciary Committees of the Senate and House, was introduced by Senator Kinnear and adopted.

Senate concurrent resolution No. 3, Providing that a committee consisting of members of the Senate and House be appointed on joint rules and orders, was introduced by Senator Kinnear and adopted.

The following communication was received:

STATE OF WASHINGTON, OFFICE OF SECRETARY OF STATE,  
OLYMPIA, January 12, 1893.

*Hon. F. H. Luce, President of the Senate:*

SIR—This office has no session laws with which to supply the members of the Senate as per resolution of that body. All surplus copies are in the custody of the honorable state auditor.

Very respectfully, JAMES H. PRICE, Secretary of State.  
By B. W. DAVIS, Chief Clerk.

Senator Cooper was excused from the morning session.

The following report of Committee on Mileage was presented by Senator Claypool:

TO THE SENATE: Your committee on mileage beg to report the mileage of each member of the senate as follows: Belknap, \$100.00, 1,000 miles; Brown, \$23.20, 232 miles; Campbell, \$7.60, 76 miles; Claypool, \$7.60, 76 miles; Cooper, \$11.60, 116 miles; Dyer, \$15.80, 158 miles; Donahoe, \$6.60, 66 miles; Easterday, \$7.60, 76 miles; Edens, \$35.20, 352 miles; Eshelman, \$45.60, 456 miles; Forrest, \$15.80, 158 miles; Forsyth, \$15.40, 154 miles; Foss, \$7.60, 76 miles; Frink, \$15.80, 158 miles; Gilbert, \$38.60, 386 miles; Hastings, \$23.60, 236 miles; Helm, \$37.60, 376 miles; Horr, \$0.20, 2 miles;

Hutchinson, \$93.60, 936 miles; Ide, \$92.20, 922 miles; Kellogg, \$84.20, 842 miles; Kinnear, \$15.80, 158 miles; McCroskey, \$104.20, 1,042 miles; McManus, \$21.00, 210 miles; Miller, \$77.40, 774 miles; O'Neill, \$105.60, 1,056 miles; Richards, \$35.40, 354 miles; Roberts, \$75.40, 754 miles; Rutter, \$16.40, 164 miles; Sergeant, \$13.80, 138 miles; Shaw, \$28.40, 284 miles; Smith, \$108.20, 1,082 miles; Van Houten, \$92.20, 922 miles; Van De Vanter, \$14.40, 144 miles; Laughton, \$134.20, 1,342 miles.

Respectfully submitted.

C. E. CLAYPOOL, Chairman,  
T. J. SMITH,  
W. C. RUTTER.

Report adopted.

The following was introduced by Senator Van Houten and adopted:

*Resolved*, That the sergeant-at-arms be directed to procure, for the use of members of the Senate, copies of the Session Laws of 1891, also copies of the Senate Journal.

Senator Eshelman moved a recess until 2 o'clock p. m. today.

Senator Claypool offered the following resolution, which was adopted:

*Resolved*, That the secretary be instructed to draw certificates in favor of the different members of the Senate for the amount due them for mileage, in accordance with report of the committee.

The president stated that he was about to sign Senate bill No. 1: An act making appropriation for the expenses of the third legislature of the State of Washington.

At 11:15 A. M., on motion of Senator Eshelman, a recess was taken until 2 P. M. to-day.

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#### AFTERNOON SESSION.

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Senate called to order at 2 o'clock p. m. President Luce in the chair.

Roll call; all present excepting Senators McCroskey and McManus.

Senators McCroskey, McManus and Forrest were excused until Monday, January 16th, at 2 o'clock p. m.

On motion of Senator Claypool, the temporary rules governing this session of the Senate were made permanent until further action.

## SENATE STANDING COMMITTEES.

President Luce presented the following as his appointments of standing committees, which were read by the secretary:

- Appropriations.* — Van De Vanter, Smith, Ide.  
*Agriculture.* — McCroskey, Belknap, Gilbert.  
*Claims.* — Sergeant, Dyer, Shaw.  
*Commerce.* — Rutter, Brown, Campbell.  
*Constitution and Revision.* — Easterday, Miller, Kinnear.  
*Corporations other than Municipal.* — Van Houten, Claypool, Van De Vanter, Shaw, Smith.  
*Counties and County Boundaries.* — Forsyth, Smith, Cooper.  
*Education.* — Brown, Frink, McCroskey.  
*Elections and Privileges.* — Easterday, Dyer, Miller.  
*Engrossed Bills.* — Foss, Horr, Kellogg.  
*Enrolled Bills.* — Cooper, Helm, Campbell.  
*Federal Relations.* — Roberts, Kinnear, Foss.  
*Fisheries.* — Horr, Shaw, Richards.  
*Harbors and Harbor Lines.* — Richards, Frink, Van Houten.  
*Indian Affairs.* — Hutchinson, O'Neill, Sergeant.  
*Internal Improvements.* — Donahoe, Kellogg, Edens.  
*Judiciary.* — Kinnear, Easterday, Dyer, Claypool, Richards, Van Houten, Brown.  
*Medicine, Dentistry, Hygiene and Surgery.* — Campbell, Hastings, Roberts.  
*Labor and Labor Statistics.* — Belknap, Rutter, Foss.  
*Manufactures.* — Frink, Gilbert, Donahoe.  
*Memorials.* — Hastings, Kinnear, Forsyth.  
*Military.* — Dyer, Claypool, McManus.  
*Mines and Mining.* — O'Neill, Rutter, Hutchinson.  
*Municipal Corporations.* — Claypool, Ide, Forrest.  
*Printing.* — McManus, Kellogg, Richards.  
*Public Buildings and Grounds.* — Helm, Van Houten, Rutter.  
*Public Morals.* — Eshelman, Belknap, Brown.  
*Public Revenue and Taxation.* — Forrest, Forsyth, McCroskey, Cooper, Belknap, Hutchinson, Edens, Roberts, Campbell.  
*Roads and Bridges.* — Kellogg, Hutchinson, Edens.  
*Rules and Joint Rules.* — Gilbert, Foss, O'Neill.  
*Salaries and Mileage.* — Miller, Frink, Sergeant.  
*State Granted and School Lands.* — Edens, Easterday, Van De Vanter, Eshelman, Ide, Horr, McCroskey.

*State Library.*—Hastings, Forrest, Miller.

*State Prison.*—Smith, Roberts, Gilbert.

*State Schools for Defective Youth.*—Shaw, Sergeant, Donahoe.

*State Tide Lands.*—Cooper, Forrest, Helm, Eshelman, Hastings, O'Neill, McManus.

*State Insane.*—Ide, Eshelman, Horr.

Senator Claypool gave notice that at the next session he would move to amend rule 6, so as to increase the number of the Committee on Municipal Corporations to five members, and the Committee on Roads and Bridges to seven members.

Senator Horr gave notice that at the next session of the Senate he would move to amend rule 6, so as to increase the number of the Committee on Hospital for the Insane to five members, and the Committee on Public Buildings and Grounds to five members.

The following communication was received:

STATE OF WASHINGTON, OFFICE OF SECRETARY OF STATE,  
OLYMPIA, January 11, 1893.

*To the Senate of the State of Washington:*

GENTLEMEN—I have the honor to inform you that the oath of office of Hon. Frank H. Luce, as lieutenant governor of the State of Washington, has this day been filed in this office.

Very respectfully,

JAMES H. PRICE, Secretary of State.

By BRAD. W. DAVIS, Chief Clerk.

#### INTRODUCTION OF BILLS.

Senate bill No. 3, by Senator Shaw: An act to appropriate money for the support of the Washington school for defective youth.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 5, by Senator Claypool: An act to amend section 2 of an act entitled "An act to provide for laying out, establishing, altering and changing the width of any county road, and providing for assessment, payment of damage, and providing for appeal," approved March 7, 1890.

Read first time; rules suspended, read second time by title, and referred to Committee on Roads and Bridges.

Senate bill No. 6, by Senator Claypool: An act relating to mechanics' liens and repealing sections 1957 and 1968 of chapter cxxxviii of the Code of Washington of 1881.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 7, by Senator Claypool: An act to amend 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."

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

Senate bill No. 8, by Senator Dyer: An act requiring the court to instruct the jury in writing when requested, also to indicate instructions before argument, and providing for exceptions.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 9, by Senator Dyer: An act providing for appeals to the supreme court, regulating the practice in cases appealed in the supreme court and superior courts, making provision for appeal and stay bonds and for examination of sureties; providing for the approval of bonds for the settlement and filing of statements of facts, and for transmission of record to the supreme court; defining the kind, style and dimensions of briefs; fixing the costs upon appeal; providing for pending appeals to be completed under the law in force at the time the appeal was taken, and repealing all laws in conflict.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 10, by Senator Richards: An act providing for liens of laborers, mechanics, material men and others, and providing for the foreclosure and payment of the same.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 11, by Senator Richards (by request): An act providing for an additional superior court judge for Whatcom county.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 12, by Senator Richards: An act for the relief of 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 13, by Senator Richards: An act to amend an act entitled "An act to provide for and to regulate the registration of voters in cities, towns and precincts having a voting population of 250 or more," approved March 27, 1890.

Read first time; rules suspended, read second time by title, and referred to Committee on Privileges and Elections.

Senate bill No. 14, by Senator Shaw: An act to authorize the necessary improvements at the Washington school for defective youth, and to appropriate money therefor.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 15, by Senator Easterday: An act to provide for the election of judges of the supreme court.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 16, by 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Constitution and Revision.

Senate bill No. 17, by Senator Easterday: An act in relation to the rules governing conflicts between law and equity.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 18, by Senator Van Houten: An act making appropriations for the state printing and binding for the balance of the fiscal term ending March 31, 1893; for the fiscal term ending March 31, 1895, and regulating the expenditures thereof.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 19, by Senator Horr: An act to establish a state weather service in the State of Washington for the purpose of cooperating with the United States weather bureau in the collection of climatic data and publishing the same; to disseminate more speedily and thoroughly the United States weather bureau weather forecasts, storm and frost warnings, for the benefit of the citizens of this state; to establish in each county one or more meteorological

stations, and making an appropriation therefor, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 20, by Senator Easterday: An act regulating special proceedings of a civil nature.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senator Edens introduced the following, which was adopted:

*Resolved*, That the secretary of the Senate be instructed to have printed for the use of the members of the Senate (in convenient form), 500 copies of the lists of standing committees.

Senator Hutchinson moved that Mrs. M. Hayes be employed as assistant journal clerk.

Roll called; Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Horr, Hutchinson, Ide, Kinnear, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van Houten and Van De Vanter voted aye. Senator Kellogg voted nay. Senators Cooper, Forrest, Helm, McCroskey, McManus and Miller not voting. Ayes 27, nays 1.

Mrs. M. Hayes was declared duly elected.

Senator Claypool moved that the consideration of minor employes be deferred until forenoon of Monday, January 16. So ordered.

On motion of Senator Kinnear, the Senate, at 4:10 P. M., adjourned until 2 o'clock P. M., Monday, January 16, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## EIGHTH DAY.

### AFTERNOON SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, MONDAY, January 16, 1893. }  
2 o'clock P. M.

Senate called to order at 2 o'clock P. M. President Luce in the chair.

Roll call; all present excepting Senators Easterday and Sergeant. Journal of Friday, January 13th, was read and approved.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 16, 1893.

MR. PRESIDENT:

The House has concurred in Senate concurrent resolution No. 2, Directing Senate and House Judiciary Committees to meet jointly, and report bills to cure defects in code reported by supreme judges.

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

The Speaker appointed as such committee on part of the House, Messrs. Morrison, Judson and Ludden.

The speaker has signed Senate bill No. 1, Appropriating \$60,000 for legislative expenses.

And the same are herewith returned to the Senate.

T. G. NICKLIN, Chief Clerk.

The following was introduced by Senator Hutchinson:

*Resolved*, That the Committee on Corporations other than Municipal be increased from five to seven members.

The president ruled the motion out of order, as the required notice had not been given.

Senator Hutchinson then notified the Senate that he would call up the resolution at the session of January 17th.

The president announced the appointment of Senators Gilbert, Foss and O'Neill as Committee on Joint Rules and Orders, as provided in Senate concurrent resolution No. 3.

Senate bill No. 19 (of 1891), and section 43 of Senate bill No.

259 (of 1891), were considered, and on motion of Senator Rutter, the special order was continued until Friday next, at 10 o'clock A. M.

Senator Claypool introduced the following, which was adopted:

*Resolved*, That a committee of five be appointed by the president, for the purpose of grouping the committees of the Senate, in order to secure the economical and advantageous employment of clerks.

Motion of Senator Horr to amend rule 6 so as to increase the number of Committee on Public Buildings and Grounds to five members, was lost.

Senate concurrent resolution No. 4, Providing for printing, binding and distribution of governor's message and reports of state officers, was introduced by Senator Dyer, and adopted.

On motion of Senator Claypool, the number of Committee on Municipal Corporations was increased to five members, and the number of Committee on Roads and Bridges was increased to seven members:

The president named as Committee on Municipal Corporations: Senators Claypool, Rutter, Eshelman, Ide and Roberts.

The following communication was received:

STATE OF WASHINGTON, AUDITOR'S OFFICE,

OLYMPIA, January 11, 1893.

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

GENTLEMEN—Pursuant to the provisions of sec. 107, Hill's Revised Statutes, requiring the examination of the accounts of the retiring state treasurer, and the result thereof to be reported to the legislature, I have to report that I have duly examined the accounts and records of Hon. A. A. Lindsley, state treasurer, and find balances in the several state funds as follows, to wit:

General fund.....	\$1,571 66
Military fund.....	277 71
Interest fund.....	5,318 82
Permanent school fund.....	129,741 80
Current school fund.....	30,941 63
Tide land fund.....	987 92
Deposits for survey of tide lands.....	19,757 45
Revolving fund.....	4,118 39
Library fund.....	3,174 71
Fish commission fund.....	1,220 20
Gross earnings fund.....	1,790 42
Total.....	\$198,900 71

The above balances have been duly certified to the state treasurer elect.

I have the honor to be, very respectfully yours,

T. M. REED, State Auditor  
By M. E. REED, Deputy.

## INTRODUCTION OF BILLS.

Senate bill No. 21, by Senator McManus: 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 all laws in conflict with this act, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

Senate bill No. 22, by Senator McManus: 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

Senate bill No. 23, by Senator Hastings: An act to establish and provide for the licensing and government of pilots and regulating pilotage for the Straits of San Juan de Fuca, Puget Sound and all American waters pertaining thereto.

Read first time; rules suspended, read second time by title, and referred to Committee on Commerce.

Senate bill No. 24, by Senator Hutchinson: An act to abolish the office of lieutenant governor.

Read first time; rules suspended, read second time by title, and referred to Committee on Indian Affairs.

Senate bill No. 25, by Senator Edens: An act relative to commission merchants, or persons selling agricultural products or farm produce on commission.

Read first time; rules suspended, read second time by title, and referred to Committee on Agriculture.

Senate bill No. 26, by 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, and declaring an emergency to exist.

Read first time; rules suspended, read second time by title, ordered not printed, and referred to Committee on Municipal Corporations.

Senate bill No. 27, by Senator Donahoe: An act to maintain, im-

prove and purchase land, and build additional buildings for the state reform school.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 28, by Senator Gilbert: An act to provide for building and keeping in repair roads and bridges in organized townships, and to provide for the levy and collection of taxes for the same.

Read first time; rules suspended, read second time by title, and referred to Committee on Roads and Bridges.

Senate bill No. 29, by Senator Gilbert: An act to provide for township organization and prescribing the duties and fixing the compensation of township officers, and providing for the assessment, levy and collection of town taxes.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 30, by Senator Richards: An act creating a board of harbor commissioners, defining their powers and duties, and fixing their compensation.

Read first time; rules suspended, read second time by title, and referred to Committee on Harbors and Harbor Lines.

Senate bill No. 31, by Senator Campbell: An act to amend sections 2 and 16 of an act entitled "An act in relation to attachments and garnishments," approved February 3, 1886.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 32, by Senator Forsyth: A bill for the relief of S. F. Albert, ex-sheriff of Wahkiakum county.

Read first time; rules suspended, read second time by title, and referred to Committee on Fisheries.

Senate bill No. 33, by Senator Dyer: An act relating to the appointment of public administrators, fixing their term of office, defining their duties and powers, regulating their compensation, and providing for the disposition of all property coming into their hands as such administrators, and repealing all laws in conflict therewith.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

On motion of Senator Claypool, the Senate, at 4:15 P. M., adjourned until 10 o'clock A. M., Tuesday, January 17, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## NINTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Tuesday, January 17, 1893. }  
10 o'clock A. M.

Senate called to order pursuant to adjournment at 10 o'clock A. M. President Luce in the chair.

Roll called; all senators present.

### MESSAGE FROM THE HOUSE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 17, 1893.

MR. PRESIDENT:

The House concurred in Senate concurrent resolution No. 4, To print the governor's message and reports of state officers.

The House has passed House concurrent resolution No. 3, Favoring the Sherman Nicaraguan canal bill.

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

The reading of yesterday's journal dispensed with, and journal approved.

The following was introduced by Senator Smith, and adopted:

*Resolved,* That the chairmen of the respective groups of committees be and are hereby empowered to select the clerk to which the group is entitled, and that when such selection is made the name be presented to the Senate for confirmation.

A petition from Granville Alliance, No. 5, asking that laws be passed reducing freight rates on wheat, reducing present rates of interest, and repealing the now existing road laws, was introduced

by Senator Hutchinson, and referred to Committee on Corporations other than Municipal.

The following report was submitted by Senator Claypool, and adopted:

MR. PRESIDENT:

Your committee heretofore appointed for the purpose of grouping the Senate committees, to secure the economical and advantageous employment of clerks, respectfully reports and recommends that committees be grouped and clerks apportioned as follows: Judiciary, one clerk; Revenue and Taxation, one clerk; Constitution and Revision, and Public Buildings and Grounds, one clerk; Roads and Bridges, and World's Fair, one clerk; State Granted and School Lands, and Labor and Labor Statistics, one clerk; State Prison, Counties and County Boundaries, and Federal Relations, one clerk; Commerce, Mines and Mining, and Memorials, one clerk; Agriculture, State Library, Salaries and Mileage, and Claims, one clerk; Municipal Corporations, one clerk; Manufactures and Fisheries, one clerk; Enrolling and Engrossing, one clerk; Corporations other than Municipal, one clerk; Hospital for Insane, and Printing, one clerk; School for Defective Youth, and State Tide Lands, one clerk; Harbors and Harbor Lines, and Medicine, Hygiene, Surgery and Dentistry, one clerk; Appropriations, Indian Affairs, Internal Improvements, and Rules and Joint Rules, one clerk; Military, Education, Public Morals, and Elections and Privileges, one clerk.

And your committee would recommend that at any time during the session while the clerk of any committee or committees is not employed at work for such committee or committees, that they be required to promptly comply with the request of the chairman of any other committee in need of his or her services.

C. E. CLAYPOOL, Chairman.

Report concurred in by Senators Rutter, Eshelman, Ide and Roberts, being all the members of said committee.

The following communications from the governor were received and read:

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

*To the Honorable the Senate of the State of Washington:*

I have this day approved and signed Senate bill No. 1, entitled "An act making appropriation for the expenses of the third legislature of the State of Washington."

Respectfully, J. H. MCGRAW, Governor.

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

*To the Honorable the Senate 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, 160; Eastern Washington Hospital for the Insane, 160; State Librarian, 50; State Normal School at Cheney, 60; State Treasurer, 140; State Board of Pharmacy, 40; Commissioner of Public Lands, 60; Regents of the University of Washington, 60; State Fish Commissioner, 50; State Medical Examining Board, 60; State Board of Dental Examiners, 60; Trustees of State Reform School, 60; State Auditor, 40; University Land and Building Commission, 133; Superintendent of Public Instruction, 500; Washington World's Fair Commission, 40, and State Board of Health, 40.

Respectfully, J. H. McGRAW, Governor.

#### INTRODUCTION OF BILLS.

Senate bill No. 34, by Senator Claypool: An act to fix the boundary lines of the county of Pierce, and amending sec. 24 of Hill's Code.

Read first time; rules suspended, read second time by title, and referred to Committee on Counties and County Boundaries.

Senate bill No. 35, by Senator Belknap: An act to amend sec. 265 of the Code.

Read first time; rules suspended, read second time by title, and referred to Committee on Counties and County Boundaries.

Senate bill No. 36, by Senator Brown: An act relative to the amendment and codification of the laws of the state, and to create a code commission.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 37, by Senator Campbell: An act to amend sec. 1 of an act entitled "An act relating to the place of trials of actions and proceedings and amending secs. 50 and 53 of the Code of Washington," approved February 5, 1891.

Read first time; rules suspended, read second time by title, and referred to the Judiciary Committee.

Senate bill No. 38, by Senator Roberts: An act to appropriate money to pay for the deficiency in the appropriations for the maintenance of the state penitentiary for the two years ending March 31, 1893.

Read first time; rules suspended, read second time by title, and referred to the Committee on Appropriations.

Senate bill No. 39, by Senator Kinnear: An act providing that in all trials by jury of twelve in the superior courts, except criminal trials, ten jurors may make the verdict for the whole jury.

Read first time; rules suspended, read second time by title, and referred to the Judiciary Committee.

Senate bill No. 40, by Senator Kinnear: An act to provide for voting on a constitutional amendment at the general election to be held in November, 1894, relating to the ownership of lands by aliens.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

On motion of Senator Rutter a recess was taken until 12 o'clock.

Senate called to order at 12 o'clock, meridian.

President Luce in the chair.

The president announced that nominations for United States senator were in order.

Senator Roberts nominated John B. Allen; Senators Gilbert, Forrest and Horr seconded the nomination.

Senator Claypool nominated George Turner; Senators Ide and Richards seconded the nomination.

Senator Eshelman nominated Chauncey W. Griggs; Senators Campbell and Shaw seconded the nomination.

A ballot was then taken for United States senator, resulting as follows:

Those voting for John B. Allen were: Senators Belknap, Brown, Dyer, Forrest, Forsyth, Frink, Gilbert, Hastings, Horr, Kellogg, Kinnear, O'Neil, Roberts, Rutter, and Van De Vanter—15.

Those voting for George Turner were: Senators Claypool, Cooper, Easterday, Edens, Helm, Ide, Richards, Smith, and Van Houten—9.

Those voting for Chauncey W. Griggs were: Senators Campbell, Donahoe, Eshelman, Foss, Hutchinson, McCroskey, McManus, Miller, and Shaw—9.

Absent and not voting: Senator Sergeant.

The president announced the result of the ballot to be: Allen, 15; Turner, 9; Griggs, 9.

On motion of Senator Rutter, the Senate, at 12:55 P. M., adjourned until 11 o'clock A. M., Wednesday, January 18, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## TENTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Wednesday, January 18, 1893. }  
11 o'clock A. M.

Senate called to order pursuant to adjournment at 11 o'clock  
A. M. President Luce in the chair.

Roll called; all present excepting Senator Sergeant.

The reading of yesterday's journal dispensed with and journal  
approved.

Senator Hutchinson introduced the following:

*Resolved*, That the Committee on Corporations other than Municipal  
be increased from five to seven members.

The yeas and nays were unanimously called for, and the resolu-  
tion adopted by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown,  
Dyer, Donahoe, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert,  
Hastings, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, Mc-  
Manus, Miller, and Roberts — 19.

Those voting in the negative were: Senators Campbell, Claypool,  
Cooper, Easterday, Forrest, Helm, Ide, O'Neill, Richards, Rutter,  
Smith, and Van De Vanter — 12.

Absent or not voting: Senators Sergeant, Shaw, and Van  
Houten — 3.

Senator Rutter, who had changed his vote, gave notice that at  
the proper time he would move to reconsider the vote by which the  
foregoing resolution was adopted.

Senator Dyer announced that O. T. Stratton had been selected by  
the chairmen of Committees on Military, Education, Public Morals,  
and Elections and Privileges, as the clerk of said committees.

The appointment of Mr. Stratton was confirmed by unanimous  
vote.

On motion of Senator Kinnear, Alfred Martin was appointed clerk  
to the Judiciary Committee.

On motion of Senator Horr, Mrs. A. E. Follansbee was appointed clerk to the Committees on Fisheries and Manufactures.

On motion of Senator McCroskey, W. H. Shearman was appointed clerk to the Committees on Agriculture, Salaries and Mileage, and Claims.

On motion of Senator Rutter, the Committees on Commerce, Mines and Mining, and Memorials were authorized to employ a clerk.

On motion of Senator Helm, Calvin A. Wilt was appointed clerk to the Committees on Public Buildings and Grounds, and Constitution and Revision.

On motion of Senator Van Houten, J. Howard Watson was appointed clerk to the Committee on Corporations other than Municipal.

On motion of Senator Ide, Albert Hawkins was appointed clerk to the Committees on State Insane and Printing.

On motion of Senator Cooper, Miss E. V. Cosper was appointed clerk to Committee on Enrolled Bills.

On motion of Senator Forrest, David E. Baily was appointed clerk to Committee on Public Revenue and Taxation.

On motion of Senator Kellogg, E. L. Kellogg was appointed clerk to Committee on Roads and Bridges.

On motion of Senator Smith, P. B. Johnson was appointed clerk to Committees on State Prison, and Counties and County Boundaries.

On motion of Senator Claypool, David W. Huggins was appointed assistant enrolling clerk.

On motion of Senator Rutter, George Parks was appointed clerk to Committees on Mines and Mining, and Memorials.

On motion of Senator Hutchinson, House concurrent resolution No. 3 was taken from the table and referred to Committee on Memorials.

#### INTRODUCTION OF BILLS.

Senate bill No. 41, by Senator Belknap: An act to govern the levying, assessing and collecting of road property tax.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Revenue and Taxation.

Senate bill No. 42, by Senator Belknap: A substitute for section 1074 of the Code.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Revenue and Taxation.

Senate bill No. 43, by Senator Dyer (by request): To prevent and punish the issuing and uttering of anything, either in specie, paper or otherwise, as money; providing penalties for the same, and for offering or attempting to offer or pass as money any commodity other than gold, silver and other coins, and such legal tender paper as shall be authorized and issued by the authority of congress, and in accordance with the constitution of the United States and the State of Washington.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate Bill No. 44, by Senator Dyer: Providing 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 the reporter; also, providing for additional bill of exception to be filed with the report, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 45, by Senator Forsyth: An act establishing a state normal school at the town of Kelso, Washington, and making an appropriation therefor.

Read first time; rules suspended, read second time by title, and referred to the Committee on Public Buildings and Grounds.

President pro tem. Dyer in the chair.

On motion of Senator Claypool, a recess was taken till 12 o'clock.

Senate called to order at 12 o'clock, and Senator Brown introduced the following resolution, which was adopted:

*Resolved*, That a committee of three be appointed by the president to wait on the House of Representatives and inform them that the Senate is ready to meet in joint convention with them, at 12 o'clock noon to-day, for the purpose of balloting for a United States Senator, as provided for by the laws of the United States.

The president appointed Senators Brown, Easterday and Smith as such committee.

On motion of Senator Hutchinson, James D. Hannegan was appointed clerk to committees on Indian Affairs, Internal Improvements, and Rules and Joint Rules.

Senate concurrent resolution No. 5, providing for the appointment of a joint committee to consider and report matters pertaining to the World's Fair and World's Fair Commission, was introduced by Senator Frink, and adopted.

The special committee reported that the House was now ready to meet the Senate in joint convention for the purpose of balloting for United States senator.

The special committee was discharged.

On motion of Senator Foss, Miss Bernice Newell was appointed as assistant to clerk of Committee on Enrolled Bills.

On motion of Senator Richards, Frank Mussetter was appointed clerk to committees on Harbors and Harbor Lines, and Medicine, Dentistry, Hygiene and Surgery.

The members of the Senate proceeded to the House of Representatives, to meet in joint session for the purpose of balloting for United States senator.

#### JOINT SESSION.

The joint session was called to order at 12 o'clock, meridian.

President Luce in the chair. Roll call of Senate and House; all present excepting Senator Sergeant.

The records of yesterday's Senate and House journals, pertaining to the balloting for United States senator, were read and approved.

The record showing that no candidate had, on yesterday, received the necessary majority, a joint ballot was taken.

#### FIRST JOINT BALLOT.

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 — 49.

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, Westfall, Van Houten, and Woodworth — 26.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Total number votes cast, 111.

Absent and not voting, Senator Sergeant.

President Luce announced that none of the candidates had received the necessary majority, and the second joint ballot was taken.

#### SECOND JOINT BALLOT.

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—49.

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—26.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Total number votes cast, 111.

Absent and not voting, Senator Sergeant.

#### THIRD JOINT BALLOT.

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 — 49.

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 — 26.

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 — 27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.) — 9.

Total number votes cast, 111.

Absent and not voting: Senator Sergeant.

#### FOURTH JOINT BALLOT.

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, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker — 47.

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 — 28.

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 — 27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Total number votes cast, 111.

Absent and not voting, Senator Sergeant.

FIFTH JOINT BALLOT.

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, Sallee, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker—47.

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—28.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Total number votes cast, 111.

Absent and not voting, Senator Sergeant.

The following was presented by Senator Rutter, and adopted:

*Resolved by the Legislature of the State of Washington, in Joint Convention assembled:* That the convention do now adjourn for the day, as a mark of respect to the late Rutherford B. Hayes, Ex-President of the United States.

And the joint convention dissolved at 1:20 o'clock P. M.

Senate called to order by President Luce at 1:25 P. M., and adjourned until 11 o'clock A. M., Thursday, January 19, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## ELEVENTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Thursday, January 19, 1893. }  
11 o'clock A. M.

Senate called to order, pursuant to adjournment, at 11 o'clock A. M. President Luce in the chair.

Roll called; all senators present.

Reading of yesterday's journal was dispensed with, and journal approved.

On motion of Senator Claypool, John W. Potter was appointed assistant to enrolling clerk.

On motion of Senator Hastings, Miss Queen Littlefield was appointed assistant to enrolling clerk.

On motion of Senator Van De Vanter, H. C. Gordon was appointed clerk to Committee on Appropriations.

Senate concurrent resolution No. 6, Relating to proposed investigation of the agricultural college, was introduced by Senator McCroskey, amended on motion of Senator Van Houten so as to read three members from the Senate and four from the House, and adopted.

President pro tem. Dyer in the chair.

On motion of Senator Cooper, George E. Filley was appointed clerk to Committees on State Tide Lands, and School for Defective Youth.

On motion of Senator Edens, C. W. Hobart was appointed clerk to Committees on State, School and Granted Lands, and Labor and Labor Statistics.

A recess of fifteen minutes was taken.

Senate called to order at 11:30 A. M.

### INTRODUCTION OF BILLS.

Senate bill No. 46, by Senator Claypool: An act relating to special proceedings of a civil nature in the courts of the State of Washington.

Read first time; rules suspended, read second time by title, ordered not printed, and referred to Judiciary Committee.

Senate bill No. 47, by Senator Brown: An act providing for the publication in the session laws of the names of persons changed by order of court, the names of persons admitted to citizenship and the names of corporations organized or admitted to do business in this state, and names of state officers.

Read first time; rules suspended, read second time by title, and referred to Committee on Printing.

Senate bill No. 48, by 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, within 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 49, by Senator Richards: To amend sec. 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Harbor and Harbor Lines.

The following committee report was received and adopted:

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.

President Luce appointed Senators Roberts and Horr as additional members of Committee on Municipal Corporations, and Senators Forsyth, Gilbert, Helm and Donahoe as additional members of the Committee on Roads and Bridges.

On motion of Senator Campbell, the name of Will L. Visscher

was substituted for that of Miss Bernice Newell, as assistant clerk to Committee on Enrolled Bills.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Joint session called to order at 12 o'clock meridian; President Luce in the chair.

Roll call of the House showed all members present.

Roll call of the Senate showed all members present.

The House journal containing the proceedings of yesterday's joint session was read.

A resolution was offered by Senator Claypool, and unanimously adopted, providing that all persons who by courtesy of the joint convention had obtained admission to the hall, should be required to maintain strict order, and that the executive officers of the convention be instructed to see that this requirement be enforced.

#### SIXTH JOINT BALLOT.

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—47.

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—28.

Those voting for Chauncy 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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Senator Sergeant voted for E. T. Wilson.

Total number votes cast, 112.

All present and voting.

## SEVENTH JOINT BALLOT.

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—47.

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—28.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Senator Sergeant voted for E. T. Wilson.

Total number votes cast, 112.

All present and voting.

## EIGHTH JOINT BALLOT.

These 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—47.

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—28.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Senator Sergeant voted for E. T. Wilson.

Total number votes cast, 112.

All present and voting.

#### NINTH JOINT BALLOT.

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—47.

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—28.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durrant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Senator Sergeant voted for E. T. Wilson.

Total number votes cast, 112.

All present and voting.

#### TENTH JOINT BALLOT.

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—47.

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—28.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Senator Sergeant voted for E. T. Wilson.

Total number of votes cast, 112.

All present and voting.

On motion of Senator Horr, a recess was taken until 3 o'clock p. m.

Senate called to order by President Luce at 1:20 o'clock p. m.

On motion of Senator McCroskey, the fixing of compensation for clerks and employes was referred to Committee on Salary and Mileage.

At 1:30 o'clock p. m., on motion of Senator Rutter, the Senate adjourned until 11 o'clock a. m., Friday, January 20, 1893.

At 3 o'clock the joint convention was called to order by President Luce, and balloting continued.

#### ELEVENTH JOINT BALLOT.

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—47.

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—28.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Senator Sergeant voted for E. T. Wilson.

Total number votes cast, 112.

All present and voting.

#### TWELFTH JOINT BALLOT.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Brock, Brown, Bush (A. S.), Bush (N. W.), Cameron, Dyer, Farrish, Foster, 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—47.

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—28.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Senator Sergeant voted for E. T. Wilson.

Total number votes cast, 112.

All present and voting.

#### THIRTEENTH JOINT BALLOT.

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—47.

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, and Woodworth—28.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Senator Sergeant voted for E. T. Wilson.

Total number votes cast, 112.

All present and voting.

#### FOURTEENTH JOINT BALLOT.

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—47.

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—28.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Senator Sergeant voted for E. T. Wilson.

Total number votes cast, 112.

All present and voting.

FIFTEENTH JOINT BALLOT.

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—47.

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—28.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Senator Sergeant voted for E. T. Wilson.

Total number votes cast, 112.

All present and voting.

SIXTEENTH JOINT BALLOT.

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—47.

Those voting for George Turner were: Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Kelly, Ludden, McMil-

lan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Rutter, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth—28.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Senator Sergeant voted for E. T. Wilson.

Total number votes cast, 112.

All present and voting.

#### SEVENTEENTH JOINT BALLOT.

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—47.

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—28.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durrant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Senator Sergeant voted for E. T. Wilson.

Total number votes cast, 112.

All present and voting.

#### EIGHTEENTH JOINT BALLOT.

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—47.

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—28.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Senator Sergeant voted for E. T. Wilson.

Total number votes cast, 112.

All present and voting.

#### NINETEENTH JOINT BALLOT.

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—47.

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—28.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Senator Sergeant voted for E. T. Wilson.

Total number votes cast, 112.

All present and voting.

TWENTIETH JOINT BALLOT.

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, Washburn, Webb, Weed, Wheeler, White, Van De Vanter, Winchell, and Mr. Speaker—47.

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, Westfall, Van Houten, and Woodworth—28.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Senator Sergeant voted for E. T. Wilson.

Total number of votes cast, 112.

All present and voting.

At 5:30 o'clock P. M. the joint session dissolved.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## TWELFTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, FRIDAY, January 20, 1893. }  
11 o'clock A. M.

Senate called to order, pursuant to adjournment, at 11 o'clock A. M.  
President Luce in the chair.

Roll call; all present excepting Senator Sergeant.

The reading of yesterday's journal was dispensed with, and journal approved.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 20, 1893.

MR. PRESIDENT:

The House has passed House bill No. 13, entitled "An act to authorize judges, whose terms of office expired on second Monday of January, 1893, to settle statement of fact in appeal cases."

The House has refused to concur in Senate concurrent resolution No. 5, Providing for Joint Committee on World's Fair.

The House has concurred in Senate concurrent resolution No. 6, Relating to investigation of agricultural college, and providing for the appointment of joint House and Senate committee for that purpose.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

The following resolution was introduced by Senator Edens, and adopted:

*Resolved*, That the sergeant-at-arms be instructed to ascertain where suitable committee rooms can be obtained, and report their location and rental price per month to the Senate for its consideration and approval as early as practicable.

The following report was received and adopted:

MR. PRESIDENT:

We, your Committee on Salaries and Mileage, would recommend that the salaries of clerks which have not already been fixed be five dollars per day, and that there be no change in the salaries during the session.

DAVID B. MILLER,  
J. M. FRINK,  
W. P. SERGEANT,  
Committee.

President pro tem. Dyer in the chair.

## INTRODUCTION OF BILLS.

Senate bill No. 50, by Senator Claypool: An act relating to transfer of real estate and to provide for the registration of titles to land.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 51, by Senator Foss: An act fixing the maximum to be allowed by the board of county commissioners for the board of prisoners confined in the county jails.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 52, by Senator Hutchinson (by request): A bill for an act to provide for the appointment and election of precinct assessors.

Read first time; rules suspended, read second time by title, and referred to Committee on Revenue and Taxation.

Senate bill No. 53, by Senator Eshelman: An act relating to the state library.

Read first time; rules suspended, read second time by title, and referred to Committee on State Library.

Senate bill No. 54, by Senator Dyer: An act regulating fees of justices of the peace for services rendered.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 55, by Senator Donahoe: A bill for an act providing for the establishment of a system of improved roads in counties, and providing for the manner of laying out, constructing and maintaining same, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Roads and Highways.

Senate bill No. 56, by Senator Donahoe: A bill for an act providing for road township organization of the various counties of the state.

Read first time; rules suspended, read second time by title, and referred to Committee on Roads and Bridges.

Senate bill No. 57, by Senator Donahoe: A bill for an act providing for the opening up, improving and constructing of roads and public highways in townships, and how payment shall be made therefor.

Read first time; rules suspended, read second time by title, and referred to Committee on Roads and Bridges.

Senate bill No. 58, by Senator Forrest: An act to provide for the formation of corporations for benevolent purposes wherein profit to the corporators is not the main object.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 59, by Senator Frink: An act making 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 60, by Senator Campbell: An act to amend sec. 1 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.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

House bill No. 13, Authorizing judges whose term of office expired on the second Monday in January, 1893, to settle statements of fact in appeal cases, was read first time; rules suspended, read second time by title; rules further suspended, and bill placed on final passage and passed by the following vote:

Those voting in the affirmative were: Senators 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, Shaw, Smith, Van De Vanter, and Van Houten—33.

Absent or not voting: Senator Sergeant.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators 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, Shaw, Smith, Van De Vanter, and Van Houten—33.

Absent or not voting: Senator Sergeant.

The title of the bill to remain the title of the act.

Senator Rutter moved to reconsider the vote by which the resolution to increase the number of the Committee on Corporations other than Municipal was passed on January 18th.

The yeas and nays being unanimously called for, the motion to reconsider was passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Claypool, Cooper, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Ide, Kellogg, O'Neill, Richards, Rutter, Smith, Van De Vanter, and Van Houten — 20.

Those voting in the negative were: Senators Brown, Campbell, Dyer, Donahoe, Eshelman, Horr, Hutchinson, Kinnear, McCroskey, McManus, Miller, Roberts, and Shaw — 13.

Absent or not voting: Senator Sergeant.

The resolution to increase then failed to pass by the following vote:

Those voting in the affirmative were: Senators Brown, Dyer, Donahoe, Easterday, Edens, Eshelman, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, McManus, Miller, and Shaw — 14.

Those voting in the negative were: Senators Belknap, Campbell, Claypool, Cooper, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Ide, O'Neill, Richards, Roberts, Rutter, Smith, Van De Vanter, and Van Houten — 19.

Absent or not voting: Senator Sergeant.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Joint session called to order at 12 o'clock meridian. President Luce in the chair.

Roll call of Senate showed all present except Senator Sergeant.

Roll call of House showed all members present.

Reading of yesterday's journal dispensed with, and journal approved.

#### TWENTY-FIRST JOINT BALLOT.

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, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker—49.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, 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—26.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Total number votes cast, 111.

Not voting, Senator Sergeant.

Senator McCroskey introduced the following resolution:

OLYMPIA, WASH., January 20, 1893.

*Resolved by the Senate and 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 shall 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 103 ayes, 8 nays.

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 present session when convened for the present purpose, the legislature shall take but one ballot, as required by law, and there-

upon dissolve the joint session and endeavor to do some other business of the state.

Mr. Washburn moved to lay Senator Claypool's resolution on the table.

Resolution to lay on table lost, by vote of 53 ayes, 58 nays.

Mr. Meany moved to amend by inserting the words "two ballots" in place of the words "one ballot."

Senator Sergeant entered and was noted present.

Mr. Meany's amendment prevailed, by a vote of 69 yeas, 43 nays.

Senator Claypool's resolution as amended was adopted by a vote of 62 yeas, 50 nays.

TWENTY-SECOND JOINT BALLOT.

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, Sergeant, Sallee, Shadle, Tucker, Van De Vanter, Washburn, Webb, Wheeler, White, Winchell, and Mr. Speaker—51.

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—25.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Total number votes cast, 112.

All present and voting.

The joint session then dissolved.

At 12:55 p. m., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Sena-

tor Kinnear, adjourned until 11 o'clock A. M., Saturday, January 21, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## THIRTEENTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Saturday, January 21, 1893. }  
11 o'clock A. M. }

Senate called to order, pursuant to adjournment, at 11 o'clock A. M. President Luce in the chair.

### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 20, 1893.

MR. PRESIDENT:

The House has indefinitely postponed Senate bill No. 2, entitled "An act in relation to the harbor line commission."

The speaker has signed House bill No. 13: An act authorizing judges to perform certain duties, and the same is herewith transmitted to the Senate.  
T. G. NICKLIN, Chief Clerk.

The reading of yesterday's journal was dispensed with and journal approved.

### INTRODUCTION OF BILLS.

Senate bill No. 61, by Senator Forsyth: A bill for 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 an attorney's fee as part of the costs in such action.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 62, by Senator Roberts: An act authorizing the establishment of public libraries in cities of 5,000 inhabitants or over.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

Senate bill No. 63, by Senator Dyer: An act regulating fees of county clerks for services rendered as *ex officio* clerks of the superior courts in probate cases, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to the Judiciary Committee.

President pro tem. Dyer in the chair.

The following resolution was introduced by Senator Frink, and adopted:

*Resolved*, That a special committee of three be appointed by the president of the Senate to consider all matters pertaining to the World's Fair, or the World's Fair Commission.

The following report was received from the Committee on Constitutional Revision:

MR. PRESIDENT:

Your Committee on Constitutional Revision, 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 the permanent school fund," have had the same under consideration, and do now report the same back, with the recommendation that it be amended by inserting the word "district" before the word "bonds," being the last word in the first section of said bill, and by adding a third section thereto, which shall be in the words and figures following, to wit:

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."

And being so amended, that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Kinnear and Miller, being all the members of said committee.

The report of the committee was received.

Senate bill No. 16 was read the third time by sections and amended by inserting the word "district" before the last word "bonds" in section 1. Further amended by adding: "Section 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 the constitution, relative to investment of the permanent school fund.' 'Against proposed amendment to section 5, article 16 of

the constitution, relative to the investment of the permanent school fund.'”

Bill considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators 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, Shaw, Smith, Van De Vanter, and Van Houten — 33.

Absent or not voting: Senator Sergeant.

The title of the bill to remain the title of the act.

Senate bill No. 16 was ordered spread upon the journal.

#### SENATE BILL No. 16.

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 XVI 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 XVI of the constitution, relative to investment of permanent school fund.” “Against proposed amendment to section 5, article XVI of constitution, relative to investment of permanent school fund.”

The Committee on Appropriations submitted the following report:

IN THE SENATE, January 21, 1893.

MR. PRESIDENT:

Your Committee on Appropriations beg leave to report that they have examined Senate bill No. 12, entitled “An act for the relief of tide and shore land appraisers,” etc., and recommend that the same be passed as amended by adding the word “Clarke” after “Snohomish” in line 4 of section 3 of printed bill.

A. T. VAN DE VANTER, Chairman.

The report was received, and Senate went into committee of the

whole for consideration of Senate bill No. 12; Senator Easterday in the chair.

The committee, rising, reported the bill back to the Senate, with the recommendation that the amendment suggested in the report of Committee on Appropriations be incorporated in the bill and that it do pass.

President Luce in the chair.

The report of the committee of the whole was adopted, and the bill was amended by inserting the word "Clarke" after the word "Snohomish" in line 4 of section 3 of the printed bill.

On motion of Senator Richards, Senate bill No. 12 was made a special order for Monday, January 23d, at 11 o'clock A. M.

On motion of Senator Kinnear, the special order on the executive veto of Senate bill No. 19 (of 1891), and section 43 of Senate bill No. 259 (of 1891), was continued until 10 o'clock A. M., Tuesday, January 24th.

The president stated that he was about to sign House bill No. 13.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian; President Luce in the chair.

Roll call; all present excepting Senator Sergeant.

President Luce stated that hereafter, during the joint session held for the purpose of balloting for United States Senator, no other business would be in order excepting that directly connected with the election of senator, and that no other question or discussion would be entertained by the chair. As presiding officer of the joint convention, he held the resolution offered by Senator McCroskey, and adopted at the session of January 20th, out of order, and so ruled.

The reading of yesterday's journal was dispensed with, and the journal approved.

#### TWENTY-THIRD JOINT BALLOT.

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, Speck, Shadle, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker—51.

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—24.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Total number votes cast, 111.

Not voting, Senator Sergeant.

Senator Sergeant entered and was noted present.

#### TWENTY-FOURTH JOINT BALLOT.

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, Sergeant, Sallee, Speck, Shadle, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker—52.

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—24.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Total number votes cast, 112.

All present and voting.

The joint session then dissolved.

At 12:30 P. M., immediately following the joint session, the Senate was called to order by President pro tem. Dyer, and, on motion of Senator Forrest, adjourned until 11:30 o'clock A. M., Monday, January 23, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## FIFTEENTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Monday, January 23, 1893. }  
11:30 o'clock A. M.

Senate called to order, pursuant to adjournment, at 11:30 o'clock A. M. President Luce in the chair.

Roll call; all senators present.

The reading of journal of January 21 was dispensed with, and journal approved.

The following was introduced by Senator McManus:

WHEREAS, The *Press-Times*, a republican daily newspaper published in the city of Seattle, in this state, in its issue of January 21, 1893, did, directly and by inference, editorially prefer charges of the utmost gravity against the present incumbent of the seat from the Twenty-ninth senatorial district: therefore, be it

*Resolved*, That it is the imperative duty of this body, in justice to itself, in fairness to the senator from the Twenty-ninth senatorial district, and, that the integrity of this commonwealth shall not be destroyed, without question, to immediately institute the most searching investigation of the alleged disability of the senator from the Twenty-ninth district to legally sit in this body.

*Resolved*, That the matter be referred to the Committee on Elections and Privileges, and that the said committee be requested to report at the earliest moment consistent with a careful examination of the facts in the case and the courtesy due the senator from the Twenty-ninth district.

The resolution failed to pass, by a divisional vote of 15 in the negative to 10 in the affirmative.

#### INTRODUCTION OF BILLS.

Senate bill No. 64, by Senator Dyer: 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 time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 65, by Senator Dyer: 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 time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 66, by Senator Horr: An act to fix the legal rate of interest.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Morals.

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.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Buildings and Grounds.

Senate bill No. 68, by Senator Brown: An act to provide for the collection of taxes in municipal corporations of the third and fourth classes.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Joint session called to order at 12 o'clock meridian; President Luce in the chair.

Roll call; all senators and representatives present.

The reading of yesterday's journal was dispensed with, and journal approved.

#### TWENTY-FIFTH JOINT BALLOT.

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—51.

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—25.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Total number votes cast, 112.

All present and voting.

#### TWENTY-SIXTH JOINT BALLOT.

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—51.

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—25.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Total number votes cast, 112.

All present and voting.

The joint session then dissolved.

At 12:20 P. M., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator Van Houten, a recess was taken until 3 o'clock P. M.

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#### AFTERNOON SESSION.

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Senate called to order at 3 o'clock P. M. President Luce in the chair.

Roll called; all members present.

Senate bill No. 12 was read third time by sections, and amended by striking out sections 1 and 2, and by inserting new sections 1 and 2, and sections 3 and 4, as follows:

SECTION 1. That the state auditor be and he is hereby directed to call in all certificates of indebtedness issued by him between the twenty-fourth day of October, 1891, and the ninth day of January, 1893, for necessary expenses in connection with the surveys of the tide lands in the counties of Whatcom, Kitsap, Thurston, Jefferson, Skagit, Snohomish, Clarke and Pacific, and issue, in lieu thereof, warrants on the state treasurer to be paid out of the tide land fund, for the respective amounts, with legal interest from the date of the respective certificates to the date of the issuance of the respective warrants. Interest shall cease on all certificates not presented to the state auditor on or before April 1, 1893.

SEC. 2. The state treasurer is hereby authorized and directed to pay the warrants issued by the state auditor, in pursuance of this act, out of any money in the tide land fund, not otherwise appropriated.

SEC. 3. The sum of twenty-two thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of the tide land fund in the state treasury, not otherwise appropriated, to pay the warrants issued by the state auditor in pursuance of this act.

SEC. 4. This act shall take effect from and after its passage, and approval by the governor.

Senate bill No. 12 was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators 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 De Vanter, and Van Houten — 34.

The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

##### HOUSE OF REPRESENTATIVES.

OLYMPIA, WASH., January 23, 1893.

##### MR. PRESIDENT:

The speaker of the House has signed House concurrent resolution No. 1, Relative to printing governor's message.

Also, House concurrent resolution No. 3, Indorsing Nicaraguan canal construction.

And the House has passed House concurrent resolution No. 4, Relative to joint committee on fishing to act with like committee from Oregon legislature.

T. G. NICKLIN, Chief Clerk.

On motion of Senator Horr, House concurrent resolution No. 4 was referred to Committee on Fisheries.

On motion of Senator Claypool, Miss Maud Hanshaw was appointed clerk to Committee on Municipal Corporations.

On motion of Senator Dyer, the list of appointments reported to the Senate by Governor Ferry were taken from the table.

On motion of Senator Kinnear, the Senate went into executive session, with open doors.

On motion of Senator McCroskey, the following appointments as directors of the state penitentiary were laid upon the table subject to call: Frank M. Lowden, for the term of two years from February 18, 1882; Frank W. Paine, for the term of four years from February 18, 1892; P. B. Johnson, for the term of six years from February 18, 1892.

On motion of Senator Hastings, the following appointments were laid upon the table subject to call:

Henry Landes, Robert C. Hill and Thomas Jackson, all of Jefferson county, as members of the board of health for collection district of Puget Sound, until the 7th day of March, 1894.

On motion of Senator Shaw, the reappointment of J. R. Smith, of Clarke county, to be a member of the board of trustees of the

Washington school for defective youth, for the term ending July 1, 1898, was confirmed.

On motion of Senator Van Houten, the reappointment of S. A. Wells, of Spokane county, as a member of the board of trustees of the normal school at Cheney, for the term ending July 29, 1898, was confirmed.

On motion of Senator Horr, the appointment of James W. Langley, of King county, to be a member of the board of trustees of the Washington soldiers' home until June 26, 1897, was laid upon the table subject to call.

On motion of Senator Forrest, the appointment of James R. Hayden, of Seattle, to be a member of the board of regents of the university of Washington until March 3, 1898, was confirmed.

On motion of Senator Horr, the appointment of Archibald H. Adams, of Olympia, to be a member of the board of trustees of the Washington soldiers' home until June 26, 1894, was confirmed.

On motion of Senator Claypool, the appointment of D. E. Lesh, of Yakima county, to be a member of the board of regents of the agricultural college and school of science until March 9, 1897, was laid upon the table subject to call.

On motion of Senator Ide, the reappointment of N. Fred Essig, of Spokane county, to be a member of the state board of health for the term of five years, was confirmed.

On motion of Senator Helm, the reappointment of Fred W. Agatz, of Kittitas county, to be a member of the board of trustees of the normal school at Ellensburg for the term of six years, was confirmed.

On motion of Senator Kellogg, the appointments as members of the board of regents of the university of Washington, for the term ending the second Monday in March, 1898, of Frank Allyn of Pierce county, and of David Kellogg and Wm. D. Wood, of King county, were confirmed.

On motion of Senator Easterday, the reappointment of George H. Boardman, of Pierce county, to be a member of the board of trustees of the Washington soldiers' home, for the term of five years, was confirmed.

On motion of Senator Richards, the following appointments as members of the state board of health were confirmed: George S. Armstrong, of Thurston county, until December 30, 1893; J. R.

Hathaway, of Whatcom county, until December 30, 1894; O. A. Bowen, of Wahkiakum county, until December 30, 1895.

On motion of Senator Forrest, the appointment of J. E. Eagleson, of King county, to be a member of the state board of health for the term of five years, was confirmed.

On motion of Senator Horr, the appointment of B. W. Brintnall, of Thurston county, to be a member of the board of education until the first Monday in March, 1893, was confirmed.

On motion of Senator Smith, the appointment of George W. Hopp, of Skagit county, to be a regent of the agricultural college and school of science, until March 9, 1897, was laid upon the table subject to call.

On motion of Senator Van De Vanter, the appointment of John Arthur, of Seattle, to be a member of the board of university land and building commissioners, for the term of four years, was laid upon the table subject to call.

On motion of Senator Smith, the following appointments as regents of the agricultural college and school of science, were laid upon the table subject to call: Eugene Fellows, of Spokane county, until March 9, 1893; Andrew H. Smith, of Pierce county, and S. B. Conover, of Jefferson county, both until March 9, 1895, and J. H. Bellinger, of Whitman county, until March 9, 1897.

On motion of Senator Van De Vanter, the appointments of John McReavy, of Mason county, and Charles F. Leavenworth, of Thurston county, as members of the board of university land and building commissioners, both for the term of four years, were laid upon the table subject to call.

On motion of Senator Kinnear, the executive session dissolved.

The following report of rooms available for the use of Senate committees was submitted by the sergeant-at-arms:

OLYMPIA, January 23, 1893.

As per resolution passed the Senate, I have found the following rooms, which can be had as committee rooms, at the prices named herein:

Room No. 10, Temple flat.....	\$30 00
Room No. 1, Temple flat.....	30 00
Room No. 23, Hospital.....	20 00
Room No. 1, Chilberg building.....	30 00
Room No. 4, Horr building.....	30 00
Four rooms in Turner building.....	40 00

Very respectfully,

M. D. SMITH, Sergeant-at-Arms.

The matter of securing committee rooms was referred to Committee on Public Buildings and Grounds, with power to act.

On motion of Senator Kinnear, the Senate, at 5:15 P. M., adjourned until 10 o'clock A. M. Tuesday, January 24, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## SIXTEENTH DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Tuesday, January 24, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President pro tem. Dyer in the chair.

Roll call; all senators present.

The reading of yesterday's journal dispensed with, and journal approved.

The following report was received:

MR. PRESIDENT:

Your Committee on Municipal Corporations, to which was referred Senate bill No. 26, respectfully report the same back to the Senate, with the recommendation that it pass. C. E. CLAYPOOL, Chairman.

Report concurred in by Senators Ide, Forrest and Horr, being all the members of said committee present.

Senate bill No. 26 was placed on file.

Senator Helm stated that the committee appointed to select committee rooms would report to-morrow.

### INTRODUCTION OF BILLS.

Senate bill No. 69, by Senator Kinnear: An act requiring the appointment of police matrons in certain cities, defining their duties and fixing their compensation.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 70, by Senator Kinnear: An act to amend section

2 of an act entitled "An act in relation to the powers and duties of clerks of courts," approved February 26, 1891.

Read first time; rules suspended, read second time by title, and referred to the Judiciary Committee.

Senate bill No. 71, by Senator Donahoe: An act regulating the rates of interest on money.

Read first time; rules suspended, read second time by title, and referred to the Committee on Commerce.

Senate bill No. 72, by Senator Frink: An act to provide for the compulsory and reformatory education of juvenile disorderly persons.

Read first time; rules suspended, read second time by title, and referred to Committee on Education.

Senate bill No. 73, by Senator Frink: An act to authorize school districts to establish and maintain libraries, and to provide for the management and care of the same.

Read first time; rules suspended, read second time by title, and referred to Committee on Education.

Senate bill No. 74, by Senator Claypool: 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.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 75, by Senator Claypool: An act providing for the appointment of official stenographers for the superior courts of this state, and fixing their compensations and duties, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

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.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 77, by Senator Claypool: An act for the relief of the county of Pierce.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 19 (of 1891) was read in full, together with the following executive veto message:

EXECUTIVE DEPARTMENT, STATE OF WASHINGTON,  
OLYMPIA, March 14, 1891.

*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 preemption, 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 Encyclopedia 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, be-

cause the bill nowhere, upon its face expressly or by implication, recognizes the rights 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,

Lieutenant Governor and Acting Governor.

## SENATE BILL No. 19.

AN ACT declaring it unlawful to organize, maintain or employ an armed body of men in this state, and providing punishment therefor.

WHEREAS, the State of Washington has provided for and maintains an efficient military and police force, ample for the protection of all her citizens in their persons and property: therefore,

*Be it enacted by the Legislature of the State of Washington:*

Section 1. That it shall be unlawful for any person, corporation or association of persons, or agents of any person, or member, agent or officer of any corporation or association of persons, to organize, maintain or employ an armed body of men in this state for any purpose whatever; and all parties so offending shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by fine of not less than one thousand dollars, nor more than five thousand dollars, and in a like sum for each day they shall continue to offend, after having been once fined, and in addition to such fine such offender, if a person, may be imprisoned in the county jail not exceeding one year, at the discretion of the court. The fines shall be paid into the general fund of the county in which the offense was committed. And all arms, uniforms, accoutrements, and any other property of a military character in possession of such person, members, agent, officer, corporation, or armed bodies of men, shall be seized by the officer making the arrest, under the provisions of this section, and be forfeited to the State of Washington.

Passed the Senate February 12, 1891.

E. T. WILSON,

President pro tem. of the Senate.

Passed the House of Representatives March 3, 1891.

AMOS F. SHAW,

Speaker of the House of Representatives.

Senate bill No. 19 (of 1891) was then passed over the executive veto by the following vote:

Those voting in the affirmative were: Senators 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 De Vanter, and Van Houten — 34.

The executive veto of section 43 of Senate bill No. 259 (of 1891), was made special order for Friday, January 27, 1893, at 10 o'clock A. M.

A recess was taken until 11:55 A. M.

Senate called to order at 11:55 A. M.

The president stated that he was about to sign House concurrent resolution No. 1, and House concurrent resolution No. 3.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll called; all senators and representatives present.

The reading of yesterday's journal dispensed with, and journal approved.

#### TWENTY-SEVENTH JOINT BALLOT.

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—51.

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—25.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Total number votes cast, 112.

All present and voting.

#### TWENTY-EIGHTH JOINT BALLOT.

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 — 51.

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 — 25.

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 — 27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.) — 9.

Total number votes cast, 112.

All present and voting.

The joint session then dissolved.

At 12:25 P. M., immediately following the joint session, the Senate was called to order by President Luce, and on motion of Senator Claypool, adjourned until 10 o'clock A. M., Wednesday, January 25, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## SEVENTEENTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Wednesday, January 25, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M.  
President Luce in the chair.

Roll call; all senators present.

Reading of yesterday's journal was dispensed with and journal approved.

### REPORT OF COMMITTEE ON HARBORS AND HARBOR LINES.

SENATE CHAMBER,  
OLYMPIA, WASH., January 24, 1893.

MR. PRESIDENT:

We, your Committee on Harbors and Harbor Lines, 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 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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

FRANK H. RICHARDS, Chairman.

We concur in this report:

J. M. FRINK,

B. C. VAN HOUTEN.

Report received, and Senate bill No. 49 placed on file.

### REPORTS OF COMMITTEE ON FISHERIES.

SENATE CHAMBER,  
OLYMPIA, WASH., January 24, 1893.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 32, entitled "An act for the relief of S. F. Albert, ex-sheriff of Wahkiakum county," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that the words "seven hundred and twenty dollars (\$720)" in line one, section one, of the printed bill be stricken out, and that the sum "two hundred

and forty dollars (\$240)" be substituted in lieu thereof, and with this amendment we do recommend that Senate bill No. 32 be passed.

Respectfully submitted.

J. C. HERR, Chairman.

We concur in this report:

B. F. SHAW,

FRANK H. RICHARDS.

Report received, and Senate bill No. 32 placed on file.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House concurrent resolution No. 4, Relating to fish and fisheries on the waters of the Columbia river and its tributaries, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. C. HERR, Chairman.

We concur in this report:

B. F. SHAW,

FRANK H. RICHARDS.

Report received, and House concurrent resolution No. 4 placed on file.

#### REPORTS OF JUDICIARY COMMITTEE.

The following reports were received:

SENATE CHAMBER,

OLYMPIA, WASH., January 24, 1893.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate concurrent resolution No. 2, Relating to the report of the supreme court judges and providing for correction of errors, would respectfully report the same back to the Senate, there being nothing therein for the consideration of this committee, and recommend that it lay upon the table.

J. R. KINNEAR, Chairman.

Report concurred in by Senators Dyer, Easterday, Claypool, Brown and Richards, being all the members of said committee present.

Report adopted, and Senate concurrent resolution No. 2 laid on table subject to call.

MR. PRESIDENT:

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 now respectfully report it back to the senate with the recommendation that it be passed.

J. R. KINNEAR, Chairman.

Report concurred in by Senators Dyer, Easterday, Claypool, Brown and Richards, being all the members of said committee present.

Report received, and Senate bill No. 15 placed on file.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 46, entitled "An act relating to special proceedings of a civil nature in

the courts of the State of Washington," have had the same under consideration, and now respectfully report it back to the Senate, with the recommendation that it be indefinitely postponed.

J. R. KINNEAR, Chairman.

Report concurred in by Senators Dyer, Easterday, Claypool, Richards and Brown, being all the members of said committee present.

Report of Judiciary Committee adopted, and Senate bill No. 46 was indefinitely postponed.

### REPORT OF COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

SENATE CHAMBER,

OLYMPIA, WASH., January 24, 1893.

MR. PRESIDENT:

Your Committee on Public Buildings and Grounds, to whom was referred the matter of selecting rooms for the use of the various Senate committees, would respectfully report that we have secured the following rooms:

Committees on Internal Improvements, Indian Affairs, Rules and Joint Rules, State, Granted and School Lands, and Labor and Labor Statistics, will meet in room 23, hospital building; rent, \$15.

Committees on Commerce, Mines and Mining, Memorials, Medicine, Hygiene, Surgery and Dentistry, and Appropriations, will meet in the reading room of the Olympia hotel; rent, \$20.

Committees on Military, Education, Public Morals, and Elections and Privileges, will meet at corner Adams and Union streets; rent, \$10.

Committees on Judiciary, and Constitution and Revision, will meet at state library.

Committees on Fisheries and Manufactures, and School for Defective Youth, will meet at corner of Seventh and Franklin streets; rent, \$17.

Committees on Municipal Corporations, Public Buildings and Grounds, and Corporations other than Municipal, will meet at room 10, Temple flat; rent, \$25.

Committees on Public Revenue and Taxation, Harbor Lines, and Tide Lands, will meet at public room, state building.

Committees on State Insane Hospitals, Printing, Agriculture, State Library, Salaries and Mileage, and Claims, will meet at room 1, Temple flat; rent, \$20.

Committees on Roads and Bridges, World's Fair, State Prison, Counties and County Boundaries, and Federal Relations, will meet at the smoking room of the Olympia hotel; rent, \$20.

C. I. HELM,

B. C. VAN HOUTEN,

W. C. RUTTER.

On motion of Senator Rutter, the recommendations of the Committee on Public Buildings and Grounds, relative to securing committee rooms, were adopted.

•On motion of Senator Horr, House concurrent resolution No. 4 was called up, and unanimously concurred in by the Senate.

President pro tem. Dyer in the chair.

#### INTRODUCTION OF BILLS.

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.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 79, by 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.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 80, by Senator McCroskey: A bill to amend section 20 of an act entitled "An act to regulate and license insurance business in this state," approved March 27, 1890.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

Senate bill No. 81, by Senator Hutchinson (by request): A bill for an act to provide for the arbitration of differences between corporations and their employés.

Read first time; rules suspended, read second time by title, and referred to Committee on Labor and Labor Statistics.

Senate bill No. 82, by Senator O'Neill: To abolish the office of fish commissioner and fish wardens in the state of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Fisheries.

Senate bill No. 83, by Senator Frink: To provide for the management and control of state normal schools in the State of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Education.

Senate bill No. 84, by Senator Forsyth: An act to declare and regulate the powers and duties of corporations organized for improving streams, chiefly valuable for the navigation of logs and other

timber products, and for the booming, assorting, or holding of logs and other timber products in such streams.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

Senate bill No. 85, by Senator Eshelman: An act for the prevention of cruelty to children, animals, fowls and birds.

Read first time; rules suspended, read second time by title, and referred to Committee on Military.

Senate bill No. 86, by Senator Sergeant: An act to provide for the appointment and to prescribe the duties of a public examiner for the State of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 87, by 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.

Read first time; rules suspended, ordered not printed, read second time by title, and referred to Judiciary Committee.

Committee rendered verbal report, recommending that the bill do pass.

After consideration, Senate bill No. 87 was recommitted to Judiciary Committee.

Senate bill No. 26 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, 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, and Van Houten — 32.

Absent or not voting: Senators Easterday and Van De Vanter — 2.

The title of the bill to remain the title of the act.

Senate bill No. 49 was read third time by sections, and amended by striking out all of the bill after the word "records" in line 9 of the printed bill. The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Foss, Frink, Gilbert, Hastings, Helm, Horr,

Hutchinson, Kellogg, Kinnear, McCroskey, McManus, Miller, Richards, Roberts, Shaw, Smith, Van De Vanter, and Van Houten—29.

Absent or not voting: Senators Forsyth, Ide, O'Neill, Rutter, and Sergeant—5.

The title of the bill to remain the title of the act.

A recess of thirty minutes was taken.

Senate called to order at 11:40 A. M.

#### COMMUNICATION FROM GOVERNOR.

The following communication was received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 23, 1893.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—On the 17th instant I appointed Thomas M. Young, of King county, a member of the board of trustees of the Washington soldiers' home for the term ending June 26, 1897, in place of J. W. Langley, resigned.

I ask that the Senate advise and consent to this appointment.

Respectfully, J. H. MCGRAW, Governor.

On motion of Senator Forrest, the Senate went into executive session for the consideration of the foregoing appointment, which was unanimously confirmed.

Executive session dissolved, and the members of the Senate repaired to House of Representatives to meet in joint session.

#### JOINT SESSION.

Joint session called to order at 12 o'clock meridian; President Luce in the chair.

Roll call; all senators and representatives present.

The reading of yesterday's journal was dispensed with, and the journal approved.

#### TWENTY-NINTH JOINT BALLOT.

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—51.

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—25.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Total number votes cast, 112.

All present and voting.

#### THIRTIETH JOINT BALLOT.

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, Neergard, 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—51.

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, Westfall, Van Houten, and Woodworth—25.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Total number votes cast, 112.

All present and voting.

The joint session then dissolved.

At 12:30 P. M., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator Cooper, adjourned until 11 o'clock A. M., Thursday, January 26, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## EIGHTEENTH DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Thursday, January 26, 1893. }  
11 o'clock A. M.

Senate called to order, pursuant to adjournment, at 11 o'clock A. M. President Luce in the chair.

Roll call; all members present.

The reading of yesterday's journal was dispensed with and journal approved.

#### REPORT OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

The following report was received from the Committee on Elections and Privileges:

SENATE CHAMBER,  
OLYMPIA, WASH., January 26, 1893.

MR. PRESIDENT:

Your Committee on Elections and Privileges, to whom was referred Senate bill No. 13, entitled "An act to amend an act entitled 'An act to provide for and to regulate the registration of voters in cities and towns and precincts having a voting population of two hundred and fifty (250) or more,' approved March 27, 1890," have had the same under consideration, and report the same back, together with a substitute therefor, with the recommendation that the bill be indefinitely postponed, and that the substitute be passed.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Dyer and Miller, being all the members of said committee.

The report was adopted, Senate bill No. 13 was indefinitely postponed, and the substitute bill offered by Committee on Elections

and Privileges in the foregoing report, was numbered Senate bill No. 88.

Senate bill No. 88 (substitute for Senate bill No. 13), 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.

Read first time; rules suspended, read second time by title, and placed on file.

#### REPORT OF THE COMMITTEE ON JUDICIARY.

The following report was received from the Judiciary Committee:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 39, entitled "An act providing that in all trials by jury of twelve in the superior courts, except criminal trials, ten jurors may make the verdict for the whole jury," have had the same under consideration, and beg to report it back to the Senate with a substitute, and recommend that the substitute do pass.

J. R. KINNEAR, Chairman.

All members present concurred, being Senators Dyer, Easterday, Claypool, Richards, and Van Houten.

The report of the Judiciary Committee was adopted, Senate bill No. 39 indefinitely postponed, and the substitute bill offered by the committee in the foregoing report was numbered Senate bill No. 89.

The report of the Judiciary Committee was adopted.

Senate bill No. 89 (substitute for Senate bill No. 39), 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 Wm. Lair Hill, relating to juries.

Read first time; rules suspended, read second time by title, and placed on file.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 26, 1893.

MR. PRESIDENT:

The House has passed House bill No. 16, entitled "An act to amend section 1680 of Hill's Code, the same being section 1942 of the Code of 1881, relating to liens on lumber." Ayes 74, nays 0; title agreed to.

And the speaker has appointed, on part of the House, Messrs. Bush,

Brock and Cowan, in compliance with House concurrent resolution No. 4, Relating to appointment of joint committee to confer with like committee of Oregon legislature, on subject of fishing.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### REPORT OF COMMITTEE ON PRINTING.

SENATE CHAMBER,

OLYMPIA, WASH., January 25, 1893.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred Senate bill No. 47, entitled "An act providing for publication in session laws of names of persons changed by order of the court," etc., have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

JNO. E. MCMANUS, Chairman.

We concur in this report:

FRANK H. RICHARDS,

J. A. KELLOGG.

Report received, and Senate bill No. 47 placed on file.

#### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

SENATE CHAMBER,

OLYMPIA, WASH., January 26, 1893.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 41, entitled "An act to govern the levying, assessing and collecting of road property tax," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be referred to the Senate Committee on Roads and Bridges.

Respectfully submitted.

R. C. MCCROSKEY, Chairman *pro tem*.

The report of Committee on Public Revenue and Taxation was adopted, and Senate bill No. 41 referred to Committee on Roads and Bridges.

#### INTRODUCTION OF BILLS.

Senate bill No. 90, by Senator Frink: 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Education.

Senate bill No. 91, by Senator Belknap: An act to provide for voting on a constitutional amendment at the next general election to be held in November, 1894.

Read first time; rules suspended, read second time by title, and referred to Committee on Claims.

Senate bill No. 92, by Senator Dyer (by request): An act establishing a bureau of labor statistics, and appropriating money for the maintenance thereof.

Read first time; rules suspended, read second time by title, and referred to Committee on Labor and Labor Statistics.

Senate bill No. 93, by Senator Kellogg: A bill for an act to amend sections 289, 296, 299, 300 and 305 of section 4 of volume 2 of Hill's Annotated Statutes and Codes of Washington, relating to attachments of property.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 94, by Senator Kellogg: A bill for an act providing a penalty for persons interfering with or removing property from the county where the same is under attachment.

Read first time: rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 95, by Senator Easterday: An act relating to the liens of judgments upon real estate.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 15 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators 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 De Vanter, and Van Houten — 34.

The title of the bill to remain the title of the act.

Senate bill No. 32 was read third time by sections, and amended by striking out section 3; further amended by striking out the words "seven hundred and twenty" and inserting in lieu thereof the words "two hundred and forty," in the first line of the printed bill. The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr,

Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—31.

Those voting in the negative were: Senators Hutchinson and Rutter.

Absent or not voting: Senator Forrest.

The title of the bill to remain the title of the act.

Senator Rutter changed his vote from nay to yea.

House bill No. 16, Relating to liens for labor upon manufactured lumber.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

On motion of Senator Dyer, a recess of five minutes was taken.

Senate called to order at 11:55 A. M.

The members of the Senate repaired to House of Representatives to meet in joint session.

#### JOINT SESSION.

Joint session called to order at 12 o'clock meridian. President Luce in the chair.

Joint roll call; all senators and representatives present.

The reading of yesterday's journal was dispensed with and journal approved.

#### THIRTY-FIRST JOINT BALLOT.

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—50.

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—25.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 112.

All present and voting.

THIRTY-SECOND JOINT BALLOT.

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—50.

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—25.

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—27.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 112.

All present and voting.

Roth and Nash announced that they had paired until further notice.

The joint session then dissolved.

Senate called to order at 12:30 P. M., by President Luce.  
Senators Rutter and Eshelman were excused for the day.

## COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 19, 1893.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—I have the honor to transmit to you sixty 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.

At 12:45 P. M., on motion of Senator Dyer, a recess was taken until 3 o'clock P. M.

## AFTERNOON SESSION.

Senate called to order at 3 o'clock P. M. President Luce in the chair.

Roll call; all present excepting Senators Eshelman, Frink and Rutter, who were excused.

The following was introduced by Senator Campbell and adopted:

*Resolved*, That the sergeant-at-arms be instructed to put up a hat and coat rack at the southeast corner of the Senate chamber for the convenience of the members.

## INTRODUCTION OF BILLS.

Senate bill No. 96, by Senator Dyer: An act to amend sections 333 and 337 of title VI, chapter 1 of volume 1 of the General Statutes and Codes of Washington, as arranged and annotated by William Lair Hill, relating to notaries public, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

On motion of Senator Kinnear, Senate bill No. 47 was laid upon the table subject to call.

On motion of Senator McManus, the Senate, at 3:30 P. M., adjourned until 10 o'clock A. M., Friday, January 27, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## NINETEENTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Friday, January 27, 1893. }  
10 o'clock A. M. }

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all senators present excepting Senator Rutter, who was excused on committee work.

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

Senate concurrent resolution No. 7, Providing for the appointment of a joint committee of three from the Senate and four from the House to prepare a suitable memorial on the death of Hon. James G. Blaine, was presented by Senator Dyer, and adopted.

The president appointed as such committee Senators Dyer, Eas-terday and McCroskey.

On motion of Senator Forrest, the special order for the consideration of section 43 of Senate bill No. 259 (of 1891), was continued until Thursday, February 9, 1893, at 10 A. M.

President pro tem. Dyer in the chair.

### REPORTS OF JUDICIARY COMMITTEE.

The Judiciary Committee submitted the following report:

SENATE CHAMBER,  
OLYMPIA, WASH., January 26, 1893.

MR. PRESIDENT:

The Judiciary Committees of the Senate and House have had under consideration Senate bill No. 87, introduced by the joint judiciary committees, entitled "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," and now respectfully report the same back, without amendments, and recommend its passage.

J. R. KINNEAR, Chairman.

Concurred in by all the members of the Senate Judiciary Committee.

A. E. MEAD, Chairman.

Concurred in by House Judiciary Committee.

The report of the Judiciary Committee was received, and Senate bill No. 87 placed on file.

The following report was submitted by the Judiciary Committee:

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 8, entitled "An act requiring the court to instruct the jury in writing when requested; also, to indicate instructions before argument, and providing for exceptions," have had the same under consideration, and beg to report it back to the Senate with a substitute therefor, and recommend that the substitute do pass.

J. R. KINNEAR, Chairman.

Report concurred in by Senators Easterday, Claypool, Dyer, Brown, Van Houten, and Richards, being all members present.

The report was adopted, Senate bill No. 8 was indefinitely postponed, and the substitute bill offered in the foregoing report was numbered Senate bill No. 97.

Senate bill No. 97, An act to amend paragraphs 4 and 6 of sections 354 and 355 of chapter 2 in title VII of volume 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.

Read first time; rules suspended, read second time by title, and placed on file.

#### COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 26, 1893.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—I have the honor to transmit to you sixty-three copies each of the reports of the agricultural college and school of science and the Washington school for defective youth.

Respectfully, J. H. MCGRAW, Governor.

#### INTRODUCTION OF BILLS.

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.

Read first time; rules suspended, read second time by title, and referred to the Judiciary Committee.

Senate bill No. 99, by Senator Brown: An act to amend section 2181 of chapter 3 of title XXIV of Hill's Annotated Statutes and Codes of the State of Washington, granting to the United States

for certain purposes the use of certain tide lands belonging to the State of Washington.

Read first time; rules suspended, read second time by title, and referred to the Committee on State Tide Lands.

Senate bill No. 100, by Senator Foss: Relating to the possession, rents and profits of real estate and buildings during the time allowed for redemption from execution sales.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 26, 1893.

MR. PRESIDENT:

The speaker of the House has signed House concurrent resolution No. 4, Relating to fishing in the waters of the Columbia river.

And the House has passed House bill No. 53, "An act in relation to conditional sales and leases of personal property."

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

Senate bill No. 47 was read third time by sections, considered engrossed, and failed to pass by the following vote:

Those voting in the affirmative were: Senators Brown, Forrest, Forsyth, Sergeant, and Van De Vanter — 5.

Those voting in the negative were: Senators Belknap, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Shaw, Smith, and Van Houten — 27.

Absent and not voting: Senators Rutter and Hutchinson.

#### REPORT OF COMMITTEE ON STATE LIBRARY.

The Committee on State Library submitted the following report:

SENATE CHAMBER,  
OLYMPIA, WASH., January 27, 1893.

MR. PRESIDENT:

Your Committee on State Library, to whom was referred Senate bill No. 53, for "An act in relation to the state library," have had the same under careful consideration, and with the amendments thereto attached do recommend that the bill do pass.

Very respectfully,

F. W. HASTINGS, Chairman,  
DAVIES B. MILLER,  
W. R. FORREST.

The report was adopted, and Senate bill No. 53 was made a special order for Tuesday, January 31, 1893, at 10 A. M.

The president stated that he was about to sign House concurrent resolution No. 4.

On motion of Senator Dyer, a recess was taken until 11:50 A. M. Senate called to order at 11:50 A. M.

The president announced as Senate members of joint committee to confer with committee from Oregon legislature, in the interests of fishing on the Columbia river, Senators Richards and Horr.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call showed all senators and representatives present excepting Messrs. Nash, Payne and Roth.

Reading of yesterday's journal dispensed with, and journal approved.

Senator Hastings announced that he had paired for to-day's ballot with Representative Payne.

Messrs. Roth and Nash were absent, on agreement to pair for to-day's ballot, and until further notice.

The following pairs were announced for Saturday, January 28th: Gilman and McMurphy, Weed and Smithson, Claypool and Kinnear, Sergeant and Van Houten, McElwain and McMillan, Brown and Woodworth, Heliker and Shadle, Roscoe and Webb, Easterday and Dyer, Kellogg and Smith, Winchell and Green.

For Saturday, January 28th, and Monday, January 30th: McManus and Roberts, Mead and Kline, Belknap and Cooper, Forrest and Richards, Sallee and Ide.

#### THIRTY-THIRD JOINT BALLOT.

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 — 48.

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—24.

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—26.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Mr. Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 108.

Not voting: Hastings, Roth, Nash, and Payne—4.

Representative McMillan moved that, out of respect to the memory of Hon. James G. Blaine, the joint convention do now adjourn.

President Luce ruled that the motion was not in order.

#### THIRTY-FOURTH JOINT BALLOT.

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—48.

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—24.

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—26.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 108.

Not voting: Hastings, Roth, Nash, and Payne—4.

The joint session then dissolved.

At 12:25 P. M., immediately following the joint session, the Senate was called to order by President Luce.

Senators Dyer, Eshelman and Brown were excused from attendance at session of January 28th, and Senator McManus from sessions of January 28th and 30th.

On motion of Senator Dyer, the Senate then adjourned as a mark of respect to the memory of Hon. Jas. G. Blaine, until 10 o'clock A. M., Saturday, January 28, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## TWENTIETH DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Saturday, January 28, 1893. }  
11 o'clock A. M.

Senate called to order, pursuant to adjournment, at 11 o'clock A. M. President Luce in the chair.

Roll call.

Senators Belknap, Campbell, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Gilbert, Hasting, Helm, Horr, Hutchinson, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, Van Houten and Van De Vanter were present.

Senators Brown, Claypool, Cooper, Dyer, Eshelman, Frink, Ide, Kellogg, Kinnear, McManus and Sergeant were absent.

The reading of yesterday's journal was dispensed with and journal approved.

Senator Belknap was excused until Monday afternoon.

Senator Forsyth was excused from attendance at Monday's session.

Senators Frink and McCroskey were announced as pairing for today's senatorial ballot.

Senator Forsyth announced that he had paired with Senator McManus for January 28th and 30th, releasing the pair between Senators McManus and Roberts, for 28th and 30th.

#### REPORT OF COMMITTEE ON AGRICULTURE.

The following report was received from Committee on Agriculture:

SENATE CHAMBER,  
OLYMPIA, WASH., January 27, 1893.

MR. PRESIDENT:

We, your Committee on Agriculture, 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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it, with the amendments thereto attached, be passed.

Respectfully submitted.

R. C. MCCROSKEY, Chairman.

The report was adopted, and Senate bill No. 25 placed on general file.

#### INTRODUCTION OF BILLS.

Senate bill No. 101, by Senator Shaw: 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Fisheries.

Senate bill No. 102, by Senator Hastings: An act to authorize the leasing of the areas reserved from sale by virtue of the establishment of harbor lines within the State of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Harbors and Harbor Lines.

Senate bill No. 103, by Senator Rutter: An act to prevent private persons and corporations from employing armed men or detectives.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

House bill No. 53, An act in relation to conditional sales and leases of personal property.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

On motion of Senator Hutchinson, a recess was taken until 11:55 A. M.

Senate was called to order at 11:55 A. M.

Senator Easterday introduced Senate memorial No. 1, in relation to the survivors of the Indian war of 1855-56 in the Territory (now State) of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Memorials.

#### REPORT OF COMMITTEE ON APPROPRIATIONS.

The following report was received from Committee on Appropriations:

SENATE CHAMBER,

OLYMPIA, WASH, January 28, 1893.

MR. PRESIDENT:

Your Committee on Appropriations have examined 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," etc., and recommend that the same do pass.

A. T. VAN DE VANTER,

Chairman Committee on Appropriations.

The report of Committee on Appropriations was adopted, and Senate bill No. 48 placed on general file.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all present and voting except Belknap, Brown, Dyer, Forsyth, Frink, Hastings, Kellogg, Kinnear, Mead, Roscoe, Roth, Sallee, Webb, Weed, White, Winchell, Claypool, Cooper, Ide, Nash, Smith, (T. J.), Smithson, Van Houten, Woodworth, Eshelman, Green, Kline, McCroskey, McManus, Payne, Scott, and Sergeant, who were either absent or paired for to-day's ballot.

The reading of yesterday's journal was dispensed with and journal approved.

#### THIRTY-FIFTH JOINT BALLOT.

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—34.

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—16.

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—21.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, and Smith (J. B.)—8.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 80.

Not voting: Belknap, Brown, Dyer, Forsyth, Frink, Hastings, Kellogg, Kinnear, Mead, Roscoe, Roth, Sallee, Webb, Weed, White, Winchell, Claypool, Cooper, Ide, Nash, Smith (T. J.), Smithson, Van Houten, Woodworth, Eshelman, Green, Kline, McCroskey, McManus, Payne, Scott, and Sergeant—32.

#### THIRTY-SIXTH JOINT BALLOT.

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—34.

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—16.

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—21.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, and Smith (J. B.)—8.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 80.

Not voting: Belknap, Brown, Dyer, Forsyth, Frink, Hastings, Kellogg, Kinnear, Mead, Roscoe, Roth, Sallee, Webb, Weed, White, Winchell, Claypool, Cooper, Ide, Nash, Smith (T. J.), Smithson, Van Houten, Woodworth, Eshelman, Green, Kline, McCroskey, McManus, Payne, Scott, and Sergeant — 32.

Pair announced between Tull and Arrasmith for Monday, Tuesday and Wednesday; McNew and Smith (H. F.) for Monday and Tuesday.

The joint session then dissolved.

At 12:25 P. M., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator Kinnear, adjourned until 11:30 A. M., Monday, January 30, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## TWENTY-SECOND DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Monday, January 30, 1893. }  
11:30 o'clock A. M.

Senate called to order, pursuant to adjournment, at 11:30 o'clock A. M. President Luce in the chair.

The reading of journal of January 28th was dispensed with, and journal approved.

Roll call: Senators Belknap, Brown, Campbell, Claypool, Cooper, Donahoe, Edens, Forsyth, Foss, Gilbert, Hastings, Horr, Hutchinson, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten were absent.

Senators Ide, Helm, Forrest, Frink, Kinnear, Easterday, Dyer, Smith, and Eshelman were absent and excused.

### INTRODUCTION OF BILLS.

Senate bill No. 104, by Senator Miller: An act to amend section 18 of an act entitled "An act to amend sections 3, 4, 11, 12, 14, 16,

19, 20, 21, 24, 28, 30, 34, 35, 37, 38, 52, 53, 54, 61, 62, 63, 64, 65, 66, 67, 68, 71 and 88 of an act entitled 'An act to establish a general uniform system of common school in the State of Washington,' and declaring an emergency," approved March 27, 1890.

Read first time; rules suspended, read second time by title, and referred to Committee on Elections and Privileges.

Senate bill No. 105, by Senator Claypool: To provide for the incorporation of associations for social, charitable and educational purposes.

Read first time; rules suspended, read second time by title, and referred to the Committee on Judiciary.

Senate bill No. 106, by Senator Hutchinson: An act to abolish the poll tax, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Revenue and Taxation.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 28, 1893.

MR. PRESIDENT:

The House has passed Senate concurrent resolution No. 7, Relative to joint committee to adopt resolutions in memory of the late James G. Blaine, and the speaker has appointed as such committee on the part of the House, Messrs. Ludden, McElwain, Mays, and Egbert.

The House has passed House concurrent resolution No. 5, For election of United States senators by popular vote.

Also, House memorial No. 1, For the opening of Columbia and Snake rivers to navigation.

And the same are herewith transmitted.

T. G. NICKLIN, Chief Clerk.

Senate bill No. 107, by Senator Edens (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.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 108, by Senator Brown: An act to establish a state normal school, and making an appropriation therefor.

Read first time; rules suspended, read second time by title, and referred to Committee on Education.

Senate bill No. 109, by Senator Brown: An act in relation to liens by docketing judgments of justice courts, and amending section 455 of Hill's Code of Washington.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

On motion of Senator Edens, Senate bill No. 25 was laid on the table subject to call.

On motion of Senator Sergeant, Senate bill No. 48 was laid on the table subject to call.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian; President Luce in the chair.

Roll call; all present and voting excepting Belknap, Dyer, Forrest, Forsyth, Frink, Hastings, Heliker, Kinnear, Kellogg, McNew, Mead, Roscoe, Sallee, Washburn, Webb, White, Winchell, Mr. Speaker, Claypool, Cooper, Easterday, Helm, Ide, Richards, Shadle, Smith (T. J.), Tull, Eshelman, Green, Kline, McCroskey, McManus, and Smith (H. F.), who were absent or paired.

The reading of Saturday's journal was dispensed with, and journal approved.

The following were announced as paired for to-day's ballot: Belknap, Claypool, Cooper, Forrest, Forsyth, Frink, Green, Hastings, Heliker, Helm, Ide, Kellogg, Kinnear, Kline, McCroskey, McManus, McNew, Mead, Richards, Roscoe, Sallee, Shadle, Smith (H. F.), Smith (T. J.), Tull, Webb, Winchell, and Mr. Speaker.

#### THIRTY-SEVENTH JOINT BALLOT.

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, McKenzie, McMurphy, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sergeant, Speck, Tucker, Van De Vanter, Weed, and Wheeler — 33.

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 — 15.

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 — 21.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 79.

Not voting: Belknap, Dyer, Forrest, Forsyth, Frink, Hastings, Heliker, Kellogg, Kinnear, McNew, Mead, Roscoe, Sallee, Washburn, Webb, White, Winchell, Mr. Speaker, Claypool, Cooper, Easterday, Helm, Ide, Richards, Shadle, Smith (T. J.), Tull, Eshelman, Green, Kline, McCroskey, McManus, and Smith (H. F.) — 33.

#### THIRTY-EIGHTH JOINT BALLOT.

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, McKenzie, McMurphy, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sergeant, Speck, Tucker, Van De Vanter, Weed, and Wheeler — 33.

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 — 15.

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 — 21.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 79.

Not voting: Belknap, Dyer, Forrest, Forsyth, Frink, Hastings, Heliker, Kellogg, Kinnear, McNew, Mead, Roscoe, Sallee, Washburn, Webb, White, Winchell, Mr. Speaker, Claypool, Cooper, Easterday, Helm, Ide, Richards, Shadle, Smith (T. J.), Tull, Eshelman, Green, Kline, McCroskey, McManus, and Smith (H. F.) — 33.

The joint session then dissolved.

At 12:30 P. M., immediately following the joint session, the Senate was called to order by President Luce, and on motion of Senator Campbell, adjourned in respect to the memory of Jas. G. Blaine, whose funeral occurs this day, until 11 o'clock A. M. Tuesday, January 31, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## TWENTY-THIRD DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Tuesday, January 31, 1893. }  
11 o'clock A. M.

Senate called to order, pursuant to adjournment, at 11 o'clock A. M. President Luce in the chair.

Roll call; all present except Senator McManus, who was excused. President pro tem. Dyer in the chair.

On motion of Senator Foss, the reading of the journal of yesterday was dispensed with and the journal approved.

### REPORTS OF COMMITTEE ON JUDICIARY.

The following reports were received from the Judiciary Committee:

SENATE CHAMBER,  
OLYMPIA, WASH., January 31, 1893.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 60, have had the same under consideration, and now recommend the following amendments, to wit:

First amendment: Amend title by striking out present title and substitute therefor the following: "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."

Second amendment: Amend section 1 by striking out the words "section 1 of said act" in the first line, and inserting "that section 2741 of

title 3 of chapter 1 of volume 1 of the said General Statutes and Codes of the State of Washington."

Third amendment: Strike out "1" in second line of bill and insert "2741."

And the committee recommends the passage of the bill as amended.

J. R. KINNEAR, Chairman.

Report of Judiciary Committee adopted, and Senate bill No. 60 placed on general file.

MR. PRESIDENT:

Your Judiciary Committee, to whom was referred Senate bill No. 61, have had the same under consideration, and recommend the following amendments, to wit:

First: Amend title by striking out all after "1534" and inserting "of title 15, chapter 5 of volume 1 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill, relating to costs in civil actions before justices of the peace, and providing for taxing an attorney's fee."

Second: Amend section 1 by striking out all up to "amended" in first line, and inserting "that section 1534, of title 15, chapter 5 of volume 1 of said General Statutes and Codes of the State of Washington is hereby."

That your committee recommend the passage of said bill as amended.

J. R. KINNEAR, Chairman.

Report adopted, and Senate bill No. 61 placed on general file.

The committee's amendments were adopted and bill sent to engrossing clerk.

MR. PRESIDENT:

Your Judiciary Committee, to whom was referred Senate bill No. 51, have had the same under consideration, and recommend that it be amended as follows:

Add to section 2, the following words: "And that all acts and parts of acts in conflict with this act are hereby repealed."

And your committee recommend the passage of the bill as amended.

J. R. KINNEAR, Chairman.

Report of Judiciary Committee adopted, and Senate bill No. 51 placed on general file.

The committee's amendments were adopted and the bill sent to engrossing clerk.

The following message was received from the House:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., January 31, 1898.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 9, To annex Hawaii to the United States.

And the House has passed over the governor's veto the following bills:  
House bill No. 16 (session 1891), An act requiring railroad corporations to fence their tracks. Ayes 69, nays 4.

House bill No. 128 (session 1891), An act to make time checks for labor negotiable, and bear interest from date of issue. Ayes 64, nays 8.

House bill No. 156 (session 1891), An act to require railroad companies to construct and maintain connections from one railroad to another, and provide a penalty for a failure to comply therewith. Ayes 62, nays 10.

House bill No. 243 (Wasson bill, 1891), An act regulating and fixing railroad freight rates in the State of Washington. Ayes 70, nays 2.

The House has refused to pass over the governor's veto section 3 of House bill No. 170, An act to provide for the location and maintenance of the agricultural college experiment station, and declaring an emergency. Nays 69, ayes 2.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### REPORT OF COMMITTEE ON ROADS AND BRIDGES.

The following report was received from the Committee on Roads and Bridges:

SENATE CHAMBER,

OLYMPIA, WASH., January 31, 1893.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 56, entitled "An act providing for township organization in the various counties of the state," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be referred to the Judiciary Committee.

Respectfully submitted.

J. A. KELLOGG, Chairman.

We concur in this report:

FRANCIS DONAHOE,

W. H. GILBERT,

C. E. FORSYTH,

J. J. EDENS,

R. A. HUTCHINSON,

C. I. HELM.

Report adopted, and Senate bill No. 56 was referred to Judiciary Committee.

On motion of Senator Kinnear, official veto of House bill No. 243 (of 1891), was made a special order for Thursday, February 2d, at 10 A. M.

On motion of Senator McCroskey, official veto of House bills Nos. 16, 128, 156 (all of 1891), were made special orders for Monday, February 6th, at 2 P. M.

## REPORT OF COMMITTEE ON PUBLIC MORALS.

The following report was received from Committee on Public Morals:

SENATE CHAMBER,  
OLYMPIA, WASH., January 31, 1893.

MR. PRESIDENT:

We, your Committee on Public Morals, to which 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 Senate, with the recommendation that it pass.

Respectfully submitted.

J. T. ESHELMAN, Chairman,  
W. C. BELKNAP,  
E. L. BROWN.

Being all the members of said committee.

The report of Committee on Public Morals was received, and Senate bill No. 66 placed on general file.

The following was introduced by Senator Claypool:

*Resolved*, That the sergeant-at-arms be authorized to employ an assistant postmaster and messenger, at a salary not to exceed \$4 per day.

Declared adopted.

Senators Shaw, Horr, Easterday, Kellogg, Miller, and Kinnear called for the yeas and nays.

The following named senators voted yea: Campbell, Claypool, Cooper, Edens, Forrest, Forsyth, Foss, Hastings, Helm, Hutchinson, Ide, O'Neill, Richards, Rutter, Sergeant, Van Houten, and Van De Vanter.

The following named senators voted nay: Belknap, Brown, Dyer, Donahoe, Easterday, Eshelman, Frink, Gilbert, Horr, Kellogg, Kinnear, McCroskey, Miller, Roberts, Shaw, and Smith.

Yeas 17, nays 16. Declared carried.

Senate bill No. 53 was made special order for to-day, January 31st, at 2 P. M., on motion of Senator Hastings.

House concurrent resolution No. 5, first reading by sections, second time by title, and referred to Committee on Memorials.

House memorial No. 1, read first time; rules suspended, read second time by title, and referred to Committee on Federal Relations.

Raymond Laughton appeared and was sworn in as assistant messenger and postmaster.

## REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 1, 1893.

MR. PRESIDENT:

We, your Committee on Engrossed Bills, 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 Senate, with the recommendation that it has been properly engrossed.

Respectfully submitted.

LOUIS FOSS, Chairman,  
J. C. HERR.

## INTRODUCTION OF BILLS.

Senate bill No. 110, by Senator Miller: To amend section 1177 of chapter 2, title 12, of the Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill, relating to penal and reformatory institutions.

Read first time; rules suspended, read second time by title, and referred to Committee on State Prison.

Senate bill No. 111, by Senator Claypool: An act in relation to attachments, garnishments and procedure therein, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 112, by 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.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 113, by Senator Horr: Providing for the erection of state capitol buildings for the State of Washington, at Olympia, appointing a commission for same, appropriating money from the general fund, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Buildings and Grounds.

Senate bill No. 114, by Senator Claypool: An act amending sections 820 and 831 of the Code of Washington of 1881.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 115, by Senator Dyer: An act relating to escheats.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 116, by Senator Forrest: An act to regulate the management and disposition of school land, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on State Granted and School Lands.

#### COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, WASH., January 31, 1893.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—I have the honor to transmit to you sixty copies of the report of the Pilot Commissioners of the Columbia river:

Respectfully, J. H. MCGRAW, Governor.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 31, 1893.

MR. PRESIDENT:

The House has passed Senate bill No. 12, entitled "An act for the relief of local boards of tide land appraisers."

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

Senate bill No. 25 was read third time by sections; section 3 amended, and section 4 added to the bill. The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—32.

Senator Easterday voted in the negative.

Absent or not voting: Senator McManus.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr,

Hutchinson, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—32.

Senator Easterday voted in the negative.

Absent or not voting: Senator McManus.

The title of the bill to remain the title of the act.

The president announced as the three members from the Senate of joint committee on agricultural college, Senators Cooper, Frink and Shaw.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Joint session called to order at 12 o'clock meridian; President Luce in the chair.

Roll call; all senators and representatives present except Senator McManus, who was excused.

The reading of yesterday's journal was dispensed with, and journal approved.

The following pairs were announced for to-day: Heliker, McNew, Shadle, Smith (H. F.), Tull, and Mr. Speaker.

#### THIRTY-NINTH JOINT BALLOT.

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, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Van De Vanter, and Winchell—47.

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, Westfall, Van Houten, and Woodworth—23.

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—25.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 105.

Not voting: Heliker, Mead, Mr. Speaker, Shadle, Tull, McManus, and Smith (H. F.)—7.

FORTIETH JOINT BALLOT.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belkap, 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, 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—47.

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—23.

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—25.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Mr. Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 105.

Not voting: Heliker, Mead, Mr. Speaker, Shadle, Tull, McManus, and Smith (H. F.)—7.

The joint session then dissolved at 12:20 p. m. Immediately following the joint session the Senate was called to order by President Luce, and on motion of Senator Edens, a recess was taken until 2 o'clock p. m. •

### AFTERNOON SESSION.

Senate called to order at 2 o'clock p. m. President Luce in the chair.

Senate bill No. 53 was read third time by sections.

Section 3 was amended by inserting in blank space the words "one thousand."

Section 4 was amended by providing that a clerk should be employed instead of a watchman, and that the salary of said clerk should be \$60 per month.

Section 17 was amended by inserting in the blank space the words "one thousand eight hundred."

Senate memorial No. 2, in eulogy of Hon. James G. Blaine, was introduced by Senator Dyer, and adopted by a unanimous rising vote. Senators Dyer, Easterday, Eshelman and Claypool made appropriate remarks upon the resolution.

#### REPORT OF THE COMMITTEE ON JUDICIARY.

The following report was received:

SENATE CHAMBER,  
OLYMPIA, WASH., January 31, 1893.

MR. PRESIDENT:

Your Judiciary Committee, to whom was referred House bill No. 16, have had the same under consideration, and now report the same back to the Senate without amendments, and recommend its passage.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report adopted, and House bill No. 16 placed on general file.

Senate concurrent resolution No. 8 was introduced by Senator Forrest, read first and second time and referred to Committee on Memorials.

Senate bill No. 48 was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Smith — 28.

Absent or not voting: Senators Campbell, Foss, Kellogg, McManus, Van De Vanter, and Van Houten — 6.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Smith—28.

Absent or not voting: Senators Campbell, Foss, Kellogg, McManus, Van De Vanter, and Van Houten—6.

The title of the bill to remain the title of the act:

Senate bill No. 117 was introduced by Senator Forrest: "An act to secure secrecy in the transmission of telegraph and telephone messages and declaring an emergency."

Read first time, rules suspended, read second time by title, and referred to Committee on Judiciary.

On motion of Senator Forrest, the Senate, at 3:25 P. M., adjourned until 11 o'clock A. M. Wednesday, February 1, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## TWENTY-FOURTH DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Wednesday, February 1, 1893. }  
11 o'clock A. M. }

Senate called to order at 11 o'clock A. M. President Luce in the chair.

All present except Senator McManus who was excused.

Journal of yesterday read and approved.

The following resolution was introduced by Senator Dyer and unanimously adopted:

*Resolved,* That the sergeant-at-arms of the Senate be and is hereby directed to make a requisition upon the state librarian for sufficient copies of Hill's Statutes and Code to supply the senators who have not received copies during this session of the legislature, and is further directed to deliver them as soon as possible.

The following petition was introduced by Senator Miller, and, on motion of Senator Dyer, was referred to Committee on Privileges and Elections:

The undersigned citizens of Walla Walla, who have acted as judges and inspectors of election under the Australian system, respectfully call your attention to the necessity of amending that portion of the election law which relates to the number of extra ballots required to be printed. See section 18.

The statute on this subject requires six ballots for every registered voter. As the result of our observation, at the elections held, is, that less than five per cent. of the voters asked for the second ballot, while the framer of the statute seems to have assumed that each voter would make five mistakes before being able to correctly make out his ticket. For the 90,000 votes at last election, there were printed not less than 540,000 ballots, at a cost of about eleven thousand (\$11,000) dollars. It is safe to say, of this number, 440,000 were absolutely wasted, involving a loss of about \$9,000.

It is also our judgment that section twenty-three (23) should be amended so as to eliminate all that part providing for voting for groups, as the voting for groups has a tendency to confuse the average voter. Simplicity is what is needed.

JOHN DOVELL, AND TEN OTHERS.

#### REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 1, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, 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 Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, and Richards, being all the members of said committee present.

Report received and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 43, entitled "An act to prevent and punish the issuing and uttering of anything, either in specie, paper or otherwise, as money, providing penalties for the same, and for offering or attempting to offer or pass as money any commodity other than such gold, silver and other coins, and such legal tender paper as shall be authorized and issued by the authority of congress, and in accordance with the constitution of the United States and the State of Washington," have had the same under consideration,

and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, and Richards, being all the members of said committee present.

Report received, action suspended on the recommendation of the committee, and bill placed on file.

MR. PRESIDENT:

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 Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, and Richards, being all the members of said committee present.

Report received and bill placed on file.

MR. PRESIDENT:

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 and parts of acts in conflict with this act," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, and Richards, being all the members of said committee present.

Report received and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 4, entitled "An act in regard to the settlement of statements of facts for the purpose of taking appeals from the superior courts to the supreme court, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, and Richards, being all the members of said committee present.

Report adopted and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 33, entitled "An act relating to the appointment of public adminis-

trators, fixing their term of office, defining their duties and powers, regulating their compensation and providing for the disposition of all property coming into their hands as such administrators, and repealing all laws in conflict therewith," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, and Richards, being all the members of said committee present.

Report received; bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 54, entitled "An act regulating fees of justices of the peace for services rendered by them," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, and Richards, being all the members of said committee present.

Report received; bill placed on file.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 70, entitled "An act to amend section 2 of an act entitled 'An act in relation to the powers and duties of clerks of courts,'" have had the same under consideration, and have amended the bill by striking out the word "four" in line 4 of section 1 of the printed bill (line 17 attached bill), and inserting, in lieu thereof, the word "five," and respectfully refer the bill back to the Senate, with the recommendation that, as amended, it be now passed.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, and Richards, being all the members of said committee present.

Report received; bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 36, entitled "An act in relation to the amendment and codification of the laws of this state, and to create a code commission," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, and Richards, being all the members of said committee present.

Report adopted and bill indefinitely postponed.

REPORT OF COMMITTEE ON PUBLIC BUILDINGS AND  
GROUNDS.

SENATE CHAMBER,

OLYMPIA, WASH., February 1, 1893.

MR. PRESIDENT:

We, your Committee on Public Buildings and Grounds, to whom was referred Senate bill No. 67, entitled "An act to provide for the construction of buildings for the Washington state normal school at Ellensburg, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended by inserting in line 4 of section 1, after the word "construction," the words "and equipment," and that the title be also amended by adding in the first line of the title, after the word "construction," the words "and equipment," and that the bill, with the above amendments, be passed.

Respectfully submitted.

C. I. HELM, Chairman.

We concur in this report:

B. C. VAN HOUTEN,

W. C. RUTTER.

Report received.

On motion of Senator Helm, Senate bill No. 67 was made a special order for Wednesday, February 8, at 2 o'clock P. M.

## REPORT OF COMMITTEE ON EDUCATION.

SENATE CHAMBER,

OLYMPIA, WASH., February 1, 1893.

MR. PRESIDENT:

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 Senate with the recommendation that it be amended by striking out, in section 19, line 23, the words "boards of education shall," and inserting in place thereof the word "to," and we further recommend that the bill as introduced, with above amendment, be passed.

Respectfully submitted.

E. L. BROWN, Chairman.

We concur in this report:

J. M. FRINK,

R. C. McCROSKEY.

Being all the members of said committee.

Report received; bill placed on file.

## INTRODUCTION OF BILLS.

Senate bill No. 118, by Senator Sergeant: "An act to regulate common carriers, and creating the railroad commission of the State of Washington, and defining the duties of such commission in relation to common carriers."

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

Senate bill No. 119, by Senator O'Neill: An act making an appropriation for the construction of a fish ladder on the Colville river.

Read first time; rules suspended, read second time by title, and referred to Committee on Fisheries.

Senate bill No. 120, by 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Revenue and Taxation.

Senate bill No. 121, by Senator McCroskey: An act to amend sec. 331 of vol. 1 of Hill's Annotated Statutes and Codes of Washington, relative to seals of notary publics and their duties.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 122, by Senator Roberts: To amend sec. 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."

Read first time; rules suspended, read second time by title, and referred to Committee on Elections and Privileges.

Senate bill No. 123, by Senator Horr: A bill for the relief of the Olympia water works.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Buildings and Grounds.

Senate bill No. 124, by Senator Eshelman: An act relating to private sales of real property belonging to escheats of descendants, minors and insane persons.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 51 was read third time by sections.

Section 1 was amended by striking out the words "from and after the passage and taking effect of this bill."

Section 2 was amended by striking out the words "section 1164 of chapter 93 of the Code of Washington, 1881, be and the same is hereby repealed, and that."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 31.

Absent or not voting: Senators Forrest, McManus, and Richards — 3.

The title of the bill to remain the title of the act.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present and voting excepting Messrs. Brown, Gilman, Heliker, McNew, Roscoe, Woodworth, McElwain, Shadle, Smith (H. F.), White, and McManus, who were absent or paired.

Reading of yesterday's journal dispensed with, and journal approved.

#### FORTY-FIRST JOINT BALLOT.

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, Neergard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, Winchell, and Mr. Speaker — 45.

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 — 22.

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 — 24.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 101.

Not voting: Brown, Heliker, McElwain, McNew, Roscoe, White, Shadle, Woodworth, Gilman, McManus, and Smith (H. F.)—11.

FORTY-SECOND JOINT BALLOT.

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, Kelly, Kellogg, 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—45.

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—22.

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—24.

Those voting for Govnor Teats were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 101.

Not voting: Brown, Heliker, McElwain, McNew, Roscoe, White, Shadle, Woodworth, Gilman, McManus, and Smith (H. F.).

The joint session then dissolved.

At 12:25 P. M., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator Dyer, adjourned until 10 o'clock A. M. Thursday, February 2, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## TWENTY-FIFTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Thursday, February 2, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all senators present.

The journal of yesterday was read and approved.

On motion of Senator Kinnear, the special order for 10 A. M. this morning was continued until 10:30.

The following petition was presented by Senator Hutchinson:

*To the Honorable Legislature of the State of Washington:*

We, the undersigned citizens and taxpayers of Lincoln county, State of Washington, demand that a law be enacted reducing freights on railroads, also to prevent discrimination between shippers. We also demand that a law be passed preventing Pinkertonism, and a heavy penalty for violation of the same. We also demand a law furnishing free school books to our public schools.

(Signed) P. R. SPENCER, AND TWENTY OTHERS.

On motion of Senator Dyer, the petition was segregated. The portion relating to text books was referred to Committee on Education; the portion relating to railroad rates and Pinkertonism was referred to Committee on Corporations other than Municipal.

### REPORTS OF THE COMMITTEE ON JUDICIARY.

SENATE CHAMBER,  
OLYMPIA, WASH., February 2, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 29, entitled "An act to provide for township organization, and prescribing the duties and fixing the compensation of township officers," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation. The committee is of the opinion that the bill is constitutional, but as it embraces a matter of state policy, the committee does not feel at liberty to pass upon that question.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Easterday, Dyer, Brown, and Richards, being all the members of said committee present.

The report was adopted, and Senaté bill No. 29 was placed on general file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 94, entitled "An act providing a penalty for persons interfering with or removing property from the county where the same is under attachment," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Easterday, Dyer, Brown, and Richards, being all the members of said committee present.

Report received, and Senate bill No. 94 was placed on general file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 100, 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 Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Easterday, Dyer, Brown, and Richards, being all the members of said committee present.

Report received, and Senate bill No. 100 was indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 9, entitled "An act providing for appeals to the supreme court; regulating the practice in cases appealed in the supreme court and superior courts; making provision for appeal and stay bonds, and for examination of sureties; providing for the approval of bonds, for the settlement and filing of statements of facts and for transmission of records to the supreme court; defining the kind, style and dimensions of briefs; fixing the cost upon appeal; providing for pending appeals to be completed under the law in force at the time the appeal was taken, and repealing all laws in conflict," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation, for the reason that the Joint Judiciary Committee have agreed upon a bill which is now pending in the House.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Easterday, Dyer, Brown, and Richards, being all the members of said committee present.

Report received and bill placed on general file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 56, entitled "An act providing for township organization in the various counties of the state," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Easterday, Dyer, Brown, and Richards, being all the members of said committee present.

Report of committee received, and Senate bill No. 56 indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 96, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Easterday, Dyer, Brown, and Richards, being all the members of said committee present.

Report of committee accepted and Senate bill No. 96 placed on general file.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 20, entitled "An act regulating special proceedings of a civil nature," have had the same under consideration, and respectfully report it back to the Senate, with the following amendments, and as amended, recommend its passage:

First amendment: In line 1 of section 4 of printed bill, insert the word "municipal" after the word "police," and before "or."

Second amendment: In line 1 of section 16 of the printed bill, insert the word "municipal" after the words "a justice's."

Third amendment: In line 1 of section 30 of printed bill, insert the word "municipal" after the word "police," and before "or."

Fourth amendment: Add the following section to the bill: "Sec. 36. Whenever a stay of proceedings is desired in any special proceeding under this act, the court shall, before allowing the same, require a bond from the petitioner in such amount and with such sureties as shall indemnify the respondent for all costs or damages by reason of such stay."

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Easterday, Dyer, Brown, and Richards, being all the members of said committee present.

Report accepted and Senate bill No. 20 placed on general file.

## REPORT OF COMMITTEE ON COMMERCE.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1893.

MR. PRESIDENT:

We, your Committee on Commerce, to whom was referred Senate bill No. 71, entitled "An act regulating the rates of interest on money," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

W. C. RUTTER, Chairman.

We concur in this report:

E. L. BROWN,

JOHN G. CAMPBELL.

Report of committee received, and Senate bill No. 71 was placed on general file.

## REPORT OF COMMITTEE ON LABOR AND LABOR STATISTICS.

SENATE CHAMBER,

OLYMPIA, WASH., February 2, 1893.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 81, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

W. C. BELKNAP,

LOUIS FOSS,

W. C. RUTTER.

Report accepted, and Senate bill No. 81 placed on general file.

House concurrent resolution No. 9 was read, and, on motion of Senator Dyer, was referred to Committee on Memorials.

## INTRODUCTION OF BILLS.

Senate bill No. 125, by Senator Kinnear: 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 126, by Senator Kinnear: 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 127, by Senator Helm: Providing for an addi-

tional judge for superior courts in certain counties in the State of Washington, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Indian Affairs.

The executive veto message accompanying House bill No. 243 (of 1891) was read in full and ordered spread upon the journal:

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 interests 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 violation 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 the 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 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 producers 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, as 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 prescribed 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,

Lieut. Governor and Acting Governor.

The bill was then passed over the executive veto by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest,

Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neil, Richards, Roberts, Rutter, Shaw, Smith, and Van De Vanter—30.

Those voting in the negative were: Senators Claypool, Cooper, Sergeant, and Van Houten—4.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 1, 1893.

MR. PRESIDENT:

The House has passed Senate bill No. 16, entitled "An act to provide for voting on a constitutional amendment at the general election in 1894, relative to the investment of the permanent school fund."

Also, House bill No. 104, An act relating to the liens of mechanics upon real estate, curing defects in lien notices.

Also, House bill No. 141, An act to amend chapter 12 of the Laws of 1889-90, relating to the school law and school tax.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER,  
OLYMPIA, WASH., February 2, 1893.

MR. PRESIDENT:

Your Committee on Municipal Corporations, to which was referred Senate bill No. 7, An act to amend 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," have had the same under consideration, and respectfully report it back to the Senate with the recommendation that it pass with the following amendments:

We recommend that section 5 be amended by striking out the words "the said clerk, as well as judge of said court, is hereby authorized to unite such persons in marriage as shall have complied with the laws of this state regulating marriages," beginning in line 21, on page 5, and ending at line 24, inclusive.

We recommend further, that another section relating to changes of venue be incorporated in said bill, said section to be numbered section 7, and to read as follows:

"SEC. 7. In all cases where the punishment fixed by law shall be imprisonment in the penitentiary, and it shall appear to the judge of the municipal court, upon the affidavit of either the defendant or his attorney, that the defendant cannot have a fair and impartial trial in said court, owing either to the bias or prejudice of the said judge, or the bias or pre-

judge of the officers of the said court, or the police officers of said city, then, and in that case, it shall be the duty of said municipal court to duly certify all papers and proceedings in such case to the superior court of the county wherein said municipal court may be situated, and to commit the defendant, should he be incarcerated, to the county jail of said county pending trial."

C. E. CLAYPOOL, Chairman.

Report concurred in by Senators Ide, Forrest, Roberts, and Horr.

Report accepted, and Senate bill No. 7 placed on general file.

#### FROM THE HOUSE.

House bill No. 104, An act relating to the liens of mechanics and others upon real estate, curing defects in lien notices and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 141, 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," and declaring an emergency.

Read first time; rules suspended, read second time by title and referred to Committee on Education.

On motion of Senator Easterday, House bill No. 16, containing a constitutional amendment, was returned to the House to be spread upon the journal.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 31, 1893.

MR. PRESIDENT:

The House has passed Senate bill No. 26, entitled "An act to enable cities and towns to validate certain indebtedness."

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Mr. Burton.

Mr. Winchell announced that he had paired with Mr. Burton for to-day's ballot.

The reading of yesterday's journal was dispensed with, and journal approved.

FORTY-THIRD JOINT BALLOT.

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—49.

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—25.

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—27.

Those voting for Govnor Teats were: Baker, Collin, Denn, Durrant, Edwards, Egbert, Scott, and Smith (J. B.)—8.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 110.

Not voting: Burton and Winchell—2.

FORTY-FOURTH JOINT BALLOT.

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—49.

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—25.

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—27.

Those voting for Govnor Teats were: Baker, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—8.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 110.

Not voting: Burton and Winchell—2.

The joint session then dissolved.

At 12:30 P. M., immediately following the joint session, the Senate was called to order by President Luce.

Senate bill No. 33 was read third time by sections.

On motion of Senator Easterday, the bill was amended by striking out the word "or," in line 2 of section 2 of printed bill, and inserting the word "and" in lieu thereof.

On motion of Senator Shaw, Senate bill No. 33 was laid on the table subject to call.

On motion of Senator Easterday, Senate bill No. 88 was read third time by sections, and amended by inserting the word "twenty" in blank space in line 6 in section 1 of printed bill; further amended by inserting the word "ten" in blank space in line 14 in section 1 of printed bill.

The words "of the Territory of Washington" were inserted in line 10 of section 3 of printed bill.

The word "ten" was inserted in first space in line 12, and the word "seventy" in third space in line 12 of section 3 of printed bill, and the word "ten" in second space in line 13 of same section.

Section 5 was amended by inserting the words "be deemed guilty of a felony and" between the words "shall" and "upon," in line 7, and by inserting the word "years" after the word "five," in line 8.

Senate bill No. 88, as amended, was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown,

Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—33.

Senator Kinnear voted in the negative.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—33.

Senator Kinnear voted in the negative.

The title of the bill to remain the title of the act.

Senator Forsyth was excused.

Senate bill No. 79 was read third time by sections, and amended by striking out the words "or county" in line 1 of section 3 of printed bill.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Smith, Van De Vanter, and Van Houten—30.

Those voting in the negative were: Senators Eshelman, Rutter, and Shaw—3.

Absent or not voting: Senator Horr.

The title of the bill to remain the title of the act.

Senate bill No. 60 was read third time by sections, and amended by substituting a period (.) for a comma (,) after the word "insolvent" in line 6 of section 1 of printed bill.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Hutchinson, Ide, Kellogg, Kinnear,

McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, and Van Houten—24.

Those voting in the negative were: Senators Belknap, Brown, Easterday, Eshelman, Horr, McManus, Sergeant, Shaw, Smith, and Van De Vanter—10.

The title of the bill to remain the title of the act.

Senate bill No. 66 and Senate bill No. 71 were made special order for 10 o'clock A. M. Friday, February 3d.

On motion of Senator McCroskey, the Senate, at 1:45 P. M., adjourned until 10 o'clock A. M. Friday, February 3, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## TWENTY-SIXTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Friday, February 3, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M.  
President pro tem. Dyer in the chair.

Roll call; all senators present.

The reading of yesterday's journal dispensed with and journal approved.

### REPORT OF COMMITTEE ON MEMORIALS.

SENATE CHAMBER,  
OLYMPIA, WASH., February 3, 1893.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate joint resolution No. 8, entitled "An act relating to annexation of the Hawaiian islands," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

F. W. HASTINGS, Chairman,  
C. E. FORSYTH.

Report received, and Senate joint resolution No. 8 placed on general file.

MR. PRESIDENT:

We, your Committee on Memorials to whom was referred House concurrent resolution No. 5, entitled "An act relating to the election of United States senators by the popular vote," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

F. W. HASTINGS, Chairman,  
J. R. KINNEAR,  
C. E. FORSYTH.

Report adopted, and House concurrent resolution No. 5 placed on general file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of 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 disposing of the tide and shore lands belonging to the State of Washington,' approved March 26, 1890," has been carefully compared with the original copy thereof, and found correctly enrolled.

HENRY C. COOPER, Chairman,  
CHAS. I. HELM,  
JOHN G. CAMPBELL.

Report of committee was adopted.

#### REPORTS OF COMMITTEE ON JUDICIARY.

The following reports were received from the Committee on Judiciary:

SENATE CHAMBER,  
OLYMPIA, WASH., February 3, 1893.

MR. PRESIDENT:

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 Senate, with the following amendment, and as amended, recommend its passage:

Strike out the word "to" (the second word) in line 3 of section 1 of the printed bill, and the parentheses marks of the word "by," which follows, so that the first four words of said line will be "tried by a jury."

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Brown, Easterday, and Dyer, being all the members of said committee present.

Report adopted, and Senate bill No. 78 placed on general file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 50, entitled "An act relating to the transfer of real estate, and to provide for the registration of titles to land," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. B. KINNEAR, Chairman.

Concurred in by Senators Claypool, Brown, Easterday, and Dyer, being all the members of said committee present.

Report adopted, and Senate bill No. 50 placed on general file.

#### REPORT OF COMMITTEE ON CLAIMS.

SENATE CHAMBER,

OLYMPIA, WASH., February 3, 1893.

MR. PRESIDENT:

We, your Committee on Claims, to whom was referred Senate bill No. 91, entitled "An act to provide for voting on a constitutional amendment 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 Senate with a substitute, entitled "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," and recommend that the substitute be passed.

Respectfully submitted.

W. P. SERGEANT, Chairman.

Concurred in by Senators Dyer and Shaw.

Report adopted, and Senate bill No. 128 substituted for Senate bill No. 91, and placed on file.

On motion of Senator Kinnear, the rule by which Senate bill No. 56 was indefinitely postponed was suspended, and Senate bills Nos. 56 and 29 made special order for Tuesday, February 7, at 10 A. M.

#### INTRODUCTION OF BILLS.

Senate bill No. 128 (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.

Read first time; rules suspended, read second time by title, ordered printed, and placed on file.

Senate bill No. 129, by Senator O'Neill: An act to amend section 2213 of title 25, chapter 2 of volume 1, Statutes of the State of Washington, as arranged and annotated by Wm. Lair Hill.

Read first time; rules suspended, read second time by title, and referred to Committee on Mines and Mining.

Senate bill No. 130, by Senator Foss: An act to define and punish obstruction 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 131, by Senator Claypool: An act to define, regulate and govern police departments of cities of the first class, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

Senate bill No. 132, by Senator Claypool: An act to amend section 5 of chapter 140 of the Laws of 1891, entitled "An act to provide for the assessment and collection of taxes in the State of Washington, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Revenue and Taxation.

Senate bill No. 133, by Senator Forrest: An act to provide for the validating of meetings of trustees of corporations.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

#### MESSAGE FROM THE HOUSE.

The following was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 2, 1893.

MR. PRESIDENT:

The House has passed Senate memorial No. 2, Relative to the death of James G. Blaine.

Also, 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.

Also, House bill No. 100, by Mr. McElwain, 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.

Also, House bill No. 106, by 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, and providing for the punishment thereof.

The House has passed Senate bill No. 15, by Mr. Easterday, An act to

provide for the election of judges of the superior court, with amendment, as noted in the bill.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

### REPORT OF COMMITTEE ON MILITARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 3, 1893.

MR. PRESIDENT:

We, your Committee on Military, 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 Senate with the recommendation that it be passed.

Respectfully submitted.

TRUSTEN P. DYER, Chairman.

We concur in this report:

C. E. CLAYPOOL,

JNO. E. MCMANUS.

Report accepted, and Senate bill No. 85 placed on file.

Senate bill No. 134, by Senator Forrest: An act to provide for the amendment of articles of incorporation.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 135, by Senator Forrest: An act relative to the classification of capital stock in corporations, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

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.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

The following Senate concurrent resolution No. 9 was introduced by Senator Claypool, and adopted:

WHEREAS, The matters referred to in Senate bill No. 50, the same being a bill for an act providing for the registration of titles to land, are of great importance: therefore, be it

*Resolved by the Senate, the House concurring,* That Senate bill No. 50 be referred to the joint judiciary committee.

Senate bill No. 66 was read third time by sections, and amended by substituting for section 4 the following: "Judgments shall bear the legal rate of interest from the date of the entry thereof."

Section 4 of the bill was changed so as to read section 5.

Further amended by inserting in section 3 of line 1 of printed bill, after the word "contract," the words "except on warrants as named in section 2 of this act."

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten—30.

Those voting in the negative were: Senators Frink and Van De Vanter—2.

Absent or not voting: Senators Forrest and Kinnear—2.

On motion of Senator Horr, Senate bill No. 71 was laid on the table.

On motion of Senator Horr, Senate bill No. 53 was re-referred to Engrossing Committee.

Senate bill No. 90 was read third time by sections, and amended by adding after the last word in section 7, the words "and may be removed at any time," and inserting in line 7 of section 15, after the word "interest," the words "or any less rate therein specified," and the words "boards of education shall" in line 23 of section 19 were stricken out and the word "to" inserted in lieu thereof, and in line 2 of section 24, the words "who shall not be connected in any manner with any of the public schools in such district," were inserted after the word "members," and in line 13 of section 3, the words "and shall be eligible to election on the board of education," were inserted after the word "election."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Van De Vanter, and Van Houten—24.

Those voting in the negative were: Senators Claypool, Eshelman, Hastings, Helm, Horr, McManus, Rutter, Sergeant, Shaw, and Smith—10.

The title of the bill to remain the title of the act.

Senate concurrent resolution No. 10 was introduced by Senator Smith, and unanimously adopted:

*Resolved by the Senate, the House concurring,* That two members of the Senate Committee on State Prison, to be named by the president, and three members of the House Committee on Penitentiary and Reform School, to be named by the speaker, be and they are hereby authorized to visit the state penitentiary, and that they be, at the proper time, granted leave of absence for that purpose.

Senate concurrent resolution No. 11 was introduced by Senator Ide, and unanimously adopted:

*Resolved by the Senate, the House concurring,* That two members of the Senate Committee on State Insane, to be named by the president, and three members of the House Committee on Hospital for Insane and School for Defective Youth, to be named by the speaker, be and they are hereby authorized to visit the state hospital for the insane, and that they be, at the proper time, granted leave of absence for that purpose.

President Luce in the chair.

Senate concurred in House amendment to Senate bill No. 15, inserting in line 3, of section 2, after the word "succeeding" the word "general."

Senate concurrent resolution No. 12, endorsing the rhododendron as the state flower, was introduced by Senator Dyer, and laid on the table subject to call.

Senators Rutter, Edens, Kinnear and Dyer were excused from to-morrow's session, and Senator Hastings was excused until Tuesday, February 7th.

The president stated that he was about to sign Senate bill No. 12.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Joint session called to order at 12 o'clock meridian. President Luce in the chair.

Joint roll call; all senators and representatives present excepting Messrs. Burton, Heliker, Pierce (D. W.), and Shadle.

The reading of yesterday's journal was dispensed with and journal approved.

Senators Dyer and Eshelman, Kinnear and Claypool, Frink and Donahoe, Rutter and Ide announced that they had paired for Saturday's ballot; Edens and McManus, Hastings and Turpin paired for Saturday and Monday.

## FORTY-FIFTH JOINT BALLOT.

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—49.

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—23.

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—27.

Those voting for Govnor Teats were: Baker, Collin, Denn, Durrant, Edwards, Egbert, Scott, and Smith (J. B.)—8.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 108.

Not voting: Heliker, Pierce (D. W.), Shadle, and Burton—4.

## FORTY-SIXTH JOINT BALLOT.

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—49.

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, Westfall, Van Houten, and Woodworth—23.

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—27.

Those voting for Govnor Teats were: Baker, Collin, Denn, Durrant, Edwards, Egbert, Scott, and Smith (J. B.)—8.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 108.

Not voting: Heliker, Pierce (D. W.), Shadle, and Burton—4.

The joint session then dissolved.

At 12:20 P. M., immediately following the joint session, the Senate was called to order by President pro tem. Dyer, and, on motion of Senator Van Houten, adjourned until 10 o'clock A. M., Saturday, February 4, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## TWENTY-SEVENTH DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Saturday, February 4, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all present excepting Senators Cooper, Dyer, Donahoe, Edens, Hastings, Hutchinson, and Kinnear.

The reading of yesterday's journal was dispensed with and journal approved.

Senator McManus introduced the following, which was adopted:

*Resolved,* That W. K. Esling be appointed special committee clerk for the service of any committee whose clerk is otherwise employed. He shall assist the enrolling clerk, when necessary, and perform other clerical duties to which he is assigned.

### FROM THE HOUSE.

House bill No. 100: An act to amend sec. 1534 of the Code of Procedure relating to costs in civil actions before justices of the

peace and to provide for taxing an attorney fee as part of the costs in such action

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 135: An act providing for the legalizing marriages heretofore contracted within six months from divorce.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

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.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

#### INTRODUCTION OF BILLS.

Senate bill No. 137, by Senator Van Houten: An act to amend section 1042 of the Code of Washington, relating to the assessment of lands.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Revenue and Taxation.

Senate bill No. 138, by Senator Ide (by request): An act to amend sections 262 and 268 of Hill's Statutes and Codes of the State of Washington, relating to the unlawful destruction of game.

Read first time; rules suspended, read second time by title, and referred to Committee on Fisheries.

Senate bill No. 139, by Senator McManus: An act to amend subdivision or paragraph 4 of section 673 of Hill's Code, defining the general powers of the town council of towns of the fourth class, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

Senate bill No. 140, by Senator Kellogg: An act to govern the levying, assessing and collecting of road property tax.

Read first time; rules suspended, read second time by title, and referred to Committee on Roads and Bridges.

Senate bill No. 141, by Senator Foss: An act to prevent minors under the age of 18 years from smoking or otherwise indulging in the use of cigarettes.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Morals.

The following petition was introduced by Senator Forrest, and referred to Committee on State, School and Granted Lands:

*To the Honorable the Legislature of the State of Washington:*

Your memorialists, the chamber of commerce of the city of Seattle, respectfully represent:

*First:* That the State of Washington is possessed of a great area of public lands held in trust for all the people.

*Second:* That these lands are in every township and distributed uniformly throughout the commonwealth.

*Third:* That it has been customary in the past to lease these lands to private individuals at 10 cents per acre per annum.

*Fourth:* That it is the settled public policy to dispose of these lands slowly, their entire disposition covering a long term of years in order that the best possible prices may thereby be obtained, and the people benefited by anticipated increases in value.

*Fifth:* That the lands in question are in many cases suitable and desirable for parks, and are the only lands remaining in large bodies in the vicinity of our rapidly extending, vigorous, promising towns and cities.

*Sixth:* That it will be well for the people; that it will be in line with the constitution; that it will be profitable to the institutions concerned; that it will be beneficial in many ways, to provide a method by which incorporated towns and cities may secure such lands in their vicinities for public parks.

Your memorialists therefore pray for the enactment of a law by which towns and cities of our state may get these lands for parks and like public purposes on hundred year leases, at rates not exceeding ten cents an acre per annum.

THE SEATTLE CHAMBER OF COMMERCE,

By E. O. GRAVES, President.

Attest: J. W. DODGE, Secretary.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,

OLYMPIA, WASH., February 4, 1893.

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of 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;" also, that the enrolled copy of Senate bill No. 26, 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 to exist," have been carefully compared with the original copies thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman,  
C. I. HELM,  
JOHN G. CAMPBELL.

Senate bill No. 43 was laid on table subject to call.

Senate bill No. 7 read third time by sections and amended by striking out in line 6, section 2, of printed bill after "superior courts" down to and including words "another, and" in line 8.

The bill was further amended by striking out in line 15 of section 5, beginning "The said clerk as well as the judge of said court is hereby authorized to unite such persons in marriage as shall have complied with the laws of this state regulating marriages and." The following was incorporated in the bill:

"SEC. 7. In all cases where the punishment fixed by law shall be imprisonment in the penitentiary, and it shall appear to the judge of the municipal court, upon the affidavit of either the defendant or his attorney, that the defendant cannot have a fair and impartial trial in said court, owing either to the bias or prejudice of the said judge or the bias or prejudice of the officers of the said court, or the police officers of said city; then, and in that case, it shall be the duty of said municipal court to duly certify all papers and proceedings in such case to the superior court of the county wherein said municipal court may be situated, and to commit the defendant, should he be incarcerated, to the county jail of said county pending trial."

The present section 7 was numbered 8, and present section 8 numbered section 9.

The bill was ordered sent to Engrossing Committee.

Senate bill No. 53 was made special order for Tuesday, February 7th at 2 P. M.

Senate bill No. 94 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Cooper, Eshelman, Forrest, Forsyth, Foss, Gilbert, Helm, Horr, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, and Smith — 20.

Senator Brown voted in the negative.  $\frac{2}{2}$

Absent or not voting: Senators Claypool, Dyer, Donahoe, Easterday, Edens, Frink, Hastings, Hutchinson, Ide, Kinnear, Rutter, Van De Vanter, and Van Houten — 13.

The emergency clause then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Camp-

bell, Cooper, Eshelman, Forrest, Forsyth, Foss, Gilbert, Helm, Horr, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, and Smith—20.

Absent or not voting: Senators Brown, Claypool, Dyer, Donahoe, Easterday, Edens, Frink, Hastings, Hutchinson, Ide, Kinnear, Rutter, Van De Vanter, and Van Houten—14.

The title of the bill to remain the title of the act.

House concurrent resolution No. 5 was read third time in full, and adopted by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Eshelman, Forsyth, Foss, Gilbert, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Shaw, and Van Houten—22.

Senators Forrest and Smith voted in the negative—2.

Absent or not voting: Senators Dyer, Donahoe, Easterday, Edens, Frink, Hastings, Kinnear, Richards, Sergeant, and Van De Vanter—10.

Senate concurrent resolution No. 8 was read third time in full, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Eshelman, Forrest, Forsyth, Foss, Gilbert, Helm, Horr, Hutchinson, Ide, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten—23.

Senators Cooper and Smith voted in the negative—2.

Absent or not voting: Senators Dyer, Donahoe, Easterday, Edens, Frink, Hastings, Kellogg, Kinnear, and Richards—9.

On motion of Senator Forrest, Senate bill No. 54 was placed at foot of calendar.

#### REPORTS OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled bills made the following reports:

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate memorial No. 2 has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman,  
CHAS. I. HELM,  
JOHN G. CAMPBELL.

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

Senate bill No. 15, entitled "An act to provide for the election of judges of the supreme court."

Senate concurrent resolution No. 3.

Senate concurrent resolution No. 4.

Senate concurrent resolution No. 6.

Senate concurrent resolution No. 7.

Respectfully submitted.

HENRY C. COOPER, Chairman,  
C. I. HELM,  
JOHN G. CAMPBELL.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 4, 1893.

MR. PRESIDENT:

The House has passed House memorial No. 2, Relative to protection from infectious diseases.

Also, House memorial No. 3, Petitioning congress for an appropriation for the improvement of the Ozette river, and the harbor at the mouth of the Quillayute river.

Also, Senate concurrent resolution No. 10, Relative to appointment of committee to visit state penitentiary, and granting leave of absence for that purpose.

Also, Senate concurrent resolution No. 11, For appointing a committee to visit state hospitals for the insane, and granting leave of absence for that purpose.

Also, House bill No. 21, entitled "An act creating and providing for the enforcement of liens for labor and material."

Also, House bill No. 86, by Mr. Wheeler: An act to regulate the practice of dentistry in the State of Washington.

Also, House bill No. 89, by Mr. Roth: An act to quiet possession, and confirm titles to land.

Also, House bill No. 142, by Mr. Tucker: An act relating to the common school system of the State of Washington, amending sections 22, 25, 33, 34, 54 and 71 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 the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

On motion of Senator Forsyth Senate bill No. 61 was indefinitely postponed.

Senate bill No. 78 was read third time by sections, and amended by striking out the word "to" in line 3 of section 1 of printed bill, and inserting in lieu thereof the word "by."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Easterday, Eshelman, Forrest, Forsyth, Foss, Gilbert, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten—27.

Absent or not voting: Senators Dyer, Donahoe, Edens, Frink, Hastings, Kinnear, and Smith—7.

The title of the bill to remain the title of the act.

The president stated that he was about to sign Senate bills Nos. 15, 16 and 26, and Senate concurrent resolutions Nos. 3, 4, 6 and 7.

#### INTRODUCTION OF BILLS.

Senate bill No. 142, by Senator Richards: An act to authorize county commissioners to issue bonds for roads and bridges.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

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, 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

The following was introduced by Senator Sergeant and adopted.

WHEREAS, Miss Bush, of Olympia, has kindly placed over the lieutenant governor's chair a painting representing the rhododendron, the flower lately chosen by a large majority of the ladies of this state as the flower to be adopted as the state flower: therefore,

*Resolved*, That the thanks of this Senate be and the same are hereby extended to Miss Bush for her kindness in loaning this very artistic picture, the result of her skill and handiwork, to embellish the walls of this Senate chamber.

On motion of Senator Brown, Senate bills Nos. 69 and 70 were laid on the table subject to call.

On motion of Senator Eshelman, Senate bills Nos. 87 and 97 were laid on the table subject to call.

On motion of Senator Belknap, Senate bills Nos. 89 and 9 were laid on the table subject to call.

House bill No. 16 was read third time by sections, and amended by striking out, in line 7 of section 1 of printed bill, the words "or sub-contractor."

The bill was then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Easterday, Eshelman, Forrest, Forsyth, Foss, Gilbert, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter and Van Houten—27.

Absent or not voting: Senators Dyer, Donahoe, Edens, Frink, Hastings, Kinnear, and Richards—7.

The title of the bill to remain the title of the act.

House bill No. 240 was read third time, under suspension of the rules, and by unanimous consent placed on final passage.

The bill passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Easterday, Eshelman, Forrest, Forsyth, Foss, Gilbert, Helm, Horr, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Rutter, Sergeant, Shaw, Smith, and Van Houten—25.

Absent or not voting: Senators Dyer, Donahoe, Edens, Frink, Hastings, Hutchinson, Kinnear, Roberts, and Van De Vanter—9.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Easterday, Eshelman, Forrest, Forsyth, Foss, Gilbert, Helm, Horr, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Rutter, Sergeant, Shaw, Smith, and Van Houten—25.

Absent or not voting: Senators Dyer, Donahoe, Edens, Frink, Hastings, Hutchinson, Kinnear, Roberts, and Van De Vanter—9.

The title of the bill to remain the title of the act.

The president stated that he was about to sign Senate memorial No. 2.

On motion of Senator Hutchinson, House bill No. 53 was laid on the table subject to call.

The members of the Senate repaired to the House of representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian.

Roll call; all senators and representatives present excepting

Donahoe, Dyer, Edens, Frink, Hastings, Kinnear, McManus, Burton, N. W. Bush, and Turpin.

The reading of yesterday's journal was dispensed with and journal approved.

Senators Claypool and Dyer, and Eshelman and Kinnear were announced as paired for to-day's ballot.

The following pairs were announced for Monday: Cooper and Sergeant, Nelson and Winchell, Hastings and Turpin, Edens and McManus.

FORTY-SEVENTH JOINT BALLOT.

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—46.

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—23.

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.)—23.

Those voting for Govnor Teats were: Baker, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—8.

Total number of votes cast, 100.

Not voting: Bush (N. W.), Dyer, Frink, Hastings, Kinnear, Claypool, Edens, Donahoe, Eshelman, McManus, Turpin, and Burton—12.

FORTY-EIGHTH JOINT BALLOT.

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—46.

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—23.

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.)—23.

Those voting for Govnor Teats were: Baker, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—8.

Total number votes cast, 100.

Not voting: Bush (N. W.), Dyer, Frink, Hastings, Kinnear, Claypool, Edens, Donahoe, Eshelman, McManus, Turpin, and Burton—12.

The joint session then dissolved.

At 12:25 P. M., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator Eshelman, adjourned until 11 o'clock A. M., Monday, February 6, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## TWENTY-NINTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Monday, February 6, 1893. }  
11 o'clock A. M.

Senate called to order, pursuant to adjournment, at 11 o'clock A. M. President Luce in the chair.

Roll called; all present excepting Senators Edens and Hastings, who were excused.

The journal of February 4 was read and approved.

### MESSAGE FROM THE HOUSE.

The following message was received from the House:

#### HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 6, 1893.

MR. PRESIDENT:

The House has passed 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 volume 1 of Hill's Annotated Statutes and Codes of Washington."

Also, Senate bill No. 49, 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."

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

Senator Donahoe introduced the following, which was adopted:

*Resolved by the Senate, the House concurring,* That two members of the Senate, to be named by the president, and three members of the House Committee on Penitentiary and Reform School, to be named by the speaker, be and they are hereby authorized to visit the reform school at Chehalis, and that they be at the proper time granted leave of absence for that purpose.

### REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 80, entitled "A bill to amend section 20 of

an act entitled 'An act to regulate and license insurance business in this state,' approved March 27, 1890," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

We concur in this report:

C. E. CLAYPOOL,

B. F. SHAW,

A. T. VAN DE VANTER,

T. J. SMITH.

Report adopted, and Senate bill No. 80 placed on file.

#### REPORT OF COMMITTEE ON MEMORIALS.

SENATE CHAMBER,

OLYMPIA, WASH., February 3, 1893.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 1, in relation to the survivors of the Indian war of 1855 and 1856 in the Territory (now State) of Washington, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

F. W. HASTINGS, Chairman.

We concur in this report:

J. R. KINNEAR,

C. E. FORSYTH.

Report adopted, and Senate memorial No. 1 placed on file.

#### COMMUNICATIONS FROM THE GOVERNOR.

The following communications were received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, January 25, 1893.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—On the 29th day of April, 1892, Governor Elisha P. Ferry re-appointed Mr. J. W. Goodell, of Pacific county, a trustee of the Washington state reform school, for the term of six years.

I ask the Senate's advice and consent to this appointment.

Respectfully, J. H. MCGRAW, Governor.

The appointment of J. W. Goodell was laid on the table.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—I have this day approved and signed 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."

Respectfully, J. H. MCGRAW, Governor.

## INTRODUCTION OF BILLS.

Senate bill No. 144, by Senator Claypool: An act regulating maturity of contracts.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 145, by Senator Gilbert: To provide for payment for state lands of their share of the expense of constructing drainage ditches, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Roads and Bridges.

Senate bill No. 146, by Senator Richards: Providing for the removal from office of officers not liable to impeachment.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 147, by Senator Easterday: Relating to revenue and taxation, amending section 1020 of the General Statutes of the State of Washington, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Revenue and Taxation.

Senate bill No. 148, by Senator Cooper: An act relating to the location of a state normal school at Montesano, Chehalis county, Wash.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Buildings and Grounds.

Senate bill No. 20 was made a special order for Wednesday, February 8, at 10 A. M.

On motion of Senator Van De Vanter, Senate bill No. 81 was indefinitely postponed.

On motion of Senator Claypool, Senate bill No. 96 was laid on table subject to call.

Senate bill No. 85 was read third time by sections and amended by striking out the words "or kill," in line 2 of section 2 of printed bill, and further amended by striking out the words "a deed," in lines 2 and 3 of section 7, and inserting in lieu thereof the words "an order."

The president appointed Senators Smith and Gilbert as Senate members of the joint committee to visit the state penitentiary, and Senators Van De Vanter, Ide and McManus as members of the committee on World's Fair.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 6, 1893.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 15, entitled "An act to provide for the election of judges of the superior court."

Also, Senate bill No. 16, For vote on constitutional amendment.

Also, Senate bill No. 26, To enable cities to purchase water works.

Also, Senate concurrent resolution No. 4.

Also, Senate concurrent resolution No. 7.

Also, Senate concurrent resolution No. 3.

Also, Senate concurrent resolution No. 6.

And the same are herewith returned to the Senate.

T. G. NICKLIN, Chief Clerk.

The members of the Senate repaired to the House of Representatives to meet in joint session.

## JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call showed all present excepting Burton, Bush (N. W.), Dyer, Edens, Edwards, Forrest, Hastings, Helm, Kelly, McManus, Nash, Roscoe, Rutter, Smith (H. F.), Turpin, White, and Winchell.

Reading of yesterday's journal dispensed with, and journal approved.

## FORTY-NINTH JOINT BALLOT.

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 — 41.

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 — 17.

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, Letter-

man, Mays, McCroskey, Miller, Mulkey, Payne, Shaw, and Shelton — 23.

Those voting for C. W. Young were: Baker, Collin, Denn, Durant, Egbert, Scott, and Smith (J. B.) — 7.

Total number votes cast, 88.

Not voting: Bush (N. W.), Dyer, Forrest, Hastings, Kinnear, Neergard, Roscoe, Rutter, White, Winchell, Claypool, Edens, Helm, Kelly, Nash, Nelson, Richards, Eshelman, Woodworth, McManus, Smith (H. F.), Turpin, Edwards, and Burton — 24.

#### FIFTIETH JOINT BALLOT.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belkap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Farrish, Forrest, Forsyth, Frink, Gilbert, Heliker, Hoole, Horr, Karr, Keller, Kellogg, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, Van De Vanter, and Mr. Speaker — 45.

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 — 21.

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 — 24.

Those voting for C. W. Young were: Baker, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.) — 8.

Total number votes cast, 98.

Not voting: Mr. Bush (N. W.), Hastings, Neergard, Roscoe, White, Winchell, Edens, Kelly, Nelson, Woodworth, McManus, Smith (H. F.), Turpin, and Burton — 14.

The joint session then dissolved.

At 12:30 P. M., immediately following the joint session, the Senate was called to order by President pro tem. Dyer, and on motion of Senator Kinnear, a recess was taken until 2:30 o'clock P. M.

## AFTERNOON SESSION.

Senate called to order at 2:30 o'clock P. M., President Luce in the chair.

Roll call; all present except Senators Edens, Hastings, and Smith.

## INTRODUCTION OF BILLS.

Senate bill No. 149, by Senator Rutter: An act providing for the appointment and election of a superior judge to preside in Kitsap and King counties, defining the duties of such judge, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 150, by Senator Claypool: An act for the relief of Elisha P. Ferry and Thos. M. Reed, and making an appropriation therefor.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 151, by Senator Miller: An act withdrawing school lands chiefly valuable for agricultural purposes from sale, and providing for leasing the same.

Read first time; rules suspended, read second time by title, and referred to Committee on State, Granted and School Lands.

Senate bill No. 152, by Senator Dyer: Defining the offense of corrupt solicitation of members of the legislature, or of public officers of the state or any municipal division thereof, and any occupation or practice of solicitation of such members or officers to influence their official action, and providing for the punishment therefor.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

On motion of Senator Rutter, special order of veto messages was continued to 3 P. M.

The third reading of Senate bill No. 85 was resumed, and the bill amended in line 1 of section 9 by inserting the word "or" between the words "constable" and "police;" and further amended in section 10 by striking out the words "one-half of," and in same

line the words "shall be paid by the court to the;" and strike out in line 2 the words "prosecuting witness and one-half," so that the section as amended will read as follows, viz.: "All the fines herein provided for shall be paid into the common school fund of the county in which such fine shall be imposed." And further amended in section 4 of line 3 by inserting the word "of" between the words "period" and "at;" also amended in section 2 by striking out all of line 5 except the word "or." A division was called for on the last amendment; sixteen senators voted in the affirmative and 9 in the negative. Further amended in section 4, in line 3, by striking out the word "five" and inserting the word "two" in lieu thereof.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Van De Vanter, and Van Houten—28.

Absent or not voting: Senators Cooper, Edens, Hastings, Kellogg, Rutter, and Smith—6

The title of the bill was amended by adding after the word "birds," "and" providing punishment therefor."

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

The Committee on Engrossed Bills made the following report:

MR. PRESIDENT:

Your Committee on Engrossed Bills respectfully reports that the engrossed copy of Senate bill No. 7, entitled "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,'" has been carefully compared with the original copy thereof, and found correctly engrossed.

Respectfully submitted.

LOUIS FOSS, Chairman.

Senate bill No. 7 was received from the Engrossing Committee, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Donahoe, Eshelman, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Ide, Kellogg, McCroskey, McManus,

O'Neil, Richards, Roberts, Sergeant, Shaw, Van De Vanter, and Van Houten — 24.

Senator Easterday voted in the negative.

Absent or not voting: Senators Dyer, Edens, Forrest, Hastings, Hutchinson, Kinnear, Miller, Rutter, and Smith — 9.

The title of the bill was amended by inserting the words "sections 2, 4, 8, 11, 13 and 15 of" after the word "amend" and before the words "an act" in the first line of the title.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Donahoe, Eshelman, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Ide, Kellogg, McCroskey, McManus, O'Neil, Richards, Roberts, Sergeant, Shaw, Van De Vanter, and Van Houten — 24.

Absent or not voting: Senators Dyer, Easterday, Edens, Forrest, Hastings, Hutchinson, Kinnear, Miller, Rutter, and Smith — 10.

On motion of Senator Belknap, House memorial No. 3 was read first time; rules suspended, read second time; rules further suspended, and placed upon its final passage.

The memorial was passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Sergeant, Shaw, Van De Vanter, and Van Houten — 28.

Absent or not voting: Senators Edens, Hastings, Kellogg, Richards, Rutter, and Smith — 6.

House bill No. 89, Providing for internal improvements in cities of the first class, was read first time; rules suspended, read second time by title, and referred to the Judiciary Committee.

House bill No. 21, An act providing for the enforcement of liens, was read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 86, Regulating the practice of dentistry, was read first time; rules suspended, read second time by title, and referred to Committee on Medicine, Dentistry, Hygiene and Surgery.

House bill No. 142, Relating to the common school system, was read first time; rules suspended, read second time by title, and referred to Committee on Education.

On motion of Senator Donahoe, Senate bill No. 71 was taken from the table and indefinitely postponed.

House memorial No. 2 was passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Sergeant, Shaw, Van De Vanter, and Van Houten — 29.

Absent or not voting: Senators Edens, Hastings, Richards, Rutter, and Smith — 5.

Senate bill No. 153 was introduced by Senator Rutter (by request): A bill for the relief of C. F. Clapp and Thos. F. Drew.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 69 was read third time by sections, amended by striking out section 7, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forrest, Foss, Frink, Gilbert, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten — 30.

Absent or not voting: Senators Edens, Forsyth, Hastings and Smith — 4.

The title of the bill to remain the title of the act.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copies of the following have been carefully compared with the original copies thereof, and found correctly enrolled:

Senate concurrent resolution No. 10, For appointing committee to visit state penitentiary, and granting leave of absence for that purpose.

Also, Senate concurrent resolution No. 11, For appointing committee to visit state hospitals for the insane, and granting leave of absence for that purpose.

Respectfully submitted.

HENRY C. COOPER, Chairman,  
JOHN G. CAMPBELL,  
CHAS. I. HELM.

The president stated that he was about to sign Senate concurrent resolutions Nos. 10 and 11.

The following executive veto messages, accompanying House bill No. 128, House bill No. 156 and House bill No. 16 (all of 1891), were read:

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 horse, 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 the 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 tracks within 90 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,

Lieut. Governor and Acting Governor.

The bill then failed to pass over the veto by the following vote:

Those voting in the affirmative were: Senators Dyer, Eshelman, Gilbert, Hutchinson, Kinnear, McCroskey, Miller, Roberts, and Shaw — 9.

Those voting in the negative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Donahoe, Easterday, Forrest, Forsyth, Foss, Frink, Helm, Horr, Ide, Kellogg, McManus, O'Neill, Roberts, Rutter, Sergeant, Van De Vanter, and Van Houten — 22.

Absent or not voting: Senators Smith, Hastings and Edens — 3.

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, punishable 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 the 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,  
Lieut. and Acting Governor.

House Bill No. 128 (of 1891) failed to pass over the executive veto by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Dyer, Donahoe, Eshelman, Frink, Gilbert, Helm, Hutchinson, Kellogg, Kinnear, McCroskey, Miller, Richards, Roberts, Shaw, and Van Houten — 17.

Those voting in the negative were: Senators Claypool, Cooper, Easterday, Forrest, Forsyth, Foss, Horr, Ide, McManus, O'Neill, Rutter, Sergeant, and Van De Vanter — 13.

Absent and not voting: Senators Campbell, Edens, Hastings, and Smith — 4.

VETO MESSAGE, HOUSE BILL No. 156, SESSION OF 1891.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 14, 1893.

*Hon. Allen Weir, Secretary of State, Olympia, Wash.:*

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 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 to do no injustice to the people or the corporations.

It is true that in very many instances where the 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 a 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 terminate 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 (of 1891) then failed to pass over the executive veto by the following vote:

Those voting in the affirmative were: Senators Brown, Dyer, Donahoe, Eshelman, Frink, Gilbert, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, Miller, Richards, Roberts, and Shaw — 15.

Those voting in the negative were: Senators Belknap, Claypool, Cooper, Easterday, Foss, Helm, Ide, McManus, O'Neill, Rutter, Van De Vanter, and Van Houten — 12.

Absent or not voting: Senators Campbell, Edens, Forrest, For-syth, Hastings, Sergeant, and Smith — 7.

#### COMMUNICATION FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, WASH., February 6, 1893.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN — I have this day approved and signed the following bills: Senate bill No. 15, entitled "An act to provide for the election of judges of the supreme court."

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."

Senate bill No. 26, 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 to exist."

Respectfully, J. H. MCGRAW, Governor.

On motion of Senator Rutter, the Senate, at 5:10 P. M., adjourned until 10 o'clock A. M., Tuesday, February 7, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## THIRTIETH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Tuesday, February 7, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all present excepting Senators Kellogg, Smith, and Forsyth.

The reading of yesterday's journal was dispensed with, and the journal approved.

Senate memorial No. 3, relating to the state library, was introduced by Senator Dyer, and referred to Committee on State Library.

### REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,  
OLYMPIA, WASH., February 7, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 100, entitled "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," have had the same under consideration, and

we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Brown and Van Houten, being all the members of said committee present.

Report received and bill placed on file.

MR. PRESIDENT:

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 Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Brown and Van Houten, being all the members of said committee present.

Report received and placed on file.

MR. PRESIDENT:

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 last will and testament, and providing for the punishment thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Brown, and Van Houten being all the members of said committee present.

Report received and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, 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 Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Brown and Van Houten, being all the members of said committee present.

Report received and bill placed on file.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 114, entitled "An act amending sections 830 and 831 of the Code of Washington of 1881," have had the same under consideration, and now respect-

fully report it back to the Senate with the following amendments, and, as amended, recommend its passage:

First amendment: Strike out the present title and insert the following: "An act to amend sections 48 and 49, chapter 2 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 larceny."

Second amendment: Strike out the words "section 830 of the Code of Washington of 1881," in line 1, section 1 of the printed bill, and insert the words "that section 48, chapter 2 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."

Third amendment: Strike out the words "section 831 of the Code of Washington," in line 1, section 2, and insert the words "that section 49, chapter 2 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."

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Brown and Van Houten, being all the members of said committee present.

Report received; bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 63, entitled "An act regulating fees of county clerks for services rendered as ex officio clerks of the superior courts in probate cases, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Brown and Van Houten, being all the members of said committee present.

Report adopted, and Senate bill No. 63 indefinitely postponed.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 112, entitled "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," have had the same under consideration, and we respectfully report it back to the Senate with the following amendments, and, as amended, recommend its passage:

First amendment: Strike out the title of the printed bill and insert in lieu thereof the following title: "An act to amend sections 1144, 1145, 1146, 1148 and 1149 of title 12, chapter 14, volume 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill, relating to the sale, mortgaging and leasing of real estate belonging to minors."

Second amendment: Strike out line 1 of the printed bill after the enacting clause and insert in lieu thereof the words: "SECTION 1. That sections 1144, 1145, 1146, 1148 and 1149 of title 12, chapter 14, volume 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill."

Third amendment: Line 2, change the figures "1620" to "1144."

Fourth amendment: Line 8, insert before the word "section" "section 2."

Fifth amendment: Line 8, change the figures "1621" to "1145."

Sixth amendment: Strike out the word "probate" on the sixth line.

Seventh amendment: Insert "section 3" before the word "section" in line 26, and change the figures "1622" to "1146."

Eighth amendment: Strike out the whole of line 33.

Ninth amendment: Insert "section 4" before "section" in line 34, and change the figures "1624" to "1148" in same line.

Tenth amendment: Insert "section 5" before "section" in line 38, and change the figures "1625" to "1149" in the same line.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Brown and Van Houten, being all the members of said committee present.

The report was adopted, and Senate bill No. 112 was placed on general file.

Senate concurrent resolution No. 14, Providing for the purchase of 350 copies of Abbott's Real Property Statutes was introduced by Senator Campbell, and adopted.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 98, entitled "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," have had the same under consideration, and now respectfully report it back to the Senate with the following amendment and, as amended, recommend its passage:

Strike out all after and including the word "provided," in line 10 of the section, to the end of the section, ending with the word "services," as shown in the printed bill.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Brown and Van Houten, being all the members of said committee present.

Report received; bill placed on file.

#### INTRODUCTION OF BILLS.

Senate bill No. 154, by Senator Dyer: An act to amend an act entitled "An act to provide for the organization, maintenance and discipline of the military of the State of Washington," approved March 27, 1890.

Read first time; rules suspended, read second time by title, and referred to Committee on Military.

Senate bill No. 155, by Senator Dyer (by request): An act to aid the Washington State Historical Society, and for other purposes.

Read first time; rules suspended, read second time by title, and referred to Committee on State Library.

Senate bill No. 156, by Senator Shaw: An act for the relief of J. T. Goss.

Read first time; rules suspended, read second time by title, and referred to Committee on Claims.

Senate bill No. 157, by Senator Rutter: An act to establish a bureau of statistics, agriculture and immigration.

Read first time; rules suspended, read second time by title, and referred to Committee on Labor and Labor Statistics.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 7, 1893.

MR. PRESIDENT:

The House has passed over the governor's veto, Senate bill No. 19 (1891), An act declaring it unlawful to organize, maintain or employ an armed body of men in this state, and providing punishment therefor.

Has passed House bill No. 62, by Mr. Letterman, An act for the detention of domestic animals doing damages, and giving a lien for damages upon such animals.

Also, House bill No. 150, by Mr. Karr, An act in relation to making a declaration of forfeiture of certain contracts.

Also, House bill No. 115, by Mr. Nash, 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, 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.

Also, House bill No. 164, by Mr. Hoole, An act providing for the transcribing of county records.

Also, House bill No. 172, by 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.

Also, 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.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

MR. PRESIDENT:

Your Committee on Elections and Privileges, to whom was referred Senate bill No. 104, entitled "An act to amend section 18 of an act entitled 'An act to establish a general uniform system of common schools in the State of Washington,'" have had the same under consideration, and report the same back, with the recommendation that it be referred to the Committee on Education.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Dyer and Miller, being all the members of said committee.

The report was adopted, and Senate bill No. 104 was referred to the Committee on Education.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

All senators and representatives present excepting Senators Kellogg, Smith, Edens, and Forsyth.

The reading of yesterday's journal was dispensed with, and the journal approved.

#### FIFTY-FIRST JOINT BALLOT.

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 — 48.

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 — 23.

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 — 27.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.) — 9.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 108.

Not voting: Forsyth, Kellogg, Edens, and Smith (T. J.)—4.

FIFTY-SECOND JOINT BALLOT.

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—48.

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—23.

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—27.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 108.

Not voting: Forsyth, Kellogg, Edens, and Smith (T. J.)—4.

The joint session then dissolved.

At 12:30 P. M., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator McCroskey, a recess was taken until 2:30 o'clock P. M.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## AFTERNOON SESSION.

Senate called to order at 2:30 o'clock P. M. President Luce in the chair.

All members responded to roll call excepting Senators Claypool, Kellogg, Smith, Forsyth and Edens, who were excused.

Senate bill No. 53 was considered as a special order, and further amended by striking out, in line 3 of section 3, the words "1,200" and inserting in lieu thereof the words "800," and by adding after the last word in section 3, "The assistant librarian, in addition to his other duties, shall, under the direction of the librarian, keep the library open to the public for the use of books in the library rooms every evening, Sundays excepted, between the hours of seven and ten o'clock."

Section 4 was stricken out, and subsequent sections renumbered.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forrest, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kinneer, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, and Van De Vanter—24.

Those voting in the negative were: Senators Belknap, McManus, and Shaw—3.

Absent or not voting: Senators Claypool, Edens, Forsyth, Hutchinson, Kellogg, Smith, and Van Houten—7.

The emergency clause then passed by the following vote:

Those voting in the affirmative were: Senators Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forrest, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kinneer, McCroskey, O'Neill, Richards, Roberts, Rutter, Sergeant, and Van De Vanter—24.

Those voting in the negative were: Senators Belknap, McManus, and Shaw—3.

Absent or not voting: Senators Claypool, Edens, Forsyth, Hutchinson, Kellogg, Smith, and Van Houten—7.

The title of the bill to remain the title of the act.

Senator Hastings was excused.

## INTRODUCTION OF BILLS.

Senate bill No. 158, by Senator Forrest: An act to prescribe the powers of counties relative to public works and structures for county purposes.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 159, by Senator Ide: An act for the relief of C. H. Bruenn.

Read first time; rules suspended, read second time by title, and referred to Committee on Claims.

Senate bill No. 160, by Senator Van De Vanter: A bill creating a state board of land commissioners, and defining the powers and duties thereof, fixing the compensation of the members, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on State Lands.

The president gave notice that he was about to sign Senate bill No. 49.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Following is the report of the Committee on Enrolled Bills concerning Senate bill No. 49.

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of 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," has been carefully compared with the original copy thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman,  
CHAS. I. HELM,  
JOHN G. CAMPBELL.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 7, 1893.

MR. PRESIDENT:

The House has passed House bill No. 254 entitled "An act regulating fish traps, and declaring an emergency."

The speaker has signed House bill No. 240, Authorizing cities to purchase water works.

Also, Senate concurrent resolution No. 10, Relating to penitentiary committee.

Also, Senate concurrent resolution No. 11, Relating to asylum committee.

Also, Senate memorial No. 2, In memory of James G. Blaine.

The House has adopted House concurrent resolution No. 11, by Mr. Collin, For joint committee to visit insane asylum and school for defective youth.

Also, House concurrent resolution No. 12, by Mr. Tull, For joint committee to visit penitentiary.

The House has refused to concur in Senate amendment to House bill No. 16, by Mr. Gilman, A bill for an act to amend section 1689 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," and the speaker has appointed as conference committee Messrs. Gilman, McMillan and Tucker.

The House has concurred in Senate concurrent resolution No. 8, Relative to annexation of Hawaiian Islands.

T. G. NICKLIN, Chief Clerk.

Senate bill No. 29, which had been made a special order for Tuesday at 10 A. M., was read third time by sections and amended as follows:

In line 1 of section 1, by striking out the word "fifty" and inserting the words "one hundred" in lieu thereof. Also, in line 1 of section 15, by striking out the word "six" and inserting the word "twelve" in lieu thereof. And also after the word "months," in second line, by inserting the words "and in the county ninety days."

Further amended by striking out the word "two," before the word "justices," in line 3 of section 17, and inserting the word "one" in lieu thereof; also, the word "two," before word "constable," in same line, and inserting "one," and making the word "justices," in fourth line, "justice," and changing the word "constables" to "constable."

In section 20, by making the word "justices," in line 2, "justice."

Section 19 amended by inserting after the word "horses," in line 10, the word "hogs." Also, in line 1 of section 28, the word "justices" made "justice." Also, in section 39 strike out the words "register of deeds" and insert "county auditor" in lieu thereof.

Line 3 of section 43 amended by adding after the word "dol-

lars," "and the same may be collected in an action before any justice of the peace in the county upon complaint of any officer or voter of such town." Also, in section 52, by striking out in the fourth line the words "or so many," and making word "justices," in the same line and section, read "justice."

Further amended by striking out the words "section 53½" and making he same "section 54," and numbering sections consecutively through the bill. Also, strike out the words "as will," in section 52, line 4.

In section 74, by striking out the word "more," in line 2, and inserting in lieu thereof the words "to exceed."

Section 78 amended by striking out, in line 4 of printed bill, the words "or city," and inserting the word "or" between the words "general" and "town."

Section 81 was amended in line 14, after the word "presented," by adding "*Provided*, They shall sit as same board of review not less than three consecutive days."

Section 87 was amended by striking out the word "six" in line 6 and inserting the word "ten" in lieu thereof, and by striking out the word "twelve" in line 8 and inserting therein the word "eight."

Section 93 was amended by striking out the word "six" when same occurs and inserting in lieu in each case the word "five."

Section 99 was amended by striking out the word "term" between the words "first" and "of" in second line and inserting in lieu thereof the word "session," and by striking out the word "term," being last word of section, and inserting in lieu thereof the word "session."

Sections 107, 108 and 110 were stricken out, and the following substituted therefor, subsequent sections being re-numbered consecutively:

"SEC. 107. The supervisors shall determine the several places at which guide posts shall be erected and maintained, and shall report the same to the electors at every annual meeting, and upon such report electors may determine the places where such guide posts may be erected and maintained, and upon failure of the supervisors to so determine and report, as provided herein, and to cause such posts to be erected and maintained, they shall forfeit to the town the sum of \$5 per month for each month during which they neglect or refuse to so report, and the same may be collected in an action before any justice of the peace in such county upon complaint of any officer or voter in such town."

On motion of Senator Kinnear, Senate bill No. 29 was placed upon the table subject to call.

Again considered and further amended by inserting between sections 106 and 109 the following, and making the enacting clause section 110:

“SEC. 108. Upon the petition of at least one-fifth of the legal voters of any county having adopted township organization, to be ascertained by the vote cast at the last preceding presidential election, the county commissioners shall cause to be submitted to the voters of such county, at the next general election, the question of the continuance of township organization, to be voted on by ballots written or printed, or partly written and partly printed, “For the continuance of township organization,” notice to be given and the votes to be canvassed and returns made in like manner as in this act provided in reference to a vote on the adoption of township organization.

“SEC. 109. If it shall appear by the returns of said election that a majority of the votes cast on that question at said election are against the continuance of township organization, then such organization shall cease in said county; and all laws relating to counties not under township organization shall be applicable to such county, the same as if township organization had never been adopted in it.

“SEC. 110. When township organization is discontinued in any county, the records of the several towns shall be adopted in the county auditor's office, and the county commissioners of the county shall have power to close up all unfinished business of the several towns, and sell and dispose of any of the property belonging to the towns, for the benefit of the inhabitants thereof, as fully as might have been done by the towns themselves, and to pay all the indebtedness of any town existing at the time of such continuance, and cause the amount thereof, or so much as may be necessary, to be levied upon the property of the town.”

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Donahoe, Edens, Forsyth, Frink, Gilbert, Hastings, Helm, Hutchinson, Ide, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Smith, Van De Vanter, and Van Houten—24.

Those voting in the negative were: Senators Cooper, Dyer, Easterday, Eshelman, Foss, McManus, and Shaw—7.

Absent or not voting: Senators Forrest, Horr, and Kellogg—3.

The title of the bill to remain the title of the act.

On motion of Senator Richards, House bill No. 254 was read first time, rules suspended, read second time by title and placed on general file.

On motion of Senator Miller, the Senate, at 5 o'clock p. m., adjourned until 10 o'clock a. m., Wednesday, February 8, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## THIRTY-FIRST DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Wednesday, February 8, 1893. }  
10 o'clock a. m.

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

Roll call; all present excepting Senators Claypool and Kellogg. Journal of yesterday read and approved.

### MESSAGES FROM THE HOUSE.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 8, 1893.

MR. PRESIDENT:

The House has refused to concur in Senate amendments to House bill No. 16, by Mr. Gilman, and very respectfully requests the Senate to recede from said amendments.

The House has passed House bill No. 66, by Mr. Anderson, of Whatcom, An act to establish a state normal school in the county of Whatcom.

Also, House bill No. 71, by Mr. Karr, An act in relation to county, school, city and town warrants, and the manner of their payment.

And the same are herewith.

T. G. NICKLIN, Chief Clerk.

### REPORT OF COMMITTEE ON ENGROSSED BILLS.

The Committee on Engrossed Bills made the following report:

MR. PRESIDENT:

Your Committee on Engrossed Bills respectfully reports that the engrossed copy of Senate bill No. 53, entitled "An act relating to the state library," has been carefully compared with the original copy thereof, and found correctly engrossed.

Respectfully submitted.

LOUIS FOSS, Chairman,  
J. C. HERR.

The report was adopted.

## REPORTS OF COMMITTEE ON JUDICIARY.

The following reports were received from the Judiciary Committee:

SENATE CHAMBER,  
OLYMPIA, WASH., February 8, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 89, entitled "An act to quiet possessions and confirm titles to land," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted. J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday and Richards, being all the members of said committee present.

Report accepted, and House bill No. 89 placed on file.

MR. PRESIDENT:

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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted. J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday and Richards, being all the members of said committee present.

Report accepted, and Senate bill No. 111 placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 115, entitled "An act relating to escheats," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted. J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday and Richards, being all the members of said committee present.

Report accepted, and Senate bill No. 115 was placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 107, 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 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 Senate without recommendation.

Respectfully submitted. J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday and Richards, being all the members of said committee present.

Report accepted, and Senate bill No. 107 placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 17, entitled "An act in relation to the rules governing conflict between law and equity," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday and Richards, being all the members of said committee present.

Report adopted, and Senate bill No. 17 was indefinitely postponed.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 95, entitled "An act relative to the lien of judgments upon real estate," have had the same under consideration, and respectfully report it back to the Senate with the following amendments, and, as amended, recommend its passage:

First amendment: Add to the title of the bill the words "and repealing sections 449, 450, 455, 456, 457 and 460 of title 7, chapter 15, of volume 2 of the General Statutes and Codes of the State of Washington as arranged and annotated by William Lair Hill."

Second amendment: Strike out the words "authorized by law to be levied upon real estate," in line 4, section 1 of the printed bill.

Third amendment: Strike out the word "on," in line 6, section 1, commencing the next word with a capital letter.

Fourth amendment: Strike out the words "and on," in line 7 of section 1.

Fifth amendment: Strike out the word "or" in line 8 of section 1, and insert in place thereof the word "judgments."

Sixth amendment: Strike out the words "or any," in line 10 of section 1, and insert in lieu thereof the word "and."

Seventh amendment: Strike out the words "authorized by law to be levied upon real estate," in lines 10 and 11 of section 1.

Eighth amendment: Strike out the word "other," in line 8 of section 2, and insert said word between the word "county" and the word "than."

Ninth amendment: Insert the words "the office of the county clerk of" before the word "that," in line 9 of section 2, and strike out the first "of" in said line.

Tenth amendment: Add the following section, as the last section of the bill, striking out the section marked section 9: "Sec. 8. That sections 448, 450, 455, 456, 457 and 460 of title 7, chapter 15 of volume 2 of the General Statutes and Codes of Washington, as arranged and annotated by William Lair Hill, and all acts and parts of acts in conflict with this act, be and the same are hereby repealed."

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday and Richards, being all the members of said committee present.

Report accepted, and Senate bill No. 95 was placed on file.

### REPORT OF COMMITTEE ON STATE PRISON.

SENATE CHAMBER,

OLYMPIA, WASH., February 6, 1893.

MR. PRESIDENT:

We, your Committee on State Prison, to whom was referred Senate bill No. 110, entitled "An act to amend section 1177 of chapter 2, title 12 of the General Statutes and Codes of the State of Washington as arranged and annotated by William Lair Hill, relating to penal and reformatory institutions, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments, viz.:

Insert the words "volume 1" after the words "title 12," in the first line of section 1.

Insert the word "exceed" between the words "to" and "one," in the fourth line of section 1.

Strike out the word "from" between the words "returning" and "the," in the eighth line of section 1, and insert the word "to."

Strike out section 2.

Insert the words "volume 1" after the words "title 12," in the title of the act.

Respectfully submitted.

T. J. SMITH, Chairman.

We concur in this report:

J. L. ROBERTS,

W. H. GILBERT.

Report accepted, and Senate bill No. 110 placed on file.

### FROM THE HOUSE.

House bill No. 116: An act relating to the weight of oats.

Read first time; rules suspended, read second time by title, and referred to Committee on Agriculture.

House concurrent resolution No. 12: Providing for the appointment of a joint committee of three from Senate and five from House to visit the state penitentiary, and granting leave of absence.

Senate refused to concur, and the resolution was declared lost.

House concurrent resolution No. 11: Providing for the appointment of a joint committee of three from the Senate and five from the House to visit the insane asylum and school for defective youth, and granting leave of absence.

The Senate refused to concur, and the resolution was declared lost.

House bill No. 172: An act in relation to the possession, rents

and profits of real estate and buildings during the time allowed for redemption from execution sale.

Read first time; rules suspended, read second time by title and referred to Committee on Judiciary.

House bill No. 164: An act providing for the transcribing of county records.

Read first time; rules suspended, read second time by title and referred to Committee on Judiciary.

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 2032 of the Code of Washington Territory, A. D. 1881, and fixing the compensation of assignees for the benefit of creditors.

Read first time; rules suspended, read second time by title and referred to Committee on Judiciary.

House bill No. 150: An act in relation to making a declaration of forfeiture of certain contracts.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 62: An act for the detention of domestic animals doing damage, and giving a lien for damages upon such animals.

Read first time; rules suspended, read second time by title and referred to Committee on Agriculture.

Senate bill No. 19 (of 1891), with accompanying official veto message, was returned by the House with message stating that the House had passed the bill over the official veto by the following vote: Yeas 66, nays 0.

#### INTRODUCTION OF BILLS.

Senate bill No. 161, by Senator Richards: An act to repeal section 237 of chapter 6, title 5, volume 1 of the General Statutes of Washington, as arranged and annotated by Wm. Lair Hill, relating to the taking of a census biennially by the county assessors.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 162, by Senator Roberts: An act to provide free text books in the public schools.

Read first time; rules suspended, read second time by title, and referred to Committee on Education.

Senate bill No. 163, by Senator Sergeant: An act to fix the time a note, draft or bill of exchange falling due on Sunday or on a legal holiday may be protested for non-payment.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 164, by Senator Brown: An act for the protection of birds within the state of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Morals.

House bill No. 254 was read the third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, Van De Vanter, and Van Houten — 30.

Absent or not voting: Senators Claypool, Ide, Kellogg and Sergeant.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, and Van Houten — 29.

Absent or not voting: Senators Claypool, Gilbert, Kellogg, Sergeant, and Van De Vanter.

The title of the bill to remain the title of the act.

On motion of Senator Smith, an indefinite leave of absence was granted Senator Kellogg on account of sickness.

Senate bill No. 50 was laid on table subject to call.

Senate bill No. 95 was read third time by sections, and amended as follows:

To the title of the bill were added the words "and repealing sections 449, 450, 455, 456, 457 and 460 of title 7, chapter 15, of volume 2 of the General Statutes and Codes of the State of Washington as arranged and annotated by William Lair Hill."

In line 4, section 1 of the printed bill, the words "authorized by law to be levied upon real estate" were stricken out.

In line 6, section 1, the word "on" was stricken out, and small letter "j" in "judgment" replaced by capital "J."

In line 7 of section 1 the words "and on" were stricken out.

In line 8 of section 1 the last word "or" was stricken out and the word "judgments" inserted in lieu thereof.

In line 10 of section 1 the words "or any" were stricken out and the word "and" inserted in lieu thereof.

In lines 10 and 11 of section 1 the words "authorized by law to be levied upon real estate" were stricken out.

In line 8 of section 2 the word "other" was stricken out from its present place and reinserted between the words "county" and "than."

In line 9 of section 2 the first "of" was stricken out and the words "the office of the county clerk of" were inserted before the word "that."

The section marked section 9 was struck out.

The following was inserted in the bill as section 8: "All judgments which are liens upon real estate by reason of their having been filed in any county auditor's office, shall continue to be liens thereupon in manner now provided by law."

The following was added to the bill as section 9: "That sections 448, 450, 455, 456, 457 and 460 of title 7, chapter 15, volume 2 of the General Statutes and Codes of Washington, as arranged and annotated by William Lair Hill, and all acts and parts of acts in conflict with this act, be and the same are hereby repealed."

Senate bill No. 95 was ordered sent to the engrossing clerk.

Senate memorial No. 1 was read third time, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Easterday, Edens, Eshelman, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Kinnear, McCroskey, McManus, O'Neill, Roberts, Sergeant, Shaw, Smith, and Van Houten — 23.

Those voting in the negative were: Senators Donahoe, Foss, Hutchinson, Miller, and Rutter — 5.

Absent or not voting: Senators Claypool, Forrest, Ide, Kellogg, Richards, and Van De Vanter — 6.

Senate bill No. 20 was taken up as special order, and read third time by sections, and amended as follows:

In line 1 of section 4, the word "municipal" was inserted after the word "police" and before the word "or."

In line 1 of section 16, the word "municipal" was inserted after the word "justice's."

In line 1 of section 30, the word "municipal" was inserted between the word "police" and the word "or."

In line 6, section 28, the prefix "dis" was inserted before the word "obedience."

In line 1, section 32, the words "the preceding chapter" were stricken out and the words "this act" were inserted in lieu thereof.

In the last line of section 21, the word "applicant" was stricken out and the word "appellant" substituted in lieu thereof.

The following section was added to the bill:

SEC. 36. Whenever a stay of proceedings is desired in any special proceeding under this act, the court shall, before allowing the same, require a bond from the petitioner in such amount and with such sureties as shall indemnify the respondent for all costs or damages by reason of such stay.

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 31.

Senator Hutchinson voted in the negative.

Absent or not voting: Senators Claypool and Kellogg — 2.

The title of the bill to remain the title of the act.

The president stated that he was about to sign House bill No. 240.

The members of the Senate repaired to the House to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

All senators and representatives present excepting Claypool, Kellogg, Meany, and Nash.

Senators Smith and Kellogg, and Kinnear and Claypool were announced as paired for to-day's ballot.

The reading of yesterday's journal was dispensed with, and journal approved.

## FIFTY-THIRD JOINT BALLOT.

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—47.

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—20.

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—27.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Mr. Heliker voted for Mr. Hurd.

Mr. Hurd voted for Mr. Heliker.

Mr. Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 106.

Not voting: Claypool, Kellogg, Meany, Nash, Kinnear, and Smith (T. J.)—6.

## FIFTY-FOURTH JOINT BALLOT.

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, Washburn, Webb, Weed, Wheeler, White, Winchell, Van De Vanter, and Mr. Speaker—48.

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, Westfall, Woodworth, and Van Houten—21.

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—27.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 106.

Not voting: Claypool, Kellogg, Kinnear, Meany, Nash, and Smith (T. J.)—6.

The joint session then dissolved.

At 12:20 P. M., immediately following the joint session, the Senate was called to order by President Luce, and a recess taken until 2:30 o'clock P. M.

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#### AFTERNOON SESSION.

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Senate called to order at 2:30. President Luce in the chair.

Roll call showed all senators present except Senator Claypool, who was excused.

Senator Forrest renewed his motion that the Senate recede from its amendment in striking the words "or sub-contractor" from House bill No. 16.

On a divisional vote the motion carried; yeas 17, nays 11.

#### INTRODUCTION OF BILLS.

Senate bill No. 165, by 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 166, by 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

On motion of Senator Van De Vanter, the secretary was instructed to request the city authorities to clear the sidewalk between the capitol and the business part of the city.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copies of the following have been carefully compared with the engrossed copies thereof, and found correctly enrolled:

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."

Also, Senate joint resolution No. 8, Relating to the proposed annexation of the Hawaiian Islands.

Respectfully submitted.

HENRY C. COOPER, Chairman,  
CHAS. I. HELM,  
JOHN G. CAMPBELL.

Adopted.

#### REPORT OF COMMITTEE ON MEMORIALS.

SENATE CHAMBER,

OLYMPIA, WASH., February 8, 1893.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House concurrent resolution No. 9, Relating to the annexation of the Hawaiian Islands, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that no action be taken, as Senate concurrent resolution No. 8, which was reported favorably from your committee, covered just the same ground.

Respectfully submitted.

F. W. HASTINGS, Chairman.

We concur in this report:

J. R. KINNEAR,  
C. E. FORSYTH.

Report adopted, and House concurrent resolution No. 9 indefinitely postponed.

Senate memorial No. 4, praying that the Columbian Exposition be opened on Sundays, was introduced by Senator Hutchinson.

Read first time; rules suspended, read second time by title, and referred to Committee on Memorials.

The president stated that he was about to sign Senate bill No. 51 and Senate joint resolution No. 8.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

The Committee on Engrossed Bills made the following report:

MR. PRESIDENT:

Your Committee on Engrossed bills respectfully reports that the engrossed copy of Senate bill No. 95, entitled "An act relating to the lien of

judgments upon real estate, and repealing sections 449, 450, 455, 456, 457 and 460 of title 7, chapter 15 of volume 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill," has been carefully compared with the original copy thereof, and found correctly engrossed.

Respectfully submitted.

LOUIS FOSS, Chairman,  
J. A. KELLOGG.

The report was adopted.

Senate bill No. 95 was further amended as follows:

In line 8, section 1 of the printed bill the words "and judgments of the supreme court" were inserted after the word "states."

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Shaw, Smith, and Van Houten—28.

Absent or not voting: Senators Claypool, Kellogg, Kinnear, Richards, Sergeant, and Van De Vanter—6.

The title of the bill to remain the title of the act.

House bill No. 254 was ordered returned to the House at this time, under suspension of the rules.

Senate bill No. 110 was read third time by sections, and amended as follows:

In line 5 of section 1 the word "be" was stricken out, and the words "not exceed" inserted in lieu thereof.

In line 3 of section 1 the words "by authority of the court" were stricken out.

In line 7, section 1, the words "volume 1" were inserted after the word "twelve."

In line 6, section 1, the second word "from" was stricken out, and the word "to" substituted in lieu thereof.

The title was amended by inserting after the word "twelve" the words "volume 1."

Section 2 was stricken out.

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Hutchin-

son, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Sergeant, Shaw, and Smith — 27.

Absent or not voting: Senators Claypool, Frink, Kellogg, Richards, Rutter, Van Houten, and Van De Vanter — 7.

The title of the bill to remain the title of the act.

On motion of Senator Forrest, Senate bill No. 67 was referred to Committee on Appropriations.

Senate bill No. 80 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 31.

Absent or not voting: Senators Claypool, Kellogg, and Kinnear — 3.

The title of the bill to remain the title of the act.

Senate bill No. 117 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, Van De Vanter, and Van Houten — 31.

Absent or not voting: Senators Claypool, Kellogg, and Sergeant — 3.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, Van De Vanter, and Van Houten — 31.

Absent or not voting: Senators Claypool, Kellogg, and Sergeant — 3.

The title of the bill to remain the title of the act.

Senate bill No. 96 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 32.

Absent or not voting: Senators Claypool and Kellogg — 2.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten — 30.

Absent and not voting: Senators Claypool, Cooper, Kellogg, and Smith — 4.

The title of the bill to remain the title of the act.

#### REPORT OF COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

SENATE CHAMBER,

OLYMPIA, WASH., February 6, 1893.

MR. PRESIDENT:

We, your Committee on Public Buildings and Grounds, to whom was referred Senate bill No. 45, entitled "An act establishing a state normal school at the town of Kelso, Washington, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments, to wit:

Amend section 1 by adding thereto the words, "which property shall not be less than two hundred feet by four hundred and sixty feet in size."

Amend section 2 by striking out of line 2 of printed bill the word "five" and inserting in its stead the word "three;" and by striking out of line 4 the word "two" wherever it appears after words "act" and "years," and inserting in its stead the word "one," so that it will read: "That the said normal school shall be under the direction and control of a board of three trustees, who shall be appointed by the governor by and with the consent of the Senate, to hold office for six years: *Provided*, That of the first board of trustees created by this act, one shall hold office for two years, one for four years and one for six years," etc.

Strike out all of section 14.

Respectfully submitted.

C. I. HELM, Chairman.

We concur in this report:

B. C. VAN HOUTEN.

Report adopted, and Senate bill No. 45 referred to Committee on Appropriations.

Senate bill No. 98 was read third time by sections, and amended by striking out all after and including the word "provided," in line 10 of section 1 of the printed bill.

The bill was then considered engrossed and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Dyer, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, and Smith—25.

Absent or not voting: Senators Campbell, Claypool, Cooper, Donahoe, Forrest, Kellogg, Sergeant, Van De Vanter, and Van Houten—9.

The title of the bill to remain the title of the act.

On motion of Senator Rutter, the Senate, at 4:45 P. M., adjourned until 10 o'clock A. M. Thursday, February 9, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## THIRTY-SECOND DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Thursday, February 9, 1893. }  
10 o'clock A. M. }

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all present excepting Senators Kellogg and Horr, who were excused.

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

### MESSAGES FROM THE HOUSE.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 8, 1893.

MR. PRESIDENT:

The House has passed 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."

Also, 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.

Also, House bill No. 163, by 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.

Also, 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 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.

Also, House bill No. 187, by Mr. Morrison, An act in relation to documentary evidence.

Also, Senate bill No. 32, An act for the relief of S. F. Albert, ex-sheriff of Wahkiakum county.

The speaker of the House has signed House bill No. 254, entitled "An act regulating fishing.

Also, Senate bill No. 49, An act amending an act concerning water ways.

Also, House memorial No. 2.

Also, House memorial No. 3.

Also, Senate concurrent resolution No. 5. \*

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

The following veto message was then considered:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 9, 1891.

*To the Honorable Allen Weir, Secretary of State:*

I have this day signed Senate bill No. 259, entitled "An act to provide for the assessment and collection of taxes in the State of Washington, and declaring an emergency," and have approved of the same, with the exception of section 43, which provides:

"The owner or owners or agent of every coal mine in operation in this state, or that may hereafter be operated in this state, shall keep an accurate account of every ton of coal sold or used from such mines, and shall certify the amount thereof to the state auditor, quarterly, on the first day of January, April, July and October of each year, and on or before the tenth day of said months, shall pay or cause to be paid into the state treasury, the sum of four (4) mills on each and every ton of coal so certified to the state auditor. Upon the refusal or neglect of any owner, owners

or agent of any coal mine to make such verified statement, or to pay the tax so provided for in this section, it shall be the duty of the attorney general of the state to commence suit in the name of the state to enforce compliance with the provisions herein, and to collect the amount due, together with all costs and attorney's fees incurred in the prosecution of such delinquent."

Section 44 of the same bill provides that "in valuing any real property upon which there is a coal or other mine, or stone or other quarry, the same shall be valued at such a price as such property, including the mine or quarry, would sell at a fair, voluntary sale for cash."

Taking these two provisions together, it is clear that they impose double taxation upon the owners and operators of coal mines.

Section 2 of art. 7 of the constitution contains the grant of power to the legislature upon which this bill is based. It reads:

"The legislature shall provide by law a uniform and equal rate of assessment and taxation on all property in the state, according to its value in money, and shall prescribe such regulations by general law as shall secure a just valuation for taxation of all property, so that every person and corporation shall pay a tax in proportion to the value of his, her or its property."

It will be seen that section 43 of this act imposes a tax on coal which must necessarily have already been taxed under the provision above quoted from section 44. Section 44 expressly provides that the valuation of real property, containing a coal mine, shall be on a basis including the mine and its fair cash price.

It is too plain for argument, that a further tax upon the contents of such a mine is double taxation, and violates that clause of the constitution authorizing the legislature to "provide by law a uniform and equal rate of assessment and taxation on all property in the state, according to its value in money."

Even if there were no constitutional prohibition of such double taxation, it would be most unwise and unjust to make this discrimination against the coal mining industries of Washington. One of the glories of our state is the extent of its coal fields. We base our expectations of coming greatness as a commonwealth very largely upon our wealth in coal, which is so sure a foundation for manufacturing industries. No obstacle should be thrown in the way of the development of our coal fields. The tax proposed in section 43 of this bill would be such an obstacle.

I, therefore, withhold my approval from all of section 43.

CHAS. E. LAUGHTON,  
Lieutenant and Acting Governor.

Section 43 of Senate bill No. 259 (of 1891) then failed to pass over the executive veto by the following vote:

Those voting in the negative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill,

Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 32.

Absent or not voting: Senators Horr and Kellogg — 2.

The president declared that the executive veto had been sustained.

Senate concurrent resolution No. 15, Providing for an investigation of the executive committee of the World's Fair commission, was introduced by Senator Van De Vanter, and adopted.

#### REPORT OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

MR. PRESIDENT:

Your Committee on Elections and Privileges, to which was referred Senate bill No. 122, entitled "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,'" have had the same under consideration, and beg leave to report the same back with the following amendments thereto:

First amendment: That the title of said bill be amended as follows: "An act to provide the number of ballots to be prepared for precincts for elections to be held therein, amending section 380 of chapter 3, title 8 of volume 1 of the General Statutes of the State of Washington."

Second amendment: That section 1 of said bill be amended by striking out all before the words "The clerk of the board of county commissioners," and inserting in lieu thereof the following: "That section 380, chapter 3, title 8, volume 1 of the General Statutes of the State of Washington be and the same is hereby amended to read as follows: 'Section 380.'"

Third amendment: That the following be inserted after the word "precinct," in the eighth line of said bill: "Or any number in excess thereof determined to be necessary by the board of county commissioners of which he is clerk."

With the foregoing amendments, your committee recommend that the said bill do pass.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Dyer and Miller, being all of the said committee.

The report was received, and Senate bill No. 122 placed on file.

#### REPORTS OF COMMITTEE ON PUBLIC REVENUE AND TAXATION.

SENATE CHAMBER,

OLYMPIA, WASH., February 8, 1893.

MR. PRESIDENT:

We, your committee on Public Revenue and Taxation, to whom was referred Senate bill No. 120, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by striking out in line 11 of section 1 of said bill the words "fair cash value," and inserting the words "true and fair value in money" instead, and that as amended said bill do pass.

Respectfully submitted.

W. R. FORREST, Chairman.

Concurred in by Senators Belknap, McCroskey, Cooper, Roberts and Campbell, being all the members present.

Report received, and Senate bill No. 120 placed on file.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 106, entitled "An act to abolish the poll tax, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. R. FORREST, Chairman.

Concurred in by Senators Belknap, McCroskey, Cooper, Roberts and Campbell, being all the members present.

Report adopted, and Senate bill No. 106 was indefinitely postponed.

#### REPORTS OF THE COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 93, entitled "An act to amend sections 289, 296, 299, 300 and 305 of chapter 4 of volume 2, Hill's Annotated Statutes and Codes of Washington, relating to attachment of property," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards and Van Houten, being all the members of said committee present.

Report adopted, and Senate bill No. 93 was indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 124, entitled "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 Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards and Van Houten, being all the members of said committee present.

Report received, and Senate bill No. 124 was placed on file.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 126, entitled "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 Wm. Lair Hill," have had the same under consideration, and respectfully report it back to the Senate with the following amendment, and, as amended, recommend that it be passed: Add to the title of the bill the words "relating to crimes against the person."

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards and Van Houten, being all the members of said committee present.

Report received, and Senate bill No. 126 placed on file.

MR. PRESIDENT:

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 Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards and Van Houten, being all the members of said committee present.

Report adopted, and House bill No. 172 indefinitely postponed.

Senate bill No. 150 was reported back by the Judiciary Committee, with the recommendation that the bill be indefinitely postponed.

The report was laid on the table.

MR. PRESIDENT:

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 respectfully report it back to the Senate with the following amendment, and, as amended, recommend that the bill be passed.

Alter section 1 so that it will read: "Section 1. It shall be the duty of the county commissioners of any county in this state, when any of the county records of their county become so mutilated that the handling of the same becomes dangerous to the public safety of said records, and in the judgment of said county commissioners it may become necessary to order the transcribing of said records at a sum not exceeding eight cents per folio of one hundred words, in books to be provided for that purpose by said county."

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards and Van Houten, being all the members of said committee present.

Report received, and House bill No. 164 placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 65, entitled "An act in relation to the manner of commencing civil actions, amending sections 171, 172, 173, 174, 175, 178, 179 and 188 of chapter 4, title 5, of the Code of Civil Procedure of 1891," have had the same under consideration, and we respectfully report the same back to the Senate with a substitute entitled "An act to provide for manner of commencing civil actions in the superior courts, and bringing the same to trial," with the recommendation that the substitute be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards and Van Houten, being all the members of said committee present.

Report adopted, and Senate bill No. 167 was placed on file as substitute for Senate bill No. 65.

#### REPORT OF COMMITTEE ON APPROPRIATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1893.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 67, entitled "An act to provide for the construction of buildings for the Washington state normal school at Ellensburg, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it pass.

Respectfully submitted.

A. T. VAN DE VANTER, Chairman.

Report received, and Senate bill No. 67 placed on file.

On motion of Senator Kinnear, the Senate resolved itself into committee of the whole for the consideration of Senate bill No. 67.

Senator Kinnear in the chair.

On motion of Senator Sergeant, the bill was amended by adding after the last word in section 2 the words "and that so far as practicable all material used in the construction of said building be the product of this state."

On motion of Senator Van Houten, the committee rose and reported the bill back to the Senate with recommendation to pass as amended.

Report adopted, and the bill was amended as recommended by committee of the whole.

President Luce in the chair.

Senate bill No. 67 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—32.

Absent or not voting: Senators Horr and Kellogg—2.

The title of the bill to remain the title of the act.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all present excepting Senators Kellogg, Horr, and Smith, and Representative Kelly.

The reading of yesterday's journal was dispensed with, and journal approved.

#### FIFTY-FIFTH JOINT BALLOT.

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, Washburn, Webb, Weed, Wheeler, White, Winchell, Van De Vanter, and Mr. Speaker—48.

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, Westfall, Woodworth, and Van Houten—22.

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—26.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 106.

Not voting: Horr, Kellogg, Kelly, Miller, Shadle, and Smith (T. J.)—6.

FIFTY-SIXTH JOINT BALLOT.

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, Washburn, Webb, Weed, Wheeler, White, Van De Vanter, Winchell, and Mr. Speaker—48.

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, Westfall, Van Houten, and Woodworth—22.

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—26.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 106.

Not voting: Horr, Kellogg, Kelly, Miller, Shadle, and Smith (T. J.)—6.

The joint session then dissolved.

At 12:20 P. M., immediately following the joint session, the senate was called to order by President Luce, and a recess was taken until 2:30 P. M.

## AFTERNOON SESSION.

Senate called to order at 2:30 o'clock P. M. President pro tem. Dyer in the chair.

Roll call; all present excepting Senators Horr and Kellogg, who were excused.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 9, 1893.

MR. PRESIDENT:

The speaker of the House has appointed the following committees on part of the House to visit state institutions 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 Schools: Messrs. Westfall, Winchell and Shadle.

T. G. NICKLIN, Chief Clerk.

Two petitions were introduced by Senator Shaw, from Columbia Council, Patrons of Husbandry, of Clarke county.

Read in full and referred to the Committee on Education.

The following resolution was introduced by Senator Brown, and adopted:

*Be it resolved by the Senate,* That the president appoint a committee of two to act in conjunction with the committee of the House now appointed to visit and investigate the state normal schools of this state and report the results of their investigation to the Senate and House, and that a leave of absence be granted such committee.

Senators Brown and Forsyth were named as such committee.

## INTRODUCTION OF BILLS.

Senate bill No. 168, by Senator Dyer: An act to provide for the publication and sale of Washington supreme court reports.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 169, by Senator Brown (by request): An act fixing the fees and compensation of justices of the peace.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 170, by Senator Dyer: Relating to crimes against public morals and decency.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 171, by Senator Richards: An act to provide for the location and erection of a capitol building, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Buildings and Grounds.

Senate bill No. 172, by Senator Campbell: An act to encourage home industries in the State of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Commerce.

Senate bill No. 173, by Senator Campbell: An act for the relief of B. and C. S. Barlow, of Pierce county.

Read first time; rules suspended, read second time by title, and referred to Committee on Claims.

Senate bill No. 174, by Senator Campbell: 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 175, by Senator Campbell: An act to prevent the sale of more than one-half of entire stock of goods without the vendor first obtaining the written consent of his creditors.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 176, by Senator Sergeant: An act to define the liability of insurance companies in case of loss by fire.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 177, by Senator Cooper: Relative to the sale of granted lands for the purpose of erecting public buildings at the state capital.

Read first time; rules suspended, read second time by title, and referred to Committee on State, Granted and School Lands.

Senate bill No. 178, by Senator Claypool: An act to encourage

the establishment and to aid in the maintenance of law libraries in several counties of the State of Washington, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 179, by Senator Ide: An act providing for the apportionment of the State of Washington into two congressional districts.

Read first time; rules suspended, read second time by title, and referred to Committee on Elections and Privileges.

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.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

#### REPORT OF THE COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 121, entitled "An act to amend section 331 of volume 1 of Hill's Annotated Statutes and Codes of the State of Washington, relative to seals of notaries public and their duties," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards and Van Houten, being all the members of said committee present.

Report adopted, and Senate bill No. 121 indefinitely postponed.

#### REPORTS OF COMMITTEE ON EDUCATION.

SENATE CHAMBER,

OLYMPIA, WASH., February 7, 1893.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 73, entitled "An act to authorize school districts to establish and maintain libraries, and to provide for the management and care of the same," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed with amendments as follows: In line 7 of section 2, by striking out the words "a school population of one thousand or less," and inserting in lieu thereof the words "five hundred or less children between the ages of five and twenty-one years." In line 8 of section 2, by striking out the

words "one thousand" and inserting the words "five hundred," and in line 9, section 2, by striking out the words "one thousand" and inserting the words "five hundred."

Respectfully submitted.

E. L. BROWN, Chairman.

We concur in this report:

R. C. MCCROSKEY,

J. M. FRINK.

Being all the members of said committee.

Report adopted, and Senate bill No. 73 placed on file.

MR. PRESIDENT:

We, your Committee on Education, 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, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed with the following amendments, to wit: (See amendments attached to bill).

Respectfully submitted.

E. L. BROWN, Chairman.

We concur in this report:

R. C. MCCROSKEY,

J. M. FRINK.

Being all the members of said committee.

Report adopted, and Senate bill No. 83 placed on file.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

The Committee on Engrossed Bills made the following report:

SENATE CHAMBER,

OLYMPIA, WASH., February 8, 1893.

MR. PRESIDENT:

Your Committee on Engrossed bills respectfully reports that the engrossed copy of Senate bill No. 110, entitled "An act to amend section 1177 of chapter 2, title 12, volume 1 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill, relating to penal and reformatory institutions, has been carefully compared with the original copy thereof, and found correctly engrossed.

Respectfully submitted.

LOUIS FOSS, Chairman.

President pro tem. Dyer stated that he was about to sign House bill No. 254, House memorial No. 2, House memorial No. 3, and House concurrent resolution No. 5.

Senate bill No. 114 was read for the third time by sections, and amended by striking out the present title and inserting in lieu thereof the following: "An act to amend sections 48 and 49, chapter 2 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 Wm. Lair Hill, relating to larceny."

In line 1, section 1 of printed bill, the words "section 830 of the

Code of Washington of 1881" was stricken out and the words "that section 48, chapter 2 of the Penal Code, as embraced in volume 2 of the General Statutes and Codes of Washington, as arranged and annotated by William Lair Hill," inserted in lieu thereof.

In line 1, section 2, the words "section 831 of the Code of Washington of 1881" were stricken out and the words "that section 49, chapter 2 of the Penal Code, as embraced in volume 2 of the General Statutes and Codes of Washington, as arranged and annotated by William Lair Hill" were inserted in lieu thereof.

The bill, as amended, was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Hutchinson, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Sergeant, and Shaw — 24.

Absent or not voting: Senators Forrest, Helm, Horr, Ide, Kellogg, Richards, Rutter, Smith, Van De Vanter, and Van Houten — 10.

The title of the bill to remain the title of the act.

Senate bill No. 122 was read third time by sections and amended as follows: The title was stricken out, and the words "An act to provide the number of ballots to be prepared for precincts for elections to be held therein, amending section 380 of chapter 3, title 8 of volume 1 of the General Statutes of the State of Washington" were inserted in lieu thereof.

In line 3 of section 1 the words "that section 380, chapter 3, title 8, volume 1 of the General Statutes of the State of Washington be and the same is hereby amended to read as follows: Section 380," were inserted after the words "as follows."

In line 8 of section 1 the words "or any number in excess thereof determined to be necessary by the board of county commissioners of which he is clerk," were inserted after the word "precinct."

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten — 30.

Absent or not voting: Senators Forrest, Horr, Kellogg, and Van De Vanter—4.

The title of the bill to remain the title of the act.

Senate bill No. 111 was read third time by sections, and amended as follows:

In line 3 of section 2 the word “creditor” was changed to “creditors.”

In line 2 of section 15 the words “in the” before the word “foregoing” were stricken out.

In line 4 of section 30 the word “the” before the word “ground” was stricken out.

In line 2 of section 36 the word “hereby” was changed to “thereby.”

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—31.

Absent or not voting: Senators Forrest, Kellogg, and Horr—3.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—31.

Absent or not voting: Senators Forrest, Horr and Kellogg—3.

The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 9, 1893.

MR. PRESIDENT:

The House has concurred in Senate concurrent resolution No. 15, Asking investigation of World's Fair commission management.

The House has passed House bill No. 251, by 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.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

The Committee on Engrossed Bills made the following report:

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

MR. PRESIDENT:

Your Committee on Engrossed Bills respectfully reports that the engrossed copies of the following Senate bills have been carefully compared with the original copies thereof, and found correctly engrossed:

Senate bill No. 98, entitled "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."

Also, Senate bill No. 95, entitled "An act relating to the lien of judgments upon real estate."

Also, Senate bill No. 20, entitled "An act regulating special proceedings of a civil nature."

Respectfully submitted.

LOUIS FOSS, Chairman.

The Committee on Roads and Bridges reported that a new bill would be submitted by them as a substitute for Senate bill No. 55.

Report adopted.

Senator Richards was granted leave of absence on committee work.

On motion of Senator McManus, the Senate, at 4:55 P. M., adjourned until 11 o'clock A. M., Friday, February 10, 1893.

ALLEN WEIR,

*Secretary of the Senate.*

F. H. LUCE,

*President of the Senate.*

## THIRTY-THIRD DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Friday, February 10, 1893. }  
11 o'clock A. M.

Senate called to order, pursuant to adjournment, at 11 o'clock A. M. President Luce in the chair.

Roll call; all senators present.

The reading of yesterday's journal was dispensed with and journal approved.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 10, 1893.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 16, entitled "An act to amend the lien law relating to lumber."

Also, Senate bill No. 51, Fixing the sum to be allowed for boarding prisoners.

Also, Senate joint (concurrent) resolution No. 8, For the annexation of the Hawaiian Islands.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

Senate memorial No. 5, Praying that a United States assay office be established at Spokane, was introduced by Senator Hutchinson.

Read first time; rules suspended, read second time by title, and referred to Committee on Memorials.

#### REPORT OF COMMITTEE ON MEMORIALS.

SENATE CHAMBER,  
OLYMPIA, WASH., February 10, 1893.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 4, In regard to the opening of the Columbian exposition on Sundays, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

F. W. HASTINGS, Chairman.

We concur in this report:

J. R. KINNEAR,

C. E. FORSYTH.

Report accepted, and Senate memorial No. 4 placed on file.

## REPORT OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 10, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 64, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, Brown, Richards and Van Houten, being all the members of said committee.

Report adopted, and Senate bill No. 64 indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 74, entitled "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," have had the same under consideration, and respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, Brown, Richards and Van Houten, being all the members of said committee.

Report accepted, and Senate bill No. 74 placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 76, entitled "An act regulating the appointment and qualifications of officers and employes, and providing punishment for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed with the following amendment:

Insert the words "in any public office, or upon any public work," between the word "capacity" and the word "or," in line 3 of section 1 of the printed bill.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report concurred in by Senators Easterday, Claypool, Dyer, Brown, Van Houten and Richards, all the members of said committee.

Report accepted, and Senate bill No. 76 placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 44, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, Richards, Brown and Van Houten, all the members of said committee.

Report accepted, and Senate bill No. 44 laid on the table subject to call.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 75, entitled "An act providing for the appointment of official stenographers for the superior courts of this state, and fixing their compensation and duties, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, Brown, Richards and Van Houten, being all the members of said committee.

Report accepted, and Senate bill No. 75 laid on the table subject to call.

MR. PRESIDENT:

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 Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, Brown, Richards and Van Houten, being all the members of said committee.

Report accepted, and House bill No. 21 placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 6, entitled "An act relating to mechanics' liens and repealing sections 1957 and 1968 of chapter cxxxviii of the Code of Washington of 1881," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Easterday, Dyer, Brown, Richards, Claypool and Van Houten, all the members of said committee.

Report accepted, and Senate bill No. 6 indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 10, entitled "An act providing for liens of laborers, mechanics, material men, and others, and providing for the foreclosure and payment of the same," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Easterday, Dyer, Brown, Richards, Claypool and Van Houten, all the members of said committee.

Report accepted, and Senate bill No. 10 indefinitely postponed.

The Judiciary Committee reported House bill No. 104, with recommendation that it be indefinitely postponed.

The report was laid on the table subject to call.

#### FROM THE HOUSE.

House bill No. 251, For the protection of salmon and other food fishes.

Read first time; rules suspended, read second time by title, and referred to Committee on Fisheries.

House bill No. 66, To establish a state normal school in the county of Whatcom.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Buildings and Grounds.

House bill No. 71, Relating to county, school, city and town warrants.

Read first time; rules suspended, read second time by title, and referred to Committee on Revenue and Taxation.

House bill No. 187, In relation to documentary evidence.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 171, Providing for the salaries and expenses of judges of superior and supreme courts.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 75, To prevent the spread of diseases among domestic animals.

Read first time; rules suspended, read second time by title, and referred Committee on Agriculture.

House bill No. 163, Relative to filling a vacancy in boards of county commissioners.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 69, An act relating to injury to domestic animals.

Read first time; rules suspended, read second time by title, and referred to Committee on Agriculture.

House bill No. 162, To amend section 2695 of the Code of Washington of 1881, relating to appeals to superior courts.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

#### INTRODUCTION OF BILLS.

Senate bill No. 181, by Senator Roberts: An act to authorize the confinement of United States prisoners in the state penitentiary.

Read first time; rules suspended, read second time by title, and referred to Committee on State Prison.

Senate bill No. 182, by Senator Horr: An act establishing in the city of New York a fiscal agency of the State of Washington and the counties, townships, precincts, school districts, road districts, cities and towns therein, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Revenue and Taxation.

Senate bill No. 183, by Senator Horr: 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Printing.

Senate bill No. 184, by Senator Sergeant: An act to authorize and direct the state militia to use the grounds of the state soldiers' home for their national encampment.

Read first time; rules suspended, read second time by title, and referred to Committee on Military.

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, and making an appropriation therefor.

Read first time; rules suspended, read second time by title, and referred to Committee on Printing.

Senate bill No. 126 was read third time by sections, and amended by striking out the word "said" in line 1 of section 1; and title was amended by adding thereto the words "relating to crimes

against the person." The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 32.

Absent or not voting: Senators Kellogg and Richards — 2.

The title of the bill to remain the title of the act.

Senate concurrent resolution No. 12 was read in full, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forrest, Forsyth, Foss, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Sergeant, Smith, and Van Houten — 25.

Those voting in the negative were: Senators Shaw, Easterday, Gilbert, and Rutter — 4.

Absent or not voting: Senators Richards, Frink, Kellogg, Roberts, and Van De Vanter — 5.

Senators Ide and Eshelman were granted leave of absence until next Thursday.

The members of the Senate repaired to the House of representatives to meet in joint session.

#### JOINT SESSION.

Joint session called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all present excepting Senators Richards, Kellogg and Smith.

The reading of yesterday's journal was dispensed with and journal approved.

Pairs were announced between Senators Kellogg and Smith, and Richards and Dyer for to-day's ballot.

#### FIFTY-SECOND JOINT BALLOT.

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, Mc-

Kenzie, 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—49.

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—22.

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—27.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.), voted for R. O. Dunbar.

Total number votes cast, 108.

Not voting: Dyer, Kellogg, Richards, and Smith (T. J.)—4.

#### FIFTY-EIGHTH JOINT BALLOT.

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, Washburn, Webb, Weed, Wheeler, White, Van De Vanter, Winchell, and Mr. Speaker—49.

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, Westfall, Van Houten, and Woodworth—22.

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—27.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 108.

Not voting: Dyer, Richards, Kellogg, and Smith (T. J.)—4.

Pairs were announced for joint ballots of Saturday and Monday next between Brock and Woodworth, Kelly and Nash, Tull and Webb.

For joint ballot of Saturday next: Rutter and Van Houten, Weed and Shadle, Hutchinson and Frink, Winchell and Green.

Until Thursday next: Ide and O'Neill.

Until further notice: Foster and Gilbert, Dyer and Richards, Gilman and Bush of Pacific.

The joint session then dissolved.

At 12:30 P. M., immediately following the joint session, the Senate was called to order. President Luce in the chair.

House bill No. 89 was read third time by sections, and laid on table subject to call.

The Senate, at 12:45 P. M., adjourned until 11 o'clock A. M., Saturday, February 11, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## THIRTY-FOURTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Saturday, February 11, 1893. }  
11 o'clock A. M.

Senate called to order, pursuant to adjournment, at 11 o'clock A. M. President Luce in the chair.

Roll call; all present excepting Senators Campbell, Dyer, Eshelman, Forsyth, Frink, Gilbert, Horr, Hutchinson, Ide, Kellogg, Kinnear, O'Neill, Richards, and Smith, who were excused.

Reading of yesterday's journal was dispensed with and journal approved.

### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 10, 1893.

MR. PRESIDENT:

The House has passed House bill No. 94, by Mr. Moore, An act con-

cerning the formation of new school districts, changing the boundaries and transferring territory from one district to another.

Also, House bill No. 114, by Mr. Gilman, A bill for an act in relation to garnishments.

Also, 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.

Also, House bill No. 278 (substitute for House bills Nos. 3 and 67), An act to amend sections 1 and 7 of an act entitled "An act to provide for the relief of indigent Union and Mexican soldiers," etc., etc.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

The following was introduced by Senator Shaw, and adopted:

*Resolved by Senate,* That a committee of two be appointed to act with a like committee of three from the House to visit the school for defective youth at the city of Vancouver, in Clarke county; and the said committee are to proceed to the said school for defective youth at their earliest convenience, and to make a report as to needs and requirements for maintaining the said school for the next two years.

Senators Hastings and Helm were named as members of the committee.

Three petitions from Pierce county, urging the passage of House bill No. 141, were introduced by Senator Sergeant, and referred to Committee on Education.

The chair appointed Senators Van Houten and Shaw as members of joint committee to visit reform school at Chehalis. Senator Shaw asked to be excused, and Senator Campbell was appointed in his stead.

The following communication was received from the legislature of the State of Indiana, and was ordered spread upon the journal:

*Resolved by the Senate, the House of Representatives concurring,* That our senators be instructed and our members of congress be requested to use their influence to secure the adoption of an amendment to the constitution of the United States to provide for the election of United States senators by direct vote of the people, and that a copy of this resolution be sent to each of our senators and members of congress: be it further

*Resolved,* That a copy be furnished to every legislature now in session in the United States, requesting their favorable consideration of the same.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 32, entitled "An act for the relief of S. F. Albert, ex-sheriff of Wahkiakum county."

Also, Senate concurrent resolution No. 15, "Authorizing World's Fair Committee of Senate and House to investigate charges made against the executive committee of World's Fair commission."

The same have been carefully compared with the engrossed copies thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman,  
CHAS. I. HELM,  
JOHN G. CAMPBELL.

#### REPORTS OF COMMITTEE ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 10, 1893.

MR. PRESIDENT:

Your Committee on Municipal Corporations, to which was referred Senate bill No. 62, entitled "An act authorizing the establishment of public libraries in cities of 5,000 inhabitants or over," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

C. E. CLAYPOOL, Chairman.

Concurred in by Senators Roberts and Forrest, being all the members of the committee present.

Report accepted. Senate bill No. 62 placed on file.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to which was referred Senate bill No. 22, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. E. CLAYPOOL, Chairman.

Concurred in by Senators Roberts and Forrest, being all the members of the committee present.

Report adopted, and Senate bill No. 22 indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to which was referred Senate bill No. 21, entitled "An act to regulate the mode of procedure to take, acquire or damage private property by municipal corporations, and of ascertaining and securing compensation therefor, and repealing all 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 Senate with the recommendation that it pass.

Respectfully submitted.

C. E. CLAYPOOL, Chairman.

Concurred in by Senators Roberts and Forrest, being all the members present.

Report received, and Senate bill No. 21 placed on file.

*Report received, and Senate bill No. 21 placed on file.*

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to which was referred Senate bill No. 68, entitled "An act to provide for the collection of taxes in municipal corporations of the third and fourth classes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it pass.

Respectfully submitted. C. E. CLAYPOOL, Chairman.

Concurred in by Senators Roberts and Forrest, being all the members present.

Report received, and Senate bill No. 68 placed on file.

The president stated that he was about to sign senate bill No. 32, Senate concurrent resolution No. 15, and House bill No. 16.

The following resolution was introduced by Senator Sergeant and adopted:

*Resolved*, That two hundred copies of the message and recommendations of the late labor congress, as the same was informally delivered to this Senate, with the objectionable features expunged, be printed, segregated and referred to proper committees.

The Committee on Fisheries introduced the following report, which was accepted, and House bill No. 251 was placed upon file:

MR. PRESIDENT:

Your Committee on Fisheries, to whom was referred House bill No. 251, have had the same under consideration, and have instructed me to report the same back and recommend that the bill do pass.

B. F. SHAW, Chairman.

#### INTRODUCTION OF BILLS.

Senate bill No. 186, by Senator McManus: An act to establish the price for publishing legal notices and defining the affidavits to be made thereto.

Read first time; rules suspended, read second time by title, and referred to Committee on Printing.

Senate bill No. 187, by Senator Helm: An act relating to the manner of construing the powers conferred upon municipal corporations of the fourth class, and declaring an emergency.

Read first time; rules suspended, read second time by title, and 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 corporations, or any part thereof, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 189, by Senator Miller: An act to cure defective acknowledgments.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 135 was read the third time by sections, and placed upon its final passage.

The bill failed to receive a majority, and Senator Shaw, who had voted in the negative, gave notice of his intention to move a reconsideration of the vote whereby the bill failed to pass.

On motion of Senator Donahoe, Senate bill No. 55 was made a special order for Tuesday, February 14, at 2 P. M.

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

*Resolved*, That the committee appointed by the Senate to investigate matters pertaining to the agricultural college at Pullman be entitled to the services of a stenographer and such other clerical help as they may deem necessary.

House bill No. 106 was read third time by sections and placed on its final passage.

The bill failed to receive a majority and was declared lost.

Senator Van De Vanter, who voted in the negative, gave notice of his intention to move a reconsideration of the vote whereby the bill failed to pass.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; the following senators and representatives were reported absent or paired for to-day's ballot: Brock, Bush (A. S.), Campbell, Collin, Dyer, Eshelman, Forsyth, Foster, Frink, Gilbert, Gilman, Hamill, Hutchinson, Ide, Kinnear, Nash, O'Neill, Kellogg, Richards, Rutter, Smith (T. J.), Tull, Webb, Weed, Winchell, Woodworth, Van Houten, Smith (H. F.), Shaw, Roberts, Rinehart, Mulkey, Kelly, Horr, Green, Edens, Claypool, Brown.

Total absent or paired, 38.

For Monday's ballot pairs were announced between Rutter and Helm, Tull and Webb, Brock and Woodworth, Nash and Kelly.

For ballots of Monday and Tuesday: Hastings and Payne, Ludden and Westfall.

Until Thursday: Ide and O'Neill.

Until return of committees absent on investigation of state institutions: Weed and Mulkey, Foster and Gilbert, Dyer and Richards, McNew and Moore, Judson and Merchant, Horr and Shaw, McElwain and Anderson of Pierce, Heliker and Shadle, Nelson and Anderson of Whitman, Eshelman and Brown, Hamill and Rinehart, Gilman and Bush of Pacific.

Reading of the journal of the previous session was dispensed with, and journal approved.

#### FIFTY-NINTH JOINT BALLOT.

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—32.

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—16.

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—17.

Those voting for C. W. Young were: Baker, Burton, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—8.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 74.

Not voting: Brock, Brown, Bush (A. S.), Dyer, Forsyth, Frink, Gilbert, Horr, Kellogg, Kinnear, O'Neill, Rinehart, Roberts, Rutter, Webb, Weed, Winchell, Claypool, Edens, Ide, Kelly, Nash, Richards, Smith (T. J.), Van Houten, Tull, Woodworth, Campbell, Eshelman, Foster, Gilman, Green, Hamill, Hutchinson, Mulkey, Shaw, Smith (H. F.), and Collin—38.

#### SIXTIETH JOINT BALLOT.

Those voting for John B. Allen were: Anderson (D. F.), Anderson (M.), Belknap, Cameron, Farrish, Forrest, Hastings, Heli-

ker, Hoole, Karr, Keller, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, Pierce (C. M.), Roth, Sallee, Sergeant, Speck, Tucker, Washburn, Wheeler, White, Van De Vanter, and Mr. Speaker — 32.

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 — 16.

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 — 17.

Those voting for C. W. Young were: Baker, Burton, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.) — 8.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 74.

Not voting: Brock, Brown, Bush (A. S.), Dyer, Forsyth, Frink, Gilbert, Horr, Kellogg, Kinnear, O'Neill, Rinehart, Roberts, Rutter, Webb, Weed, Winchell, Claypool, Edens, Ide, Kelly, Nash, Richards, Smith (T. J.), Van Houten, Woodworth, Tull, Campbell, Eshelman, Foster, Gilman, Green, Hamill, Hutchinson, Mulkey, Shaw, Smith (H. F.), and Collin — 38.

The joint session then dissolved.

At 12:40 P. M., immediately following the joint session, the Senate was called to order by President Luce, and adjourned until 11:50 o'clock A. M. Monday, February 13, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## THIRTY-SIXTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
 OLYMPIA, WASHINGTON, Monday, February 13, 1893. }  
 11:50 o'clock A. M.

Senate called to order, pursuant to adjournment, at 11:50 o'clock A. M. President pro tem. Dyer in the chair.

Roll call; all present excepting Senators Eshelman, Forrest, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, McManus, and Smith, who were excused.

All senators absent on committees of investigation were given leave of absence until return of their committees.

On motion of Senator Campbell, the reading of Saturday's journal was dispensed with, and journal approved.

### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASH., February 13, 1893.

MR. PRESIDENT:

The House has passed Senate bill No. 48, An act affording relief for disabled soldiers.

Also, 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 in this state.

Also, Senate bill No. 69, An act requiring police matrons in cities, with amendments noted in the bill.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

The following communication was received from the State Labor Congress of Washington, and with accompanying petitions and documents, was placed on file:

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—The State Labor Congress has unanimously adopted the following resolution:

*Resolved*, That the thanks of this congress are hereby tendered to the Senate and House of Representatives of Washington for their courtesy in

extending to our committee the privilege of the floor to present our requests, and for the patience with which they listened to the same.

GEO. L. MCMURPHY, Secretary.

President Luce in the chair.

## REPORT OF COMMITTEE ON ROADS AND BRIDGES.

SENATE CHAMBER,

OLYMPIA, WASH., February 13, 1893.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 140, entitled "An act to govern the levying, assessing and collecting of road property tax," have had the same under consideration, and we respectfully report the same back to the Senate with the following amendment, viz.:

Insert the word "delinquent" before the last word (taxes) in section 7, and we recommend that the bill pass as amended.

Respectfully submitted.

J. A. KELLOGG, Chairman.

Report unanimously concurred in by committee.

Report received, and Senate bill No. 140 placed on file.

## INTRODUCTION OF BILLS.

Senate bill No. 190, by Senator Donahoe: An act providing for a system of improved county roads.

Read first time; rules suspended, read second time by title and laid on table.

Senate bill No. 191, by Senator O'Neill: An act to amend section 251 of chapter 11 of the General Statutes and Codes of the State of Washington, to prevent the unlawful destruction of game and fish.

Read first time; rules suspended, read second time by title and referred to Committee on Fisheries.

The members of the Senate repaired to the House of Representatives, to meet in joint session.

## JOINT SESSION.

Joint session called to order at 12 o'clock meridian. President Luce in the chair.

All Senators and Representatives present excepting Anderson (M.), Anderson (W. D. E.), Baker, Belknap, Brock, Bush (A. S.), Collin, Eshelman, Forrest, Foster, Gilbert, Gilman, Hamill, Hastings, Heliker, Helm, Horr, Hutchinson, Ide, Judson, Keller, Kellogg, Kelly, Ludden, McElwain, McManus, McNew, Mead, Merchant, Moore, Mulkey, Nash, Nelson, Rinehart, Rutter, Smith (T. J.), Smithson, Tull, Webb, Weed, Winchell, and Woodworth.

For to-day's ballot the following pairs were announced:

Gilman and Bush of Pacific, Tull and Webb, Edens and McManus, Van Houten and Rutter, Winchell and Green, Brown and Eshelman, Hastings and Payne, Heliker and Shadle, Foster and Gilbert, Brock and Woodworth, Nash and Kelly, Hamill and Rinehart, Nelson and Anderson of Whitman, McElwain and Anderson of Pierce, Horr and Shaw, Judson and Merchant, Ludden and Westfall, McNew and Moore, Ide and O'Neill, Weed and Mulkey, Speck and Smithson, Miller and Mead.

A pair was announced between Representatives Hurd and Anderson (M.) until Friday of this week.

The reading of Saturday's journal was dispensed with and journal approved.

SIXTY-FIRST JOINT BALLOT.

Those voting for John B. Allen were: Anderson (M.), Belknap, Cameron, Dyer, Farrish, Forsyth, Frink, Hoole, Karr, Kinnear, McKenzie, McMurphy, Meany, Morrison, Neergard, Pierce (C. M.), Roberts, Roth, Sallee, Sergeant, Tucker, Van De Vanter, Washburn, Wheeler, White, and Mr. Speaker — 26.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Hurd, McMillan, Mentzer, Pierce (D. W.), Richards, Roscoe, Sherman, Temple, and Van Houten — 13.

Those voting for Chauncey W. Griggs were: Campbell, Cowan, Crockett, Donahoe, Edmonds, Foss, Kline, Leo, Letterman, Mays, McCroskey, Shelton, Smith (H. F.), and Turpin — 14.

Those voting for C. W. Young were: Baker, Burton, Denn, Durrant, Edwards, Egbert, Scott, and Smith (J. B.) — 8.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 62.

Not voting: Anderson (D. F.), Brock, Brown, Bush (A. S.), Forrest, Gilbert, Hastings, Heliker, Horr, Keller, Kellogg, McElwain, McNew, Mead, Merchant, O'Neill, Rinehart, Rutter, Speck, Webb, Weed, Winchell, Edens, Helm, Ide, Kelly, Ludden, Moore, Nash, Nelson, Shadle, Smith (T. J.), Smithson, Tull, Westfall, Woodworth, Anderson (W. D. E.), Eshelman, Foster, Gilman, Green, Hamill, Hutchinson, Judson, McManus, Miller, Mulkey, Payne, Shaw, and Collin — 50.

Senators Frink and Hutchinson were announced as paired for the next ballot.

## SIXTY-SECOND JOINT BALLOT.

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—25.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Hurd, McMillan, Mentzer, Pierce (D. W.), Richards, Roscoe, Sherman, Temple, and Van Houten—13.

Those voting for Chauncey W. Griggs were: Campbell, Cowan, Crockett, Donahoe, Edmonds, Foss, Kline, Leo, Letterman, Mays, McCroskey, Shelton, Smith (H. F.), and Turpin—14.

Those voting for C. W. Young were: Baker, Burton, Denn, Durand, Edwards, Egbert, Scott, and Smith (J. B.)—8.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 61.

Not voting: Anderson (D. F.), Brock, Brown, Bush (A. S.), Forrest, Frink, Gilbert, Hastings, Heliker, Horr, Keller, Kellogg, McElwain, McNew, Mead, Merchant, O'Neill, Rinehart, Rutter, Speck, Webb, Weed, Winchell, Edens, Helm, Ide, Kelly, Ludden, Moore, Nash, Nelson, Shadle, Smith (T. J.), Smithson, Tull, Westfall, Woodworth, Anderson (W. D. E.), Eshelman, Foster, Gilman, Green, Hamill, Hutchinson, Judson, McManus, Miller, Mulkey, Payne, Shaw, and Collin—51.

The joint session then dissolved.

At 12:30 P. M., immediately following the joint session, the Senate was called to order by President Luce, and a recess taken until 2:30 o'clock P. M.

## AFTERNOON SESSION.

Senate called to order at 2:30 o'clock P. M. President Luce in the chair.

Roll call; all present excepting Senators Cooper, Eshelman, Frink, Gilbert, Hastings, Horr, Hutchinson, Ide, Kellogg, McManus, Smith, and Van De Vanter, who were excused.

Senator Rutter was excused for the afternoon at his own request.

## INTRODUCTION OF BILLS.

Senate bill No. 192, by Senator Cooper: Amending section 756, volume 1, Hill's Code, authorizing cities and towns to file corrected plats for erroneous surveys.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 193, by Senator Cooper: Authorizing cities and towns organized prior to the adoption of the state constitution to extend their credit, fund their indebtedness, validating certain indebtedness already contracted, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

Senate bill No. 194, by Senator Richards (by request): An act to define what constitutes a libel and provide punishment for the same.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 195, by Senator Claypool: An act to amend an act entitled "An act with relation to civil actions and proceedings, amending sections 12 and 15 of the Code of Washington of 1881," approved February 25, 1891.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 196, by Senator Cooper: Relating to the fees of county officers, witnesses and jurors, amending section 1, volume 1, Hill's Code of State of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 197, by Senator Roberts (by request): A bill for an act to be entitled "An act prohibiting the placing of poison in places where the same may be obtained by dogs or other domestic animals.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 198, by Senator Roberts: An act to promote the well being of railroad passengers.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

## REPORT OF COMMITTEE ON AGRICULTURE.

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1893.

MR. PRESIDENT:

We, your Committee on Agriculture, 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 Senate, with the recommendation that it be passed.

Respectfully submitted.

R. C. MCCROSKEY, Chairman.

I concur in this report:

W. C. BELKNAP.

Report received, and bill placed on general file.

## REPORT OF COMMITTEE ON STATE TIDE LANDS.

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1893.

MR. PRESIDENT:

We, your Committee on State Tide Lands, to whom was referred Senate bill No. 99, entitled "An act granting to the United States for public purposes the use of certain tide lands belonging to the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

HENRY C. COOPER, Chairman.

We concur in this report:

C. I. HELM,

F. W. HASTINGS,

W. R. FORREST,

JNO. E. MCMANUS,

JAMES O'NEILL.

Report received, and bill placed on file.

A communication was received from the Trans-Mississippi Congress, announcing a meeting to be held at Ogden, Utah, April 24, 1893, and conveying invitation to the members of the Senate to be present at that meeting. The communication was referred to the governor.

Senate bill No. 199, by Senator Sergeant: 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 provide means for ascertaining the fact of such compliance with said constitutional requirements, and to provide for the organization of any such new county when created.

Read first time; rules suspended, read second time by title and referred to Committee on Counties and County Boundaries.

A petition protesting against the exemption of church property from taxation was presented by Senator Rutter, and referred to Committee on Public Revenue and Taxation.

Senate bill No. 54 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Helm, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten—22.

Absent or not voting: Senators Cooper, Eshelman, Frink, Gilbert, Hastings, Horr, Hutchinson, Ide, Kellogg, McManus, Smith, and Van De Vanter—12.

The emergency clause was stricken from the bill.

The title of the bill to remain the title of the act.

House bill No. 89 was read third time by sections, and amended by striking out the word "of," after the word "possessed," in line 2 of section 1.

The bill was then passed by the following vote.

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Dyer, Easterday, Edens, Forrest, Forsyth, Foss, Helm, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Shaw, and Van Houten—18.

Absent or not voting: Senators Campbell, Cooper, Donahoe, Eshelman, Frink, Gilbert, Hastings, Horr, Hutchinson, Ide, Kellogg, McManus, Rutter, Sergeant, Smith, and Van De Vanter—16.

The title of the bill to remain the title of the act.

Senate bill No. 112 was read third time by sections and amended as follows:

The title of the bill was stricken out, and the following inserted in lieu thereof:

"An act to amend sections 1144, 1145, 1146, 1148 and 1149 of title 12, chapter 14, volume 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill, relating to the sale, mortgaging and leasing of real estate belonging to minors."

Line 1 of the printed bill was stricken out, and the following inserted in lieu thereof: "SECTION 1. That sections 1144, 1145, 1146, 1148 and 1149 of title 12, chapter 14, volume 2, of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill."

In line 2 of printed bill the figures "1620" were stricken out, and "1144" inserted in lieu thereof.

In line 6 the word "probate" was stricken out.

In line 8 the words "section 2" were inserted before the word "section."

And in line 8 the figures "1621" were stricken out and "1145" inserted in lieu thereof.

In line 26 of printed bill, the words "sec. 3" were inserted before the word "section." In same line, the figures "1622" were stricken out and the figures "1146" were inserted in lieu thereof.

Line 33 of printed bill was stricken out.

In line 34 of printed bill, the words "section 4" were inserted before the word "section." In same line, the figures "1624" were stricken out and the figures "1148" were inserted in lieu thereof.

In line 38, the words "section 5" were inserted before the word "section." In same line, the figures "1625" were stricken out and "1149" inserted in lieu thereof.

The bill was then sent to the engrossing clerk.

Senate bill No. 115 was read third time by sections, and amended by inserting after the words "relating to escheats" the words "be it enacted by the legislature of the State of Washington."

In line 5 of section 2, the word "probate" was stricken out and the word "superior" inserted in lieu thereof.

In lines 16, 19 and 24, respectively, of section 3, the word "term" was stricken out and the word "session" was inserted in lieu thereof.

In line 3 of section 4, the word "estate" was stricken out and the word "county" inserted in lieu thereof.

In line 15 of section 7, the word "chancery" was stricken out and the word "equity" inserted in lieu thereof.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Helm, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, and Van Houten — 21.

Absent or not voting: Senators Cooper, Eshelman, Frink, Gilbert, Hastings, Horr, Hutchinson, Ide, Kellogg, McManus, Rutter, Smith, and Van De Vanter — 13.

The title of the bill to remain the title of the act.

Senate bill No. 56 and Senate bill No. 107 were laid on table subject to call.

House bill No. 100 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Helm, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, and Van Houten — 21.

Absent or not voting: Senators Cooper, Eshelman, Frink, Gilbert, Hastings, Horr, Hutchinson, Ide, Kellogg, McManus, Rutter, Smith, and Van De Vanter — 13.

The title of the bill to remain the title of the act.

At 4:25 p. m. the Senate, on motion of Senator Dyer, adjourned until Tuesday, February 14, 1893, at 10 o'clock a. m.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## THIRTY-SEVENTH DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Tuesday, February 14, 1893. }  
10 o'clock a. m.

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

Roll call; all present excepting Senators Cooper, Eshelman, Frink, Gilbert, Horr, Ide, McManus, Van De Vanter, and Smith, who were excused.

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

### REPORT OF COMMITTEE ON EDUCATION.

SENATE CHAMBER,  
OLYMPIA, WASH., February 13, 1893.

MR. PRESIDENT:

We, your Committee on Education, to which was referred Senate bill No. 108, entitled "An act to establish a state normal school in Kitsap

county, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be referred to the Committee on Public Buildings and Grounds.

Respectfully submitted.

E. L. BROWN, Chairman.

I concur in this report:

R. C. McCROSKEY.

Being all the members of said Committee present.

Adopted; referred to Committee on Public Buildings and Grounds.

#### REPORTS OF COMMITTEE ON AGRICULTURE.

SENATE CHAMBER,

OLYMPIA, WASH., February 13, 1893.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House bill No. 69, entitled "An act relating to the injury of domestic animals," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

R. C. McCROSKEY, Chairman.

I concur in this report:

W. C. BELKNAP.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Agriculture, 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 Senate, with the recommendation that it be passed.

Respectfully submitted.

R. C. McCROSKEY, Chairman.

I concur in this report:

W. C. BELKNAP.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON MINES AND MINING.

SENATE CHAMBER,

OLYMPIA, WASH., February 13, 1893.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate bill No. 129, entitled "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 Wm. Lair Hill, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it pass.

Respectfully submitted.

JAMES O'NEILL, Chairman.

We concur in this report:

R. A. HUTCHINSON,

W. C. RUTTER.

Report received, and Senate bill No. 129 placed on file.

## FROM THE HOUSE.

House bill No. 205, Providing for depository for county funds.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 114, "An act in relation to garnishments."

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 278, substitute for House bill No. 3, and House bill No. 67, "Relating to indigent soldiers and marines."

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 159, For the protection of the public health.

Read first time; rules suspended, read second time by title, and referred to Committee on Medicine and Hygiene.

House bill No. 94, Relating to school districts.

Read first time; rules suspended, read second time by title, and referred to Committee on Education.

Senate bill No. 69, returned from the House with the following amendment.

The words "and declaring an emergency," were added to the title.

In line 1 of section 5 the words "until her death" were stricken out, and the words "for a period of four years or until" inserted in lieu thereof.

Section 7 was stricken out and the following section 7 substituted therefor:

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 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.

The amendments were concurred in by the Senate.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 14, 1893.

MR. PRESIDENT:

The House has passed Senate bill No. 66, by Senator Horr, An act to fix the legal rate of interest, with amendments noted in the bill.

And the same is herewith returned to the Senate.

T. G. NICKLIN, Chief Clerk.

The following resolution, introduced by Senator Sergeant, was unanimously adopted:

*Resolved*, That the governor be requested to communicate by telegraph with the interior department at Washington and ascertain the correct boundaries of the proposed "Pacific reserve" to be set apart as a public park in this state, ascertaining the amount set apart for such purpose, giving the boundaries thereof, and communicate his answer when received with the legislature.

*Resolved further*, That this resolution be transmitted to the governor at once.

Senate memorial No. 6 was introduced by Senator Dyer as a substitute for Senate memorial No. 4, Relative to the opening on Sundays of the Columbian exposition. The memorial was accepted as a substitute, and adopted by the following vote:

Those voting in the affirmative were: Senators Brown, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinneer, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, and Van Houten—23.

Those voting in the negative were: Senators Belknap, Campbell, and Sergeant—3.

Absent and not voting: Senators Cooper, Eshelman, Frink, Gilbert, Ide, McManus, Smith, and Van De Vanter—8.

House bill No. 21 was read third time by sections, and amended by adding to section 1 the following: "*Provided*, That whenever any railroad company shall contract with any person for the construction of its road, or any part thereof, such railroad company shall take from the person with whom such contract is made a good and sufficient bond, conditioned that such person shall pay all laborers, mechanics and material men, and persons who supply such contractors with provisions, all just dues to such persons or to any person to whom any part of such work is given, incurred in carrying on such work, which bond shall be filed by such railroad company in the office of the county auditor in each county in which any part of such work is situated. And if any such railroad company shall fail to take such bond, such railroad company shall be liable to the persons herein mentioned to the full extent of all such debts so contracted by such contractor."

In line 1 of section 17, the word "no" was stricken out.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten—25.

Senator Forsyth voted in the negative.

Absent or not voting: Senators Cooper, Eshelman, Frink, Gilbert, Ide, McManus, Smith, and Van De Vanter—8.

The title of the bill to remain the title of the act.

Senate bill No. 69, after being engrossed, was passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten—26.

Absent or not voting: Senators Cooper, Eshelman, Frink, Gilbert, Ide, McManus, Smith, and Van De Vanter—8.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten—26.

Absent or not voting: Senators Cooper, Eshelman, Frink, Gilbert, Ide, McManus, Smith, and Van De Vanter—8.

The title of the bill to remain the title of the act.

The president stated that he was about to sign Senate bill No. 48.

House bill No. 251 was read third time and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten—25.

Absent or not voting: Senators Campbell, Cooper, Eshelman, Frink, Gilbert, Ide, McManus, Smith and Van De Vanter—9

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest,

Forsyth, Foss, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten—26.

Absent or not voting: Senators Cooper, Eshelman, Frink, Gilbert, Ide, McManus, Smith, and Van De Vanter—8.

The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 14, 1893.

MR. PRESIDENT:

The House has passed House bill No. 318, entitled "An act requiring the supreme court to pass upon the validity of laws."

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of 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 or territorial homes for the support of disabled soldiers and sailors of the United States,' and declaring an emergency," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted.

CHAS. I. HELM, Vice Chairman,  
JOHN G. CAMPBELL.

#### REPORT OF COMMITTEE ON MEMORIALS.

SENATE CHAMBER,

OLYMPIA, WASH., February 14, 1893.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 5, Asking for the establishment of a United States assay office at Spokane, Washington, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it pass.

Respectfully submitted.

F. W. HASTINGS, Chairman.

We concur in this report:

J. R. KINNEAR,  
C. E. FORSYTH.

Report received, and memorial placed on file.

REPORT OF COMMITTEE ON PUBLIC BUILDINGS AND  
 GROUNDS.

The following report was received from the Committee on Public Buildings and Grounds:

SENATE CHAMBER,  
 OLYMPIA, WASH., February 14, 1893.

MR. PRESIDENT:

We, your Committee on Public Buildings and Grounds, 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 Senate without recommendation.

Respectfully submitted.

CHAS. I. HELM, Chairman.

We concur in this report:

B. C. VAN HOUTEN,

W. C. RUTTER.

Report received, and House bill No. 66 placed on file.

Senate memorial No. 5 was then read third time, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Hastings, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten — 25.

Absent or not voting: Senators Cooper, Eshelman, Frink, Gilbert, Helm, Ide, McManus, Smith, and Van De Vanter — 9.

A resolution forwarded by John F. Miller Post, No. 1, G. A. R., of Seattle, asking that school directors be empowered to purchase United States flags for district school houses, was introduced by Senator Kinnear, and placed on file.

The members of the Senate repaired to the House of Representatives to meet in joint session.

JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Anderson (D. F.), Anderson (M.), Cooper, Eshelman, Frink, Gilbert, Foster, Hamill, Heliker, Hurd, Ide, Judson, Kellogg, Ludden, McElwain, McManus, McNew, Merchant, Nelson, Payne, Rinehart, Smith (T. J.), and Van De Vanter.

The reading of yesterday's journal was dispensed with, and journal approved.

The following pairs were announced for to-day's ballot: Kinnear and Cooper, Van Houten and Van De Vanter, Hutchinson and Frink, Edens and McManus, Ludden and Westfall, Hurd and Anderson (M.), Judson and Merchant, Eshelman and Brown, Nelson and Anderson of Whitman, McElwain and Anderson of Pierce, McNew and Moore, Ide and O'Neill, Foster and Gilbert, Hamill and Rinehart, Hastings and Payne, Heliker and Shadle.

## SIXTY-THIRD JOINT BALLOT.

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—33.

Those voting for George Turner were: Claypool, Easterday, Greenberg, Helm, McMillan, Mentzer, Nash, Pierce (D. W.), Richards, Roscoe, Sherman, Smithson, Temple, Tull, and Woodworth—15.

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—19.

Those voting for C. W. Young were: Baker, Burton, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—8.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 76.

Not voting: Anderson (D. F.), Anderson (M.), Brown, Frink, Gilbert, Hastings, Heliker, Kellogg, Kinnear, McElwain, McNew, Merchant, O'Neill, Rinehart, Van De Vanter, Cooper, Edens, Hurd, Ide, Kelly, Ludden, Moore, Nelson, Shadle, Smith (T. J.), Westfall, Van Houten, Anderson (W. D. E.), Eshelman, Foster, Hamill, Hutchinson, Judson, McManus, Payne, and Collin—36.

## SIXTY-FOURTH JOINT BALLOT.

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—33.

Those voting for George Turner were: Claypool, Easterday, Greenberg, Helm, McMillan, Mentzer, Nash, Pierce (D. W.), Richards, Roscoe, Sherman, Smithson, Temple, Tull, and Woodworth — 15.

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 — 19.

Those voting for C. W. Young were: Baker, Burton, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—8.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 76.

Not voting: Anderson (D. F.), Anderson (M.), Brown, Frink, Gilbert, Hastings, Heliker, Kellogg, Kinnear, McElwain, McNew, Merchant, O'Neill, Rinehart, Van De Vantér, Cooper, Edens, Hurd, Ide, Kelly, Ludden, Moore, Nelson, Shadle, Smith (T. J.), Westfall, Van Houten, Anderson (W. D. E.), Eshelman, Foster, Hamill, Hutchinson, Judson, McManus, Payne, and Collin — 36.

The joint session then dissolved.

At 12:25 P. M., immediately following the joint session, the Senate was called to order by President pro tem. Dyer, and a recess taken until 2:30 P. M.

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#### AFTERNOON SESSION.

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Senate called to order at 2:30 o'clock P. M. President pro tem. Dyer in the chair.

Roll called; all present excepting Senators Brown, Eshelman, Forsyth, Frink, Gilbert, Hastings, Helm, Ide, Kellogg, Kinnear, McManus, Rutter, Sergeant, and Smith.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 14, 1893.

MR. PRESIDENT:

The House has passed House memorial No. 5, Praying for a light house.

Also, House memorial No. 6, For coast defenses of the waters of the State of Washington.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### INTRODUCTION OF BILLS.

Senate bill No. 200, by Senator Claypool: An act to regulate the fishing industry of the State of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Fisheries.

Senate bill No. 201, by Senator Claypool: An act for the relief of men employed on geological survey.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

#### COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, February 14, 1893.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—I have the honor to acknowledge the receipt of your communication of even date, with enclosures, and, in reply, beg leave to say that your request has been complied with. So soon as an answer is received it will be transmitted to you.

I have the honor to be, very respectfully, your obedient servant,  
J. H. MCGRAW, Governor.

President Luce in the chair.

Senate bill No. 99 was read third time by sections; title was amended by striking out the word "act" in second line of the title and inserting in lieu thereof the word "section."

The bill was considered engrossed and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Horr, Hutchinson, McCroskey, Miller, O'Neill, Richards, Roberts, Shaw, and Van Houten—18.

Absent or not voting: Senators Brown, Cooper, Eshelman, Forsyth, Frink, Gilbert, Hastings, Helm, Ide, Kellogg, Kinnear, McManus, Rutter, Sergeant, Smith, and Van De Vanter—16.

The title of the bill to remain the title of the act.

Senate bill No. 87 was laid on the table, subject to call.

On motion of Senator Donahoe, Senate bill No. 55 was indefinitely postponed, and Senate bill No. 190 considered in its stead.

Senate bill No. 190 was read third time by sections, and amended as follows: In line 21 of section 18 of original bill, the words "except bonds filed by appellant" were inserted after the words "original papers;" in line 8 of section 25 of original bill, the word "road" was stricken out; in line 9 of section 39 of the original bill, the words "including interest on deferred payments" were inserted after the word "improvement."

On motion of Senator Dyer, Senate bill No. 190 was re-committed to Committee on Roads and Bridges for consideration of section 37.

On motion of Senator Roberts, the Senate, at 3:55 p. m., adjourned until 10 o'clock a. m., Wednesday, February 15, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## THIRTY-EIGHTH DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Wednesday, February 15, 1893. }  
10 o'clock A. M.

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

Roll call; all present excepting Senators Brown, Cooper, Eshelman, Forsyth, Frink, Gilbert, Ide, Kellogg, McManus, and Smith.

Reading of yesterday's journal was dispensed with and journal approved.

### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 14, 1893.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 89, by Mr. Roth, An act to quiet possessions and confirm titles to land.

The House has passed House bill No. 27, by Mr. Mead, An act requiring railroad companies to fence their tracks.

Also, House bill No. 76, by Mr. Nash, An act relating to proceedings supplemental to execution.

Also, 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.

Also, 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.

Also, House bill No. 124, by Mr. Gilman, A bill for an act to prevent and punish corrupt practices in elections and to provide for publicity in election expenses.

Also, 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 encumbering or hypothecating any real or personal property owned by such corporations.

Also, House bill No. 148, by Mr. Crockett, An act relative to the qualifications and compensation of county commissioners.

Also, Senate bill No. 25, An act relative to commission merchants, with amendments.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

## REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred 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,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, Richards and Van Houten, members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

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," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Easterday, Dyer, Richards and Van Houten, members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 194, entitled "An act to define what constitutes a libel, and to provide punishment for the same," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Easterday, Dyer, Richards and Van Houten, being all the members of said committee present.

Report adopted, and Senate bill No. 194 indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 149, entitled "An act providing for the appointment and election of a superior judge to preside in Kitsap and King counties, defining the duties of such judge, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Easterday, Dyer, Richards and Van Houten, being all the members of said committee present.

Report adopted, and Senate bill No. 149 indefinitely postponed.

MR. PRESIDENT:

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 Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Easterday, Dyer, Richards and Van Houten, being all the members of said committee present.

Report received, and Senate bill No. 161 placed on file.

MR. PRESIDENT:

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," have had the same under consideration, and respectfully report it back to the Senate, with the following amendment, and as amended, recommend the passage of the bill:

Insert the words "appointed by him" between the word "officers" and the word "not" in line 2 of section 1 of the printed bill.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Dyer, Easterday, Richards and Van Houten, being all the members of said committee present.

Report received and bill placed on file.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 144, entitled "An act regulating the maturity of contracts," have had the same under consideration, and respectfully report it back to the Senate with the following amendment, and, as amended, recommend the passage of the bill:

Add to section 2 of the bill, following the word "day," the words "and if the next preceding day be Sunday, or a legal holiday, the same shall become due the day preceding such Sunday or holiday."

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Easterday, Dyer, Richards and Van Houten, members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 136, entitled "An act relative to actions against persons liable upon the same obligation or instrument, amending section sixteen of the Code of Procedure," have had the same under consideration, and respectfully report it back to the Senate with the following amendments, and, as amended, recommend the passage of the bill.

First amendment: Strike out the words "section sixteen of the Code of Procedure," in the title of the bill, and insert in lieu thereof the words "section 146, chapter 2, title 5, volume 2, General Statutes and Codes of the State of Washington."

Second amendment: Strike out the words "that section 16 of the Code of 1881 be amended so as to read as follows: Section 16," in lines 1 and 2 of section 1 of the printed bill, and insert in place thereof the words "that section 146 of chapter 2, title 5, volume 2, General Statutes and Codes of the State of Washington, be and the same is hereby amended so as to read as follows: Section 146."

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Easterday, Dyer, Richards and Van Houten, members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 133, entitled "An act to provide for the validating of meetings of trustees of corporations," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Easterday, Dyer, Richards and Van Houten, members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 105, entitled "An act to provide for the incorporation of associations for social, charitable and educational purposes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Easterday, Dyer, Richards and Van Houten, members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

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 this state, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed, the bill being in direct conflict with section 7 of article 8 of the constitution.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, Richards and Van Houten, members of said committee present.

Report adopted, and action on House bill No. 205 indefinitely postponed.

MR. PRESIDENT:

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 respectfully report it back to the Senate with the following amendments, and, as amended, recommend the passage of the bill:

First amendment: Amend the title of the bill so it will read: "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, the same being section 2748 of volume 1 of Hill's Statutes and Codes of the State of Washington, and repealing section two thousand and thirty-two (2032) of the Code of Washington Territory of A. D. 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."

Second amendment: Change the first section of the bill so that it will read: Section 1. That section 8 of an act entitled "An act to secure credit-

ors a just division of the estates of debtors who convey to assignees for the benefit of creditors," the same being section 2748 of volume 1, Hill's Statutes and Codes of the State of Washington, approved March 6, 1890, be amended so as to read as follows: If no exception be made to the claim of any creditor, or if the same has been adjudicated, the court shall order the assignee to make, from time to time, fair and equal dividends among the creditors of the assets in his hands, in proportion to their claims, and as soon as may be to render a final account of said trust to said court, which may allow such commissions to said assignee in the final settlement as may be considered right and just, not exceeding, however, the fees and compensation allowed by law to administrators and executors.

Third amendment: Insert between the figures "1881" and the word "be," in the second line of section 2 of the bill the words "the same being section 2774 of volume 1 of Hill's Statutes and Codes of the State of Washington."

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Easterday, Dyer, Richards and Van Houten, members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

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 Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Easterday, Dyer, Richards and Van Houten, being all the members of said committee present.

Report adopted, and action on House bill No. 187 indefinitely postponed.

MR. PRESIDENT:

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 volume 1 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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Easterday, Dyer, Richards and Van Houten, being all the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 163, entitled "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 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 senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Easterday, Dyer, Richards and Van Houten, members of said committee present.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1893.

MR. PRESIDENT:

We, your Committee on Public Buildings and Grounds, to whom was referred Senate bill No. 148, entitled "An act relating to the location of a state normal school at Montesano, Chehalis county, Washington," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

C. I. HELM, Chairman.

I concur in this report:

B. C. VAN HOUTEN.

Report received, and bill placed on file.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 15, 1893.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 21, in relation to liens.

The House has passed House bill No. 323, entitled "An act extending the time for paying taxes."

The speaker has signed Senate bill No. 48.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

The Committee on Engrossed Bills made the following reports:

MR. PRESIDENT:

Your Committee on Engrossed Bills respectfully reports that the engrossed copy of Senate bill No. 29, entitled "An act to provide for township organization, and prescribing the duties and fixing the compensation of township officers, and providing for the assessment, levy and collection of town taxes," has been carefully compared with the original copy thereof and found correctly engrossed.

Respectfully submitted.

LOUIS FOSS, Chairman,  
J. A. KELLOGG,  
J. C. HERR.

MR. PRESIDENT :

Your Committee on Engrossed bills respectfully reports that the engrossed copy of Senate bill No. 112, entitled "An act to amend sections 1144, 1145, 1146, 1148 and 1149 of title 12, chapter 14, volume 2 of the general statutes and codes of the State of Washington, as arranged and annotated by William Lair Hill, relating to the sale, mortgaging and leasing of real estate belonging to minors," has been carefully compared with the original copy thereof, and found correctly engrossed.

Respectfully submitted.

LOUIS FOSS, Chairman,  
J. A. KELLOGG,  
J. C. HERR.

The reports were accepted.

### REPORT OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1893.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred communication, with accompanying documents, from the State Labor Congress of Washington, have had the same under consideration, and respectfully refer the papers back to the Senate with the recommendation that they be referred to the Committee on Labor and Labor Statistics.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Easterday, Dyer, Richards and Van Houten, members of said committee present.

Report adopted, and petitions referred to Committee on Labor and Labor Statistics.

### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 15, 1893.

MR. PRESIDENT:

The House has receded from amendments to Senate bill No. 66, To fix the legal rate of interest.

The House has passed House bill No. 332, An act providing for second appeals to the supreme court.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

### FROM THE HOUSE.

House memorial No. 5: Asking for an additional light house district.

Read first time; rules suspended, read second time by title, and referred to Committee on Memorials.

House memorial No. 6: Relative to the coast defense of the waters of the State of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Memorials.

President pro tem. Dyer in the chair.

House amendment to Senate bill No. 66 was considered, and the Senate refused to concur in the amendment. The House was requested to recede from the amendment.

House bill No. 323, An act providing for extending the time of payment of taxes," was read first time; rules suspended, read second time by title, rules further suspended, read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten — 23.

Absent or not voting: Senators Brown, Cooper, Eshelman, Forsyth, Frink, Gilbert, Ide, Kellogg, McManus, Smith, and Van De Vanter — 11.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten — 23.

Absent and not voting: Senators Brown, Cooper, Eshelman, Forsyth, Frink, Gilbert, Ide, Kellogg, McManus, Smith, and Van De Vanter — 11.

The title of the bill to remain the title of the act.

#### INTRODUCTION OF BILLS.

Senate bill No. 202, by Senator Campbell: An act providing for the issuance of marriage licenses, and the record of the certificate thereof.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

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, and to regulate voting at state and other elections, approved March 19, 1890.

Read first time; rules suspended, read second time by title, and referred to Committee on Elections and Privileges.

Senate bill No. 204: An act legalizing tax levies for the year 1892, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Revenue and Taxation.

Senate bill No. 205: 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.

Read first time; rules suspended, read second time by title and referred to Committee on Agriculture.

Senate bill No. 206: 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 207, by Senator O'Neill: An act to regulate the manner of locating mining claims, and for other purposes.

Read first time; rules suspended, read second time by title, and referred to Committee on Mines and Mining.

Senate bill No. 89 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten — 23.

Absent or not voting: Senators Brown, Cooper, Eshelman, Forsyth, Frink, Gilbert, Ide, Kellogg, McManus, Smith, and Van De Vanter — 11.

The title of the bill to remain the title of the act.

House bill No. 164 was read third time by sections, and amended by striking out section 1 and inserting in lieu thereof the following:

SECTION 1. It shall be the duty of the county commissioners of any county in this state, when any of the county records become so mutilated that the handling of the same becomes dangerous to the public safety of

said records, and in the judgment of said county commissioners it may become necessary to order the transcribing of said records at a sum not exceeding eight cents per folio of one hundred words in books to be provided for that purpose by said county.

The bill was then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Hastings, Helm, Horr, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten—22.

Senator Hutchinson voted in the negative.

Absent or not voting: Senators Brown, Cooper, Eshelman, Forsyth, Frink, Gilbert, Ide, Kellogg, McManus, Smith, and Van De Vanter—11.

The title of the bill to remain the title of the act.

Senate bill No. 70 was read third time by sections, and amended by striking out the word "four," in line 4, section 1 of printed bill, and inserting the word "five" in lieu thereof. Section 2 was stricken out.

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Foss, Hastings, Helm, Horr, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten—21.

Senator Hutchinson voted in the negative.

Absent or not voting: Senators Brown, Claypool, Eshelman, Forrest, Forsyth, Frink, Gilbert, Ide, Kellogg, McManus, Smith, and Van De Vanter—12.

The title of the bill to remain the title of the act.

Senate bill No. 21 was read third time by sections, and amended by inserting the enacting clause.

On motion of Senator Claypool, Senate bill No. 21 was laid on the table subject to call.

The following is a copy of Senate bill No. 128, containing a proposed amendment to the constitution, and ordered spread upon the journal:

AN ACT to provide for voting on a constitutional amendment at the general election to be held November, 1894, relative to original jurisdiction of superior courts.

*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 Washing-

ton for their approval the following amendment to sec. 6 of article 4 of the constitution of the State of Washington: Sec. 6. The superior court shall have original jurisdiction in all cases in equity and in all cases at law which involve the title or possession of real property or the legality of any tax, impost, assessment, toll or municipal fine, and in all other cases in which the demand or the value of the property in controversy amounts to \$300, and in all criminal cases amounting to felony, and in all cases of misdemeanor not otherwise provided for by law; of action of forcible entry and detainer, of proceedings in insolvency, of actions to prevent or abate a nuisance; of all matters of probate, of divorce and for annulment of marriage, and for such special cases and proceedings as are not otherwise provided for. The superior court shall also have original jurisdiction in all cases and of all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court; and said court shall have the power of naturalization and to issue papers therefor. They shall have such appellate jurisdiction in cases arising in justices' and other inferior courts in their respective counties as may be prescribed by law. They shall be always open except on non-judicial days, and their process shall extend to all parts of the state. Said courts and their judges shall have power to issue writs of mandamus, quo warranto, review, certiorari, prohibition, and writs of habeas corpus, on petition by or on behalf of any person in actual custody in their respective county. Injunctions and writs of prohibition and habeas corpus may be issued and served on legal holidays and on non-judicial days.

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 the state wherein a newspaper is published.

SEC. 3. There shall be printed on all the ballots supplied for said election the words "For proposed amendment to sec. 6 of article 4 of the constitution, relating to original jurisdiction of superior courts;" "Against proposed amendment to sec. 6 of article 4 of the constitution, relating to original jurisdiction of superior courts."

Senate bill No. 128 was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten — 23.

Absent or not voting: Senators Brown, Cooper, Eshelman, Forsyth, Frink, Gilbert, Ide, Kellogg, McManus, Smith, and Van De Vanter — 11.

The title of the bill to remain the title of the act.

The president pro tem. stated that he was about to sign Senate bill No. 69 and House bill No. 89.

#### REPORTS OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled bills made the following reports:

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 69, entitled "An act requiring the appointment of police matrons in certain cities, designating their duties and directing their compensation, and declaring an emergency," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted.

C. I. HELM, Vice Chairman,  
JOHN G. CAMPBELL.

#### REPORT OF COMMITTEE ON MEMORIALS.

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1893.

We, your Committee on Memorials, to whom was referred House memorial No. 5, Praying for a new light house district, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

F. W. HASTINGS, Chairman.

Concurred in by J. R. Kinnear.

Report accepted, and House memorial No. 5 placed on file.

The members of the Senate proceeded to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Anderson (M.), Anderson (D. F.), Anderson (W. D. E.), Brown, Burton, Cooper, Eshelman, Forsyth, Frink, Gilbert, Green, Hamill, Heliker, Hurd, Ide, Judson, Kellogg, Ludden, McNew, Merchant, Nelson, Rinehart, Shadle, Smith (T. J.), Westfall, Van De Vanter and Winchell.

The reading of yesterday's journal was dispensed with, and journal approved.

The following pairs were announced for to-day's ballot: Hurd and Anderson (M.), Nelson and Anderson (D. F.), McElwain and Anderson (W. D. E.), Speck and Westfall, Judson and Merchant, McNew and Moore, Ide and O'Neill, Foster and Gilbert, Hamill

and Rinehart, Eshelman and Brown, Heliker and Shadle, Van Houten and Van De Vanter, Edens and McManus.

Until further notice, Frink and Hutchinson.

For to-morrow's ballot, Hastings and Turpin.

Until next Monday, Kinnear and Cooper.

SIXTY-FIFTH JOINT BALLOT.

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—32.

Those voting for George Turner were: Claypool, Easterday, Greenberg, Helm, McMillan, Mentzer, Nash, Pierce (D. W.), Richards, Roscoe, Sherman, Smithson, Temple, Tull, and Woodworth—15.

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—19.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 76.

Not voting: Anderson (D. F.), Anderson (M.), Brown, Forsyth, Frink, Gilbert, Heliker, Kellogg, Kinnear, McElwain, McNew, Merchant, O'Neill, Rinehart, Speck, Van De Vanter, Winchell, Cooper, Edens, Hurd, Ide, Ludden, Moore, Nelson, Shadle, Smith (T. J.), Westfall, Van Houten, Anderson (W. D. E.), Eshelman, Foster, Green, Hamill, Hutchinson, Judson, and McManus—36.

SIXTY-SIXTH JOINT BALLOT.

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—32.

Those voting for George Turner were: Claypool, Easterday, Greenberg, Helm, McMillan, Mentzer, Nash, Pierce (D. W.), Rich-

ards, Roscoe, Sherman, Smithson, Temple, Tull, and Woodworth—15.

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—19.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 76.

Not voting: Anderson (D. F.), Anderson (M.), Brown, Forsyth, Frink, Gilbert, Heliker, Kellogg, Kinnear, McElwain, McNew, Merchant, O'Neill, Rinehart, Speck, Van De Vanter, Winchell, Cooper, Edens, Hurd, Ide, Ludden, Moore, Nelson, Shadle, Smith (T. J.), Westfall, Van Houten, Anderson (W. D. E.), Eshelman, Foster, Green, Hamill, Hutchinson, Judson, and McManus—36.

The joint session then dissolved.

At 12:25 p. m., immediately following the joint session, the Senate was called to order by President pro tem. Dyer, and a recess was taken until 2:30 o'clock p. m.

#### AFTERNOON SESSION.

Senate called to order at 2:30 o'clock p. m. President Luce in the chair.

Roll call; all present excepting Senators Cooper, Eshelman, Forsyth, Frink, Gilbert, Hastings, Ide, Kellogg, Kinnear, McManus, Smith, and Van De Vanter.

On motion of Senator Richards, the vote by which House bill No. 106 failed to pass the Senate, was reconsidered, and the bill laid on the table subject to call.

#### REPORT OF COMMITTEE ON JUDICIARY.

The following report was received from the Judiciary Committee:

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1893.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 130, entitled "An act to define and punish obstruction to railroads, rail-

road 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," have had the same under consideration, and respectfully report it back to the Senate with the following amendments, and as amended, recommend the passage of the bill:

Strike out the word "twenty" and insert in lieu thereof the word "ten" in line 10 of section 1 of the printed bill; and strike out the word "five" and insert in place thereof the word "two" in line 10, section 1 of the printed bill.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Dyer, Easterday, Richards and Van Houten, members of said committee present.

Report received, and bill placed on file.

Senate bill No. 136 was read third time by sections, and title amended by striking out the words "section 16 of the Code of Procedure" and inserting in lieu thereof the words "section 146, chapter 2, title 5, volume 2, General Statutes and Codes of the State of Washington." Further amended by striking out in lines 1 and 2 of section 1 of the printed bill the words "That section 16 of the Code of 1881 be amended so as to read as follows: Section 16" and inserting in lieu thereof the words "That section 146 of chapter 2, title 5, volume 2, General Statutes and Codes of the State of Washington, be and the same is hereby amended so as to read as follows: Section 146."

The bill was considered engrossed and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Helm, Horr, Hutchinson, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten—21.

Absent or not voting: Senators Brown, Cooper, Eshelman, Forsyth, Frink, Gilbert, Hastings, Ide, Kellogg, Kinnear, McManus, Smith, and Van De Vanter—13.

The title of the bill to remain the title of the act.

House bill No. 116 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Helm, Horr, Hutchinson, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten—21.

Absent or not voting: Senators Brown, Cooper, Eshelman, For-

syth, Frink, Gilbert, Hastings, Ide, Kellogg, Kinnear, McManus, Smith, and Van De Vanter—13.

The title of the bill to remain the title of the act.

Senate bill No. 33 was read third time by sections and amended as follows:

In line 1 of section 1, by striking out the word "June" and inserting in lieu thereof the word "July."

In line 2 of section 5, the words "not less than ten thousand dollars" were inserted in the blank space after the words "in the penal sum of," and the sign "\$" was stricken out.

In line 3 of section 7, the word "conserve" was stricken out and the word "preserve" inserted in lieu thereof.

All of section 24 was stricken out.

In line 6 of section 6, the figures "85" were stricken out and the figures "851" inserted in lieu thereof.

In line 2 of section 1, the word "shall" was stricken out and the word "may" inserted in lieu thereof.

On motion of Senator Dyer, Senate bill No. 33 was laid on table subject to call.

House memorial No. 6 was recalled from Committee on Memorials, and by unanimous consent, was read third time and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Easterday, Edens, Forrest, Foss, Helm, Horr, Hutchinson, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten—20.

Absent or not voting: Senators Brown, Cooper, Donahoe, Eshelman, Forsyth, Frink, Gilbert, Hastings, Ide, Kellogg, Kinnear, McManus, Smith, and Van De Vanter—14.

House memorial No. 5 was then read third time and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Easterday, Edens, Forrest, Foss, Helm, Horr, Hutchinson, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, and Shaw—19.

Absent or not voting: Senators Brown, Cooper, Donahoe, Eshelman, Forsyth, Frink, Gilbert, Hastings, Ide, Kellogg, Kinnear, McManus, Smith, Van De Vanter, and Van Houten—15.

At 4 o'clock p. m., the Senate, on motion of Senator Rutter, adjourned until 10 o'clock a. m., Thursday, February 16, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## THIRTY-NINTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Thursday, February 16, 1893. }  
10 o'clock a. m.

Senate called to order, pursuant to adjournment, at 10 o'clock a. m. President pro tem. Dyer in the chair.

Roll call; all present excepting Senators Brown, Cooper, Eshelman, Forsyth, Frink, Gilbert, McManus, Roberts, and Smith.

The reading of yesterday's journal was dispensed with, and journal approved.

### REPORT OF COMMITTEE ON ROADS AND HIGHWAYS.

SENATE CHAMBER,  
OLYMPIA, WASH., February 15, 1893.

MR. PRESIDENT:

We, your Committee on Roads and Highways, to whom was referred Senate bill No. 190, entitled "An act providing for the establishment of 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 Senate with the recommendation that it pass, with the following amendments:

Strike out all of section 37 after the word "collection," in line 9 of the original bill, and insert the following: "They may, by resolution passed at any regular or special session, direct that an election be called and held for the purpose of submitting to the legal voters of such county the question whether the bonds of the county shall be issued to provide funds for such construction. Notice of such election shall be given by publication in some newspaper published in this state, and having a general circulation in such county, and to be designated by the board of county commissioners, at least once in each week for four consecutive weeks, but the first publication shall be at least thirty days prior to the day of election,

and if such notice be not published in a newspaper printed in the county where such election is to be held, the notice shall be posted in twenty of the most public places in said county at least thirty days prior to the date of said election. The election notice shall state the amount of bonds proposed to be issued, and shall be signed by the county auditor. The ballots used at such election must contain the words 'Bonds, yes,' and 'Bonds, no,' and the elector receiving the same shall cross out therefrom part of the ballot in such manner that the remaining part shall express his vote upon the question of issuing bonds. In all other respects the general election laws of the state shall control. If three-fifths of the legal voters of such county voting at such election shall deposit a ballot bearing the words 'Bonds, yes,' it shall thereupon be lawful for the board of county commissioners to issue the bonds of such county, not exceeding the amount so authorized, to be styled 'Road bonds of ..... county.' Such bonds shall be issued in denominations of not less than one hundred nor more than one thousand dollars, and shall be numbered from one up, consecutively; shall bear the date of their issue; shall be made payable to the bearer at a time to be specified therein, not more than twenty years from their date, and shall bear interest at the rate of not to exceed six per cent. per annum, payable semi-annually, and such interest shall be evidenced by coupons attached to such bonds; and the principal and interest shall be payable at the office of the treasurer of such county, and cause the same to be specified in such bonds; subject, however, to any general law of this state regulating the place of payment of county bonds. Such bonds shall be printed, engraved or lithographed on good bond paper, and shall be signed by the chairman of the board of county commissioners, and countersigned by the county auditor, and shall have the seal of the board of county commissioners thereto affixed; and the coupons shall be executed by the autograph signatures or by engraved or lithographed fac similes of the autograph signatures of the chairman of the board of county commissioners and the county auditor, and need not be sealed. Nothing in this act contained shall be construed to authorize the issue of any bonds which would make the aggregate indebtedness of such county exceed one and one-half per cent. of the value of the taxable property therein, to be ascertained by the last assessment for state and county purposes."

Strike out section 39 and insert the following, viz.:

"SEC. 39. The board of county commissioners of any county issuing bonds under this act are authorized to sell any such bonds to the highest bidder at a price not less than the par or face value of the same, after inviting proposals by advertising the sale thereof in such paper or papers for such period of time as such board shall direct. The proceeds of the sale of such bonds shall be paid over to the county treasurer, and the proceeds shall be applied only to the construction of such roads and bridges in such county as are mentioned in section 10 of this act; and the construction and repair of such roads and bridges shall be deemed to be and are hereby declared to be strictly county purposes, for which indebtedness of such county may lawfully be incurred as in this act provided."

Insert after section 39 the following new sections, numbered 40 and 41, respectively, as follows:

"SEC. 40. The board of county commissioners of any county issuing bonds under this act are authorized and required annually to levy and collect a tax sufficient in amount to pay when due the interest on such bonds, and in case such bonds are issued to run longer than ten years, they are further authorized and required annually to levy and collect, beginning with the annual tax levy next succeeding the expiration of ten years from the date of such bonds, an additional tax to provide a sinking fund for the payment of the principal of such bonds. Such annual sinking fund levy shall be at least equal to ten per cent. of the amount of bonds issued. Such sinking fund may be invested in any bonds of the State of Washington, or of any county, city, town or school district therein, or may be used to pay off the bonds issued under this act as hereinafter provided.

"SEC. 41. Whenever the sinking fund provided for by the last preceding section shall amount to the sum of two thousand dollars or more, not previously applied as in this section provided, it shall be lawful for the county treasurer to designate sufficient bonds, bearing the lowest numbers among those outstanding, to absorb the amount of said fund on hand as near as may be, and he shall call such bonds by publishing a notice, giving the numbers of the bonds so called for payment, and fixing a day, not less than thirty days after the first publication of the notice, when the bonds will be paid with accrued interest at the place of payment of said bonds, which notice shall be published in a daily newspaper published in the county seat, once in each week for four consecutive weeks. And in case the bonds so called for payment are not presented on the day fixed therefor in such notice, interest thereon shall thereupon cease: *Provided*, The money for the payment thereof shall at all times thereafter be retained at the place of payment of the bonds, in readiness for payment of the same on presentation, until such bonds are presented for payment. All bonds and coupons received by the county treasurer under the provisions of this section shall be at once canceled by him and filed as vouchers with the county auditor as ex officio clerk of the board of county commissioners."

Renumber sections 40 et seq. as sections 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57.

Respectfully submitted.

We concur:

J. A. KELLOGG, Chairman.

FRANCIS DONAHOE,

J. J. EDENS,

C. I. HELM,

R. A. HUTCHINSON.

Report received, and Senate bill No. 190 placed on file.

#### REPORT OF COMMITTEE ON INDIAN AFFAIRS.

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1893.

MR. PRESIDENT:

We, your Committee on Indian Affairs, to whom was referred Senate bill No. 127, entitled "An act providing for an additional judge for cer-

tain superior courts," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass, with the following amendment: Insert after the word "qualified," in fourth line, section 3, "said judge shall hold court in chambers in the county seat of Okanogan county."

Respectfully submitted.

R. A. HUTCHINSON, Chairman.

We concur in this report:

W. P. SERGEANT,

JAMES O'NEILL.

Report received, and Senate bill No. 127 placed on file.

#### REPORT OF COMMITTEE ON COMMERCE.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1893.

MR. PRESIDENT:

We, your Committee on Commerce, to whom was referred Senate bill No. 23, entitled "An act to establish and provide for the licensing and government of pilots, and regulating pilotage for the Straits of Juan de Fuca, Puget Sound, and all American waters pertaining thereto," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. C. RUTTER, Chairman.

I concur in this report:

JOHN G. CAMPBELL.

Report adopted. Bill indefinitely postponed.

House bill No. 332 was read first time; rules suspended, read second time by title, rules further suspended, read third time by sections, and, on motion of Senator Horr, made special order for 10 o'clock A. M. Friday, February 17.

#### FROM THE HOUSE.

House bill No. 76: An act relating to proceedings supplemental to execution.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

House bill No. 124: An act to prevent and punish corrupt practices at elections and provide for publicity in election expenses.

Read first time; rules suspended, read second time by title, and referred to Committee on Elections and Privileges.

House bill No. 136: An act authorizing certain corporations to issue notes, bonds and other evidences of indebtedness.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

House bill No. 95: An act making it a misdemeanor to buy, sell,

handle or offer for sale, within the State of Washington, cans of fish that are not plainly branded or marked on exterior.

Read first time; rules suspended, read second time by title, and referred to Committee on Fisheries.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 15, 1893.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 100, An act to amend section 1534 of the Code of Procedure, relating to costs in civil actions before the justices of the peace.

And House bill No. 323, An act extending the time for payment of taxes.

Also, Senate bill No. 32, An act for the relief of S. F. Albert, ex-sheriff of Wahkiakum county.

Also, Senate bill No. 69, An act requiring the appointment of police matrons in certain cities.

Also, Senate concurrent resolution No. 15, Authorizing World's Fair committees of Senate and House to investigate charges made against the executive committee of World's Fair Commission.

The House has passed House bill No. 65, by Mr. Gilman, A bill for an act relating to private sales of real property belonging to estates of decedents, minors and insane persons.

Also, House bill No. 72, by 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.

Also, House bill No. 160, by Mr. Wheeler, An act relating to the service of summons upon corporations.

Also, House bill No. 216, by Mr. Roth, An act to provide means for the validation of certain warrants, etc., on the part of cities and towns, issued in excess of their legal authority.

Also, House bill No. 217, by Mr. Roth, An act authorizing cities and towns to fund certain indebtedness.

Also, House bill No. 156, entitled "An act to authorize boards of county commissioners to provide suitable offices for the use of each county officer."

Also, House bill No. 212, An act to prevent attempts to commit burglaries.

Also, House bill No. 230, An act relating to committing of juvenile offenders to the state reform school.

Also, 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.

Also, House bill No. 234, by Joint Judiciary Committee, An act providing for the sale of personal property belonging to the state.

Also, House bill No. 193, by Mr. Letterman, An act punishing bank officials for receiving deposits knowing the bank to be insolvent.

Also, House bill No. 307, by Mr. Morrison, An act providing for changing the name of the town of Slaughter.

Also, House bill No. 237, by Mr. Anderson, of Whatcom, An act concerning the manner of electing county commissioners.

Also, House bill No. 347, substitute for House bill No. 101, An act relating to municipal corporations.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### FROM THE HOUSE.

House bill No. 110, To prevent the sale or injury of mortgaged personal property, and to provide punishment for the violation thereof.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 148, Relative to the qualifications and compensation of county commissioners.

Read first time; rules suspended, read second time by title, and referred to Committee on Counties and County Boundaries.

House bill No. 27, Requiring railroad companies to fence their tracks.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

Senator Claypool moved that unanimous consent be given to reconsider the vote by which House bill No. 135 failed to pass the Senate.

Motion lost.

Senate bill No. 112 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Sergeant, Shaw, and Van De Vanter — 21.

Those voting in the negative were: Senators Campbell and Hutchinson — 2.

Absent or not voting: Senators Brown, Cooper, Eshelman, Forsyth, Frink, Gilbert, McManus, Roberts, Rutter, Smith, and Van Houten — 11.

The title of the bill to remain the title of the act.

Senate bill No. 210, by Senator Rutter: An act to establish a bureau of statistics, agriculture and immigration, and declaring an emergency. (Submitted by Committee on Labor and Labor Statistics as substitute for Senate bills Nos. 92 and 157.)

Read first time; rules suspended, read second time by title, ordered printed, and placed on file.

Senate bill No. 25 returned from House with this amendment:

To the title of the bill was added the words "and declaring an emergency."

The House amendment was concurred in by the Senate, and the emergency clause in title adopted.

The amendment was adopted by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, Miller, Richards, Rutter, Sergeant, Shaw, and Van De Vanter—23.

Absent or not voting: Senators Brown, Cooper, Eshelman, Forsyth, Frink, Gilbert, McManus, O'Neill, Roberts, Smith, and Van Houten—11.

The title of the bill to remain the title of the act.

#### REPORT OF COMMITTEE ON AGRICULTURE.

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1893.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 205, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it, with the amendments attached thereto, be passed.

Respectfully submitted.

R. C. McCROSKEY, Chairman.

I concur in this report:

W. C. BELKNAP.

Report received, and bill placed on file.

Senate bills Nos. 56, 124, 120, 167, 73 and 83 were laid on the table subject to call.

Senate bill No. 205 was read third time by sections and amended by striking out the words "forty-eight" in the title, and inserting in lieu thereof the words "twenty-four." Further amended by striking out, in section 1, the words "forty-eight" and inserting the words "twenty-four" in lieu thereof.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Shaw, and Van De Vanter—21.

Absent or not voting: Senators Brown, Cooper, Forsyth, Eshelman, Foss, Frink, Gilbert, McManus, Roberts, Rutter, Sergeant, Smith, and Van Houten—13.

The title of the bill to remain the title of the act.

#### INTRODUCTION OF BILLS.

Senate bill No. 208, by Senator Richards (by request): 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," approved February 2, 1888, and being section 2808 of Hill's Code, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Revenue and Taxation.

Senate bill No. 209, by Senator Kellogg: An act amending section 1111, chapter 6, title 11, volume 1 of the Codes and Statutes of the State of Washington, as arranged and annotated by William Lair Hill, relating to the assessment and collection of taxes, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Revenue and Taxation.

House bill No. 115 was read third time by sections, and amended as follows:

The title of the bill was stricken out and the words "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, 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 A. D. 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," inserted in lieu thereof.

The first section of the bill was changed so as to read, "Section 1. That 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, the same being section 2748 of volume 1, Hill's Statutes and Codes of the State of Washington, be amended so as to read as follows: 'Section 2748. If no exception be made to the claim of any creditor, or if the same has been adjudicated, the court shall order the assignee to make, from time to time, fair and equal dividends among the creditors of the assets in his hands, in proportion to their claims, and, as soon as may be, to render a final account of said trust to said court, which may allow such commissions to such assignee in the final settlement as may be considered right and just, not exceeding, however, the fees and compensation allowed by law to administrators and executors.'"

In the second line of section 2 the words "the same being section 2774 of volume 1 of Hill's Statutes and Codes of the State of Washington," were inserted between "1881" and "be."

The bill was then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Shaw, and Van De Vanter—22.

Absent or not voting: Senators Brown, Cooper, Eshelman, Forsyth, Frink, Gilbert, McManus, Roberts, Rutter, Sergeant, Smith, and Van Houten—12.

The title of the bill to remain the title of the act.

Senate bill No. 76 was read third time by sections, and amended by inserting the words "in any public office or upon any public work" between the words "capacity" and "or," in line 4 of section 1.

Bill considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Sergeant, Van De Vanter, and Van Houten—19.

Those voting in the negative were: Senators Belknap, Hastings, Helm, Horr, and Shaw—5.

Absent or not voting: Senators Brown, Cooper, Eshelman, Forsyth, Frink, Gilbert, McManus, Roberts, Rutter, and Smith—10.

The title of the bill to remain the title of the act.

The president pro tem. stated that he was about to sign House bill No. 100, House bill No. 323, and Senate bill No. 66.

The members of the Senate repaired to the House of representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Anderson (D. F.), Brown, Cooper, Eshelman, Forsyth, Foster, Frink, Gilbert, Hamill, Hurd, Kellogg, McElwain, McManus, McNew, Merchant, Nelson, Rinehart, Shadle, Smith (T. J.), Speck, Westfall, and Winchell.

The reading of journal of last session was dispensed with and journal approved.

The following pairs were announced for to-day's ballot: Hurd and Anderson of Whatcom, McElwain and Anderson of Whitman, Nelson and Anderson of Pierce, Speck and Westfall, Judson and Merchant, McNew and Moore, Foster and Gilbert, Hamill and Rinehart, Eshelman and Brown, Heliker and Shadle, Claypool and Roberts.

For Friday and Saturday: Pierce of Klickitat and Mead.

Until further notice: Cooper and Kinnear, Frink and Hutchinson, Tull and Hoole, Cowan and McMurphy, Helm and Hastings, Green and Winchell.

#### SIXTY-SEVENTH JOINT BALLOT.

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 — 35.

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 — 16.

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 — 20.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 81.

Not voting: Anderson (D. F.), Anderson (M.), Brown, Forsyth, Frink, Gilbert, Heliker, Kellogg, Kinnear, McElwain, McNew, Merchant, Rinehart, Roberts, Speck, Winchell, Claypool, Cooper, Hurd, Moore, Nelson, Shadle, Smith (T. J.), Westfall, Anderson (W. D. E.), Eshelman, Foster, Green, Hamill, Hutchinson, and Judson—31.

#### SIXTY-EIGHTH JOINT BALLOT.

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, Washburn, Webb, Weed, Wheeler, White, Van De Vanter, and Mr. Speaker—35.

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—16.

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—20.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Mr. Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 81.

Not voting: Anderson (D. F.), Anderson (M.), Brown, Forsyth, Frink, Gilbert, Heliker, Kellogg, Kinnear, McElwain, McNew, Merchant, Rinehart, Roberts, Speck, Winchell, Claypool, Cooper, Hurd, Moore, Nelson, Shadle, Smith (T. J.), Westfall, Anderson (W. D. E.), Eshelman, Foster, Green, Hamill, Hutchinson, and Judson—31.

The joint session then dissolved.

At 12:20 P. M., immediately following the joint session, the Senate was called to order by President pro tem. Dyer, and, on motion of Senator Kinnear, a recess was taken until 2:30 o'clock P. M.

## AFTERNOON SESSION.

Senate called to order at 2:30 p. m. President Luce in the chair.

Roll call; all present excepting Senators Brown, Cooper, Eshelman, Frink, Roberts, Hutchinson, Forsyth and Sergeant.

## REPORT OF COMMITTEE ON LABOR AND LABOR STATISTICS.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred resolutions and recommendations from labor congress, have had the same under consideration, and we respectfully report that we have segregated the same, and present a number of bills from the same to be referred to their appropriate committees.

Respectfully submitted.

W. C. BELKNAP, Chairman.

We concur in this report:

W. C. RUTTER,

LOUIS FOSS.

Report adopted.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bill No. 92, entitled "An act establishing a bureau of labor statistics, and appropriating money for the maintenance thereof," and Senate bill No. 157, entitled "An act to establish a bureau of statistics, agriculture and immigration," have had the same under consideration, and we respectfully report the same back to the Senate with a substitute bill, and request that the same be ordered printed at once.

Respectfully submitted.

W. C. BELKNAP, Chairman.

We concur in this report:

W. C. RUTTER,

LOUIS FOSS.

Report adopted, and Senate bill No. 210 substituted for Senate bills Nos. 92 and 157.

## INTRODUCTION OF BILLS.

Senate bill No. 211, by Committee on Labor and Labor Statistics:  
An act to prevent the letting of sub-contracts on public works.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 212, by Committee on Labor and Labor Statistics:  
Defining a legal working day.

Read first time; rules suspended, read second time by title and referred to Committee on Judiciary.

Senate bill No. 213, by Committee on Labor and Labor Statistics:  
Regulating hours of labor on state, county and municipal work.

Read first time; rules suspended, read second time by title and referred to Committee on Judiciary.

Senate bill No. 214, by Committee on Labor and Labor Statistics: An act relating to negligence.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 215: Requiring railway companies and others to provide weather guards on street cars, and providing a penalty for violation thereof.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

Senate bill No. 216, by Committee on Labor and Labor Statistics: An act to prevent foreign or alien seamen from handling all cargoes of vessels in the various waters of the State of Washington.

Read first time; rules suspended, read second time by title and referred to Committee on Judiciary.

Senate bill No. 217, by Senator Campbell: An act to authorize and regulate primary elections of voluntary political associations, to provide for punishment for frauds therein, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Privileges and Elections.

House bill No. 234: An act providing for the sale of personal property of the state.

Read first time; rules suspended, read second time by title; rules further suspended, read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Shaw, Smith, Van De Venter, and Van Houten—25.

Absent or not voting: Senators Brown, Cooper, Eshelman, Forsyth, Frink, Hutchinson, Roberts, Rutter, and Sergeant—9.

The title of the bill to remain the title of the act.

#### FROM THE HOUSE.

House bill No. 232: Prohibiting divorced persons from contracting marriage within the time in which an appeal may be taken.

Read first time; rules suspended, read second time by title, and placed on file.

House bill No. 230: Amending an act providing for the committing of juvenile offenders to the state reform school at Chehalis.

Read first time; rules suspended, read second time by title, and placed on file.

House bill No. 347 (substitute for House bill No. 101): An act relating to municipal corporations.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

House bill No. 66 was read the third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Easterday, Edens, Foss, Gilbert, Hastings, Helm, Horr, Ide, Kinnear, McCroskey, McManus, O'Neill, Richards, Shaw, Smith, and Van Houten — 20.

Those voting in the negative were: Senators Kellogg and Miller — 2.

Absent or not voting: Senators Brown, Cooper, Donahoe, Eshelman, Forrest, Forsyth, Frink, Hutchinson, Roberts, Rutter, Sergeant, and Van De Vanter — 12.

The title of the bill to remain the title of the act.

Senate bill No. 190 was amended as follows:

Strike out all of section 37 after the word "collection," in line 9, original bill, and insert the following:

"They may, by resolution passed at any regular or special session, direct that an election be called and held for the purpose of submitting to the legal voters of such county the question whether the bonds of the county shall be issued to provide funds for such construction. Notice of such election shall be given by publication in some newspaper published in this state, and having a general circulation in such county, and to be designated by the board of county commissioners, at least once in each week for four successive weeks, but the first publication shall be at least thirty days prior to the day of election, and if such notice be not published in a newspaper printed in the county where such election is to be held, the notice shall be posted in twenty of the most public places in said county at least thirty days prior to the date of said election. The election notice shall state the amount of bonds proposed to be issued, and shall be signed by the county auditor. The ballots used at such election must contain the words 'Bonds, yes,' and 'Bonds, no,' and the elector receiving the same shall cross out therefrom part of the ballot in such manner that the remaining part shall express his vote upon the question of issuing bonds. In all other respects the general election laws of the state shall

control. If three-fifths of the legal voters of such county voting at such election shall deposit a ballot bearing the words 'Bonds, yes,' it shall thereupon be lawful for the board of county commissioners to issue the bonds of such county, not exceeding the amount so authorized, to be styled 'Road bonds of ..... county.' Such bonds shall be issued in denominations of not less than one hundred nor more than one thousand dollars, and shall be numbered from one up, consecutively; shall bear the date of their issue; shall be made payable to the bearer at a time to be specified therein, not more than twenty years from their date; and shall bear interest at the rate of not to exceed six per cent. per annum, payable semi-annually, and such interest shall be evidenced by coupons attached to such bonds; and the principal and interest shall be payable at the office of the treasurer of such county, and cause the same to be specified in such bonds; subject, however, to any general law of this state regulating the place of payment of county bonds. Such bonds shall be printed, engraved or lithographed on good bond paper, and shall be signed by the chairman of the board of county commissioners, and countersigned by the county auditor, and shall have the seal of the board of county commissioners thereto affixed; and the coupons shall be executed by the autograph signatures or by engraved or lithographed fac similes of the autograph signatures of the chairman of the board of county commissioners and the county auditor, and need not be sealed. Nothing in this act contained shall be construed to authorize the issue of any bonds which would make the aggregate indebtedness of such county exceed one and one-half per cent. of the value of the taxable property therein, to be ascertained by the last assessment for state and county purposes."

Strike out section 39 and insert the following:

"SEC. 39. The board of county commissioners of any county issuing bonds under this act are authorized to sell any such bonds to the highest bidder at a price not less than the par or face value of the same, after inviting proposals by advertising the sale thereof in such paper or papers for such period of time as such board shall direct. The proceeds of the sale of such bonds shall be paid over to the county treasurer, and the proceeds shall be applied only to the construction of such roads and bridges in such county as are mentioned in section 10 of this act; and the construction and repair of such roads and bridges shall be deemed to be and are hereby declared to be strictly county purposes, for which indebtedness of such county may lawfully be incurred as in this act provided."

Insert after section 39 the following new sections, numbered 40 and 41, respectively, as follows:

"SEC. 40. The board of county commissioners of any county issuing bonds under this act are authorized and required annually to levy and collect a tax sufficient in amount to pay when due the interest on such bonds, and in case such bonds are issued to run longer than ten years, they are further authorized and required annually to levy and collect, be-

ginning with the annual tax levy next succeeding the expiration of ten years from the date of such bonds, an additional tax to provide a sinking fund for the payment of the principal of such bonds. Such annual sinking fund levy shall be at least equal to ten per cent. of the amount of bonds issued. Such sinking fund may be invested in any bonds of the State of Washington, or of any county, city, town or school district therein, or may be used to pay off the bonds issued under this act as hereinafter provided.

"SEC. 41. Whenever the sinking fund provided for by the last preceding section shall amount to the sum of two thousand dollars or more, not previously applied as in this section provided, it shall be lawful for the county treasurer to designate sufficient bonds bearing the lowest numbers among those outstanding, to absorb the amount of said funds on hand as near as may be, and he shall call such bonds by publishing a notice, giving the numbers of the bonds so called for payment, and fixing a day, not less than thirty days after the first publication of the notice, when the bonds shall be paid, with accrued interest, at the place of payment of said bonds, which notice shall be published in a daily newspaper published in the county seat once in each week for four consecutive weeks. And in case the bonds so called for payment are not presented on the day fixed therefor in such notice, interest thereon shall thereupon cease, provided the money for the payment thereof shall at all times thereafter be retained at the place of payment of the bonds, in readiness for payment of the same on presentation, until such bonds are presented for payment. All bonds and coupons received by the county treasurer under the provisions of this section shall be at once canceled by him and filed as vouchers with the county auditor as ex officio clerk of the board of county commissioners."

Section 40 was renumbered 42, and subsequent sections renumbered so as to read consecutively.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Shaw, Smith, and Van Houten — 24.

Absent or not voting: Senators Brown, Cooper, Forsyth, Eshelman, Frink, Hutchinson, Roberts, Rutter, Sergeant, and Van De Vanter — 10.

On motion of Senator Dyer, the emergency clause was stricken from the bill.

The title of the bill to remain the title of the act.

House bill No. 318 then failed to pass by the following vote:

Those voting in the affirmative were: Senators Belknap, Donahoe, Easterday, Edens, Forsyth, Hastings, Horr, McCroskey, McManus, Miller, and Smith — 11.

Those voting in the negative were: Senators Campbell, Claypool, Dyer, Foss, Gilbert, Helm, Ide, Kellogg, O'Neill, Richards, Rutter, Shaw, Van De Vanter, and Van Houten — 14.

Absent or not voting: Senators Brown, Cooper, Eshelman, Forrest, Frink, Hutchinson, Kinnear, Roberts, and Sergeant — 9.

Senator Dyer gave notice of his intention to move a reconsideration of the vote whereby House bill No. 318 failed to pass.

Senate concurrent resolution No. 16, providing for a joint committee to investigate matters connected with the leasing of state offices in the McKenny block, was introduced by Senator Claypool and adopted.

Senate bill No. 21 was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Donahoe, Edens, Forrest, Foss, Gilbert, Hastings, Helm, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Rutter, Shaw, Van De Vanter, and Van Houten — 22.

Those voting in the negative were: Senators Dyer, Kinnear, and Smith — 3.

Absent or not voting: Senators Brown, Cooper, Easterday, Eshelman, Forsyth, Frink, Horr, Roberts, and Sergeant — 9.

On motion of Senator McManus, the emergency clause was stricken from the bill.

The title of the bill to remain the title of the act.

Senate bill No. 133 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Rutter, Shaw, Smith, Van De Vanter, and Van Houten — 27.

Absent or not voting: Senators Brown, Cooper, Eshelman, Forsyth, Frink, Roberts, and Sergeant — 7.

The title of the bill to remain the title of the act.

## REPORTS OF COMMITTEE ON FISHERIES.

SENATE CHAMBER,

OLYMPIA, WASH., February 16, 1893.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 138, entitled "An act to amend sections 262 and 268 of Hill's Statutes and Codes of the State of Washington, relating to the unlawful destruction of game and fish, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that line 6 in section 2 of the printed form be amended so as to read "mountain trout or bull trout," and that the words "or salmon trout" be stricken out, and with this amendment we recommend that the bill do pass.

Respectfully submitted.

J. C. HERR, Chairman.

We concur in this report:

B. F. SHAW,

FRANK H. RICHARDS.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 101, 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; for providing for the licensing thereof, and the disposition of the funds arising therefrom, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. C. HERR, Chairman.

We concur in this report:

F. H. RICHARDS,

B. F. SHAW.

Report adopted, and Senate bill No. 101 indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 82, entitled "An act to abolish the office of fish commissioner and game wardens in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. C. HERR, Chairman.

We concur in this report:

F. H. RICHARDS,

B. F. SHAW.

Report adopted, and Senate bill No. 82 indefinitely postponed.

At 5:20 o'clock p. m., the Senate, on motion of Senator Campbell, adjourned until 11 o'clock a. m., Friday, February 17, 1893.

ALLEN WEIR,

*Secretary of the Senate.*

F. H. LUCE,

*President of the Senate.*

## FORTIETH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, FRIDAY, February 17, 1893. }  
11 o'clock A. M.

Senate called to order pursuant to adjournment at 11 o'clock A. M. President Luce in the chair.

Roll call; all present excepting Senators Cooper, Frink, Hastings, and Helm.

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

### REPORT OF THE COMMITTEE ON JUDICIARY.

SENATE CHAMBER,  
OLYMPIA, WASH., February 17, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred 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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool and Richards, the members of said committee present.

Report received, and bill placed on file.

House bill No. 332 was considered as special order, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Foss, Gilbert, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—28.

Absent or not voting: Senators Brown, Cooper, Forsyth, Frink, Hastings, and Helm—6.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Eshelman, For-

rest, Foss, Gilbert, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 28.

Absent or not voting: Senators Brown, Cooper, Forsyth, Frink, Hastings, and Helm — 6.

The title of the bill to remain the title of the act.

The following resolution was introduced by Senator Dyer, and adopted:

*Resolved*, That a committee of two be appointed by the president of the Senate to serve with a like committee already appointed by the speaker of the House to visit the state university at Seattle, and make report thereon.

Three petitions were introduced by Senator Sergeant, praying for the passage of House bill No. 141.

Referred to Committee on Education.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1898.

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 66, entitled "An act to fix the legal rate of interest," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted.

C. I. HELM, Vice Chairman,  
JOHN G. CAMPBELL.

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 25, entitled "An act relative to commission merchants or persons selling agricultural products and farm produce on commission, and declaring an emergency," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted.

JOHN G. CAMPBELL, Vice Chairman.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 16, 1898.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 66, entitled "An act to fix the legal rate of interest."

The House has concurred in Senate amendment to House bill No. 164, For transcribing court records.

The House has passed 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."

Also, 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.

Also, 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 281 of volume 1 of Hill's Annotated Statutes and Codes of Washington.

Also, 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.

Also, House bill No. 236, by 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.

Also, Senate bill No. 95, by Senator Easterday, An act relating to the lien of judgments upon real estate.

Also, Senate bill No. 85, by Senator Eshelman, An act to prevent cruelty to children and animals, with amendments, noted in original bill.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### REPORT OF COMMITTEE ON APPROPRIATIONS.

The following report was received from Committee on Appropriations:

MR. PRESIDENT:

Your Committee on Appropriations, to whom was referred Senate bill No. 18, entitled "An act making appropriations for the state printing and binding for the balance of the fiscal term ending March 31, 1893, for the fiscal term ending March 31, 1895, and regulating the expenditure thereof," have considered the same, and instructed me to make the following report:

In lieu of the bill as referred, your committee beg leave to substitute a bill covering the deficiency for the present fiscal term in the sum of \$52,500, and request further time for the consideration of that portion of the bill referred to us appropriating funds for the next fiscal term.

The excessive deficiency called for led your committee to investigate the manner of expending the funds appropriated for public printing. Attention is called to the glaring defects in the laws controlling said expenditures, as well as some of the most flagrant abuses which have arisen by reason of those defective laws. In referring to lavish dissipation of the funds, your committee do not wish to be understood as charging any official with intentional extravagance.

No limitations or restrictions are, by law, placed upon any state officer, board or commission as to the amount or character of printing they may demand or procure. The state printer is virtually compelled to do all work ordered upon requisition made, hence it need create no surprise that we are confronted with an enormous deficiency, for which crude laws are primarily responsible.

#### LEGISLATIVE PRINTING.

The paper prescribed by law upon which House and Senate bills are printed costs 14 cents per pound, or about \$700 for a session. The paper used for the same purpose in congress costs about  $5\frac{1}{2}$  cents per pound. The paper used in the House and Senate journals for 1891 cost  $8\frac{3}{4}$  cents per pound. That used by congress for the same purpose is cheap book paper, costing one-half as much. Five hundred journals were printed for each house; one-half that number is ample. By amending the law so that the cheaper paper shall be used, and only 250 journals of each house printed, a net saving of over \$1,000 per session will result.

#### SUPREME COURT REPORTS.

By law the state printer is required to print and bind fifteen hundred copies of supreme court decisions of not less than seven hundred pages per volume. The law further provides that after the gratuitous distribution of about two hundred copies, the remainder of every issue shall be sold by the secretary of state at \$2.50 per volume. The secretary informs us that there is practically no demand for the surplus copies, about fifty so far having been sold. Three volumes have been issued, and the state has on hand over thirty-eight hundred copies. When volume 4, now in press, is completed the state will have expended \$14,000 for supreme court reports, and will have on hand over five thousand volumes, worth more than \$10,000, all of which are absolutely dead stock, and must eventually be sold at waste paper prices. The unfortunate loss of public funds is easily explained. The state is not protected by copyright on its own property, and large law book publishing houses reproduce our reports and supply the entire trade. Under the existing law, five hundred volumes are all that can possibly be handled by the state. Volume 3, recently issued, cost the state \$3,708.27.

Taking this sum as the average cost of future volumes, if the number hereafter printed be reduced to five hundred, there will be an actual saving to the state of \$1,476.32 per volume. Two volumes are issued annually. The reduction suggested will, therefore, save the state yearly in round numbers \$3,000.

#### REPORTS OF STATE OFFICERS, BOARDS AND COMMISSIONS.

A serious leakage of the printing fund lies in the unrestricted, verbose reports of many state officials, boards and commissions. In many instances these reports are drawn out beyond all reason, no effort whatever being made to condense facts and figures. Frequently the same matter appears in the reports of different officials. An example of this is found in the reports of the auditor and secretary of state, in both of which is in-

served a directory of state officers, state boards and commissions, officers-elect of all counties, and members of the legislature. While apparently insignificant, this repetition cost the state over \$40.00, the composition being expensive table work.

The act creating coal mine inspectors provides that their annual reports be incorporated in the annual report of the secretary of state to the governor, and further, that two thousand copies of each of the inspectors' reports shall be published biennially. This senseless repetition has cost the state, during the present fiscal term, approximately \$178.65.

The secretary of state devotes thirty-one pages in his report to the directory of the notaries public in the state. The composition of these pages alone, being double rate table work, is worth \$180.00. Such matter, in our judgment, is not of sufficient public interest to warrant the expense of its publication. By law the secretary of state is required to present to the speaker of the House, at the beginning of each regular session of the legislature, a full account of all purchases made and expenses incurred by him on account of the state. The only other reference in the statute to a report of the secretary is made in the act creating coal mine inspectors. With this exception no provision seems to exist whereby authority is given him to report any matter foreign to his purchases and expenditures for the state. The report of the secretary is partially set, and the estimated cost as furnished by the state printer, of the five thousand copies ordered, is \$5,000.00. Your committee is of the opinion that \$500 would be quite sufficient for the publication of all he is required by law to compile, and we regard the publication of five thousand copies as totally unnecessary, and utterly out of harmony with sound economy.

The copy of the report of the adjutant general is in the hands of the state printer. His estimate for this work is \$2,750.00. We can see no good reason for the expenditure of such a great sum in compiling a mass of dry figures, when the state militia is in need of a liberal appropriation, and we believe that \$2,000 of the estimated cost of this report might better be expended for the legitimate needs of our state militia. We are unable to find any law requiring the adjutant general to publish his report.

The report of the university land and building commission is another example of multiplicity of words. During the year 1891, this board caused the publication of the architects plans and specifications of the proposed "administration and belles lettres building," at a cost to the state of \$60.87. This seems to be about the only visible result of the celebrated contract for architect's services in the construction of the proposed university buildings, and would seem to be a suitable monument to that remarkable proceeding.

The report of the school for defective youth, while in the main concise, enlightens the public by a publication of the deaf and dumb alphabet.

The superintendent of public instruction is required by law to publish in his report a directory of school district officers in the state. This directory comprises seventy-eight pages of his current report. The composition of this matter is the most expensive known to the art of bookmaking, and cost the state more than \$500.00. In discussing this

provision of the law, the superintendent says: "The printing of the foregoing directory of school district officers is a requirement of law, and one which does not commend itself to my judgment. The policy of requiring the superintendent to publish it at the expense of the state, is not wise."

To point out all the expensive superfluities in these various documents would lengthen this report beyond the limit of a patient hearing. Your committee are of the opinion that the total volume of the various reports could be reduced one-half without loss of accuracy or the omission of facts germane to the subjects treated. Each ordinary page of the various reports before you, set in long primer type, costs \$1.20 for composition alone. Brevier costs \$1.75 per page, and nonpareil \$3, while table work is double rate. The cost of the paper in these reports is about \$3,100, being the best book paper, and costing 8½ cents per pound. Material costing one-half as much would serve every legitimate purpose, for it is a notorious fact that tons of these reports accumulate as the years pass, and are piled away in dusty rooms to be sold to junk dealers. The public does not read these reports and the only use they subserve is to convey to the legislature and executive officers information as to the proper execution of the trust reposed in the officials reporting.

For the information of members we tabulate the cost of the various reports completed, and give the state printer's estimate of those yet to be completed, also the number of each published:

	No.	Cost.
State auditor.....	700	\$2,582 61
State treasurer.....	800	465 06
Librarian.....	300	59 21
Supreme court.....	300	40 62
Assistant attorney general.....	250	14 94
Land commissioner.....	300	256 44
Superintendent public schools.....	4,500	3,020 99
Board of health.....	800	267 97
Hospital insane, west.....	800	122 32
Hospital insane, east.....	1,500	156 23
Mining bureau.....	6,000	1,727 84
Medical board.....	200	64 26
Cheney normal.....	700	84 17
Soldiers' home.....	500	117 77
Reform school.....	500	90 89
State university.....	500	47 30
University land and building commission.....	1,000	126 11
World's Fair commission.....	5,000	292 85
Coal mine inspectors.....	2,000	178 65
Fish commissioner.....	500	68 09
Pilot commissioner.....	200	11 05
Agricultural college.....	200	61 54
Board dental examiners.....	200	15 40
Board of pharmacy.....	200	45 79
State penitentiary.....	700	184 54
Board of equalization and appeal of tide lands.....	200	30 25
Secretary of state.....	5,000	*5,000 00
Attorney general.....	400	*400 00
School for defective youth.....	500	*100 00
Board of horticulture.....	15,000	*3,750 00

Adjutant general.....	1,000	*\$2,750 00
Harbor line commission.....	2,000	3,537 98
Grand total.....		\$25,671 23

Ellensburg normal copy not in the hands of state printer.

\* Estimated.

Laws which permit the expenditure of such a vast sum without check or safeguard should be speedily modified in the interest of the taxpayer.

#### STATIONERY, ETC.

Much extravagance seems to have occurred in the matter of stationery ordered by various public officials and institutions. The most notable example is that of the agricultural college, which has ordered stationery during the present fiscal term to the amount of nearly \$6,000.

For the information of members we have tabulated the cost of stationery, printed and plain, blanks and circulars ordered by the various state departments, public institutions and boards, from January 1, 1891, to January 25, 1893:

	<i>Cost.</i>
State auditor.....	\$14,685 10
State treasurer.....	196 38
Librarian.....	3,147 49
Supreme court.....	1,612 43
Attorney general.....	1,172 76
Land commissioner.....	977 49
Superintendent public schools.....	7,020 22
Board of health.....	3,653 77
Hospital for insane, west.....	929 36
Hospital for insane, east.....	824 88
Mining bureau.....	2,933 91
Medical board.....	115 70
Cheney normal school.....	2,100 15
Soldiers' home.....	378 19
Reform school.....	356 64
State university.....	1,134 96
University land and building commission.....	None.
World's Fair commission.....	None.
Coal mine inspectors.....	180 63
Fish commissioner.....	269 79
Pilot commissioner.....	None.
Agricultural college.....	5,768 07
Board of dental examiners.....	None.
Board of pharmacy.....	None.
State penitentiary.....	1,409 36
Board of equalization and appeal of tide lands.....	100 85
Secretary of state.....	3,289 79
School for defective youth.....	295 47
Board of horticulture.....	372 14
Adjutant general.....	5,412 12
Harbor line commission.....	727 35
Ellensburg normal school.....	1,326 99
Governor.....	1,470 32
Lieutenant governor.....	143 33
Board of tide land appraisers.....	272 51
Board of equalization, taxes.....	132 86
Superior courts.....	498 83
Legislature, 1891.....	12,469 59
Grand total.....	\$75,379 43

## LITHOGRAPHING.

Lithographing to the amount of nearly \$5,000 has been ordered during the present fiscal term. This work is excessively expensive. The amount done for the governor's office was \$695. The cost of printing the same matter would have approximated \$100. The mining bureau expended over \$1,700 for lithographing.

Your committee has pointed out many of the most flagrant abuses arising from lax legislation. There are, however, a number of items of expenditure created after the auditor of state's estimate of \$60,000 for the fiscal term was made.

No basis existed on which an accurate estimate could be made, and the estimate of \$75,000 submitted by the state printer, as well as that of the auditor, was largely a surmise. No account was taken by either officer of the expense of printing the supreme court reports which were then to be let by contract under the law, nor of the institutions below named which were not then in existence:

State board of health.....	\$3,650 00
Agricultural college ..	6,000 00
Board of horticulture.....	4,000 00
Supreme court reports, volumes 1, 2, 3 and 4 .....	14,000 00
Grand total.....	\$27,650 00

The modification of the law in relation to listing property on tax rolls also created an additional expense of over \$3,000, for which no estimate was made.

Notwithstanding these unforeseen expenses, which in themselves are vastly extravagant, this deficiency would have been comparatively small had that prudence and care been exercised which good business principles would dictate. The remarks of the state auditor at pages 11 and 355 of his report are worthy of especial notice in the consideration of the next appropriation for this bureau.

The work of the public printer seems to have been well and promptly done. As an officer he is in no way responsible for this deficiency. He has been compelled to advance the wages of his employes for several months in order to supply the necessities of the state.

Labor is the chief increment in printing and this deficiency will be almost wholly consumed for wages.

The rates established by the act regulating the compensation of the public printer seem to be fair. Investigation shows that expert workmen are required and their wages are higher than those paid for workmen at the newspaper case. The committee would, however, suggest that the provision allowing the public printer ten per cent. for waste be modified. Five per cent., in our judgment, is ample to protect him in the matter of waste.

Your committee offer the following suggestions looking to the economical expenditure of the appropriation for state printing during the next fiscal term.

1. Amend the state printing law so that cheaper material shall be used

for legislative printing and reports of state officers, boards and commissions.

2. Amend the law providing for the publication of supreme court reports so that five hundred volumes only shall be published, or what would be more in keeping with sound economy, provide for copyrighting the syllabi, indices, paging and marginal notes, so that the state will own its reports and derive the full benefits accruing from their sale. Another method would be to contract with some responsible party to furnish the state such number of copies as it may need, giving him the right to supply the market. In this way the state would not pay over \$1,000 per issue for the copies it requires as against \$3,700 under the present system.

3. Enact a law requiring all state officers, boards and commissions to report biennially, or upon the call of the governor, in the interim, thereby curtailing the expense of annual reports.

4. Amend all acts where unnecessary printing is required, as in case of printing the directory of district school officers, and the reproduction of the coal mine inspectors' reports in that of the secretary of state.

5. Place the printing of all county tax rolls in the hands of the boards of commissioners of the respective counties. The reason for this recommendation lies in the fact that blank books suitable for populous counties containing cities of the first and second class are wholly unfit for sparsely settled counties.

6. Create a supervising board, consisting of three or more state officers, through whom shall pass all requisitions for state printing of every nature whatsoever, and whose duty it shall be to pass upon and determine what stationery and printing shall be furnished, and whose further duty it shall be to examine all copy for biennial reports, and reject therefrom all surplus verbiage and statistics, authorizing said board to establish such rules of procedure as shall best conserve its business, and the rigid economy it should be required to enforce.

7. Reduce the 10 per cent. allowed the state printer for waste to 5 per cent.

In the opinion of your committee, if the various suggestions above mentioned are carried out, there will be a saving to the state of forty thousand dollars (\$40,000) during the next fiscal term.

Your committee respectfully report back the substituted bill with recommendation that it do pass.

Respectfully submitted.

A. T. VAN DE VANTER, Chairman.

Concurred in by:

C. W. IDE,

T. J. SMITH.

Senate bill No. 218 was introduced by the Committee on Appropriations, An act making appropriations for the state printing and binding for the balance of the fiscal term ending March 31, 1893.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

Senate went into committee of the whole for the consideration of Senate bill No. 218; Senator Claypool in the chair. The bill was read and the committee rising, reported the bill back to the Senate with the recommendation that it pass.

President Luce in the chair.

The report of the committee of the whole was adopted.

Rules suspended, bill read third time by sections, considered engrossed, and, by unanimous consent, placed on final passage.

The bill passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Gilbert, Horr, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 25.

Those voting in the negative were: Senators Eshelman and Hutchinson — 2.

Absent or not voting: Senators Brown, Campbell, Cooper, Forsyth, Frink, Hastings, and Helm — 7.

The title of the bill to remain the title of the act.

Senate bill No. 219, by Senator McManus: 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

Senate bill No. 220, by Senator Sergeant: An act appropriating money for the maintenance of the soldiers' home.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

The Senate went into committee of the whole for consideration of Senate bill No. 220; Senator Dyer in the chair. The bill was read and the committee rising, reported the bill back to the Senate with the recommendation that it pass.

President Luce in the chair.

The report of the committee of the whole was adopted, bill read third time by sections, considered engrossed, and, by unanimous consent, placed on final passage.

The bill was then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Claypool, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Foss,

Gilbert, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—27.

Absent or not voting: Senators Brown, Campbell, Cooper, Forsyth, Frink, Hastings, and Helm—7.

The title of the bill to remain the title of the act.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all Senators and Representatives present excepting Anderson (D. F.), Anderson (M.), Cooper, Edwards, Frink, Hastings, Heliker, Helm, Hurd, Kellogg, McElwain, Nelson and Shadle.

The reading of yesterday's journal was dispensed with, and journal approved.

The following pairs were announced for to-day's ballot: Hurd and Anderson (M.), McElwain and Anderson (W. D. E.), Nelson and Anderson (D. F.), Speck and Westfall, Heliker and Shadle, Green and Winchell, Rutter and Van Houten.

Following pairs until further notice: Cooper and Kinnear, Frink and Hutchinson, Tull and Hoole, Cowan and McMurphy, Helm and Hastings, Sallee and Pierce of Klickitat, Smithson and Weed, Greenberg and Ludden.

Paired for to-morrow's ballot: McNew and Moore, Leo and McKenzie, Edwards and White.

For to-morrow and Monday: Temple and Morrison.

#### SIXTY-NINTH JOINT BALLOT.

Those voting for John B. Allen were: Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Gilbert, Horr, Karr, Keller, Ludden, McKenzie, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Sergeant, Tucker, Washburn, Webb, Weed, Wheeler, Van De Vanter, and Mr. Speaker—36.

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—23.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Egbert, Scott, and Smith (J. B.)—8.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 83.

Not voting: Anderson (D. F.), Anderson (M.), Frink, Hastings, Heliker, Hoole, Kellogg, Kinnear, McElwain, McMurphy, Rutter, Speck, White, Winchell, Cooper, Helm, Hurd, Kelly, Shadle, Smith (T. J.), Tull, Westfall, Van Houten, Anderson (W. D. E.), Cowan, Green, Hutchinson, Edwards, and Nelson—29.

#### SEVENTIETH JOINT BALLOT.

Those voting for John B. Allen were: Belknap, Brock, Brown, Bush (A. S.), Cameron, Dyer, Edens, Farrish, Forrest, Forsyth, Gilbert, Horr, Karr, Keller, Ludden, McKenzie, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Sergeant, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, and Mr. Speaker—36.

Those voting for George Turner were: Claypool, Easterday, Greenberg, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Sherman, Smithson, Temple, and Woodworth—15.

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—23.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Egbert, Scott, and Smith (J. B.)—8.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 83.

Not voting: Anderson (D. F.), Anderson (M.), Frink, Hastings, Heliker, Hoole, Kellogg, Kinnear, McElwain, McMurphy, Rutter, Speck, White, Winchell, Cooper, Helm, Hurd, Kelly, Shadle, Smith (T. J.), Tull, Westfall, Van Houten, Anderson (W. D. E.), Cowan, Green, Hutchinson, Edwards, and Nelson—29.

The joint session then dissolved.

At 12:25 P. M., immediately following the joint session, the Senate was called to order. President Luce in the chair.

The president stated that he was about to sign Senate bill No. 25.

At 12:30 P. M., on motion of Senator Forrest, a recess was taken until 2 o'clock P. M.

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### AFTERNOON SESSION.

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Senate called to order at 2 o'clock P. M. President pro tem. Dyer in the chair.

Roll call; all present excepting Senators Cooper, Frink, Hastings, Helm, Kinnear and Smith.

President Luce in the chair.

Senate memorial No. 7, Praying for the establishment and maintenance of a fog signal vessel on Umatilla reef, was introduced by Senator Horr.

Read first time; rules suspended, read second time by title, and, by unanimous consent, read third time.

The memorial passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forsyth, Foss, Gilbert, Horr, Hutchinson, Ide, Kellogg, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, and Van Houten—23.

Absent or not voting: Senators Cooper, Eshelman, Forrest, Frink, Hastings, Helm, Kinnear, McCroskey, Rutter, Smith, and Van De Vanter—11.

The following communication was received from the governor:

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

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—I have the honor to inform you that I am just in receipt of a telegram from Hon. John W. Noble, secretary of the interior, of which the following is a copy:

“Proposed forest reserve is bound on north by north line of township 18 north, on the west by west line of range 8 east, on the south by south line of township 18 north, and on the east by east line of range 14 east. Area 967,680 acres, to be styled Pacific forest reservation.”

I have the honor to be, very respectfully, your obedient servant,

J. H. MCGRAW, Governor.

## REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 189, entitled "An act to cure defective acknowledgments," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool and Richards, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, 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 several counties of the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool and Richards, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 165, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool and Richards, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 168, entitled "An act to provide for the publication and sale of Washington supreme court reports," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool and Richards, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 125, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool and Richards, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 176, entitled "An act to define the liability of insurance companies in case of loss by fire," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool and Richards, the members of said committee present.

Report adopted, and Senate bill No. 176 indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 143, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool and Richards, being all the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 142, entitled "An act to authorize county commissioners to issue bonds for road and bridge purposes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool and Richards, being all the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

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," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool and Richards, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 163, entitled "An act to fix the time a note, draft or bill of exchange falling due on Sunday or a legal holiday may be protested for non-payment," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed, the subject being covered by Senate bill No. 144, already favorably reported upon by this committee.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool and Richards, the members of said committee present.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 134, entitled "An act to provide for the amendment of articles of incorporation," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool and Richards, being all the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 135, entitled "An act relative to the classification of capital stock in corporations, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed:

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool and Richards, being all the members of said committee present.

Report received, and bill placed on file.

REPORT OF COMMITTEE ON MEDICINE, DENTISTRY, HYGIENE AND SURGERY.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1893.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Hygiene and Surgery, 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 Senate, with the recommendation that it do pass.

Respectfully submitted.

JOHN G. CAMPBELL, Chairman.

I concur in this report:

J. L. ROBERTS.

Report received, and bill placed on file.

REPORT OF COMMITTEE ON STATE PRISON.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1893.

MR. PRESIDENT:

We, your Committee on State Prison, to whom was referred Senate bill No. 181, entitled "An act to authorize the confinement of United States prisoners in the state penitentiary," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

T. J. SMITH, Chairman.

We concur in this report:

W. H. GILBERT,

J. L. ROBERTS.

Report received, and bill placed on file.

INTRODUCTION OF BILLS.

Senate bill No. 221, by Senator Hutchinson: A bill for 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Mines and Mining.

Senate bill No. 222, by Senator Claypool: An act relating to service of summons by publication, and amending section 175 of the Code of Civil Procedure.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 223, by Senator Claypool: An act relating to the time within which pleadings subsequent to the complaint may

be served and filed, and amending section 202 of the Civil Procedure.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 224, by Senator Claypool: An act relating to the specifications of the grounds of demurrer to the complaint, and amending section 190 of the Code of Procedure.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 225, by Senator Claypool: An act relating to new trials, and amending sections 401 and 404 of the Code of Civil Procedure.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 226, by Senator Claypool: An act to regulate notices, pleadings and other papers in civil actions, and to prescribe the mode of service thereof.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 227, by Senator Van Houten: An act to establish terms and places for holding the supreme court.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 228, by Senator Smith: An act to amend section 59 of volume 2 of Hill's Code, relative to the manner of drawing and summoning juries.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 229, by Senator Smith: An act to amend section 58, volume 2, Hill's Code, relating to the manner of drawing juries.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 230, by Senator Campbell: An act concerning Canada thistles.

Read first time; rules suspended, read second time by title, and referred to Committee on Agriculture.

#### FROM THE HOUSE.

House bill No. 236, by Mr. Roscoe: An act prohibiting the sale or manufacture of cigarettes.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Morals.

House bill No. 10, by Mr. Roscoe: An act to repeal the law in reference to collection of poll tax.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Revenue and Taxation.

House bill No. 245, by Mr. Anderson of Pierce: To prohibit appointment of county sheriff as receiver or assignee in insolvency.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 252, by Mr. Moore: An act amending sec. 231, vol. 1, Hill's Code.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 208, by Mr. Payne: An act to enable counties to validate certain indebtedness.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 65: Providing for sales of real property belonging to estates of decedents, minors and insane persons.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 72: An act to amend sec. 2137 of chapter 4 of title 23 of the General Statutes of the State of Washington, relating to the erection of wharves at the terminus of public highways.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 160: Relating to the service of summons upon corporations.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

House bill No. 156: Authorizing boards of county commissioners to provide suitable offices for the use of each county officer.

Read first time; rules suspended, read second time by title, and referred to Committee on Counties and County Boundaries.

House bill No. 212: An act to prevent attempts at burglary, and declaring the possession of burglars' tools to be a misdemeanor, and declaring a rule of evidence in such cases.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 193: An act punishing bank officials for receiving deposits, knowing the bank to be insolvent.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 217: Authorizing cities or towns which have been formed by annexation or consolidation, and which have attempted to incur indebtedness in excess of their legal authority, to fund such indebtedness by issuing bonds therefor.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

House bill No. 237: 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; rules suspended, read second time by title, and referred to Committee on Counties and County Boundaries.

House bill No. 307: An act providing for changing the name of the town of Slaughter.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

House bill No. 216: An act to provide means for the validation of certain warrants and other evidences of indebtedness on the part of cities and towns.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 85 was received from the House with the following House amendments:

In lines 3 and 4 of section 1 of printed bill, the words "under the age of seventeen years" were stricken out.

In line 2 of section 2, the words "or procure" were stricken out.

In line 6 of section 2, the word "it" where it first occurs was stricken out and the words "such animal" inserted in lieu thereof.

In line 7 of section 4, the words "and sheltered" were stricken out.

In line 7 of section 5, the words "at or in any place, building or tenement" were inserted after the word "animals."

Section 10 was stricken out and the following inserted in lieu thereof: "All fines herein provided for shall be paid into the common school fund of the county in which such fine shall be imposed."

The Senate concurred in all of House amendments, and bill ordered sent to enrolling clerk.

## REPORTS OF COMMITTEE ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1893.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 307, entitled "An act providing for changing the name of 'the town of Slaughter' to 'the town of Auburn,'" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. E. CLAYPOOL, Chairman.

Concurred in by Senators Ide, Forrest, Roberts and Horr, being all the members of the committee.

Report received, and House bill No. 307 placed on file.

House bill No. 307 was read third time by sections, and by unanimous consent, placed on final passage.

The bill passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Horr, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Shaw, Smith, Van De Vanter, and Van Houten — 26.

Absent or not voting: Senators Cooper, Frink, Hastings, Helm, Hutchinson, Kinnear, Rutter, and Sergeant — 8.

The title of the bill to remain the title of the act.

President Luce appointed Senators Dyer and Claypool as Senate members of the joint committee to visit the state university at Seattle.

Senate bill No. 161 was read third time by sections, and amended by adding to the title "and declaring an emergency." Further amended by adding to the end of section 1 "an emergency is hereby declared to exist, therefore this act shall be in force from and after its passage, and approval by the governer."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Foss, Gilbert, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Shaw, Smith, and Van De Vanter — 26.

Absent or not voting: Senators Frink, Forsyth, Hastings, Helm, Kinnear, Rutter, Sergeant, and Van Houten — 8.

The emergency clause then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Foss, Gilbert, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Shaw, Smith, and Van De Vanter — 26.

Absent or not voting: Senators Frink, Forsyth, Hastings, Helm, Kinnear, Rutter, Sergeant, and Van Houten — 8:

The title of the bill to remain the title of the act.

Senate bill No. 146 was read third time by sections and amended as follows: In line 2, section 1, insert the word "state" between the words "all" and "officers;" in line 2, section 1, insert the words "appointed by him" between the word "officers" and the word "not;" in line 1, section 1, insert the words "the State of" before the word "Washington."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Horr, Hutchinson, Ide, Kellogg, McManus, O'Neill, Richards, Roberts, Shaw, and Smith — 23.

Absent and not voting: Senators Cooper, Frink, Hastings, Helm, Kinnear, McCroskey, Miller, Rutter, Sergeant, Van De Vanter, and Van Houten — 11.

The title of the bill to remain the title of the act.

Senate bill No. 74 was taken from file, read third time by sections, and amended as follows: In line 1, section 15, after the word "to," insert the words "provide a seal of office on which shall be engrossed the words 'court commissioner for [insert county] county, State of Washington,'" and the bill was then laid on the table subject to call.

Senate bill No. 140 was read third time by sections, considered engrossed, and laid on the table subject to call.

Senate bill No. 62 was read third time by sections, and amended as follows: In line 6 of section 1 the word "one" was stricken out and the word "five" inserted in lieu thereof. In line 7 of section 1 all after and including "said council" was stricken out, and the following inserted in lieu thereof: "Mayor forthwith to appoint

three reputable citizens, who shall be confirmed by a majority of the city council, to act as directors of the public library." The following was added to the end of section 1: "*Provided*, This section shall not apply to cities that have already provided for public libraries in their city charters."

In line 4, section 2, "\$1,000" was stricken out, and "\$5,000" inserted in lieu thereof.

In line 3, section 4, the word "as" was inserted between the words "manner" and "other."

All of section 4, after the word "only," in line 6, was stricken out.

In line 6 of section 6 the word "council" was stricken out, and the word "mayor" inserted in lieu thereof.

In line 4 of section 2 the words "mayor and" were inserted before the word "council."

The bill was recommitted to Committee on Municipal Corporations.

Senators Claypool and Dyer were excused for to-morrow's session.

At 4:20 P. M. the Senate, on motion of Senator McCroskey, adjourned until 10 o'clock A. M., Saturday, February 18, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## FORTY-FIRST DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Saturday, February 18, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all present excepting Senators Claypool, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forsyth, Frink, Hastings, Helm, Hutchinson, Ide, Kinnear and Rutter.

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

## REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 95, entitled "An act relating to the lien of judgments upon real estate and repealing sections 449, 450, 455, 456, 457 and 460 of title 7, chapter 15 of volume 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill, has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted.

JOHN G. CAMPBELL, Vice Chairman.

## REPORT OF COMMITTEE ON PRINTING.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1893.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred Senate bill No. 185, entitled "An act for the purchase of Barton's Legislative Hand Book, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

JNO. E. MCMANUS, Chairman.

Concurred in by Senators Kellogg and Richards, being all the members of said committee.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred Senate bill No. 186, entitled "An act to establish the price for printing legal notices, and defining the affidavits to be made thereto," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

JNO. E. MCMANUS, Chairman.

We concur in this report:

SENATOR RICHARDS,

SENATOR KELLOGG,

Being all the members of said committee.

Report received, and bill placed on file.

## REPORT OF COMMITTEE ON ROADS AND BRIDGES.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1893.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 145, entitled "An act to provide for the payment for state lands of their share of the expense of constructing drainage ditches, and declaring an emergency," have had the same under consideration, and we

respectfully report the same back to the Senate with the recommendation that it pass.

Respectfully submitted.

J. A. KELLOGG, Chairman.

We concur in this report:

J. J. EDENS,  
C. E. FORSYTH,  
W. H. GILBERT,  
FRANCIS DONAHOE,  
R. A. HUTCHINSON.

Report received, and bill placed on file.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 17, 1893.

MR. PRESIDENT:

The speaker of the House has signed 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 which the state has jurisdiction.'"

Also, House bill No. 21, An act providing for the enforcement of liens for labor and material.

Also, House bill No. 164, An act for the transcribing of county records.

Also, House bill No. 116, An act relating to the weight of oats.

Also, House concurrent resolution No. 6, An act for the coast defenses of the waters of the State of Washington.

The House has passed 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 thereof.

Also, House bill No. 93, by Mr. Anderson of Whitman, An act regulating and fixing railroad freight rates in the State of Washington.

Also, House bill No. 194, by 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.

Also, House bill No. 285, by Mr. McMillan, An act to amend title 27 of Hill's Code, entitled "Of protection to the lumbering interests."

The House has concurred in Senate amendments to House bill No. 115, Limiting the compensation of assignees.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### INTRODUCTION OF BILLS.

Senate bill No. 231: An act to prevent any railroad company from changing its main line of railroad from its original location, to the detriment of any city, town or village.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

The president stated that he was about to sign Senate bill No. 95. Senator Horr, on behalf of Senator Dyer, who was absent, moved the reconsideration of House bill No. 318.

Declared lost. Division called; yeas 8, nays 13.

Motion to reconsider lost.

The president stated that he was about to sign House bills Nos. 251, 116, 164 and 21, and House memorial No. 6.

Senate bill No. 129 was read third time by sections, amended by striking out section 3 of the bill, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Edens, Forrest, Foss, Gilbert, Horr, Kellogg, McCroskey, McManus, Miller, O'Neill, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 19.

Absent or not voting: Senators Claypool, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forsyth, Frink, Hastings, Helm, Hutchinson, Ide, Kinnear, Richards, and Rutter — 15.

The title of the bill to remain the title of the act.

House bill No. 62 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Edens, Forrest, Foss, Gilbert, Horr, Hutchinson, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, and Van De Vanter — 20.

Absent or not voting: Senators Claypool, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forsyth, Frink, Hastings, Helm, Ide, Kinnear, Rutter, and Van Houten — 14.

The title of the bill to remain the title of the act.

Senate bill No. 134 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Edens, Forrest, Foss, Gilbert, Horr, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, and Van Houten — 19.

Senator Van De Vanter voted in the negative.

Absent or not voting: Senators Claypool, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forsyth, Frink, Hastings, Helm, Hutchinson, Ide, Kinnear, and Rutter — 14.

The title of the bill to remain the title of the act.

Senator McCroskey gave notice that he would move a reconsideration of the vote whereby Senate bill No. 134 was passed.

Senate bill No. 135 was read third time by sections and laid on table subject to call.

House bill No. 69 was read third time by sections, and amended by inserting the words "Section 1" before the words "Section 59," following the enacting clause.

The bill then failed to pass by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Edens, Forrest, Gilbert, Horr, Kellogg, McCroskey, McManus, O'Neill, Richards, Roberts, Shaw, and Van De Vanter—15.

Those voting in the negative were: Senators Foss, Miller, and Van Houten—3.

Absent or not voting: Senators Claypool, Cooper, Dyer, Donahoe, Easterday, Eshelma, Forsyth, Frink, Hastings, Helm, Hutchinson, Ide, Kinnear, Rutter, Sergeant, and Smith—16.

Senator Van Houten gave notice that he would move a reconsideration of the vote by which House bill No. 69 failed to pass.

Senate bill No. 68 was laid on table subject to call.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 18, 1893.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 25, entitled "An act relative to commission merchants or persons selling agricultural products or farm produce on commission, and declaring an emergency."

The House has passed Senate bill No. 220, by Senator Sergeant, An act appropriating money for the maintenance of the soldiers' home."

Also, House concurrent resolution No. 16, by Mr. Pierce, Requesting Grover Cleveland to appoint Hon. F. W. D. Mays secretary of agriculture.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### REPORT OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

The Committee on Elections and Privileges made the following report:

SENATE CHAMBER,  
OLYMPIA, WASH., February 17, 1893.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate bill No. 179, entitled "An act providing for the apportionment of

the State of Washington into two congressional districts," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Dyer and Miller, being all of the said committee.

Report received, and bill placed on file.

#### FROM THE HOUSE.

House bill No. 74: An act establishing maximum rates for the transportation of passengers on railroads.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

House bill No. 93: An act regulating and fixing railroad freight rates in the State of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

House bill No. 194: An act prohibiting the collection of hospital and other dues from railroad and other classes of employés, and providing a penalty therefor.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

House bill No. 285: To amend title 27 of Hill's Code, relating to the protection of lumbering interests.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Anderson (D. F.), Anderson (M.), Anderson (W. D. E.), Bush (N. W.), Cooper, Cowan, Donahoe, Dyer, Easterday, Edwards, Eshelman, Forsyth, Frink, Greenberg, Hastings, Heliker, Helm, Hurd, Ide, Judson, Kinnear, Leo, McElwain, McMurphy, McNew, Meany, Morrison, Nash, Nelson, Pierce (C. M.), Roth, Rutter, Sallee, Shadle, Smithson, Temple, Tull, Turpin, Washburn, Westfall, Wheeler, and Winchell.

Reading of yesterday's journal dispensed with, and journal approved.

The following pairs were announced for to-day's ballot: Hurd and Anderson (M.), McElwain and Anderson (W. D. E.), Nelson and Anderson (D. F.), Speck and Westfall, Heliker and Shadle, Edwards and White, Leo and McKenzie, Forsyth and Donahoe, Van Houten and Rutter, Burton and Roth, Ide and O'Neill, Roberts and Claypool, Shaw and Dyer, Easterday and Edens, Smith (H. F.) and Cameron, Brown and Eshelman, Neergaard and Nash.

Until further notice: Cooper and Kinnear, Frink and Hutchinson, Tull and Hoole, Cowan and McMurphy, Helm and Hastings, Green and Winchell, Sallee and Pierce of Klickitat, Smithson and Weed, Greenberg and Ludden.

Temple and Morrison paired for to-day and Monday.

#### SEVENTY-FIRST JOINT BALLOT.

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—20.

Those voting for George Turner were: McMillan, Mentzer, Moore, Richards, Roscoe, Sherman, Smith (T. J.), and Woodworth—8.

Those voting for Chauncey W. Griggs were: Campbell, Cowan, Edmonds, Foss, Foster, Gilman, Hamill, Kline, Letterman, Mays, McCroskey, McManus, Miller, Mulkey, Payne, Shelton, and Smith (H. F.)—17.

Those voting for C. W. Young were: Baker, Collin, Denn, Durant, Scott, and Smith (J. B.)—6.

Total number votes cast, 51.

Not voting: Anderson (D. F.), Anderson (M.), Brown, Bush (N. W.), Dyer, Forsyth, Frink, Hastings, Heliker, Hoole, Kinnear, McElwain, McKenzie, McMurphy, McNew, Meany, Morrison, Neergaard, O'Neill, Pierce (C. M.), Roberts, Roth, Rutter, Sallee, Speck, Washburn, Weed, Wheeler, White, Winchell, Claypool, Cooper, Easterday, Edens, Greenberg, Helm, Hurd, Ide, Ludden, Nash, Nelson, Pierce (D. W.), Shadle, Smithson, Temple, Tull, Westfall, Van Houten, Anderson (W. D. E.), Crockett, Donahoe, Eshelman, Green, Hutchinson, Judson, Leo, Shaw, Turpin, Burton, Edwards, and Egbert—61.

There being less than a quorum present and voting, President Luce declared the joint session dissolved.

At 12:30 P. M., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator Van De Vanter, adjourned until 11:50 A. M., Monday, February 20, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## FORTY-THIRD DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Monday, February 20, 1893. }  
11:50 o'clock A. M.

Senate called to order, pursuant to adjournment, at 11:50 o'clock A. M. President Luce in the chair.

Roll call; all present excepting Senators Cooper, Donahoe, Frink, Hastings, Helm, Horr, McManus, Smith, and Van Houten, who were excused.

On motion of Senator Dyer, the reading of Saturday's journal was dispensed with and journal approved.

The members of the Senate repaired to the House of representatives to meet in joint session.

### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Anderson (M.), Brock, Bush (N. W.), Campbell, Egbert, Frink, Hastings, Helm, Hurd, McElwain, McManus, Mulkey, Pierce (C. M.), Scott, Smith (H. F.), Smith (T. J.), Speck, Tull, Washburn, and Van Houten.

The following pairs were announced for to-day's ballot: Wheeler and Roscoe, Brock and Moore, Mead and Mulkey, Van Houten and

Heliker, Hurd and Anderson of Whatcom, McElwain and Anderson of Pierce, Westfall and Speck, Webb and Gilman, Tull and Hoole, Smith of Okanogan and Cameron, Cowan and McMurphy, Helm and Hastings, Forsyth and Donahoe, Kellogg and Smith, O'Neill and Campbell.

## SEVENTY-SECOND JOINT BALLOT.

Those voting for John B. Allen were: Anderson (D. F.), Belknap, Brown, Bush (A. S.), Dyer, Edens, Farrish, Forrest, Gilbert, Karr, Keller, Kellogg, Kelly, Kinneer, Ludden, McKenzie, McNew, Meany, Merchant, Morrison, Neergaard, Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Tucker, Webb, Weed, White, Van De Vanter, Winchell, and Mr. Speaker—34.

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—16.

Those voting for Chauncey W. Griggs were: Cowan, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, Miller, Payne, Shaw, Shelton, and Turpin—18.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, and Smith (J. B.)—7.

Hutchinson voted for J. J. Browne.

Total number votes cast, 76.

Not voting: Anderson (M.), Brock, Bush (N. W.), Cameron, Forsyth, Frink, Hastings, Heliker, Hoole, Horr, McElwain, McMurphy, Mead, O'Neill, Pierce (C. M.), Roscoe, Speck, Washburn, Wheeler, Helm, Hurd, Moore, Smith (T. J.), Tull, Westfall, Van Houten, Anderson (W. D. E.), Campbell, Crockett, Donahoe, McCroskey, McManus, Mulkey, Smith (H. F.), Egbert, and Scott—36.

## SEVENTY-THIRD JOINT BALLOT.

Those voting for John B. Allen were: Anderson (D. F.), Belknap, Brown, Bush (A. S.), Dyer, Edens, Farrish, Forrest, Gilbert, Karr, Keller, Kelly, Kinneer, Ludden, McKenzie, McNew, Meany, Merchant, Morrison, Neergaard, Rinehart, Roberts, Roth, Rutter, Sallee, Sergeant, Tucker, Webb, Weed, White, Van De Vanter, Winchell, and Mr. Speaker—33.

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—16.

Those voting for Chauncey W. Griggs were: Cowan, Edmonds, Eshelman, Foss, Foster, Gilman, Green, Hamill, Judson, Kline, Leo, Letterman, Mays, Miller, Payne, Shaw, Shelton, and Turpin—18.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, and Smith (J. B.)—7.

Hutchinson voted for J. J. Browne.

Total number of votes cast, 75.

Not voting: Anderson (M.), Brock, Bush (N. W.) Cameron, Forsyth, Frink, Hastings, Heliker, Kellogg, Hoole, Horr, McElwain, McMurphy, Mead, O'Neill, Pierce (C. M.), Roscoe, Speck, Washburn, Wheeler, Helm, Hurd, Moore, Smith (T. J.), Tull, Westfall, Van Houten, Anderson (W. D. E.), Campbell, Crockett, Donahoe, McCroskey, McManus, Mulkey, Smith (H. F.), Egbert, and Scott—37.

The joint session then dissolved.

At 12:25 P. M., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator Forrest, a recess was taken until 2:30 P. M.

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#### AFTERNOON SESSION.

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Senate called to order at 2:30 o'clock P. M. President Luce in the chair.

Roll call; all present excepting Senators Campbell, Donahoe, Frink, Hastings, Helm, Horr, McManus, and Van Houten.

#### INTRODUCTION OF BILLS.

Senate bill No. 232, by Senator Rutter (by request): An act to appropriate \$640 for the insurance against fire of the state library, in the McKenny block, Olympia, Wash.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 233, by Senator Dyer: An act to authorize the interposition of counterclaims arising on contract in actions of un-

lawful detainer, where the unlawful detainer consists in whole or in part in failure to pay rent.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 234, by Senator Ide: An act to fix the compensation to be allowed sheriffs for boarding county prisoners.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 235, by Senator Smith: An act for the taking up, disposition and sale of estrays, and to repeal sections 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543 of the General Statutes of the State of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Agriculture.

Senate bill No. 236, by Senator Ide: An act to provide for the appointment of upper sheriffs, principal deputies, bookkeepers and bailiffs, and prescribing their duties and compensation.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 237, by Senator Brown (substitute for Senate bill No. 68): An act to provide for the assessment and collection of taxes in municipal corporations of the third and fourth classes in the State of Washington, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

Senate bill No. 238, by Senator Easterday: An act to amend section 2421 of chapter 185 of the Code of 1881, relating to corporations, as amended by an act approved February 3, 1886, approved March 7, 1891.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 165 was read third time by sections and amended as follows: In line 9, section 4, strike word "treasurer" and insert word "auditor" in lieu thereof.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hutchinson, Ide, Kellogg, Kinnear, McCroskey,

Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, Smith, and Van De Vanter — 25.

Absent or not voting: Senators Campbell, Donahoe, Frink, Hastings, Helm, Horr, McManus, Richards, and Van Houten — 9.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van De Vanter — 26.

Absent or not voting: Senators Campbell, Donahoe, Frink, Hastings, Helm, Horr, McManus, and Van Houten — 8.

The title of the bill to remain the title of the act.

On motion of Senator Claypool, House concurrent resolution No. 16 was indefinitely postponed.

Senate bill No. 135 was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Edens, Forrest, Forsyth, Foss, Gilbert, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van De Vanter — 24.

Senator Eshelman voted in the negative.

Absent or not voting: Senators Campbell, Donahoe, Easterday, Frink, Hastings, Helm, Horr, McManus, and Van Houten — 9.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van De Vanter — 26.

Absent or not voting: Senators Campbell, Donahoe, Easterday, Hastings, Helm, Horr, McManus, and Van Houten — 8.

The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 20, 1893.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 66, entitled "An act to establish a state normal school in the county of Whatcom."

Also, House bill No. 234, "An act providing for the sale of personal property of the state."

Also, House memorial No. 5, Praying for a light house.

The House has refused to pass Senate bill No. 78, To fix penalty by jury.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

### REPORT OF COMMITTEE ON PUBLIC MORALS.

SENATE CHAMBER,

OLYMPIA, WASH., February 20, 1893.

MR. PRESIDENT:

We, your Committee on Public Morals, to which 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 Senate, with the recommendation that it be amended as follows, and passed:

Amend line 3 of section 1 of printed bill by inserting after the word "one," the following, "or have in his or their possession any," etc.

Amend line 2, section 2 of printed bill by inserting the following after the word persons, "or have in his or their possession any," etc.

Respectfully submitted.

J. T. ESHELMAN, Chairman,

We concur in this report:

E. L. BROWN,

W. C. BELKNAP.

Report received, and bill placed on file.

A petition asking the Senate to pass House bill No. 141 was presented by Senator Roberts, and referred to Committee on Education.

The following resolution was introduced by Senator Ide and adopted:

WHEREAS, Our constituents demand a large amount of printed matter mailed to them from day to day; and

WHEREAS, The amount of postage allowed each member of the Senate is entirely inadequate to meet the demands upon them: therefore, be it

*Resolved*, That the sergeant-at-arms be and he is hereby authorized to procure five dollars' (\$5.00) worth of postage stamps for each senator and the president of the Senate.

Senate bill No. 165, passed to-day, was sent to the House under suspension of rules.

The following resolution was introduced by Senator Sergeant and adopted:

*Resolved*, That the president appoint a committee of two on the part of the Senate, to act with a similar committee from the House, to visit the soldiers' home at Orting.

Senate bill No. 189 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van De Vanter—26.

Absent or not voting: Senators Campbell, Donahoe, Frink, Hastings, Helm, Horr, McManus, and Van Houten—8.

The title of the bill to remain the title of the act.

Senate bill No. 105 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Easterday, Edens, Eshelman, Forsyth, Foss, Gilbert, Hutchinson, Ide, Kellogg, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, and Van De Vanter—22.

Absent or not voting: Senators Campbell, Donahoe, Frink, Forrest, Kinnear, Hastings, Helm, Horr, McManus, Sergeant, Smith, and Van Houten—12.

House bill No. 106 was then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Easterday, Edens, Eshelman, Forsyth, Foss, Gilbert, Hutchinson, Ide, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, and Van De Vanter—23.

Absent or not voting: Senators Campbell, Donahoe, Forrest, Frink, Hastings, Helm, Horr, Kellogg, McManus, Sergeant, and Van Houten—11.

The title of the bill to remain the title of the act.

Senate bill No. 130 was read third time by sections, and amended as follows: In line 10, section 1, printed bill, the word "five" was stricken out and the word "one" inserted in lieu thereof.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Easterday, Edens, Eshelman, Forsyth, Foss, Gilbert, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van De Vanter—25.

Absent or not voting: Senators Campbell, Donahoe, Forrest, Frink, Hastings, Helm, Horr, McManus, and Van Houten—9.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Edens, Eshelman, Forsyth, Foss, Gilbert, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van De Vanter—24.

Absent or not voting: Senators Campbell, Donahoe, Easterday, Forrest, Frink, Hastings, Helm, Horr, McManus, and Van Houten—10.

The title was amended by inserting after the word "gate," in fourth line, "and declaring an emergency."

On motion of Senator Kinnear, the Senate, at 4 o'clock P. M., adjourned until 10 o'clock A. M., Tuesday, February 21, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## FORTY-FOURTH DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Tuesday, February 21, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all present excepting Senators Hastings and Helm.

The reading of yesterday's journal was dispensed with and journal approved.

On motion of Senator Van Houten, the vote by which Senate bill No. 69 failed to pass was reconsidered, and the bill laid on table, subject to call.

Three petitions urging the passage of House bill No. 141 were presented by Senator Kellogg, and referred to Committee on Education.

## REPORTS OF COMMITTEE ON JUDICIARY.

The following reports were received from the Judiciary Committee:

SENATE CHAMBER,  
OLYMPIA, WASH., February 21, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 174, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool and Richards, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 188, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool and Richards, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 58, entitled "An act to provide for the formation of corporations for benevolent and other purposes wherein profit to the corporation is not the main object, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed, the subject being embraced within Senate bill No. 105, which has already been acted upon favorably by this committee.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool and Richards, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

Your Committee on Judiciary, 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 Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool and Richards, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

Your Committee on Judiciary, to whom was referred Senate bill No. 187, entitled "An act relating to the manner of construing the powers conferred upon municipal corporations of the fourth class, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool and Richards, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

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 Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Richards and Claypool, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 197, entitled "An act prohibiting the placing of poison in places where the same may be obtained by dogs or other domestic animals," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool and Richards, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 196, 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 Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool and Richards, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 110, entitled "An act to prevent the fraudulent disposition 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 Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Richards and Claypool, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom 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," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Richards and Claypool, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, 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 Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Richards and Claypool, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

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," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report concurred in by Senators Dyer, Richards and Claypool, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 252, entitled "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 Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Richards and Claypool, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 193, entitled "An act punishing bank officers for receiving deposits, knowing the bank to be insolvent," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Richards and Claypool, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

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 intent to use the same for unlawful purposes, to be a misdemeanor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Richards and Claypool, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT :

We, your Committee on Judiciary, 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," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation, as the question involved in the bill is one of public policy, and it is desirable that the matter be thoroughly considered by the Senate.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Richards and Claypool, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT :

We, your Committee on Judiciary, to whom was referred 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," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Richards and Claypool, the members of said committee present.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON CLAIMS.

SENATE CHAMBER,

OLYMPIA, WASH., February 20, 1893.

MR. PRESIDENT :

We, your Committee on Claims, to whom was referred Senate bill No. 159, entitled "An act for the relief of C. H. Bruenn," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. P. SERGEANT, Chairman.

We concur in this report:

TRUSTEN P. DYER,

B. F. SHAW.

Report adopted, and Senate bill No. 159 indefinitely postponed.

#### REPORTS OF COMMITTEE ON PUBLIC REVENUE AND TAXATION.

SENATE CHAMBER,

OLYMPIA, WASH., February 20, 1893.

MR. PRESIDENT :

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 147, entitled "An act relating to revenue and tax-

ation, amending section 1020 of the General Statutes of the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. R. FORREST, Chairman.

We concur in this report:

W. C. BELKNAP,  
J. L. ROBERTS,  
HENRY C. COOPER,  
R. A. HUTCHINSON.

Being all present.

Report adopted, and Senate bill No. 147 indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Public 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 Senate, with the recommendation that it do pass.

Respectfully submitted.

W. R. FORREST, Chairman.

We concur in this report:

W. C. BELKNAP,  
J. L. ROBERTS,  
HENRY C. COOPER,  
R. A. HUTCHINSON.

Being all present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 132, entitled "An act to amend section 5 of chapter 140 of the Laws of 1891, 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 Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. R. FORREST, Chairman.

We concur in this report:

W. C. BELKNAP,  
J. L. ROBERTS,  
HENRY C. COOPER,  
R. A. HUTCHINSON.

Being all present.

Report adopted, and Senate bill No. 132 indefinitely postponed.

The following resolution was introduced by Senator Dyer, and adopted:

*Resolved*, That the secretary of state is hereby instructed to transmit all memorials and joint resolutions passed by the legislature to the proper authorities at once, without further orders.

## INTRODUCTION OF BILLS.

Senate bill No. 239, by Senator Hutchinson: An act repealing an act entitled "An act establishing a normal school for the State of Washington in the city of Cheney," approved March 22, 1890, and establishing a normal school for the State of Washington in the city of Davenport, Lincoln county.

Read first time; rules suspended, read second time by title, and referred to Committee on Education.

Senate bill No. 240, by Senator Sergeant: An act providing for the establishment of a state road through the Cascade mountains, through Natchez pass, to connect Eastern and Western Washington; for the appointment of a board of commissioners, and making an appropriation for the same.

Read first time; rules suspended, read second time by title, and referred to Committee on Roads and Bridges.

Senate bill No. 185 was read third time by sections; Senate went into committee of the whole, Senator Claypool in the chair, for the consideration of Senate bill No. 185.

The committee rising, reported the bill back to the Senate, recommending its passage.

President Luce in the chair.

Bill considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Ide, Kinnear, McCroskey, McManus, O'Neill, Richards, Roberts, Rutter, Sergeant, and Van Houten—23.

Those voting in the negative were: Senators Donahoe, Horr, Hutchinson, Miller, Shaw, Smith, and Van De Vanter—7.

Absent or not voting: Senators Frink, Hastings, Helm, and Kellogg—4.

The title of the bill to remain the title of the act.

Senate bill No. 144 was indefinitely postponed.

The president stated that he was about to sign House bill No. 147, House bill No. 115, and House memorial No. 5.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 20, 1893.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 95, entitled "An act relating to the lien of judgments upon real estate."

Also, House bill No. 307, An act providing for changing the name of the town of Slaughter to the name of Auburn.

Also, House bill No. 115, An act in relation to creditors and estates.

Also, House bill No. 231, An act relating to school land.

Also, 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.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

Senate bills Nos. 148, 127 and 210 were laid on table, subject to call.

Senate bill No. 181 was read third time by sections, and made a special order for 2:30 P. M. to-day.

Senate bill No. 143 was read third time by sections, and amended by striking out in lines 18, 19, 20 and 21 of section 1 of the printed bill all after the word "executed" to and including the word "sealed" at end of sentence, and inserting in lieu thereof the words "in the same manner as the bonds."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 30.

Absent or not voting: Senators Frink, Hastings, Helm, and Kinnear — 4.

The title of the bill to remain the title of the act.

Senate bill No. 142 was read third time by sections and amended by striking out, in lines 17, 18 and 19 of section 1 of the printed bill, all after the word "executed" to and including the word "sealed," at end of sentence, and inserting in lieu thereof the words "in like manner as the bond."

Bill considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Gilbert, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—29.

Absent or not voting: Senators Forrest, Frink, Hastings, Helm, and Miller—5.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Gilbert, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—28.

Absent or not voting: Senators Forrest, Frink, Hastings, Helm, Kellogg, and Miller—6.

The title of the bill to remain the title of the act.

The president appointed Senators Van De Vanter and Donahoe as Senate members of joint committee to visit the soldiers' home.

The members of the Senate repaired to the House of Representatives, to meet in joint session.

#### JOINT SESSION.

Joint session called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all present excepting Anderson (D. F.), Cameron, Cowan, Hastings, Helm, Kellogg, Mentzer, and Scott.

The reading of yesterday's journal was dispensed with, and journal approved.

The following pairs were announced for to-day's ballot: Smith (H. F.) and Cameron, Cowan and McMurphy, Helm and Hastings, Mentzer and Merchant, Letterman and Pierce of Lewis.

For Thursday's ballot: Ludden and Denn.

#### SEVENTY-FOURTH JOINT BALLOT.

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, Kelly, Kellogg, 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 — 46.

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 — 22.

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 — 24.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, and Smith (J. B.) — 8.

Hutchinson voted for J. J. Browne.

Bush (N. W.), voted for R. O. Dunbar.

Total number votes cast, 102.

Not voting: Anderson (D. F.), Cameron, Hastings, McMurphy, Merchant, Helm, Mentzer, Cowan, Smith (H. F.), and Scott — 10.

#### SEVENTY-FIFTH JOINT BALLOT.

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, Kelly, Kellogg, Kinnear, Ludden, McElwain, McKenzie, McNew, Mead, Meany, Morrison, Neergard, 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 — 46.

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 — 22.

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 — 24.

Those voting for C. W. Young were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, and Smith (J. B.) — 8.

Hutchinson voted for J. J. Browne.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 102.

Not voting: Anderson (D. F.), Cameron, Hastings, McMurphy, Helm, Merchant, Mentzer, Cowan, Smith (H. F.), and Scott—10.

The joint session then dissolved.

At 12:30 p. m., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator Richards, a recess taken until 2:30 o'clock p. m.

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### AFTERNOON SESSION.

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Senate called to order at 2:30 o'clock p. m. President Luce in the chair.

Roll called; all present excepting Senators Sergeant, Forrest, Dyer and Donahoe, who were excused.

Senate bill No. 181 was amended by adding the words "at the expense of the United States," after the word "penitentiary."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Edens, Eshelman, Forsyth, Frink, Gilbert, Horr, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, and Van De Vanter—22.

Those voting in the negative were: Senators Cooper, Hutchinson and McManus—3.

Absent or not voting: Senators Dyer, Donahoe, Easterday, Forrest, Foss, Hastings, Helm, Sergeant, and Van Houten—9.

The title of the bill to remain the title of the act.

Senate bill No. 210 was made special order for Thursday, February 24, at 2 p. m.

Senate bill No. 145 was read third time by sections and amended by striking out the words "upset price," in line 3 of section 5, and inserting the words "appraised value" in lieu thereof.

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Easterday, Edens, Eshelman, Forsyth,

Foss, Frink, Gilbert, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith and Van De Vanter—27.

Absent or not voting: Senators Dyer, Donahoe, Forrest, Hastings, Helm, Sergeant, and Van Houten—7.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, and Van De Vanter—27.

Absent or not voting: Senators Dyer, Donahoe, Forrest, Hastings, Helm, Sergeant, and Van Houten—7.

The title of the bill to remain the title of the act.

Senate bill No. 178, read third time by sections and amended by inserting after "1881," in line 3<sup>1</sup> of section 1, the words "or any act amendatory or supplemental thereto, or in substitution thereof."

In line 2 of section 5, the word "except" was inserted after the word "judges."

Section 15 was stricken out, the bill considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Brown, Campbell, Claypool, Cooper, Easterday, Edens, Eshelman, Foss, Frink, Gilbert, Horr, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Shaw, Smith, Van De Vanter, and Van Houten—24.

Those voting in the negative were: Senators Belknap and Hutchinson—2.

Absent or not voting: Senators Dyer, Donahoe, Forrest, Forsyth, Hastings, Helm, Rutter, and Sergeant—8.

The title was amended by inserting the word "the" before the word "several," and by striking out the words "and declaring an emergency."

Senate bill No. 140 was considered engrossed, amended by inserting the word "delinquent" before the last word "taxes" in section 7, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Easterday, Edens, Eshelman, Forsyth, Frink, Gilbert, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, Mc-

Manus, Miller, O'Neill, Roberts, Rutter, Shaw, Smith, and Van Houten—24.

Absent or not voting: Senators Campbell, Dyer, Donahoe, Forrest, Foss, Hastings, Kinnear, Richards, Sergeant, and Van De Vanter—10.

The title of the bill to remain the title of the act.

Senate bill No. 179 was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Cooper, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Shaw, Smith, Van De Vanter and Van Houten—26.

Senator Brown voted in the negative.

Absent or not voting: Senators Dyer, Donahoe, Forrest, Hastings, Kinnear, Richards, and Sergeant—7.

The title of the bill to remain the title of the act.

Senate bill No. 138 was indefinitely postponed.

Senate bill No. 241, by Senator O'Neill: An act for the relief of Stevens county.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

House bill No. 171 was read the third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, Van De Vanter, and Van Houten—30.

Absent or not voting: Senators Dyer, Donahoe, Forrest, and Sergeant—4.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, Van De Vanter, and Van Houten—27.

Absent or not voting: Senators Dyer, Donahoe, Forrest, Gilbert, McCroskey, McManus, and Sergeant—7.

The title of the bill to remain the title of the act.

Senate bill No. 87 was made a special order for Thursday, February 24th at 11 A. M.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,

OLYMPIA, WASH., February 20, 1893.

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 220, entitled "An act appropriating money for the maintenance of the soldiers' home, has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman,

JOHN G. CAMPBELL,

CHAS. I. HELM.

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 85, entitled "An act for the prevention of cruelty to children, animals, fowls and birds, and providing punishment therefor," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman,

JOHN G. CAMPBELL,

CHAS. I. HELM.

#### REPORT OF COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

The following report was received from the Committee on Public Buildings and Grounds:

SENATE CHAMBER,

OLYMPIA, WASH., February 22, 1893.

MR. PRESIDENT:

We, your Committee on Public Buildings and Grounds, to whom was referred Senate bill No. 108, entitled "An act to establish a state normal school in Kitsap county, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

CHAS. I. HELM, Chairman.

We concur in this report:

B. C. VAN HOUTEN,

W. C. RUTTER.

Report received, and bill placed on file.

The president stated that he was about to sign Senate bills Nos. 220 and 85.

House concurrent resolution No. 10, "Authorizing the governor to receive and receipt for money due from the United States on account of the direct tax."

Read first time; rules suspended, read second time by title, and referred to Committee on Revenue and Taxation.

House bill No. 231, An act to amend an act entitled "An act to provide for the sale and leasing of school lands, and declaring an emergency."

Read first time; rules suspended, read second time by title, and referred to Committee on State Lands.

House bill No. 236 was amended by striking out in line 1 of section 1 the words "from and after the time that this act shall take effect." In line 2 of section 2 the words "or have in his or their possession any" were inserted before the first word "cigarettes."

The bill was then passed by the following vote.

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Shaw, Van De Vanter, and Van Houten—25.

Those voting in the negative were: Senators Rutter and Smith—2.

Absent or not voting: Senators Cooper, Dyer, Donahoe, Forrest, Hastings, McManus, and Sergeant—7.

The title of the bill to remain the title of the act.

At 5 o'clock P. M., the Senate, on motion of Senator Claypool, adjourned until 11:50 A. M., Wednesday, February 22, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## FORTY-FIFTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
 OLYMPIA, WASHINGTON, Wednesday, February 22, 1893. }  
 11:50 o'clock A. M. }

Senate called to order, pursuant to adjournment, at 11:50 o'clock A. M. President Luce in the chair.

Roll call; Senators Belknap, Brown, Forsyth, Foss, Hutchinson, Gilbert, O'Neill and Richards were present.

There being less than a quorum present, the Senate, on motion of Senator Foss, adjourned until 11 o'clock A. M., Thursday, February 23, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## FORTY-SIXTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
 OLYMPIA, WASHINGTON, Thursday, February 23, 1893. }  
 11 o'clock A. M. }

Senate called to order, pursuant to adjournment, at 11 o'clock A. M. President Luce in the chair.

Roll call; all present excepting Senators Claypool, Kellogg and Smith, who were excused.

The reading of journals of Monday's and Tuesday's sessions was dispensed with, and the journals approved.

Senate bill No 87 was amended by striking out all of section 6, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman,

Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, and Van De Vanter—29.

Absent or not voting: Senators Claypool, Forrest, Rutter, Smith, and Van Houten—5.

The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 23, 1893.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 89, entitled "An act for the prevention of cruelty to children, animals, fowls and birds, and providing punishment therefor."

Also, Senate bill No. 220, entitled "An act appropriating money for the maintenance of the soldiers' home.

The House has passed Senate bill No. 95, Relating to the lien of judgments upon real estate, with amendments noted in the printed bill folded within the original.

Also, House bill No. 88, 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.

Also, House bill No. 387, An act paying newspapers for publication of constitutional amendment.

Also, Senate bill No. 165, To provide for holding sessions of the superior court in various counties.

The speaker has signed House bill No. 332, An act allowing second appeals to supreme court.

The House has indefinitely postponed Senate concurrent resolution No. 14, For purchase of Abbott's Real Property Statutes.

The House has passed House bill No. 20, An act relating to appeals.

Also, House bill No. 263, An act to prevent the deficiencies in the public institutions and departments of the State of Washington.

Also, House bill No. 377, An act providing for and regulating the taking of exceptions, etc.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

A petition praying that subdivision 2 of section 1022 of the Code be so amended as to exempt from taxation all property used exclusively for church purposes, was received from residents of King, Lewis, Lincoln, Garfield, Whitman, Clarke, Pierce, Walla Walla and Thurston counties, and referred to Committee on Public Revenue and Taxation.

## REPORT OF THE COMMITTEE ON MILITARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1893.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred Senate bill No. 184, entitled "An act to authorize and direct the state militia to use the grounds of the state soldiers' home for the annual encampment," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

TRUSTEN P. DYER, Chairman.

I concur in this report:

JNO. E. MCMANUS.

Report adopted, and Senate bill No. 184 indefinitely postponed.

## REPORT OF COMMITTEE ON AGRICULTURE.

SENATE CHAMBER,

OLYMPIA, WASH., February 17, 1893.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 230, entitled "An act relating to Canada thistles," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it, with the amendments attached thereto, be passed.

Respectfully submitted.

R. C. McCROSKEY, Chairman.

We concur in this report:

W. C. BELKNAP,

W. H. GILBERT.

Report received, and bill placed on file.

## REPORT OF COMMITTEE ON COUNTIES AND COUNTY BOUNDARIES.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1893.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred 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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. E. FORSYTH, Chairman.

I concur in this report:

HENRY C. COOPER.

Report received, and bill placed on file.

## REPORT OF COMMITTEE ON FEDERAL RELATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1893.

MR. PRESIDENT:

We, your Committee on Federal Relations, to whom was referred House 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 Senate, with the recommendation that it do pass.

Respectfully submitted.

J. L. ROBERTS, Chairman.

We concur in this report:

J. R. KINNEAR,  
LOUIS FOSS.

Report received, and House memorial No. 1 placed on file.

## REPORTS OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

SENATE CHAMBER,

OLYMPIA, WASH., February 21, 1893.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate bill No. 217, entitled "An act to authorize and regulate primary elections of voluntary political associations, to provide for punishment of frauds therein, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report concurred in by Senators Dyer and Miller.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate bill No. 203, entitled "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 Code of Washington of 1881, the same being section 409, volume 1, Hill's Code, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows:

First amendment: In line 18 of section 1 of the printed bill, by striking out the word "group" and inserting in place thereof the words "ticket of a political party."

Second amendment: In line 19 of section 1, by striking out the word "group" and inserting in place thereof the word "ticket."

Third amendment: In line 20 of section 1, by striking out the word "group" and inserting in place thereof the word "ticket."

Fourth amendment: In line 5 of section 2, by adding the words "inspector and" before "judges."

Fifth amendment: In line 6 of section 2, by inserting after the word "voters" the words "in their precinct."

Sixth amendment: By adding section 3, declaring an emergency, and that as so amended it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Concurred in by Senators Dyer and Miller, being all the members of said committee.

Report received, and bill placed on file.

The president stated that he was about to sign House bills Nos. 234, 66 and 332.

#### INTRODUCTION OF BILLS.

Senate bill No. 242, by Senator Richards (by request): A bill for an act to aid free public libraries.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

Senate bill No. 243, by Senator Hutchinson (by request): An act to protect creditors from imposition by unscrupulous persons.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 244, by Senator Campbell (by request): An act creating a state fair association, and providing for the duties and maintenance thereof, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Agriculture.

Ordered not printed.

Senate bill No. 245, by Senator Sergeant: To create the county of Rainier, subject to the requirements of the state constitution in respect to the establishment of new counties, and to provide means for compliance with such requirements, and for ascertaining the fact of such compliance, and to provide for the organization of said county thereupon.

Read first time; rules suspended, read second time by title, and referred to Committee on Claims.

Senate bill No. 246, by Senator Dyer: An act defining occupying claimants and fixing their rights in property.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

President pro tem. Dyer in the chair.

Three amendments made by the House to Senate bill No. 95 were read, and concurred in by the Senate.

House bill No. 159 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Sergeant, Shaw, Van De Vanter, and Van Houten—28.

Absent or not voting: Senators Claypool, Forrest, Kellogg, Richards, Rutter, and Smith—6.

The title of the bill to remain the title of the act.

Senator McCroskey gave notice that he would move a reconsideration of the vote by which House bill No. 159 passed.

Senate bills Nos. 125 and 168 were made special orders for 11 o'clock A. M. to-morrow.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Nash, Pierce (C. M.), Pierce (D. W.), and Woodworth.

The reading of Tuesday's journal was dispensed with, and journal approved.

The following pairs were announced for to-day's ballot: Sallee and Pierce (of Klickitat), Letterman and Pierce (of Lewis).

For to-morrow and Saturday: Edens and Hurd, Forsyth and Nash.

#### SEVENTY-SIXTH JOINT BALLOT.

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, Neergaard, O'Neill, Rinehart, Roberts, Roth, Rutter, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker—46.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, Ide, Mentzer, Moore, Nelson, Rich-

ards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Westfall, and Van Houten—20.

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—25.

Those voting for M. F. Knox were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Representative McMillan voted for Senator Van De Vanter.

Senator Van De Vanter voted for Representative McMillan.

Senator Hutchinson voted for J. J. Browne.

Mr. Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 104.

Not voting: Forsyth, Pierce (C. M.), Sallee, Kelly, Nash, Pierce (D. W.), Woodworth, and Letterman—8.

#### SEVENTY-SEVENTH JOINT BALLOT.

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, Neergaard, O'Neill, Rinehart, Roberts, Roth, Rutter, Sergeant, Speck, Tucker, Van De Vanter, Washburn, Webb, Weed, Wheeler, White, Winchell, and Mr. Speaker—47.

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—21.

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—25.

Those voting for M. F. Knox were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Hutchinson voted for J. J. Browne.

Total number of votes cast, 104.

Not voting: Forsyth, Pierce (C. M.), Sallee, Kelly, Nash, Pierce (D. W.), Woodworth, and Letterman — 8.

The joint session then dissolved.

At 12:20 P. M., immediately following the joint session, the Senate was called to order by President Luce, and on motion of Senator Rutter, a recess was taken until 2:30 P. M.

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### AFTERNOON SESSION.

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Senate called to order at 2:30 P. M. President Luce in the chair.

Roll call; all present excepting Senators Edens and Eshelman.

Senate bill No. 210 was considered as special order.

The Senate went into committee of the whole for the consideration of the bill.

Senator Dyer in the chair.

The committee, rising, reported the bill back to the Senate, with the recommendation that it pass.

President Luce in the chair.

The report of the committee of the whole was adopted.

The bill was read third time by sections and amended by striking out, in lines 1 and 2 of section 8, all before the words "the deputy" in line 2. In line 2 of section 8, the small letter "t" in "the" before "deputy" was changed to a capital letter "T" and the word "commissioner" inserted after the word "deputy."

In section 10 the following clause was inserted before the words "an emergency" and after the words "section 10:" "As the World's Columbian Exposition is soon to be opened in Chicago, and in order to carry out the provisions of this act."

The bill was then considered engrossed and passed by the following vote:

Those voting in the affirmative were: Senators Brown, Campbell, Claypool, Cooper, Dyer, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kinnear, O'Neill, Richards, Rutter, Sergeant, Shaw, Smith, and Van De Vanter — 22.

Those voting in the negative were: Senators Belknap, Donahoe, Hutchinson, Kellogg, McManus, Miller, and Roberts — 7.

Absent or not voting: Senators Edens, Easterday, Eshelman, McCroskey, and Van Houten — 5.

After the passage of the bill, and before the consideration of the emergency clause, the bill was, on motion of Senator Rutter, laid on the table subject to call.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 23, 1893.

MR. PRESIDENT:

The House has concurred in Senate amendment to section 1 of House bill No. 236.

The House has refused to concur in Senate amendment to section 2 of House bill No. 236, and the House requests the Senate to recede from the ast amendment.

T. G. NICKLIN, Chief Clerk.

Senator Shaw gave notice of his intention to move a reconsideration of the vote by which Senate bill No. 210 was passed.

House bill No. 163 was read third time by sections, and amended by adding to the title the words "and declaring an emergency," and by adding section 2 as follows: "An emergency is declared to exist, and therefore this act shall take effect upon its approval by the governor."

The bill passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, and Van De Vanter—27.

Absent or not voting: Senators Easterday, Edens, Eshelman, Hutchinson, McCroskey, Sergeant, and Van Houten—7.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, and Van De Vanter—25.

Absent or not voting: Senators Easterday, Edens, Eshelman, Hutchinson, Kellogg, Kinnear, McCroskey, Sergeant, and Van Houten—9.

The title of the bill to remain the title of the act.

Two petitions urging the passage of House bill No. 141 were presented by Senator Brown, and referred to Committee on Education.

Senator Foss was excused from attendance at to-morrow's session.

The following report was received from the joint committee appointed to visit the state 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 submits the following:

Ellensburg, at which point we arrived on the evening of February the 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 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 surrounding 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 23 classes, which classes are apportioned among six teachers, and the school is 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 75 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 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 the 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 \$6,550 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 sixty thousand dollars, and a further sum of twenty-five thousand dollars 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 eighteen thousand and three hundred dollars, 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 seemed 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 and so forth, 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 eighty-five dollars, including lighting, but not heating. We find the school possessed at the present time of considerable school

furniture, consisting of desks, school seats, black boards, tables, chairs and so forth, 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 sixteen thousand dollars in excess of the eighteen thousand and three hundred dollars 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 deprecations 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 purchases; that in the purchases of books, stationery, and so forth, 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, and so forth, 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, and so forth, 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 four dollars 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 nine thousand and ninety dollars, and we find that the cost of maintaining the board of trustees for the last two years amounts to about five hundred and seventy-five dollars, and about two hundred and sixty dollars charged for postage, the bulk of which was paid 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 that 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 sixty thousand dollars, and that a further appropriation of forty thousand 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 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 fifty dollars; and that she had decided to do so. We recently received the following letter from this assistant teacher:

CHENEY, WASHINGTON, January 9, 1892.

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 yours very truly, W. C. STONE."

E. L. BROWN, Chairman,

C. E. FORSYTH,

C. F. WESTFALL,

R. W. WINCHELL,

JOSEPH A. SHADLE,

Being all the members of the committee.

### REPORTS OF COMMITTEE ON APPROPRIATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1893.

MR. PRESIDENT:

Your Committee on Appropriations, to whom was referred Senate bill No. 45, entitled "An act establishing a state normal school at the town of Kelso, Washington, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that sections 9 and 13 be stricken out, and without further recommendation.

Respectfully submitted. A. T. VAN DE VANTER, Chairman.

We concur in this report: Ide, Smith.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 153, entitled "An act for the relief of C. F. Clapp and Thomas F. Drew, and making an appropriation therefor, and declaring an emergency to exist," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted. A. T. VAN DE VANTER, Chairman.

We concur in this report: Ide, Smith.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 38, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted. A. T. VAN DE VANTER, Chairman.

We concur in this report: Ide, Smith.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 150, entitled "An act for the relief of Elisha P. Ferry and Thos.

M. Reed, and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted. A. T. VAN DE VANTER, Chairman.

We concur in this report: Ide, Smith.

Report received, and bill placed on file.

#### INTRODUCTION OF BILLS.

Senate bill No. 248, by Senator Forrest: An act to provide for voting on a constitutional amendment, being article 16 of the constitution, at a general election to be held in November, 1894, relating to school lands.

Read first time; rules suspended, read second time by title, and referred to Committee on Constitution and Revision.

Senate bill No. 247, by Senator Roberts (by request): An act to amend section 112 of chapter 1 of title 5 of volume 1 of the Codes and Statutes of the State of Washington, as arranged and annotated by William Lair Hill.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

#### REPORT OF COMMITTEE ON SALARIES AND MILEAGE.

The Committee on Salaries and Mileage submitted the following report:

SENATE CHAMBER,

OLYMPIA, WASH., February 21, 1893.

MR. PRESIDENT:

We, your Committee on Salaries and Mileage, beg leave to report—

<i>State of Washington.</i>	<i>Dr.</i>
To Senator Trusten P. Dyer, 128 miles at 10 cents.....	\$12 80
To Senator C. E. Claypool, 128 miles, at 10 cents.....	12 80
Mileage in visiting the state university, at Seattle, in this state.	
To Senator Francis Donahoe, 116 miles, at 10 cents.....	\$11 60
To Senator Trusten P. Dyer, 116 miles, at 10 cents.....	11 60
To Senator W. P. Sergeant, 116 miles, at 10 cents. ....	11 60
Mileage in visiting soldiers' home at Orting, in this state.	
To Senator E. L. Brown, 890 miles, at 10 cents.....	\$89 00
To Senator C. E. Forsyth, 890 miles, at 10 cents.....	89 00
Mileage in visiting the state normal schools at Ellensburg and Cheney, in this state.	
To Senator C. I. Helm, 284 miles, at 10 cents.....	\$28 40
To Senator Frank Hastings, 284 miles, at 10 cents.....	28 40
Mileage in visiting the school for defective youth, in Vancouver, this state.	
To Senator J. T. Eshelman, 973 miles, at 10 cents.....	\$97 30
To Senator C. W. Ide, 973 miles, at 10 cents.....	97 30
Mileage in visiting the Medical Lake and Steilacoom insane asylums, in this state.	

To Senator C. J. Smith, 754 miles, at 10 cents.....	\$75 40
To Senator W. H. Gilbert, 754 miles, at 10 cents.....	75 40
Mileage in visiting the state penitentiary at Walla Walla, in this state.	

The Senate Committee on Salaries and Mileage hereby approve the above.

DAVID MILLER, Chairman,  
J. M. FRINK,  
W. P. SERGEANT.

The report of the committee was adopted.

#### COMMUNICATIONS FROM THE GOVERNOR.

The following communications were received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, February 21, 1893.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—I have the honor to transmit to you sixty copies of the report of the attorney general. Respectfully,

J. H. MCGRAW, Governor.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, February 20, 1893.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—I have this day approved and signed the following:

Senate bill No. 32, entitled "An act for the relief of S. F. Albert, ex-sheriff of Wahkiakum county."

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 or territorial homes for the support of disabled soldiers and sailors of the United States,' and declaring an emergency."

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 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."

Senate bill No. 51, entitled "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."

Senate bill No. 69, entitled "An act requiring the appointment of police matrons in certain cities, designating their duties and directing their compensation, and declaring an emergency."

I have the honor to be, very respectfully,

Your obedient servant,

J. H. MCGRAW, Governor.

House bill No. 104 was re-referred to the Judiciary Committee.

The Senate resolved itself into executive session with closed doors, to consider appointments heretofore made by the governor.

On motion of Senator Dyer, the action of the Senate whereby the nominations heretofore confirmed, to wit: J. R. Smith, trustee Washington school for defective youth, term ending July 1, 1898; S. A. Wells, trustee normal school, Cheney, term ending July 29, 1898; J. R. Hayden, regent state university, term ending March 3, 1893; A. H. Adams, member board of trustees of the Washington soldiers' home, term ending June 26, 1894; N. Fred. Essig, member state board of health, term five years from December 30, 1892; F. W. Agatz, trustee of normal school at Ellensburg, term of six years from June 25, 1892; Frank Allyn, D. Kellogg, W. D. Wood, members of board of regents of the state university; G. H. Boardman, member of the board of trustees of the Washington soldiers' home, term of five years from June 26, 1891; members of the state board of health: G. S. Armstrong, till December 30, 1893; J. R. Hathaway, till December 30, 1894; O. A. Bowen, till December 30, 1895; J. B. Eagleson, member of the state board of health, term of five years from December 21, 1891; B. W. Brintnall, member of the board of education, until first Monday in March, 1893; J. W. Goodell, trustee of Washington state reform school, for six years; Thomas M. Young, member board of trustees soldiers' home, for term ending June 26, 1897, was reconsidered.

The executive session then dissolved, and, on motion of Senator Smith, the Senate, at 5:25 P. M., adjourned until 10 o'clock A. M., Friday, February 24, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## FORTY-SEVENTH DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Friday, February 24, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all present excepting Senators Foss and Frink, who were excused.

The reading of yesterday's journal was dispensed with, and journal approved.

#### REPORTS OF COMMITTEE ON EDUCATION.

The following reports were received from the Committee on Education:

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1893.

MR. PRESIDENT:

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 Senate, with the recommendation that it be passed with the following amendments:

Amend section 5 by striking out of line 1 after the word "that" the words "the third subdivision of," and insert in line 2 before the word "third" all of subdivisions one and two of section 4 of original act, of which this act is amendatory.

Amend section 8 by striking out of line 1 after the word "that" the words "that subdivision of," and insert in line 2 before the word "third" subdivisions one and two of the act of which this is amendatory.

Respectfully submitted.

E. L. BROWN, Chairman.

We concur in this report:

J. M. FRINK,

R. C. McCROSKEY.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 104, A bill to amend section 18 of an act entitled "An act to amend sections 3, 4, 11, 12, 14, 16, 19, 20, 21, 24, 28, 30, 34, 35, 37, 38, 52, 53, 54, 61, 62, 63, 64, 65, 66, 67, 68, 71 and 88 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 Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

E. L. BROWN, Chairman.

We concur in this report:

J. M. FRINK,

R. C. McCROSKEY.

Report adopted, and Senate bill No. 104 indefinitely postponed.

MR. PRESIDENT:

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 Senate without recommendation.

Respectfully submitted.

E. L. BROWN, Chairman.

We concur in this report:

J. M. FRINK,

R. C. McCROSKEY.

Report received, and bill placed on file.

#### REPORTS OF COMMITTEE ON JUDICIARY.

The following reports were received from the Committee on Judiciary:

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1898.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 216, entitled "An act to prevent foreign or alien seamen from handling all cargoes of vessels in the various waters of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be re-referred to the Committee on Labor and Labor Statistics for final report, the bill presenting a question of public policy. This committee is, however, of the opinion that the bill is legal and constitutional.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report adopted, and Senate bill No. 216 re-referred to Committee on Labor and Labor Statistics.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 212, entitled "An act defining a legal working day," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be re-referred to the Committee on Labor and Labor Statistics for final report, the bill presenting a question of public policy. This committee is, however, of the opinion that the bill is legal and constitutional.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report adopted, and Senate bill No. 212 re-referred to Committee on Labor and Labor Statistics.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 213, entitled "An act regulating the hours of labor on state, county and municipal works," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be re-referred to the Committee on Labor and Labor Statistics for final report, the bill presenting a question of public policy. This committee is, however, of the opinion that the bill is legal and constitutional.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report adopted, and Senate bill No. 213 re-referred to Committee on Labor and Labor Statistics.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 211, entitled "An act to prevent the letting of sub-contracts upon public works," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be re-referred to the Committee on Labor and Labor Statistics for final report, the bill presenting a question of public policy. This committee is, however, of the opinion that the bill is legal and constitutional.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report adopted, and Senate bill No. 211 re-referred to Committee on Labor and Labor Statistics.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 214, entitled "An act in relation to negligence," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be re-referred to the Committee on Labor and Labor Statistics for final report, the bill presenting a question of public policy. This committee is, however, of the opinion that the bill is legal and constitutional.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report adopted, and Senate bill No. 214 re-referred to Committee on Labor and Labor Statistics.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 234, entitled "An act to fix the compensation to be allowed sheriff's for boarding county prisoners," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 227, entitled "An act to establish terms and places for holding the supreme court," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 228, entitled "An act to amend section 59 of volume 2 of Hill's Code of Washington, relating to the manner of drawing and summoning a

jury," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 229, entitled "An act to amend section 58 of volume 2 of Hill's Code of Washington, relating to the manner of drawing a jury," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 152, entitled "An act defining the offense of corrupt solicitation of members of the legislature, or of public officers of the state or any municipal division thereof, and any occupation or practice of solicitation of such members or officers, to influence their official action, and providing for the punishment thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 170, entitled "An act relating to crimes against public morals and decency," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 169, entitled "An act fixing the compensation of justices of the peace," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 65, entitled "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 Senate, with the recommendation that it be indefinitely postponed for the reason that Senate bill No. 124, which has already been reported upon favorably by this committee and has passed the Senate, and is now in the House, is identically the same bill.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 285, entitled "An act to amend section 2650 of the Code of Washington of 1881, relating to the scaling and measurement of logs, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Richards and Claypool, the members of said committee present.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON PRINTING.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1893.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred Senate bill No. 183, entitled "An act to amend section 9 of an act entitled 'An act to regulate and license insurance business in this state,'" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

JNO. E. MCMANUS, Chairman.

Concurred in by Senators Kellogg and Richards, being all the members of said committee.

Report adopted, and bill indefinitely postponed.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 23, 1893.

MR. PRESIDENT:

The House has passed House bill No. 99, by Mr. McElwain, An act to amend the Code 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.

Also, House bill No. 283, by Mr. Ludden, An act granting a bounty for the production and manufacture of sugar in the State of Washington.

Also, House concurrent resolution No. 17, Asking that road engineering be taught in all agricultural colleges.

The speaker of the House has signed House bill No. 171, entitled "An act relating to salaries of judges."

Also, House bill No. 106, Relating to wills.

Also, House bill No. 62, For the detention of domestic animals.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, February 21, 1898.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—I have this day approved and signed the following:

Senate bill No. 95, entitled "An act relating to the lien of judgments upon real estate, and repealing sections 449, 450, 455, 456, 457 and 460 of title 7, chapter 15 of volume 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill."

Senate bill No. 66, entitled "An act to fix the legal rate of interest."

Senate bill No. 25, entitled "An act relative to commission merchants, or persons selling agricultural products and farm produce, and declaring an emergency."

I have the honor to be, very respectfully, your obedient servant,

J. H. MCGRAW, Governor.

#### INTRODUCTION OF BILLS.

Senate bill No. 249, by Senator Claypool: An act to regulate corporations engaged in business of guaranteeing or acting as security for the fidelity of persons in public and private offices, employments or positions, and the agents of such corporations, and prescribing penalties for failure to comply with the provisions thereof.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 250, by Senator Claypool: An act to amend section one thousand six hundred and six (1606) of the General Statutes of the State of Washington, relating to deposits required of foreign buildings and loan associations doing business in this state.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 251, by Senator Claypool: An act to provide for the collection, exhibition and maintenance of the products, resources

and developments of the State of Washington at the World's Columbian Exposition of 1893, and making an appropriation therefor.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 252, by Senator Edens (by request): An act to create a system of tract indexes for the counties of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Revenue and Taxation.

Senate bill No. 253, by Senator Sergeant: An act amending section 1285, chapter 7, title 13 of volume 1 of Hill's Statutes and Codes.

Read first time; rules suspended, read second time by title, and referred to Committee on Military.

Senate bill No. 254, by Senator Campbell: An act establishing a state board of emigration, and appropriating money therefor.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

#### FROM THE HOUSE.

House bill No. 387: An act making appropriations for newspapers for publishing proposed constitutional amendment.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

The Senate refused to recede from its amendment to House bill No. 236, and appointed as Senate members of conference committee, Senators Claypool, Eshelman and Dyer.

House bill No. 88: Relating to improvements in cities, and authorizing insurance and bonds upon the property.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

House bill No. 283: Making deficiencies in public institutions.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 20: An act relating to appeals.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 377: Regulating bills of exceptions.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 237 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Forrest, Forsyth, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Sergeant, Shaw, Van De Vanter, and Van Houten — 26.

Those voting in the negative were: Senators Edens and Eshelman — 2.

Absent or not voting: Senators Claypool, Foss, Frink, Richards, Rutter, and Smith — 6.

The title of the bill to remain the title of the act.

The president stated that he was about to sign House bills Nos. 106, 171 and 62.

Senate bill No. 125 read third time by sections, and amended by adding section 3:

“SEC. 3. That section 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,” be and the same is hereby amended to read as follows:

“SEC. 4. Whenever the reporter of the supreme court shall have prepared sufficient copy to make a volume of reports, he shall deliver said copy to the secretary of state, who shall thereupon make requisition upon the state printer for 500 copies of said volume; and from time to time thereafter, whenever the supply of any volume shall have been exhausted, it shall be the duty of the secretary of state to make requisition for the publication of so many additional copies of such volume as may be necessary to meet the public demand thereafter.”

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Donahoe, Easterday, Edens, Forrest, Forsyth, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten — 27.

Senator Dyer voted in the negative.

Absent or not voting: Senators Claypool, Eshelman, Foss, Frink, Richards, and Smith — 6.

The title was amended by pluralizing the word "section" and inserting thereafter the words "two and four."

Senate bill No. 168 was laid on the table, subject to call.

Senator Dyer, on behalf of Mayor Ronald, of Seattle, and President Graves, of the Seattle chamber of commerce, extended to the members of the Senate an invitation to visit the city of Seattle as the guests of its citizens on February 25th and 26th.

Senator Hastings moved that the invitation be accepted, and that the Senate visit Seattle on the dates set forth.

The motion carried unanimously.

The members of the Senate proceeded to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Anderson (D. F.), Anderson (W. D. E.), Claypool, Foss, Frink, Gilman, Hurd, Nash, Neergaard, Nelson, Richards, Rutter, and Van De Vanter.

Reading of journal of previous session dispensed with. Journal approved.

The following pairs were announced for to-day's ballot: Kinnear and Claypool, Foss and Anderson (of Whatcom), Rutter and Richards, Nelson and Anderson (of Whitman), Forsyth and Nash, Gilman and Neergaard, Edens and Hurd.

For Saturday's ballot: Kinnear and Claypool, Rutter and Richards, Weed and Hamill.

For Saturday and Monday: Dyer and Tull.

#### SEVENTY-EIGHTH JOINT BALLOT.

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—42.

Those voting for George Turner were: Cooper, Easterday, Greenberg, Helm, Ide, McMillan, Mentzer, Moore, Pierce (D. W.), Ros-

coe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Westfall, Van Houten, and Woodworth—19.

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—22.

Those voting for M. F. Knox were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Hutchinson voted for Chas. Voorhees.

Mulkey voted for Stephen Judson.

Total number votes cast, 95.

Not voting: Anderson (D. F.), Anderson (M.), Forsyth, Frink, Kinnear, Neergaard, Rutter, Van De Vanter, Claypool, Edens, Hurd, Nash, Nelson, Richards, Foss, Anderson (W. D. E.), and Gilman—17.

#### SEVENTY-NINTH JOINT BALLOT.

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—42.

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—19.

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—22.

Those voting for M. F. Knox were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.) voted for R. O. Dunbar.

Hutchinson voted for Charles Voorhees.

Mulkey voted for Stephen Judson.

Total number of votes cast, 95.

Not voting: Anderson (D. F.), Anderson (M.), Forsyth, Frink, Kinnear, Neergaard, Rutter, Van De Vanter, Claypool, Edens,

Hurd, Nash, Nelson, Richards, Foss, Anderson (W. D. E.), and Gilman—17.

The joint session then dissolved.

At 12:30 P. M., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator Helm, a recess was taken until 2:30 P. M.

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### AFTERNOON SESSION.

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Senate called to order at 2:30 o'clock P. M.

President Luce in the chair.

Roll call; all present excepting Senators Easterday, Claypool, Foss and Edens.

A petition from residents of Stevens county, urging the passage of House bill No. 141, was presented by Senator O'Neill, and referred to the Committee on Education.

### INTRODUCTION OF BILLS.

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, to connect Eastern and Western Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Roads and Bridges.

Senate bill No. 256, by Senator Van Houten: An act to establish a system of public schools in cities of 2,500 or more inhabitants, and to provide for properly maintaining, governing and grading the same.

Read first time; rules suspended, read second time by title, and referred to Committee on Education.

The joint committee appointed to visit soldiers' home submitted the following report, which was ordered printed:

### REPORT OF JOINT COMMITTEE ON SOLDIERS' HOME.

*To the Honorable Legislature of the State of Washington:*

We, the undersigned joint committee, who were appointed by resolution to visit the Washington soldiers' home, located at the town of Orting in the county of Pierce, respectfully report that, in accordance with such

resolution, on the 21st day of February, we visited the said soldiers' home and made careful inspection of the home, its management, the supplies, personal property generally on hand and, so far as we could, all other matters and things pertaining to the same.

We found the management, as we believe, unobjectionable and leaving but little to be desired. With the exception that the trustees have allowed a portion of the grounds of the home to be used for the purpose of raising hops, and as the home receives no benefit therefrom we cannot approve the same. We do especially commend the careful management and supervision of Commandant S. F. Street, and find that a portion of the sum appropriated by the legislature of 1891 has been turned back into the general fund by reason of the wise and economic administration of Commandant Street, acting under and cooperating with the board of trustees of the home.

Commandant S. F. Street most earnestly recommends that Mexican war veterans be admitted to the home on the same terms and basis as veterans of the union army who are now inmates, a recommendation in which we most heartily concur and see no reason why any objection should be raised to the same, and therefore hope such legislation will be adopted by this legislature as will carry this recommendation into effect. We find the present accommodations inadequate to the number of inmates of the home, and would recommend that additional buildings be erected at reasonable cost for the accommodation of such inmates as may be admitted within the next two years. We would recommend that the buildings so erected be placed at a reasonable distance from the main building now occupied. We further recommend that the present main building should be rearranged so as to increase the ventilation and be more conducive to the health and welfare of the inmates.

For the purpose of the maintenance of the home for the next two years, we recommend an appropriation of \$70,000, \$45,000 for the expenditures of the year 1893, and \$25,000 for that of 1894, in accordance with a bill which the committee ask leave to introduce with this report.

All of which is hereby respectfully submitted.

TRUSTEN P. DYER,  
Chairman Joint Committee,  
FRANCIS DONAHOE,  
Of the Senate.

C. M. PIERCE,  
Chairman House Committee.

E. H. LETTERMAN,  
H. W. GREENBERG,  
D. W. PIERCE,  
A. WOODWORTH,

Of the House.

Report received, and committee discharged.

Senate bill No. 257 was introduced by Senator Dyer: An act to appropriate money for the support and maintenance for the state soldiers' home at Orting.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

REPORT OF COMMITTEE ON SALARY AND MILEAGE.

The Committee on Salary and Mileage submitted the following report:

State of Washington Dr. to Senator B. C. Van Houten, 66 miles, at 10 cents per mile, \$6.60; to Senator J. G. Campbell, 66 miles, at 10 cents per mile, \$6.60, mileage in visiting the state reform school, at Chehalis, in this state.

To Senator J. M. Frink, 1,072 miles, at 10 cents per mile, \$107.20; to Senator H. C. Cooper, 1,072 miles, at 10 cents per mile, \$107.20, mileage in visiting the state agricultural college and school of science, at Pullman, this state.

The Senate Committee on Salary and Mileage hereby approve the above.

DAVID MILLER, Chairman,  
W. P. SERGEANT.

The report was adopted.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 24, 1893.

MR. PRESIDENT:

The House has passed House bill No. 322 (substitute for House bill No. 140), by Committee on Municipal Corporations, An act authorizing cities to make assessments and reassessments.

The Senate having refused to recede from its amendments to House bill No. 236, entitled "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," the speaker appointed Messrs. Roscoe, Webb and Gilman as conference committee on part of the House to act with the Senate committee on same subject.

T. G. NICKLIN, Chief Clerk.

Senate bill No. 258, by Senator Cooper: An act to amend section 673, volume 1, Hill's Code, providing for the organization, classification and government of municipal corporations, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

Senate bill No. 259, by Senators Claypool, Van De Vanter, Ide, Forrest, McManus, Sergeant, Brown, Forsyth, Shaw, Frink, Rutter,

Kellogg, Miller, McCroskey, Dyer, Kinnear, Hastings and Roberts: An act to submit to the qualified electors of the state the question of changing the location of the seat of government.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

Senate bill No. 180 was referred to Committee on Judiciary.

#### REPORT OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1893.

MR. PRESIDENT:

Your Judiciary Committee, to whom was referred Senate bill No. 180, being an act 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 recommend that the bill be amended by adding to section 2 the following proviso:

"*Provided*, That when such license fee shall have been paid and such license issued, the same cannot be revoked or suspended during the term for which such license is granted, except for disorderly conduct of such business, or the place where the same is carried on, or some unlawful act committed by the licensee in the conduct of the business licensed."

And your committee recommend the passage of the bill as so amended.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Senators Dyer, Claypool, Richards, Van Houten and Brown concurring.

Report received.

Senate bill No. 180 was read third time by sections and amended by inserting after the last word "treasury," in section 2: "*Provided*, That when such license fee shall have been paid and such license issued, the same cannot be revoked or suspended during the term for which such license is granted, except for disorderly conduct of such business or the place where the same is carried on, or some unlawful act committed by the licensee in the conduct of the business licensed."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Sergeant, Smith, Van De Vanter, and Van Houten — 24.

Those voting in the negative were: Senators Horr, Hutchinson, and Shaw — 3.

Absent or not voting: Senators Claypool, Easterday, Edens, Foss, Kellogg, Roberts, and Rutter—7.

The title of the bill to remain the title of the act.

#### FROM THE HOUSE.

House concurrent resolution No. 17: Asking congress to require road engineering to be taught in agricultural colleges.

Read first time; rules suspended, read second time by title, and referred to Committee on Memorials.

House bill No. 283: Granting a bounty for the production of sugar in the State of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Agriculture.

House bill No. 99: Relating to the issuance, service and return of process, etc., by justices of the peace.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 278 (substitute for House bills Nos. 3 and 67): Relating to the relief of indigent war veterans.

Read third time, and amended by striking out the word "six" before the word "months," in line 14 of section 1, and inserting in lieu thereof the word "twelve."

The bill then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Cooper, Dyer, Forrest, Forsyth, Frink, Gilbert, Hastings, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten—24.

Those voting in the negative were: Senators Campbell and Donahoe—2.

Absent and not voting: Senators Claypool, Easterday, Edens, Eshelman, Foss, Helm, Roberts, and Smith—8.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten—26.

Absent or not voting: Senators Claypool, Easterday, Edens, Foss, Helm, Kellogg, Roberts, and Smith—8.

The title of the bill to remain the title of the act.

House bill No. 216 was read third time by sections and passed by the following vote.

Those voting in the affirmative were: Senators Belknap, Brown, Cooper, Dyer, Donahoe, Eshelman, Forrest, Forsyth, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, O'Neill, Richards, Roberts, Rutter, Sergeant, Smith, and Van De Vanter—24.

Senator Shaw voted in the negative.

Absent or not voting: Senators Campbell, Claypool, Easterday, Edens, Foss, Frink, Kellogg, Miller, and Van Houten—9.

The emergency clause then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Dyer, Donahoe, Eshelman, Forrest, Forsyth, Gilbert, Hastings, Helm, Horr, Hutchinson, Kellogg, McManus, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van De Vanter—23.

Absent or not voting: Senators Campbell, Cooper, Easterday, Edens, Foss, Frink, Ide, Kinnear, McCroskey, Miller, and Van Houten—11.

The title of the bill to remain the title of the act.

Senate bill No. 204 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Forrest, Forsyth, Gilbert, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinnear, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—26.

Absent or not voting: Senators Claypool, Easterday, Edens, Eshelman, Foss, Frink, Ide, and McCroskey—8.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Forrest, Forsyth, Gilbert, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—27.

Absent or not voting: Senators Claypool, Easterday, Edens, Eshelman, Foss, Frink, and Ide—7.

The title of the bill to remain the title of the act.

Senate bill No. 217, sections 1 to 16, inclusive, read third time; bill amended by adding to section 9 after last word "and shall

bear on the back thereof the initials of said primary election officer," and by striking out the plural "s" in the word "officers" in line 4 of section 9.

The bill was indefinitely postponed, Senators Shaw, Dyer, Horr, Hutchinson, McCroskey and Gilbert calling for the yeas and nays.

On roll call, Senators Belknap, Brown, Cooper, Forrest, Forsyth, Hastings, Helm, Kellogg, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Van De Vanter and Van Houten voted to indefinitely postpone — 16.

Senators Dyer, Donahoe, Gilbert, Horr, Hutchinson, Kinnear, McCroskey, McManus, Shaw and Smith voted against the motion to indefinitely postpone — 10.

Motion declared carried.

Senator Brown gave notice that he would move a reconsideration of the vote by which Senate bill No. 217 was indefinitely postponed.

Senate bill No. 127 was indefinitely postponed.

#### COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, WASH., February 23, 1893.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN — I have this day approved and signed the following:

Senate bill No. 220, entitled "An act appropriating money for the maintenance of the soldiers' home."

Senate bill No. 85, entitled "An act for the prevention of cruelty to children, animals, fowls and birds, and providing punishment therefor."

I have the honor to be, very respectfully, your obedient servant,

J. H. MCGRAW, Governor.

#### REPORT OF COMMITTEE ON MEDICINE, DENTISTRY, HYGIENE AND SURGERY.

SENATE CHAMBER,

OLYMPIA, WASH., February 23, 1893.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Hygiene and Surgery, to whom was referred House bill No. 86, entitled "An act to regulate the practice of dentistry in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass, as amended:

In line 12, section 4, strike out the words "the passage of this act," and insert "application for examination;" and add to line 11, section 5, the

words: "*Provided*, That the second examination is taken before the expiration of one year.

Respectfully submitted.

JOHN G. CAMPBELL, Chairman.

We concur in this report:

F. W. HASTINGS,

J. L. ROBERTS.

Report received, and bill placed on file.

On motion of Senator Shaw, the Senate, at 5:15 P. M., adjourned until 10 o'clock A. M. Saturday, February 25, 1893.

ALLEN WEIR,

*Secretary of the Senate.*

F. H. LUCE,

*President of the Senate.*

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## FORTY-EIGHTH DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Saturday, February 25, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all present excepting Senators Claypool, Dyer, Foss, Frink, Helm, and Kinnear.

The reading of yesterday's journal was dispensed with, and journal approved.

The following report was received from the joint committee appointed to visit the state penitentiary.

Report received, ordered printed, and referred to Committee on Appropriations.

### 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 been 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 the 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 the same purpose by convicts who are not fed in their cells. This is a condition of affairs which 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 purpose 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 of food stuffs.

## BRICK YARD.

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 factory, you are respectfully referred to the third annual report of the prison directors.

Your committee is 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 57
Total.....	\$14,851 59

This 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 a 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 expenditure of its funds, conserving the interests of the state perfectly.

The revolving fund should be renewed and increased to fifty thousand dollars (\$50,000).

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 yards 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 brick yard.

#### 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,  
W. H. GILBERT,  
J. H. RINEHART,  
S. W. HAMILL,  
JOE MERCHANT.

Senate bill No. 206 was re-referred to Committee on Corporations other than Municipal.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 25, 1893.

MR. PRESIDENT:

The House has passed House bill No. 333, entitled "An act relating to legal publications."

Also, House bill No. 182, An act to authorize the fish commissioner to appoint a deputy in each county.

Also, House bill No. 331, An act to amend sections 107, 109, 113, 116, 124, 126, 132, 133, 134, 135 and 136, relating to municipal corporations.

Also, the House has concurred in Senate amendments to House bill No. 163, 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, and the speaker has signed the enrolled bill.

The House has passed House bill No. 98, by Mr. McElwain, An act fixing the fees and compensation of justices of the peace.

Also, 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.

Also, House bill No. 181, by Mr. Bush, of Pacific, An act authorizing the fish commissioner and his duputies to make arrests.

Also, House bill No. 174, by Mr. McKenzie, An act to amend sections 8, 12, 64, 65 and 72 of school laws.

Also, House memorial No. 7, entitled "An act to prevent pauper immigration.

Also, House concurrent resolution No. 18, Relating to Pacific Park reservation.

Also, House concurrent resolution No. 19, Relating to the employment of aliens on public work.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

The Committee on Engrossed Bills made the following report:

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1893.

MR. PRESIDENT:

Your Committee on Engrossed Bills respectfully reports that the engrossed copy of 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 been carefully compared with the original copy thereof, and found correctly engrossed.

Respectfully submitted.

J. A. KELLOGG,

J. C. HERR.

#### REPORT OF COMMITTEE ON FISHERIES.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1893.

MR. PRESIDENT:

We, your Committee on Fisheries, 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 Senate, with the recommendation that it do pass with the following amendments:

Strike out in line 2 of section 1 of printed bill the words "such cans" and insert the word "any;" and in same line and section, strike out the

word "as" and insert in lieu thereof the words "packed in other states that."

Respectfully submitted.

J. C. HORR, Chairman.

We concur in this report:

B. F. SHAW,  
FRANK H. RICHARDS.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON REVENUE AND TAXATION.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1893.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred House concurrent resolution No. 10, 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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. R. FORREST, Chairman.

We concur in this report:

BELKNAP,  
CAMPBELL,  
HUTCHINSON,  
COOPER,  
ROBERTS.

Report received, and House concurrent resolution No. 10 placed on file.

#### REPORT OF COMMITTEE ON MINES AND MINING.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1893.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate bill No. 221, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be referred to Committee on Revenue and Taxation.

Respectfully submitted.

JAMES O'NEILL, Chairman.

We concur in this report:

W. C. RUTTER,  
R. A. HUTCHINSON.

Report adopted, and Senate bill No. 221 referred to Committee on Public Revenue and Taxation.

REPORTS OF COMMITTEE ON PUBLIC REVENUE AND TAXATION.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1893.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 221, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

W. R. FORREST, Chairman.

We concur in this report:

BELKNAP,  
COOPER,  
CAMPBELL,  
HUTCHINSON,  
ROBERTS.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, 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 Senate with the recommendation that it do pass.

Respectfully submitted.

W. R. FORREST, Chairman.

Senators Belknap, Cooper, Campbell, Hutchinson, Roberts and McCroskey concur.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 208, entitled "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,' approved February 2, 1888, of Hill's Code, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

W. R. FORREST, Chairman.

We concur in this report:

BELKNAP,  
COOPER,  
CAMPBELL,  
HUTCHINSON,  
ROBERTS.

Report received, and bill placed on file.

REPORTS OF COMMITTEE ON COUNTIES AND COUNTY BOUNDARIES.

The following reports were received from the Committee on Counties and County Boundaries:

SENATE CHAMBER,  
OLYMPIA, WASH., February 24, 1893.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, 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 Senate, with the recommendation that it do pass.

Respectfully submitted.

C. E. FORSYTH, Chairman.

We concur in this report:

HENRY C. COOPER,  
T. J. SMITH.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred House bill No. 156, entitled "An act to authorize boards of county commissioners to provide suitable offices for the use of each county officer," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

C. E. FORSYTH, Chairman.

We concur in this report:

HENRY C. COOPER,  
T. J. SMITH.

Report received, and bill placed on file.

REPORT OF COMMITTEE ON MINES AND MINING.

SENATE CHAMBER,  
OLYMPIA, WASH., February 24, 1893.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate bill No. 207, entitled "An act to regulate the manner of locating mining claims, and for other purposes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

JAMES O'NEILL, Chairman.

We concur in this report:

W. C. RUTTER,  
R. A. HUTCHINSON.

Report received, and bill placed on file.

REPORTS OF COMMITTEE ON PUBLIC BUILDINGS AND  
 GROUNDS.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1893.

MR. PRESIDENT:

We, your Committee on Public Buildings and Grounds, to whom was referred Senate bill No. 123, entitled "An act for the relief of the Olympia Water Works," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended by adding "1893" and "1894" after "1892," so that the same will provide for the years 1890, 1891, 1892, 1893 and 1894, and as so amended that it do pass.

Respectfully submitted.

C. I. HELM, Chairman.

We concur in this report:

B. C. VAN HOUTEN,  
 W. C. RUTTER.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Public Buildings and Grounds, to whom was referred Senate bill No. 113, entitled "An act providing for the erection of state capitol buildings for the State of Washington at Olympia, appointing a commission for same, appropriating money from the general fund, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. I. HELM, Chairman.

We concur in this report:

B. C. VAN HOUTEN,  
 W. C. RUTTER.

Report adopted, and Senate bill No. 113 indefinitely postponed.

REPORT OF COMMITTEE ON COUNTIES AND COUNTY BOUND-  
 ARIES.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1893.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate bill No. 199, entitled "An act to provide means for the 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 provide means for ascertaining the fact of such compliance with said constitutional requirements and to provide for the organization of any such new county when created,"

have had the same under consideration, and we respectfully report the same back to the Senate, with a substitute, and recommend its passage.

Respectfully submitted.

C. E. FORSYTH, Chairman.

We concur in this report:

HENRY C. COOPER,

T. J. SMITH.

Report received, Senate bills Nos. 199 and 273 placed on file.

#### INTRODUCTION OF BILLS.

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.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

Made special order, Tuesday next, 10 A. M.

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.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

Made special order, Tuesday next, 10 A. M.

Senate bill No. 262, by 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.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

Made special order, Tuesday next, 10 A. M.

Senate bill No. 263, by Committee on Public Revenue and Taxation: An act amending section 37, page 314, Session Laws of 1889-90, relating to the payment of salaries of county officers.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

Made special order for Tuesday next, 10 A. M.

Senate bill No. 264, by Committee on Public Revenue and Taxation: An act amending section 10, page 638, Session Laws 1889-90, relating to the duties of the state auditor.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

Made special order for Tuesday next, 10 A. M.

Senate bill No. 265, by Committee on Public Revenue and Taxa-

tion: 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.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

Made special order for Tuesday next, 10 A. M.

Senate bill No. 266, by Committee on Public Revenue and Taxation: 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.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

Made special order for Tuesday next, 10 A. M.

Senate bill No. 267, by Committee on Public Revenue and Taxation: An act amending sections 2667 and 2678, Code of 1881, relating to the duties of county commissioners.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

Made special order for Tuesday next at 10 A. M.

Senate bill No. 268, by Senator Hastings: An act for the taxing of dogs.

Read first time; rules suspended, read second time by title, and referred to Committee on Agriculture.

Senate bill No. 269: To protect persons while engaged on the navigable waters of the State of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Commerce.

Senate bill No. 270, by Senator Horr: An act for the relief of W. T. Cavanaugh.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 271, introduced by 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," making an appropriation therefor, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

Reported back with recommendation to pass, and made special order for Monday, February 27, at 2 P. M.

The president stated that he was about to sign House bill No. 163.

Senate bill No. 272, by Senator Kellogg: An act to provide for the establishment of a board of railroad commissioners, defining their duties, and to regulate the receiving and transportation of freight on railroads in this state, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

Senate bill No. 273, substitute for Senate bill No. 199, by Committee on Counties and County Boundaries: An act to provide for the protection of new counties.

Read first time; rules suspended, read second time by title, and placed on file.

Senate bill No. 274, by Senator Van De Vanter: An act to regulate the publication of coal mine inspectors' reports.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 275, by 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 Hill's Annotated Codes and Statutes of the State of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 276, by Senator Helm: A bill for the relief of Ben E. Snipes, and making an appropriation therefor.

Read first time; rules suspended, read second time by title, and referred to Committee on Claims.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all Senators and Representatives present excepting Donahoe, Dyer, Forsyth, Foss, Frink, Hamill, Hurd, Kinnear, Nash, Richards, Rutter, Tull, Weed, Van Houten, and Van De Vanter.

Reading of yesterday's journal dispensed with, and journal approved.

The following pairs were announced for to-day's ballot: Brown and Donahoe, Anderson of Pierce and Frink, Forsyth and Nash, Hurd and Edens, Gilman and Neergaard, Kinnear and Claypool, Rutter and Richards, Dyer and Foss, Weed and Hamill.

For Monday, February 27th: McManus and O'Neill, Kelly and Shelton, Hastings and Turpin.

## EIGHTIETH JOINT BALLOT.

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—41.

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—18.

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.)—20.

Those voting for M. F. Knox were: Baker, Burton, Collin, Denn, Edwards, Egbert, Scott, and Smith (J. B.)—8.

Bush (N. W.) voted for R. O. Dunbar.

Hutchinson voted for Chas. Voorhees.

Turpin voted for B. F. Shaw.

Mulkey voted for Stephen Judson.

Durant voted for Representative Denn.

Total number of votes cast, 92.

Not voting: Anderson (M.), Brown, Dyer, Forsyth, Frink, Kinnear, Rutter, Weed, Van De Vanter, Claypool, Edens, Hurd, Nash, Richards, Tull, Van Houten, Anderson (W. D. E.), Donahoe, Foss, and Hamill—20.

## EIGHTY-FIRST JOINT BALLOT.

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 — 41.

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 — 18.

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 — 21.

Those voting for M. F. Knox were: Baker, Burton, Collin, Denn, Edwards, Egbert, Scott, and Smith (J. B.) — 8.

Bush (N. W.) voted for R. O. Dunbar.

Mulkey and Hutchinson voted for B. F. Shaw — 2.

Durant voted for Representative Denn.

Total number votes cast, 92.

Not voting: Anderson (M.), Brown, Dyer, Forsyth, Frink, Kinnear, Rutter, Weed, Van De Vanter, Claypool, Edens, Hurd, Nash, Richards, Tull, Van Houten, Anderson (W. D. E.), Donahoe, Foss, and Hamill — 20.

The joint session then dissolved.

At 12:25 p. m., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator Richards, a recess was taken until 2:30 o'clock p. m.

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#### AFTERNOON SESSION.

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Senate called to order at 2:30 o'clock p. m. President Luce in the chair.

Roll call; all present excepting Senators Kinnear, Frink, Foss, Forsyth, Dyer and Claypool.

House bill No. 285 was read third time by sections and passed by the following vote.

Those voting in the affirmative were: Senators Belknap, Cooper, Easterday, Edens, Eshelman, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, McCroskey, McManus, Miller, O'Neill, Richards,

Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—23.

Those voting in the negative were: Senators Brown, and Campbell—2.

Absent or not voting: Senators Claypool, Dyer, Donahoe, Forrest, Forsyth, Foss, Frink, Kellogg, and Kinnear—9.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Cooper, Easterday, Edens, Eshelman, Forrest, Gilbert, Hastings, Helm, Hutchinson, Ide, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—23.

Senator Horr voted in the negative.

Absent or not voting: Senators Brown, Campbell, Claypool, Dyer, Donahoe, Forsyth, Foss, Frink, Kellogg, and Kinnear—10.

The title of the bill to remain the title of the act.

The following reports were submitted:

#### MAJORITY REPORT.

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

Your committee to whom was referred for investigation the formal charges preferred by Hon. Ezra Meeker against the Washington State World's Fair Commission respectfully report—

*First.* That they have made a full, complete and careful examination of the books, vouchers and reports of the commission, and have thoroughly weighed the evidence, presented under oath, pro and con, to your committee, and find—

*Second.* That there is not the slightest evidence of dishonesty or intentional neglect.

*Third.* That in some instances there have been excessive and extravagant expenditures for the results achieved, attributable, apparently, to an utter lack of sources of reliable information pertaining to the work.

*Fourth.* That we find the work of the commission well in hand, and believe irreparable injury would be done should the further conduct of the work be given to new and inexperienced hands.

We therefore recommend the passage of the accompanying bill as the only measure calculated to conserve the best interests of the state.

The testimony and papers in the case are herewith submitted.

A. T. VAN DE VANTER,  
CHAS. I. ROTH,  
F. W. D. MAYS,  
O. B. NELSON,  
R. T. COWAN,  
JOHN E. MCMANUS,  
C. W. IDE,  
R. W. WINCHELL.

## MINORITY REPORT.

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

The undersigned minority of committee, to whom was referred for investigation the formal charges preferred by the Hon. Ezra Meeker against the Washington World's Fair Commissioners, respectfully report—

*First.* That the charge of extravagance has been proven and sustained.

*Second.* That the other charges have not been proven.

*Third.* That I agree with the majority of the committee that an appropriation ought to be made, notwithstanding the shortcomings of the executive committee; that the State of Washington requires this for the purpose of having a proper exhibit.

All of which is respectfully submitted.

STEPHEN JUDSON.

The reports were received.

House bill No. 333, Relating to legal publication.

Read first time; rules suspended, read second time by title; rules further suspended, and, by unanimous consent, placed on final passage.

The bill passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Cooper, Easterday, Edens, Eshelman, Forrest, Gilbert, Hastings, Helm, Horr, Ide, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 23.

Senator Hutchinson voted in the negative.

Absent or not voting: Senators Brown, Campbell, Claypool, Dyer, Donahoe, Forsyth, Foss, Frink, Kellogg, and Kinnear — 10.

The title of the bill to remain the title of the act.

Senate resolved itself into committee of the whole for consideration of Senate bill No. 271.

Senator Eshelman in the chair.

The committee, rising, reported the bill back to the Senate, with recommendation to pass.

President Luce in the chair.

Report adopted, bill read third time by sections, and made special order for Monday, February 27, at 2 P. M.

House bill No. 159 was reconsidered, upon motion of Senator McCroskey, and amended by adding:

“SEC. 7. Whereas, there is no law in existence adequately providing for boards of health in towns and cities, an emergency is therefore declared to exist, and this bill shall take effect from and after its passage and approval by the governor.”

Bill considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Cooper, Easterday, Edens, Gilbert, Hastings, Horr, Hutchinson, Ide, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Smith, and Van De Vanter—19.

Those voting in the negative were: Senators Brown, Eshelman, Rutter, and Shaw—4.

Absent or not voting: Senators Claypool, Dyer, Donahoe, Forrest, Forsyth, Foss, Frink, Helm, Kellogg, Kinnear, and Van Houten—11.

The title of the bill to remain the title of the act.

On motion of Senator McCroskey, the bill was reconsidered and laid on table.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1893.

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 95, entitled "An act relating to the lien of judgments upon real estate and repealing sections 449, 450, 455, 456, 457 and 460 of title 7, chapter 15, of volume 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman,  
CHAS. I. HELM,  
JOHN G. CAMPBELL.

#### REPORT OF COMMITTEE ON AGRICULTURE.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1893.

MR. PRESIDENT:

We, your Committee on Agriculture, 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 Senate, with the recommendation that it be amended by inserting the word "half" after the word "one" and before the word "cent" in section 1, and the same in section 2, making the same to read "one-half cent for each and every pound of sugar," etc.; also, amend section 4 by striking out, after the word "provided," the words "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"—.

Respectfully submitted.

R. C. McCROSKEY, Chairman.

We concur in this report:

W. H. GILBERT,

W. C. BELKNAP.

Report received, and bill placed on file.

On motion of Senator Gilbert, the Senate, at 3:55 P. M., adjourned until 11:50 A. M. Monday, February 27, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## FIFTIETH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Monday, February 27, 1893. }  
11:50 o'clock A. M.

Senate called to order, pursuant to adjournment, at 11:50 o'clock A. M. President Luce in the chair.

Roll call; all present excepting Senators Kellogg, McCroskey and McManus, who were excused.

The reading of yesterday's journal was dispensed with and journal approved.

The members of the Senate repaired to the House of Representatives to meet in joint session.

### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Brown, Dyer, Hastings, Kellogg, McCroskey, McManus, Roberts, Van De Vanter, Van Houten, Smith (T. J.), Roth, Kelly, Tull, Turpin and Woodworth.

The reading of Saturday's journal was dispensed with and journal approved.

The following pairs were announced: McCroskey and Anderson

(Whitman), Van Houten and Gilbert, Smith (T. J.) and Kellogg, O'Neill and McManus, Campbell and Roth, Miller and Roberts, Dyer and Tull, Kelly and Shelton.

## EIGHTY-SECOND JOINT BALLOT.

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—40.

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—20.

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.)—20.

Those voting for J. C. Van Patten were: Baker, Burton, Denn, Scott, and Smith (J. B.)—5.

Bush (N. W.) voted for R. O. Dunbar.

Hutchinson voted for B. L. Sharpstein.

Durant, Edwards and Egbert voted for M. F. Knox—3.

Collin voted for Patrick Henry Winston.

Total number of votes cast, 91.

Not voting: Anderson (D. F.), Brown, Dyer, Gilbert, Hastings, Kellogg, O'Neill, Roberts, Roth, Van De Vanter, Kelly, Smith (T. J.), Tull, Van Houten, Woodworth, Campbell, McCroskey, McManus, Miller, Shelton, and Turpin—21.

## EIGHTY-THIRD JOINT BALLOT.

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—40.

Those voting for George Turner were: Claypool, Cooper, Easter-

day, Greenberg, Helm, Hurd, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smithson, Temple, and Westfall—20.

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.)—20.

Those voting for J. C. Van Patten were: Baker, Burton, Denn, Scott, and Smith (J. B.)—5.

Those voting for M. F. Knox were: Durant, Edwards, and Egbert—3.

Bush (N. W.) voted for R. O. Dunbar.

Hutchinson voted for B. L. Sharpstein.

Collin voted for P. H. Winston.

Total number votes cast, 91.

Not voting: Anderson (D. F.), Brown, Dyer, Gilbert, Hastings, Kellogg, O'Neill, Roberts, Roth, Van De Vanter, Kelly, Smith (T. J.), Tull, Van Houten, Woodworth, Campbell, McCroskey, McManus, Miller, Shelton, and Turpin—21.

The joint session then dissolved.

At 12:20 P. M., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator Foss, a recess was taken until 2:30 P. M.

#### AFTERNOON SESSION.

Senate called to order at 2:30 o'clock P. M. President Luce in the chair.

Roll called; all present excepting Senators Kellogg, McManus and McCroskey, who were excused.

Senate concurrent resolution No. 17, "Relating to federal immigration law," was introduced by Senator Richards.

Read first time; rules suspended, read second time by title, and referred to Committee on Memorials.

Senator Sergeant presented a petition from Pierce county, urging the passage of House bill No. 141.

Referred to Committee on Education.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,  
OLYMPIA, WASH., February 24, 1893.

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 165, entitled "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," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted. HENRY C. COOPER, Chairman,  
JOHN G. CAMPBELL.

## REPORTS OF COMMITTEE ON PUBLIC REVENUE AND TAXATION.

SENATE CHAMBER,  
OLYMPIA, WASH., February 24, 1893.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 182, entitled "An act establishing in the city of New York a fiscal agency of the State of Washington and of the counties, townships, precincts, school districts, road districts, cities and towns therein, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted. W. R. FORREST, Chairman.

We concur in this report: BELKNAP,  
CAMPBELL,  
COOPER,  
HUTCHINSON,  
MCCROSKEY,  
ROBERTS.

Report adopted, and Senate bill No. 182 indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 137, entitled "An act to amend section 1042 of the Code of Washington, relating to the assessment of land," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted. W. R. FORREST, Chairman.

We concur in this report: BELKNAP,  
CAMPBELL,  
COOPER,  
HUTCHINSON,  
MCCROSKEY,  
ROBERTS.

Report adopted, and Senate bill No. 137 indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 42, entitled "An act for a substitute for section 1074 of Code," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

W. R. FORREST, Chairman.

BELKNAP,  
CAMPBELL,  
COOPER,  
HUTCHINSON,  
MCCROSKEY,  
ROBERTS.

Report adopted, and Senate bill No. 42 indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 209, entitled "An act amending section 1111, chapter 6, title 11, volume 1 of the Code and Statutes of the State of Washington as arranged and annotated by William Lair Hill, under an act of the legislature of the State of Washington, approved March 9, 1891, 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 Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

We concur in this report:

W. R. FORREST, Chairman.

BELKNAP,  
CAMPBELL,  
COOPER,  
HUTCHINSON,  
MCCROSKEY,  
ROBERTS.

Report adopted, and Senate bill No. 209 indefinitely postponed.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 25, 1893.

MR. PRESIDENT:

The House has passed 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.'"

Also, Senate bill No. 88 (substitute for Senate bill No. 13), An act to provide for and to regulate the registration of votes in cities and towns, with amendments noted in bill.

And the House has concurred in Senate amendments to House bill No. 278 (substitute for House bills Nos. 3 and 67), For the relief of indigent soldiers.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### INTRODUCTION OF BILLS.

Senate bill No. 277, by Senator Eshelman: An act providing for an additional judge for the superior court in certain counties in the State of Washington, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 278, by Senator Brown: An act to provide for changing the name of the town of Sidney in Kitsap county.

Ordered not printed; read first time; rules suspended, read second time by title, and referred to committee of the whole.

Senate bill No. 279, by Senator Forsyth: An act prescribing the manner and form for the assessment of the property of railroads and railway corporations in this state.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

Senate bill No. 280, by Senator Richards: An act to provide for the economical management of county affairs.

Read first time; rules suspended, read second time by title, and placed on general file, and ordered not printed.

Senate bill No. 281, by Senator Rutter: 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.

Read first time; rules suspended, read second time by title, and referred to Committee on Commerce.

Senate bill No. 282, by Senator Dyer: An act entitled "An act to amend certain sections of Hill's Codes."

Read first time; rules suspended, read second time by title and referred to Committee on Judiciary.

Senate bill No. 283, by Senator Claypool: An act to amend section 5 of an act entitled "An act in relation to trade marks," approved February 21, 1891.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 284, by Senator Claypool: An act to amend an

act entitled "An act for the protection of farmers, ranchmen, herders of cattle, tavern keepers, and livery and boarding house stable keepers, and other persons, for herding, keeping, pasturing, feeding and caring for stock, and declaring an emergency," approved March 4, 1891, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 285, by Senator Claypool: To provide for the levy and sale of corporate stock on execution.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

Senate bill No. 286, by Senator Richards (by request): 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 commission to accept donations for such sites.

Read first time; rules suspended, read second time by title, and referred to Committee on Education.

Senate bill No. 287, by Senator Miller: An act to amend an act entitled "An act to define, regulate and govern the state penitentiary, and declaring an emergency."

Read first time; rules suspended, read second time by title, and referred to Committee on State Prisons.

Senate bill No. 288, by Senator Dyer: An act to regulate the fees of county clerks.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 289, by Senator Dyer: An act to establish a state board of charities and corrections for the State of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Morals.

Senate bill No. 290, by 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 1889 Code of Washington Territory, and all other laws or parts of laws in conflict with this act.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 291, by Senator Van Houten: An act to amend

an act entitled "An act with relation to civil actions and proceedings, amending sections 12 and 15 of the Code of Washington of 1881" approved February 25, 1891.

Read first time; rules suspended, read second time by title, and referred to Judiciary Committee.

Senate bill No. 292, by Senator Dyer: An act amending chapter 17 of volume 1 of Hill's Code.

Read first time; rules suspended, read second time by title, and referred to Committee on State Lands.

Senate bill No. 293, by Senator Campbell: An act for the prevention of and punishment for enticing and harboring seamen from ships, steamers and other vessels at ports on Puget Sound or other ports within the jurisdiction of the State of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Commerce.

Senate bill No. 294, by Senator Dyer: An act providing for actions and proceedings by poor persons without payment of fees.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 295, by Senator Edens (by request): An act to authorize the survey, appraisal, and sale of beds of lakes, rivers and waterways capable of being reclaimed, and being other than tide lands or waters affected by the ebb and flow of the tide.

Read first time; rules suspended, read second time by title, and referred to Committee on State Lands.

Senate bill No. 296, by Senator Forrest: An act to establish a naval battalion to be attached to the National Guard of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Military.

Senate bill No. 297, by Senator Dyer: An act entitled "An act defining the descent of community property and of the homestead."

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 298, by Senator Van De Vanter: An act to amend section 2 of an act entitled "An act providing for the organization and classification, incorporation and government of municipal corporations, and declaring an emergency," approved March 27, 1890.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

Senate bill No. 299, by Senator Van De Vanter: An act to amend section 119 of Hill's Code.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 300, by Senator Van De Vanter: An act to regulate the publication of reports of state officers, institutions boards and commissions.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 301, by Senator Forrest: An act to provide for voting on a constitutional amendment at the general election to be held in 1894.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

Senate bill No. 302, by Senator Sergeant: An act amending section 818, volume 1, Hill's Annotated Codes and Statutes.

Read first time; rules suspended, read second time by title, and referred to Committee on Education.

Senate bill No. 303, by Senator Sergeant: An act relating to the granting of rights-of-way to railroad companies by incorporated towns and cities.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 304, by Senator Sergeant: An act to regulate the charges for the transportation of freights within the State of Washington.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

Senate bill No. 305, by Senator Easterday: An act for the relief of Lindley E. Moore.

Read first time; rules suspended, read second time by title, and referred to Committee on Claims.

Senate bill No. 306, by Senator Hastings: To appropriate money for the building of a road system through Clallam and Jefferson counties.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate bill No. 307, by Senator Shaw: An act appropriating

money for the purchase of an oil painting of Isaac I. Stephens, first governor of Washington Territory.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

Senate memorial No. 8, by Senator Richards: Relative to the consular seal privilege.

Read first time; rules suspended, read second time by title, and referred to Committee on Federal Relations.

Senate bill No. 308, by Senator Shaw (by request of many ladies): An act providing for submission to the qualified electors of an amendment to the state constitution granting limited suffrage to female citizens.

Read first time; rules suspended, read second time by title, and referred to Committee on Privileges and Elections.

Senate bill No. 309, by Senator O'Neill: An act to regulate the sale and redemption of transportation tickets of common carriers.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

Senate memorial No. 9: Praying for an appropriation for Dennis Storrs, living, and to the heirs of Donald McDonald, Fritz Dibbern, Daniel Himes and Marion Minnick, deceased.

Read first time; rules suspended, read second time by title, and referred to Committee on Memorials.

Senate bill No. 45 was read third time by sections, and amended by adding to section 1, "which property shall not be less than 200 feet by 460 feet in size."

In section 2, line 2, of printed bill, the word "five" was stricken out and the word "three" was inserted in lieu thereof.

In line 4 of section 2, the word "two" was stricken out wherever it appeared after the words "act" and "years," and inserting in lieu thereof the word "one," so that it will read: "That the said normal school shall be under the direction and control of a board of three trustees, who shall be appointed by the governor, by and with the consent of the Senate, to hold office for six years: *Provided*, That of the first board of trustees created by this act, one shall hold office for two years, one for four years and one for six years.

Section 9 was stricken out.

Section 10 was numbered 9.

Section 11 was numbered 10.

Section 12 was numbered 11.

Sections 13 and 14 were stricken out.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Horr, Hutchinson, Ide, Kinnear, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 25.

Senator Miller voted in the negative.

Absent or not voting: Senators Frink, Gilbert, Hastings, Helm, Kellogg, McCroskey, McManus, and Rutter — 8.

The title of the bill to remain the title of the act.

Senate bill No. 217 was reconsidered, on motion of Senator Dyer, and laid on table subject to call.

Senate bill No. 310, by Senator Sergeant: An act relating to unused school district moneys, and providing for the levying of a tax for the payment of interest on school lands by the county auditor.

Read first time; rules suspended, read second time by title, and referred to Committee on Education.

The emergency clause of Senate bill No. 210 then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Ide, Kinnear, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 26.

Those voting in the negative were: Senators Brown, Hutchinson, and Miller — 3.

Absent or not voting: Senators Easterday, Frink, Kellogg, McCroskey, and McManus — 5.

The title of the bill to remain the title of the act.

Senator Hutchinson introduced the following as a substitute for title to Senate bill No. 210: An act to find a soft place for some played out politician, and to enable the state printer to get deeper into the state treasury.

The substitute was laid on the table.

The president stated that he was about to sign Senate bill No. 165.

President pro tem. Dyer in the chair.

Senate bill No. 271 was considered a special order, read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Easterday, Edens, Eshelman, Forrest, Forsyth, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, Miller, O'Neill, Richards, Roberts, Rutter, Van De Vanter, and Van Houten—25.

Those voting in the negative were: Senators Donahoe, Foss, and Shaw—3.

Absent or not voting: Senators Frink, Kellogg, McCroskey, McManus, Sergeant, and Smith—6.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Cooper, Dyer, Easterday, Edens, Eshelman, Forrest, Forsyth, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Smith, Van De Vanter, and Van Houten—26.

Those voting in the negative were: Senators Donahoe, Foss, and Shaw—3.

Absent or not voting: Senators Brown, Frink, Kellogg, McCroskey, and McManus—5.

The title of the bill to remain the title of the act.

House bill No. 95 was read third time by sections.

Section 1 was amended by striking out in line 1 the words "buy" and "handle." In line 2 of section 1, the words "such cans" were stricken out and the word "any" inserted in lieu thereof. In same line, the words "packed in other states that" were inserted in lieu of the word "as," which was stricken out.

The title was amended by striking out the word "cans."

The bill was passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—28.

Absent or not voting: Senators Brown, Frink, Eshelman, Kellogg, McCroskey, and McManus—6.

The title of the bill to remain the title of the act.

The following report was received, and referred to the Committee on Appropriations:

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 those 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 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 \$1,100 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 particu-

larly 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 battle field 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 twenty thousand dollars 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. W. HASTINGS, Chairman,  
CHAS. I. HELM,

Senate Committee.

F. M. TULL,  
R. T. COWAN,  
J. O. EDWARDS.

#### FROM THE HOUSE.

House bill No. 98: An act fixing the compensation of justices of the peace.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 331: An act amending sections 107, 109 and others of an act governing municipal corporations.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

House bill No. 180: An act authorizing fish commissioners to enforce the fish laws.

Read first time; rules suspended, read second time by title, and referred to Committee on Fisheries.

House bill No. 181: Authorizing fish commissioners and their deputies to make arrests.

Read first time; rules suspended, read second time by title, and referred to Committee on Fisheries.

House concurrent resolution No. 19: Regarding the employment of aliens on public work.

Read first time; rules suspended, read second time by title, and referred to Committee on Memorials.

House bill No. 174: An act to amend sections 8, 12, 64, 65 and 72 of School Laws.

Read first time; rules suspended, read second time by title, and referred to Committee on Education.

House bill No. 182: An act to authorize the fish commissioner to appoint one deputy in each county.

Read first time; rules suspended, read second time by title, and referred to Committee on Fisheries.

House bill No. 215: An act amending an act providing for the organization, classification and government of municipal corporations.

Read first time; rules suspended, read second time by title, and referred to Committee on Municipal Corporations.

House concurrent resolution No. 18: Relating to Pacific Park reservation.

Read first time; rules suspended, read second time by title, and referred to Committee on Memorials.

House memorial No. 7: To prevent pauper immigration.

Read first time; rules suspended, read second time by title, and referred to Committee on Memorials.

#### REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 27, 1898.

MR. PRESIDENT:

We, your Committee on Privileges and Elections, to whom was referred House bill No. 124, entitled "An act to prevent and punish corrupt 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 Senate without recommendation.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

We concur in this report.

TRUSTEN P. DYER,

DAVID MILLER.

Report received, and bill placed on file.

Senate bill No. 188 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Dyer, Donahoe, Easterday, Edens, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, and Van Houten — 25.

Absent or not voting: Senators Claypool, Cooper, Eshelman, Forrest, Kellogg, McCroskey, McManus, Rutter, and Van De Vanter — 9.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 27.

Absent or not voting: Senators Claypool, Eshelman, Forrest, Kellogg, McCroskey, McManus, and Rutter — 7.

The title of the bill to remain the title of the act.

Senate bill No. 311, by Senator Horr: An act referring to the sale of tide lands, and declaring an emergency.

Read first time; rules suspended, read second time by title, and referred to Committee on State Tide Lands.

On motion of Senator Kinnear, the Senate, at 5:20 P. M., adjourned until 10 o'clock A. M., Tuesday, February 28, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## FIFTY-FIRST DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Tuesday, February 28, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all present excepting Senator McCroskey, who was excused.

The reading of yesterday's journal was dispensed with, and journal approved.

### REPORTS OF COMMITTEE ON JUDICIARY.

The following reports were received from the Judiciary Committee:

SENATE CHAMBER,  
OLYMPIA, WASH., February 27, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 20, entitled "An act relating to appeals to the supreme court," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool, Brown, Richards and Van Houten, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred 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 an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool, Brown, Richards and Van Houten, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

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, owing to defects in lien notices, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report concurred in by Senators Dyer, Claypool, Brown, Richards and Van Houten, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

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 passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool, Brown, Richards and Van Houten, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

- 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 notices 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 Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool, Brown, Richards and Van Houten, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 236, entitled "An act to provide for the appointment of under sheriffs, principal deputies, bookkeepers and bailiffs, and prescribing their duties and compensation," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool, Brown, Richards and Van Houten, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

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 Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool, Brown, Richards and Van Houten, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 192, entitled "An act to amend section 756 of the (1st volume of Hill's) Code," have had the same under consideration, and respectfully report it back to the Senate with the following amendments, and, as amended, recommend its passage:

First amendment: Strike out the parentheses marks in the title of the bill; and add, after the word "code" in the title of the bill, the words "being section 2340 of the Code of 1881, relating to plats of cities, towns and additions, and of streets, etc., therein."

Second amendment: Make a new paragraph after the enacting clause of the bill and insert "Section 1." commencing the section with a capital "T."

Third amendment: Insert between the word "code" and the word "be" the words "being section 2340 of the Code of 1881."

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool, Brown, Richards and Van Houten, the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 243, entitled "A bill for an act to protect creditors from imposition by unscrupulous persons," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool, Brown, Richards and Van Houten, the members of said committee present.

Report adopted, and Senate bill No. 243 indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 246, entitled "An act defining occupying claimants and fixing their rights in property," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool, Brown, Richards and Van Houten, the members of said committee present.

Report received, and bill placed on file.

#### REPORTS OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., February 27, 1893.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, 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 or hypothecating any real or personal property owned by such corporations," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

We concur in this report:

CLAYPOOL,  
SMITH,  
SHAW.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 160, entitled "An act relating to service of summons upon corporations," have had the same under consideration,

and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

We concur in this report:

CLAYPOOL,  
SHAW,  
SMITH.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 118, entitled "An act to regulate common carriers, and creating the railroad commission of the State of Washington, and defining the duties of such commission in relation to common carriers," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

We concur in this report:

CLAYPOOL,  
SHAW,  
SMITH.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 198, entitled "An act to promote the well being of railroad passengers," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

We concur in this report:

CLAYPOOL,  
SHAW,  
SMITH.

Report adopted, and Senate bill No. 198 indefinitely postponed.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 27, 1893.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to which 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 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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. E. CLAYPOOL, Chairman.

Concurred in by the entire committee.

Report received, and bill placed on file.

#### REPORTS OF COMMITTEE ON CLAIMS.

SENATE CHAMBER,

OLYMPIA, WASH., February 27, 1893.

MR. PRESIDENT:

We, your Committee on Claims, to whom was referred Senate bill No. 173, entitled "An act for the relief of B. and C. S. Barlow, of Pierce county," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. P. SERGEANT, Chairman.

We concur in this report:

TRUSTEN P. DYER,

B. F. SHAW.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Claims, to whom was referred Senate bill No. 156, entitled "An act for the relief of J. T. Goss," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

W. P. SERGEANT, Chairman.

We concur in this report:

TRUSTEN P. DYER,

B. F. SHAW.

Report received, and bill placed on file.

#### REPORTS OF COMMITTEE ON FISHERIES.

SENATE CHAMBER,

OLYMPIA, WASH., February 27, 1893.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 119, entitled "An act making an appropriation for the construction of a fish ladder on the Colville river," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. C. HERR, Chairman.

We concur in this report:

B. F. SHAW,

F. H. RICHARDS.

Report adopted, and Senate bill No. 119 indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 191, entitled "An act to amend section 251 of chapter 11 of the General Statutes and Codes of the State of Washington, unlawful destruction of game and fish," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. C. HERR, Chairman.

We concur in this report:

B. F. SHAW,

F. H. RICHARDS.

Report adopted, and Senate bill No. 191 indefinitely postponed.

### REPORT OF COMMITTEE ON EDUCATION.

SENATE CHAMBER,

OLYMPIA, WASH., February 27, 1893.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 72, entitled "An act to provide for the compulsory and reformatory education of juvenile disorderly persons," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it pass with the following amendments: By striking out the words "or court" in line 18; by striking out the words "or court" in line 22; by inserting after the word "thereupon" the words "certify his findings up to the superior court of his county, and the prosecuting attorney at the next session thereof must cause such child to be summoned before the superior court and prosecute the same, and if the court finds the said child to be a juvenile disorderly person, then the court shall thereupon."

Respectfully submitted.

E. L. BROWN, Chairman.

Concurred in by all members of committee.

Report received, and bill placed on file.

Senate memorial No. 10, by Senator Van De Vanter: Relating to the construction of the Lake Washington canal, and asking an appropriation.

Read first time; rules suspended, read second time by title, and laid on the table.

### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., February 27, 1893.

MR. PRESIDENT:

The House has passed 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 pro-

tect salmon and other food fishes in the waters of Washington and upon all waters of which the state has joint jurisdiction and concurrent jurisdiction."

Also, House bill No. 227, by Mr. Smith of Douglas, An act providing for county canvassing boards of election returns.

Also, 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, with amendments noted in the bill.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

The Committee on Engrossed Bills made the following report:

SENATE CHAMBER,

OLYMPIA, WASH., February 27, 1893.

MR. PRESIDENT:

Your Committee on Engrossed Bills respectfully reports that the engrossed copy of Senate bill No. 45, entitled "A bill for an act establishing a state normal school at the town of Kelso, Washington, has been carefully compared with the original copy thereof, and found correctly engrossed.

Respectfully submitted.

LOUIS FOSS, Chairman,  
J. C. HORB.

#### REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., February 27, 1893.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 231, entitled "An act to prevent any railroad company from changing its main line of railroad from its original location to the detriment of any city, town or village," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

We concur in this report: Claypool, Smith, Shaw.

Senate bill No. 231 was re-referred to Committee on Corporations other than Municipal.

Senate went into committee of the whole for the consideration of Senate bill No. 260.

President pro tem. Dyer in the chair.

The committee, rising, reported progress.

The report of the committee of the whole was adopted.

Senate bill No. 260 was read third time by sections, and amended as follows:

In line 7 of section 5 of printed bill the word "square" was stricken out.

The following was added to section 5: "And provided further, that the exemptions herein allowed shall not apply to assessments for local improvements."

The following was added to section 13: "And not in the town or city where the owner resides."

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Joint session called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Anderson (D. F.), Hoole, Ide, McCroskey, Rutter, Van Houten and Van De Vanter.

The reading of yesterday's journal was dispensed with, and journal approved.

The following pairs were announced: McCroskey and Anderson of Whitman, Ide and Van De Vanter, Rutter and Van Houten.

#### EIGHTY-FOURTH JOINT BALLOT.

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, Kelly, Kellogg, 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 — 47.

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 — 22.

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 — 25.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Bush (N. W.), voted for R. O. Dunbar.

Hutchinson voted for B. L. Sharpstein.

Total number votes cast, 105.

Not voting: Anderson (D. F.), Hoole, Rutter, Van De Vanter, Ide, Van Houten, and McCroskey—7.

EIGHTY-FIFTH JOINT BALLOT.

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, Kelly, Kellogg, 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—47.

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—22.

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—24.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

McManus voted for R. C. McCroskey.

Hutchinson voted for B. L. Sharpstein.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 105.

Not voting: Anderson (D. F.), Hoole, Rutter, Van De Vanter, Ide, Van Houten, and McCroskey—7.

The joint session then dissolved.

At 12:30 P. M., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator McManus, a recess was taken until 2 o'clock P. M.

## AFTERNOON SESSION.

Senate called to order at 2 o'clock P. M. President pro tem. Dyer in the chair.

Roll call; all present excepting Senator McCroskey, excused.

The reading of Senate bill No. 260 was continued.

President Luce in the chair.

Senate bill No. 260 was amended by inserting after the word "actions" the words "except no attorney fee shall be allowed" in line 3 of section 83.

In line 1 of section 94 the words "all and every" were stricken out and "any" inserted.

Also, the word "prevent" was stricken out and the words "provide for" inserted in section 90, line 8.

The word "county" was stricken out and the word "superior" inserted in lieu thereof in line 21 of section 116.

The word "desired" was stricken out in line 7 of section 125 and the word "described" was inserted in lieu thereof.

The word "evidence" after the word "said" in section 141, line 10, was stricken out and the word "conveyance" inserted in lieu thereof.

In section 128 in last line in blank space "115" was inserted.

Section 6 was amended by adding thereto the following: "*Provided*, That no male animal kept for breeding shall be assessed at a value to exceed three hundred (\$300) dollars."

In section 136 in line 8 "144" was inserted in blank space.

In line 5 of section 109 the word "county" was stricken out and the word "superior" inserted in lieu thereof.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kinnear, O'Neill, Roberts, Shaw, and Van Houten—23.

Those voting in the negative were: Senators Foss, Ide, Kellogg, Miller, McManus, Richards, and Rutter—7.

Absent or not voting: Senators McCroskey, Sergeant, Smith, and Van De Vanter—4.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, Miller, O'Neill, Richards, Roberts, Rutter, and Smith — 27.

Those voting in the negative were: Senators Foss, McManus, and Shaw — 3.

Absent or not voting: Senators McCroskey, Sergeant, Van De Vanter, and Van Houten — 4.

The title of the bill to remain the title of the act.

Senate bill No. 261 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Miller, O'Neill, Richards, Roberts, Rutter, and Smith — 27.

Absent or not voting: Senators Kinnear, McCroskey, McManus, Sergeant, Shaw, Van De Vanter, and Van Houten — 7.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Miller, O'Neill, Richards, Roberts, Rutter, and Smith — 27.

Absent or not voting: Senators Kinnear, McCroskey, McManus, Sergeant, Shaw, Van De Vanter, and Van Houten — 7.

The title of the bill was amended by adding thereto "and declaring an emergency."

The following report was submitted by the Committee on Public Buildings and Grounds.

MR. PRESIDENT:

Your committee to whom has been referred Senate bill No. 171, providing for an act entitled "An act to provide for the location and erection of a capitol building, and declaring an emergency," respectfully reports as follows:

By the provisions of sections 12 and 17 of the enabling act, the federal government granted to the State of Washington 132,000 acres of land for the construction of public buildings at the state capital. Of this amount 57,145 acres have been selected by the state land commission, and their

value appraised at \$1,237,640. At the same rate the entire grant will be worth between two and a half and three million dollars.

Public sentiment and a sound view of the public welfare alike require that these lands be disposed of as soon as practicable in order that they may be added to the productive resources and to the assessable wealth of the state, and bear their proper burden of taxation. The large sum that the state must necessarily realize from this valuable grant insures the erection of a magnificent capitol building that will meet every necessity of this state for generations to come without a particle of expense to our tax payers.

The sales of these lands will soon place in the treasury of the state a very large sum of money which can be devoted to no other purpose than that of the erection of public buildings at the state capital.

These considerations make it advisable to enter at once upon the erection of a capitol building, to prevent the accumulation of this fund in the treasury. The building of a capitol must necessarily extend over a period of several years. The lands included in this grant will be sold for annual payments extending over a period of several years. By beginning the erection of a capitol building now we shall be able to make the work of construction go hand in hand with the collection of the proceeds from the sales of lands, thus promptly putting these funds to the use for which they were intended, and employing the producing classes of the state, and saving the accumulation of vast sums in the treasury where they cannot be used for the benefit of our tax payers or the producing classes.

The fact that at no time in the past could the work be accomplished cheaper than now, and that it is not likely to be cheaper at any future time than it is at present, and that at no time in the history of the state has the demand for employment by those of our citizens who toil been more acute and imperative, strongly reinforces the argument for the early commencement of this beneficial and important work.

It is not necessary here to emphasize the imperative necessity for adequate facilities for the conduct of public business. The cramped offices that the state officers are obliged to put up with, the wholly unsuitable chambers in which the deliberations of this body and of the House have been conducted, forcibly impress upon us the necessity of erecting a proper state house without unnecessary delay.

Conceding the wisdom and necessity for the early erection of a capitol building, Senate bill No. 171, the bill accompanying this report, seems admirably calculated to secure that object in a manner most advantageous to the state. Every safeguard is thrown about the selection of plans, the letting of contracts, the purchase of material, the employment of labor and the expenditures of money, so that the chance of loss to the state is reduced to a minimum. The provisions of the bill are in line with the strictest economy. Of the five commissioners who are to have the building in charge, two are state officers, thus relieving this commission burdened state of an expensive commission. The heavy bond required of the three commissioners who are not state officers, and the severe penalties imposed for any participation, however remote, in any

contract connected with the building, or the furnishing of supplies therefor, insure an absolutely clean management of this great public enterprise. The provisions for a complete record of every transaction relating to the work, and to any and every transaction of the board, give an opportunity for the closest public scrutiny, and by insuring the prompt detection of any wrong doing practically removes the possibility of any violation of duty by the board. The recording of all contracts preserves the evidence of all business transactions involved in the work, and does away with any danger of the foisting on the state of any of the so-called "equitable" claims of which such undertakings as this generally furnish such a prolific brood. Though the board is given ample authority to carry out the purposes of the act, the exercise of its powers is carefully limited by law, so as to remove all danger of arbitrary, capricious or experimental projects on the part of the board. The amplest competition is invited and required by public notice for the letting of bids for construction or material furnished in excess of the sum of \$500. A suitable and appropriate plan and design is secured by an award of prizes, the mode of award and everything relating thereto being carefully limited and guarded by law. The faithful performance by the architect of his duties is secured by special provisions, and especially by the requirement of a sufficient bond in the sum of \$50,000. The due performance of all contracts and the highest standard of all work and the best quality of all materials are secured by special provisions therefor. And the faithful performance of duty by all from laborer to architect is insured by the appointment of a competent superintendent removable at any time by the board.

The appropriation is limited to \$225,000 for the ensuing fiscal year, and \$275,000 for the following fiscal year. Inasmuch as none of this money is to be paid by the taxpayers of the state, and is likely to come well within the limit of the probable proceeds from the sales of the public lands of the state, and can be paid only from the fund created by those sales, it seems to your committee that the sums called for ought to be appropriated.

The bill provides that the building shall be located on the most sightly and suitable place in the present capitol grounds.

The title and possession of these grounds have been in the Territory (now State) of Washington since 1855. A carefully prepared abstract on file with the secretary of state shows the title to be in the State of Washington, and the undisturbed possession of the Territory (now State) of Washington for upwards of thirty-seven years, effectually extinguishes the possibility of any claim to this ground arising from matters not appearing of record.

In addition to this tract of upwards of eleven acres, the reasonable value of which is ——, the people of the city of Olympia have recently procured deeds to the State of Washington for an avenue one hundred feet in width leading from Main street to the center of the capitol grounds on the west, the reasonable value of which tract is twenty-four thousand dollars. This will furnish a handsome approach to the capitol building

from the main thoroughfare of Olympia, and enable the building to be located so as to face the east, as capitols are customarily built, if it is so desired, with a proper approach to the front of the building without any expense to the state.

In view of all these considerations, your committee earnestly recommend the passage of the bill, with the accompanying amendments from the committee as attached to the bill.

Report received, and bill placed on file.

On motion of Senator Shaw, the Senate, at 5:40 P. M., adjourned until 10 o'clock A. M. Wednesday, March 1, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## FIFTY-SECOND DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Wednesday, March 1, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all senators present.

The reading of yesterday's journal was dispensed with, and journal approved.

The following amendment was made to House bill No. 159: In line 2, section 1, the words "each annual election" were stricken out and the words "the adjournment of this legislature and each year thereafter" were inserted in lieu thereof.

### REPORTS OF COMMITTEE ON MEMORIALS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1893.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 9, Praying for appropriation for Dennis Storrs, living, and to the heirs of Donald McDonald, Fritz Dibbern, Daniel Himes and Marion Minnick, deceased, have had the same under consideration, and

we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

F. W. HASTINGS, Chairman.

Report received, and Senate memorial No. 9 placed on file.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 9, Praying for an appropriation for Dennis Storrs, living, and to the heirs of Donald McDonald *et al.*, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

F. W. HASTINGS, Chairman.

We concur in this report:

J. R. KINNEAR,  
C. E. FORSYTH.

Report received, and memorial placed on file.

#### REPORT OF COMMITTEE ON STATE LIBRARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 27, 1893.

We, your Committee on State Library, to whom was referred Senate bill No. 155, entitled "An act to aid the Washington state historical society, and for other purposes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that with the amendments thereto attached, it be passed.

Respectfully submitted.

F. W. HASTINGS, Chairman.

We concur in this report.

DAVIES B. MILLER,  
W. R. FORREST.

Report received, and Senate bill No. 155 placed on file.

#### REPORTS OF COMMITTEE ON FISHERIES.

SENATE CHAMBER,

OLYMPIA, WASH., February 28, 1893.

MR. PRESIDENT:

We, your Committee on Fisheries, 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 Senate, with the recommendation that the bill do pass.

Respectfully submitted.

J. C. HERR, Chairman.

We concur in this report:

F. H. RICHARDS,  
B. F. SHAW.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Fisheries, 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 Senate, with the recommendation that the bill do pass.

Respectfully submitted.

J. C. HERR, Chairman.

We concur in this report:

B. F. SHAW,

F. H. RICHARDS.

Report received, and House bill No. 182 placed on file.

MR. PRESIDENT:

We, your Committee on Fisheries, 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 Senate, with the recommendation that the bill do pass.

Respectfully submitted.

J. C. HERR, Chairman.

We concur in this report:

F. H. RICHARDS,

B. F. SHAW.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON MILITARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 28, 1893.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred Senate bill No. 253, entitled "An act amending section 1285, chapter 7, title 13 of volume 1 of Hill's Statutes and Codes," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

TRUSTEN P. DYER, Chairman.

Senators McManus and Claypool concurring.

Report received, and bill placed on file.

#### REPORTS OF COMMITTEE ON JUDICIARY.

The following reports were received from the Committee on Judiciary:

SENATE CHAMBER,

OLYMPIA, WASH., February 28, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 195, entitled "An act to amend an act entitled 'An act with relation to civil actions and proceedings, amending sections 12 and 15 of the Code of Washington of 1881,' approved February 25, 1891," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, Richards, Brown, and Van Houten, being all the members of said committee.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 202, entitled "An act providing for the issuance of marriage licenses and the record of the certificate thereof," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed with the following amendment:

Add the following section to the bill: "Sec. 17. All acts or parts of acts in conflict with this act are hereby repealed."

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, Richards, Brown, and Van Houten, being all the members of said committee.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 222, entitled "An act relating to service of summons by publication, and amending section 175 of the Code of Civil Procedure," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, Richards, Brown, and Van Houten, being all the members of said committee.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 223, entitled "An act relating to the time within which pleadings subsequent to the complaint may be served and filed, amending section 202 of the Code of Civil Procedure," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Dyer, Van Houten, Easterday, Richards and Brown, being all the members of said committee.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 224, entitled "An act relating to the specification of the grounds of demurrer to the complaint, and amending section 190 of the Code of Procedure," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Dyer, Van Houten, Easterday, Richards and Brown, being all the members of said committee.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 225, entitled "An act relating to new trials, and amending sections 401 and 404 of the Code of Civil Procedure," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Dyer, Van Houten, Easterday, Richards and Brown, being all the members of said committee.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 114, entitled "An act in relation to garnishments," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed with the following amendment:

Strike out all of section 26; and change the numbers of sections 27 and 28 to sections 26 and 27, respectively.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Dyer, Van Houten, Easterday, Richards and Brown, being all the members of said committee.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 233, entitled "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, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Dyer, Van Houten, Easterday, Richards and Brown, being all the members of said committee.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 250, entitled "An act to amend section 1606 of the General Statutes of the State of Washington, relating to deposits required of foreign building or loan associations doing business in this state," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Van Houten, Easterday, Richards, and Brown.

Report adopted, and bill indefinitely postponed.

The following resolution was introduced by Senator Forrest, and adopted:

WHEREAS, The session of the present legislature is drawing to a close and many bills are pending requiring action, some of which are of greater importance to the state than others, and as it is impossible that all should receive proper attention: therefore, be it

*Resolved*, That a committee of five be appointed by the president, whose duty it shall be to select such bills as are of the greatest importance, and advance them on the calendar, that they may be acted upon promptly.

House bill No. 283 was made special order for to-morrow at 10 A. M.

#### REPORT OF COMMITTEE ON REFORM SCHOOLS.

The following report was submitted:

SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1893.

MR. PRESIDENT:

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 about 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, night watchman.  
 Lloyd O'Roke, assistant night watchman.

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 toward 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 work-shop, 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 re-

form 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 school room 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 work shop the master workman 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 severer 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 amusement 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 play ground 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 the dense growth of timber and underbrush, suitable buildings for the care of the inmates and 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 July 10, 1891. Since then there has 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	...
Totals .....	73	5

## Age of pupils:

	<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	...
Totals.....	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 typesetting, and in 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 desires 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,  
JNO. G. CAMPBELL, Sec.,  
H. D. SPECK,  
P. B. EGBERT,  
B. C. VAN HOUTEN.

The report was received.

#### REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 28, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 247, entitled "An act to amend section 112 of chapter 1 of title 5 of volume 1 of the Code and Statutes of the State of Washington, as arranged and annotated by William Lair Hill," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Dyer, Van Houten, Easterday, Richards and Brown, being all the members of said committee.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 238, entitled "An act to amend an act entitled 'An act to amend section 2421 of chapter 185 of the Code of 1881, relating to corporations, as amended by an act approved February 3, 1886,' approved March 7, 1891," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Claypool, Dyer, Van Houten, Easterday, Richards and Brown, being all the members of said committee.

Report adopted, and bill indefinitely postponed.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 1, 1893.

MR. PRESIDENT:

The House has passed House bill No. 235, by Mr. Denn, An act to abolish the office of lieutenant governor.

Also, 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.

Also, Senate bill No. 21, by Senator McManus, An act to condemn property in municipalities, with amendments to title and to bill, noted in printed copy enclosed within original.

The speaker of the House has signed 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.

Also, 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.

Also, House bill No. 278 (substitute for House bills Nos. 3 and 67), For the relief of indigent soldiers.

Also, House bill No. 285, by Mr. McMillan, An act to amend title 27 of Hill's Code, entitled "Of protection to the lumbering interests."

Also, House bill No. 333, by Mr. Hoole, An act in regard to legal publications.

The House has passed 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, 1889.

Also, House bill No. 295, by Judiciary Committee, An act to provide for the punishment of the crime against nature.

Also, House bill No. 301 (substitute for House bill No. 54), by Railroad Committee, An act to regulate the operating of railroads.

The House has concurred in Senate amendments to 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.

The speaker has signed Senate bill No. 165, by Senator Dyer, An act to provide for the holding of sessions of the superior court in other counties.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

## REPORTS OF COMMITTEE ON ROADS AND BRIDGES.

SENATE CHAMBER,

OLYMPIA, WASH., February 28, 1893.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 240, entitled "An act to provide for the establishment of a state road through the Cascade mountains via Natchez Pass, and for the appointment of a board of commissioners," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. A. KELLOGG, Chairman.

We concur in this report:

J. J. EDENS,  
C. E. FORSYTH,  
FRANCIS DONAHOE,  
W. H. GILBERT,  
R. A. HUTCHINSON.

Being all of the committee present.

Report received, and bill made special order for Thursday next at 2 P. M.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 5, entitled "An act to amend an act entitled 'An act to provide for laying out county roads,' approved March 7, 1890," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

J. A. KELLOGG, Chairman.

We concur in this report:

C. E. FORSYTH,  
W. H. GILBERT,  
FRANCIS DONAHOE,  
R. A. HUTCHINSON.

Being all of the committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate bill No. 255, entitled "An act to provide for the establishment of 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 Senate without recommendation.

Respectfully submitted.

J. A. KELLOGG, Chairman.

We concur in this report:

FRANCIS DONAHOE,  
W. H. GILBERT,  
R. A. HUTCHINSON,  
C. E. FORSYTH.

Being all of the committee present.

Report received, and bill placed on file and made special order for Thursday, March 2, at 2 P. M.

## INTRODUCTION OF BILLS.

Senate bill No. 160½ (substitute for Senate bills Nos. 177, 151, 160 and 116, and House bill No. 145), by Committee on State, Granted and School Lands: An act to provide for the management and disposition of the public lands of the state, and declaring an emergency.

Read first time; rules suspended, read second time by title, ordered printed at once, and placed on general file.

## REPORT OF COMMITTEE ON MILITARY.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1893.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred Senate bill No. 154, 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," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed with the following amendments:

First amendment: Insert after the word "regiment," in line 10, section 1, the following: "Regimental adjutants shall hold the rank of captain. Infantry battalion adjutants, sergeant majors and quartermaster and commissary sergeants shall be detailed from the companies in the battalion by the battalion commander."

Second amendment: Strike from line 9, section 2, the word "this" and insert the word "said," so as to read "except as in said act provided."

Third amendment: Strike out all of section 3 after the word "guard" in line 3, and insert in lieu thereof the following: "*Provided*, That not more than thirty thousand (30,000) dollars shall be expended for the same, to be paid for out of the special military fund for the years 1893 and 1894."

Fourth amendment: Strike out all of section 4.

Fifth amendment: Strike out from line 6, section 5, after the word "for," the words "either of" and the letter "s" from the word "reasons," so as to read "if any officer for the above reason desires to be placed," etc.

Sixth amendment: Insert as section 8 the following: "Sec. 8. The rules and regulations promulgated from time to time by the military board, and approved by the governor, and those now existing for the government of the national guard of this state, are hereby declared to be in full force and effect."

Seventh amendment: Insert as new section 9 the emergency clause now section 8 of the printed bill.

Respectfully submitted.

TRUSTEN P. DYER, Chairman.

We concur in this report:

C. E. CLAYPOOL,

JNO. E. McMANUS.

Report received, and bill placed on file.

The following resolution was introduced by Senator Rutter and adopted:

*Resolved*, That the secretary of the Senate be and he is hereby instructed to prepare and have printed at once, for the use of the Senate, a "Senate Calendar," similar to the "House Calendar."

The president stated that he was about to sign House bills Nos. 278, 333, 285, 95, Senate bill No. 95, and House bills Nos. 237 and 216.

Senate bill No. 88 was reported back from the House, amended as follows: In line 7 of section 2 of printed bill the words "for signature and one" were inserted after the first word, "column." The word "one" was inserted before the second word "column" in same line.

The following was added to section 2: "And the voter so registering as provided in this section shall sign his name on the registry opposite the entries above required, in the column headed 'signature,' and in case any voter shall not be capable of writing his name he shall, on the left hand margin of said column, make his mark by cross or such other mark as is usual in indicating his signature, and some person who personally knows said voter and who is personally known to the registering officer and who is capable of writing his name, shall sign in said column immediately opposite said mark, as an identifying witness thereto, and before delivering the certificate to the voter the registering officer shall require the voter and identifying witness to sign across the face of the certificate in the manner identical with that prescribed for the signature on the registration book."

The Senate concurred in the amendments, excepting all after and including the words "and before delivering the certificate," which portion was rejected, and the Senate requested the House to recede from that portion of the said amendment.

President pro tem. Dyer in the chair.

Senate bill No. 167 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinnear, McManus, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten — 29.

Senator Ide voted in the negative.

Absent or not voting: Senators Campbell, McCroskey, Miller, and Van De Vanter—4.

The title of the bill to remain the title of the act.

The rules were suspended and Senate bill No. 167 transmitted to the House at this time.

The Senate went into committee of the whole for the consideration of Senate bill No. 262. Senator Kinnear in the chair.

The committee rising, reported progress. President pro tem. Dyer in the chair.

Report adopted; bill read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Smith—30.

Absent or not voting: Senators Hastings, McCroskey, Van De Vanter, and Van Houten—4.

The emergency clause then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Smith—30.

Absent or not voting: Senators Hastings, McCroskey, Van Houten, and Van De Vanter—4.

The title of the bill to remain the title of the act.

The Senate went into committee of the whole for the consideration of Senate bills Nos. 263, 264, 265 and 266.

Senator Kinnear in the chair.

The committee rising, reported progress.

President pro tem. Dyer in the chair.

Report adopted, and Senate bill No. 263 was read third time by sections, and amended by inserting the word "annual" after the first word "the" in line 2 of section 1.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr,

Hutchinson, Ide, Kellogg, Kinnear, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Smith—30.

Absent or not voting: Senators Eshelman, McCroskey, Van De Vanter, and Van Houten—4.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—33.

Absent or not voting: Senator McCroskey.

The title of the bill to remain the title of the act.

Senate bill No. 264 was read third time by sections, amended by striking out the emergency clause, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—29.

Absent or not voting: Senators Campbell, Claypool, Eshelman, Foss, and Kinnear—5.

The title of the bill to remain the title of the act.

Senate bill No. 265 was read third time by sections, and amended by striking out the last three words "as a whole," in section 9.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—30.

Absent or not voting: Senators Brown, Easterday, Eshelman, and Ide—4.

The title of the bill was amended by adding "and declaring an emergency."

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown,

Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten — 30.

Absent or not voting: Senators Easterday, Eshelman, Ide, and Van De Vanter — 4.

The title of the bill to remain the title of the act.

Senate bill No. 171 was referred to Committee on Appropriations.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives were present excepting Hoole, Ide, Kellogg, Rutter, T. J. Smith, Van Houten, and Van De Vanter.

The reading of yesterday's journal was dispensed with, and journal approved.

The following pairs were announced for to-day's ballot: McCroskey and Anderson of Whitman, Ide and Van De Vanter, Sallee and Hoole, Smith and Kellogg, Rutter and Van Houten.

#### EIGHTY-SIXTH JOINT BALLOT.

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, Wheeler, White, Winchell, and Mr. Speaker — 45.

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 — 21.

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, Letter-

man, Mays, McCroskey, Miller, Mulkey, Payne, Shaw, Shelton, Smith (H. F.), and Turpin—25.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

McManus voted for R. C. McCroskey.

Hutchinson voted for C. H. Warner.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 103.

Not voting: Hoole, Kellogg, Rutter, Sallee, Weed, Van De Venter, Ide, Smith (T. J.), and Van Houten—9.

#### EIGHTY-SEVENTH JOINT BALLOT.

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, Wheeler, White, Winchell, and Mr. Speaker—45.

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—21.

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—25.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

McManus voted for R. C. McCroskey.

Hutchinson voted for C. H. Warner.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 103.

Not voting: Hoole, Kellogg, Rutter, Sallee, Weed, Van De Venter, Ide, Smith (T. J.), and Van Houten—9.

The joint session then dissolved.

At 12:30 p. m., immediately following the joint session, the Senate was called to order by President Luce, and on motion of Senator McManus, a recess was taken until 2 o'clock p. m.

## AFTERNOON SESSION.

Senate called to order at 2:00 o'clock P. M.

President Luce in the chair.

Roll call; all senators present.

REPORT OF COMMITTEE ON PUBLIC BUILDINGS AND  
GROUNDS.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1893.

MR. PRESIDENT:

We, your Committee on Public Buildings and Grounds, to whom was referred Senate bill No. 171, 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 Senate, with the recommendation that it be amended by striking out in line 5 of section 1 the words "secretary of state." Also, in same line, strike out the word "two" and insert "three" in lieu thereof. Also, in line 6, after the word "state" insert "who shall not be citizens of the city of Olympia, and no two of whom shall be from the same county."

Amend in line 15, section 6, by adding after the word "selected," "*Provided*, That the architect being awarded the first prize shall satisfy the commission that he is the author of the design and plan so submitted, and that he is skilled in his profession."

Amend in line 12, section 8, by adding after the word "two" the words "or more."

Respectfully submitted.

CHAS. I. HELM, Chairman.

We concur in this report:

B. C. VAN HOUTEN,

W. C. RUTTER.

Report received, and bill placed on file.

REPORT OF JOINT COMMITTEE ON STATE, SCHOOL AND  
GRANTED LANDS.

SENATE CHAMBER,

OLYMPIA, WASH., February 28, 1893.

MR. PRESIDENT:

We, your Committee on State, School and Granted Lands, to whom was referred Senate bill No. 160, entitled "An act creating a state board of land commissioners, and defining the powers and duties thereof, fixing the compensation of the members, and declaring an emergency;" also, Senate bill No. 116, entitled "An act to regulate the management and disposition of school lands, and declaring an emergency;" also, Senate bill No. 151, entitled "An act withdrawing school lands chiefly valuable for agricultural purposes from sale, and providing for leasing the same;" also, Senate bill No. 177, 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 beg leave to report that we herewith submit a substitute for the Van De Vanter bill, Senate bill No. 160, as well as for the other bills named herein by the joint committee of the Senate and House, and recommend that the said substitute do pass; and we respectfully report Senate bills Nos. 116, 151 and 177 back to the Senate; also, House bill No. 145 back to the House, with the recommendation that they be indefinitely postponed.

Respectfully submitted.

We concur in this report:

J. J. EDENS, Chairman.

A. T. VAN DE VANTER,

J. C. HERR,

C. M. EASTERDAY,

C. W. IDE,

R. C. MCCROSKEY,

Senate Committee.

We concur on part of House:

J. E. TUCKER, Chairman,

D. W. MCMURPHY,

A. S. MCKENZIE,

JOHN LEO,

L. H. WHEELER,

P. B. EGBERT,

A. S. BUSH,

House Committee.

Report received, and recommendations adopted.

#### REPORT OF COMMITTEE ON COMMERCE.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1893.

We, your Committee on Commerce, to whom was referred Senate bill No. 172, entitled "An act to encourage home industries in the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed, as amended.

Respectfully submitted.

We concur in this report:

W. C. RUTTER, Chairman.

E. L. BROWN,

JOHN G. CAMPBELL.

Report received, and bill placed on file.

#### REPORTS OF COMMITTEE ON MUNICIPAL CORPORATIONS.

The following reports were received from the Committee on Municipal Corporations:

SENATE CHAMBER,

OLYMPIA, WASH., February 28, 1893.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 131, entitled "An act to define, regulate and govern police departments of cities of the first class, and declaring an emergency," have

had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

C. E. CLAYPOOL, Chairman.

Concurred in by Senators Roberts and Forrest, being all the members of committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 322, entitled "An act authorizing cities to make local assessments and reassessments," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

C. E. CLAYPOOL, Chairman.

Concurred in by Senators Ide and Roberts, being all the members of the committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

C. E. CLAYPOOL, Chairman.

Concurred in by Senators Ide and Roberts, being all the members of the committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 347, entitled "An act relating to municipal corporations," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

C. E. CLAYPOOL, Chairman.

Concurred in by Senators Ide and Roberts, being all the members of the committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

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 Senate, with the recommendation that it pass.

Respectfully submitted.

C. E. CLAYPOOL, Chairman.

Concurred in by Senators Ide and Roberts, all the members of the committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 193, entitled "An act authorizing cities and towns organized prior to the adoption of the state constitution to extend their credit, fund their indebtedness, validating certain indebtedness already contracted, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

C. E. CLAYPOOL, Chairman.

Concurred in by Senators Ide and Roberts, all the members of the committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 139, entitled "An act to amend subdivision or paragraph four (4) of section 673, of Hill's Code, defining the general powers of the town council of towns of the fourth class, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. E. CLAYPOOL, Chairman.

Concurred in by Senators Ide and Roberts, all the members of the committee present.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 219, entitled "An act to amend section 673 of Hill's Annotated Statutes and Codes of Washington, defining the powers of their council of cities of the fourth class, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

C. E. CLAYPOOL, Chairman.

Concurred in by Senators Ide and Roberts, all the members of the committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 242, entitled "A bill for an act to aid free public libra-

ries," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted. C. E. CLAYPOOL, Chairman.

Concurred in by Senators Ide and Roberts, all the members of the committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

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 Senate, with the recommendation that it pass.

Respectfully submitted. C. E. CLAYPOOL, Chairman.

Concurred in by Senators Ide and Roberts, all the members of the committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred House bill No. 215 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,'" have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted. C. E. CLAYPOOL, Chairman.

Concurred in by Senators Ide and Roberts, being all the members present.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON FEDERAL RELATIONS.

The following report was received from Committee on Federal Relations:

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1893.

MR. PRESIDENT:

We, your Committee on Federal Relations, to whom was referred Senate memorial No. 8, entitled "A memorial relative to consular seal privilege," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted. J. L. ROBERTS, Chairman.

We concur in this report: J. R. KINNEAR,  
LOUIS FOSS.

Report received, and memorial placed on file.

The following was presented by Senator Cooper, and unanimously adopted:

WHEREAS, During the balance of the session there will be a large amount of enrolling and engrossing work to be done; and

WHEREAS, It will become necessary to employ additional clerks, or to put the committee clerks, as well as other clerks not otherwise occupied, upon such work: therefore, be it

*Resolved*, That all committee clerks, and all other clerks of the Senate, when not actually employed on the work of their committee, or on work originally assigned to them, be and they are hereby appointed and designated enrolling and engrossing clerks, and are hereby required to report for duty at 9 o'clock A. M. each day and remain until excused therefrom: and

*Resolved*, That it shall be the duty of the enrolling clerk of the Senate to report to the enrolling committee the failure on the part of any clerk to comply with the spirit and intent of these resolutions, in order that said committee may, when necessary, report the same to the Senate for action.

Senate bill No. 266 was read third time by sections, title amended by adding "and declaring an emergency," the bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Cooper, Dyer, Donahoe, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hutchinson, Ide, Kellogg, Kinnear, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—25.

Absent or not voting: Senators Brown, Easterday, Edens, Hastings, Helm, Horr, McCroskey, McManus, and Rutter—9.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hutchinson, Ide, Kellogg, Kinnear, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—26.

Absent or not voting: Senators Brown, Easterday, Hastings, Helm, Horr, McCroskey, McManus, and Rutter—8.

The title of the bill to remain the title of the act.

Senate bill No. 267 was read third time.

Title amended by adding "and declaring an emergency."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Clay-

pool, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 28.

Absent or not voting: Senators Brown, Campbell, Cooper, Dyer, Helm, and Rutter — 6.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 31.

Absent or not voting: Senators Campbell, Easterday, and Rutter — 3.

The title of the bill to remain the title of the act.

#### REPORTS OF COMMITTEE ON APPROPRIATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., February 28, 1893.

MR. PRESIDENT:

Your Committee on Appropriations, 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 Senate, with the recommendation that it do pass.

Respectfully submitted. A. T. VAN DE VANTER, Chairman.

We concur in this report: Ide, Smith.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 254, entitled "An act establishing a state board of immigration, and appropriating money therefor, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

IDE,  
SMITH.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 232, entitled "An act to appropriate \$640 for the insurance against fire of the state library in the McKenny block, Olympia, Wash.," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

IDE,  
SMITH.

Report received, and bill placed on file.

## FROM THE HOUSE.

House bill No. 301 (substitute for House bill No. 54), by Railroad Committee: An act to regulate the operating of railroads.

Read first time; rules suspended, read second time by title, and referred to Committee on Corporations other than Municipal.

House bill No. 235: To abolish the office of lieutenant governor.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 295: Punishment of crimes against nature.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 266: An act providing for printing and distributing ballots at public expense, and for regulating voting at state and other elections.

Read first time; rules suspended, read second time by title, and referred to Committee on Elections and Privileges.

House bill No. 183: Protecting food fishes of the state, and amending certain sections of the Code.

Read first time; rules suspended, read second time by title, and referred to Committee on Fisheries.

House bill No. 227: An act providing for county canvassing boards of election returns.

Read first time; rules suspended, read second time by title, and referred to Committee on Counties and County Boundaries.

Senate bill No. 218, returned from House after being amended by striking out all after and including the word "provided," in line 5 of section 2 of original bill.

Bill placed on file.

Senate bill No. 21, returned from House with amendments.  
Placed on file.

House bill No. 302: Relating to the construction, repair and improvement of public roads.

Read first time; rules suspended, read second time by title, and referred to Committee on Roads and Bridges.

House bill No. 337: Providing that all fees paid salaried county officers shall be paid into county treasury.

Read first time; rules suspended, read second time by title, and referred to Committee on Counties and County Boundaries.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 1, 1893.

MR. PRESIDENT:

The House has passed Senate bill No. 129, entitled "An act in relation to the location and registration of mines," with an amendment attached to the bill.

Also, House bill No. 337, 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.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

House bill No. 159 was returned from the House with emergency clause added.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, and Van De Vanter — 29.

Absent or not voting: Senators Easterday, Forrest, Helm, Rutter, and Van Houten — 5.

The title of the bill was amended by adding the words "and declaring an emergency."

Senate bill No. 129 was received from the House with amendment.

Strike out lines 3 and 4 of section 2, and place in lieu thereof: "*Provided*, That the period within which the work required to be done annually on all unpatented claims so located shall commence on the first day of January succeeding the date of location of such claim."

Senate concurred.

## REPORTS OF COMMITTEE ON MEMORIALS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1893.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House concurrent resolution No. 19, Relating to the employment of aliens on

public works, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

F. W. HASTINGS, Chairman.

We concur in this report:

J. R. KINNEAR,

C. E. FORSYTH.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House concurrent resolution No. 17, Asking that proper provisions be made by congress to require that road engineering be taught in all the agricultural colleges receiving support from the national government, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

F. W. HASTINGS, Chairman.

We concur in this report:

J. R. KINNEAR,

C. E. FORSYTH.

Report received, and memorial placed on file.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House concurrent resolution No. 18, Relating to Pacific Park, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

F. W. HASTINGS, Chairman.

We concur in this report:

J. R. KINNEAR,

C. E. FORSYTH.

Report received, and memorial placed on file.

MR. PRESIDENT:

We, your Committee on Memorials, 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 Senate with the recommendation that it be passed.

Respectfully submitted.

F. W. HASTINGS, Chairman.

We concur in this report:

J. R. KINNEAR.

C. E. FORSYTH.

Report received, and memorial placed on file.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate concurrent resolution No. 17, Relating to federal immigration laws, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

F. W. HASTINGS, Chairman.

We concur in this report.

J. R. KINNEAR,

C. E. FORSYTH.

Report received.

Senate concurrent resolution No. 17 was read third time and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Cooper, Dyer, Donahoe, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—29.

Absent or not voting: Senators Campbell, Claypool, Easterday, Forrest, and Rutter—5.

Senate bill No. 148 was amended by striking out in line 4 of section 4 of printed bill, the first word "two" and inserting "one" in lieu thereof.

In line 3 the word "five" was stricken out and "three" inserted, and in the same line "three" was stricken out and "two" inserted.

In line 5, the word "two" was stricken out and the word "one" inserted.

The bill was recommitted to Committee on Public Buildings and Grounds.

Senate bill No. 83 was read third time and amended by striking out the word "five" in line 4 of section 1, and inserting the word "three" in lieu thereof, and in line 5, section 1, by striking out the word "three" and inserting the word "two" in lieu thereof.

Line 4 in section 2 after the word "appointed" was stricken out, also, lines 5 and 6, and in line 7, to and including the word "years."

In line 11 of section 2, the word "two" was stricken out where it occurred in both places and the word "one" inserted.

In line 2, section 3, beginning with the last word "and," all in said line was stricken out, also, all of line 3 and first three words in line 4.

In line 2, section 4, the word "five" was stricken out and the word "two" inserted in lieu thereof.

In line 12, section 4, all after the word "audit" was stricken out.

In line 1, section 8, the words "the several" were stricken out and the word "two" inserted. In same line after the first word "of" the words "each of" were inserted; also, in same line the words "to be selected by said boards" were inserted after the word "trustees."

In line 13 of section 10 all the rest of the section after and including the word "fourth" down to, but not including, the word "provided" in line 16 was stricken out.

In line 9 of section 14 after the word "school" down to and including the word "teacher" was stricken out, being the entire sentence beginning "students."

In line 2, section 18, the word "seventeen" was stricken out and the word "sixteen" inserted in lieu thereof. In same line "sixteen" was stricken out and "fifteen" inserted in lieu thereof.

In line 3, section 21, the words "actual traveling expenses" were stricken out and the words "five cents per mile for each mile actually traveled" were inserted in lieu thereof.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Cooper, Dyer, Donahoe, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—28.

Absent or not voting: Senators Campbell, Claypool, Easterday, Forrest, Kinnear, and Rutter—6.

The title of the bill to remain the title of the act.

House bill No. 72 was read third time, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Dyer, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinnear, McManus, O'Neill, Roberts, Shaw, Smith, Van De Vanter, and Van Houten—23.

Absent or not voting: Senators Claypool, Cooper, Donahoe, Easterday, Forrest, Ide, McCroskey, Miller, Richards, Rutter, and Sergeant—11.

The title of the bill to remain the title of the act.

House bill No. 86 was read third time by sections, and title amended by adding the words "and declaring an emergency."

In line 1 of section 2, the word "hereinafter" was changed to "hereafter."

In line 12, section 4, the words "passage of this act" were stricken out and the words "application for examination" were inserted.

Wherever the word "July" occurs in section 8 the word "May" was substituted therefor.

The bill then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Edens, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Smith, and Van De Vanter—21.

Those voting in the negative were: Senators Eshelman and Shaw—2.

Absent and not voting: Senators Claypool, Cooper, Dyer, Donahoe, Easterday, Forrest, Forsyth, Kellogg, Kinnear, Rutter, and Van Houten—11.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, and Van De Vanter—26.

Absent or not voting: Senators Claypool, Donahoe, Easterday, Forrest, Kellogg, Kinnear, Rutter, and Van Houten—8.

The title of the bill to remain the title of the act.

Senator McCroskey gave notice that he would move a reconsideration of the vote whereby Senate memorial No. 17 was passed.

On motion of Senator Hutchinson, the Senate, at 5:40 p. m., adjourned until 10 o'clock a. m. Wednesday, March 2, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## FIFTY-THIRD DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Thursday, March 2, 1893. }  
10 o'clock A. M. }

Senate called to order, pursuant to adjournment, at 10 o'clock a. m., President pro tem. Dyer in the chair.

Roll call; all senators present.

The reading of yesterday's journal was dispensed with and journal approved.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

The Committee on Engrossed Bills made the following report:

MR. PRESIDENT:

Your Committee on Engrossed Bills respectfully reports that the engrossed copy of Senate bill No. 83, entitled "An act to provide for the management and control of state normal schools in the State of Washington," has been carefully compared with the original copy thereof, and found correctly engrossed.

Respectfully submitted.

LOUIS FOSS, Chairman,  
J. C. HERR,  
J. A. KELLOGG.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 1, 1893.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 95, An act relating to the lien of judgments upon real estate.

The House has passed Senate bill No. 271, Appropriating money for the world's fair.

Also, House bill No. 417, An act to provide for the economical management of county affairs.

Also, Senate bill No. 161, An act to repeal section 237 of chapter 6, title 5, volume 1 of the General Statutes and Codes of Washington, relating to the taking of a census biennially by the county assessor.

Also, House bill No. 147, An act concerning a state fair for the State of Washington, and to declare an emergency.

Also, House bill No. 260, 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.

Also, House memorial No. 9, To confirm to the State of Washington the title to certain lands reserved for the purposes of common schools.

The House has refused to recede from its amendments to Senate bill No. 88 (substitute for Senate bill No. 13), An act to provide for and to regulate the registration of votes in cities and towns.

And the speaker has appointed Messrs. Turpin, Bush (of Pacific) and Wheeler as a committee to act with a like committee from the Senate in conference.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

Senate bill No. 218, reported from House amended by striking out all of the section after and including the words: "*Provided*, That all amounts for which certificates."

Senate concurred in House amendment.

The president pro tem. appointed as Senate members of conference committee on Senate bill No. 88 Senators Easterday, Richards and Brown.

House bill No. 252 was read third time by sections and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—29.

Absent or not voting: Senators Easterday, Eshelman, Forrest, McCroskey, and Rutter—5.

The title of the bill to remain the title of the act.

#### REPORTS OF COMMITTEE ON HARBORS AND HARBOR LINES.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1893.

MR. PRESIDENT:

We, your Committee on Harbors and Harbor Lines, 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," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

FRANK H. RICHARDS, Chairman.

We concur in this report:

J. M. FRINK,

B. C. VAN HOUTEN.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Harbors and Harbor Lines, to whom was referred Senate bill No. 102, entitled "An act to authorize the leasing of the areas reserved from sale by virtue of the establishment of harbor lines within the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

FRANK H. RICHARDS, Chairman.

We concur in this report:

J. M. FRINK,

B. C. VAN HOUTEN,

Report received, and bill placed on file.

President Luce in the chair.

Senate bill No. 203 was read third time by sections. In line 5 of section 1, the words "with ink" were stricken out.

In line 18 of section 1, the word "group" was stricken out and the words "ticket of a political party" inserted in lieu thereof.

In line 19 of section 1, the word "group" was stricken out and the word "ticket" inserted in lieu thereof.

In line 20, section 1, the word "group" was stricken out and the word "ticket" inserted in lieu thereof.

In line 5 of section 2, the words "inspector and" were inserted before the word "judges."

In line 6 of section 2, the words "in the precinct" were inserted after the word "voters."

The following was added to the bill:

"SEC. 3. There now being uncertainty as to the manner of marking tickets at elections, and the marking of tickets as now provided by law being easily subject to alteration; and whereas, certain elections within this state will be held prior to ninety days after the adjournment of this legislature, 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."

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 31.

Absent or not voting: Senators Cooper, Frink, and Ide — 8.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van De Vanter — 30.

Those voting in the negative were: Senators Smith and Van Houten — 2.

Absent or not voting: Senators Cooper and Gilbert — 2.

The title of the bill to remain the title of the act.

House bill No. 283 was read third time by sections and amended by inserting in line 2 of section 1 the words "one" and "cent." In line 2 of section 2 the word "half" was inserted between the words "one" and "cent." Section 4 was amended by striking out "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."

The bill was then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, O'Neill, Richards, Roberts, Sergeant, Smith, Van De Vanter, and Van Houten—25.

Those voting in the negative were: Senators Campbell, Foss, Kellogg, McManus, Miller, Rutter, and Shaw—7.

Absent or not voting: Senators Forrest and Cooper—2.

The title of the bill to remain the title of the act.

#### REPORT OF COMMITTEE ON CONFERENCE.

SENATE CHAMBER,

OLYMPIA, WASH., February 28, 1893.

MR. PRESIDENT:

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 to the Senate, with the recommendation that the Senate recede from its amendment thereto.

Respectfully submitted.

C. E. CLAYPOOL, Chairman,

TRUSTEN P. DYER,

J. T. ESHELMAN,

Senate Committee.

C. T. ROSCOE, Chairman,

C. L. WEBB,

L. C. GILMAN,

House Committee.

Report adopted and Senate recedes from amendment, and committee discharged.

House bill No. 124 was read third time by sections, and amended by striking out section 3 and renumbering subsequent sections by making section 4 read section 3, and so on to end of bill.

Moved to lay the bill on the table.

Those voting in the affirmative were: Senators Claypool, Cooper, Forrest, Foss, Gilbert, Horr, Ide, Kellogg, O'Neill, Richards, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—16.

Those voting in the negative were: Senators Belknap, Brown, Campbell, Dyer, Donahoe, Edens, Eshelman, Forsyth, Frink, Hastings, Helm, Kinnear, McCroskey, McManus, Miller, and Roberts—16.

Absent or not voting: Senators Easterday and Hutchinson—2.

Senator Sergeant moved to strike out the enacting clause of the bill.

Senators Dyer, Kinnear, Hutchinson, Kellogg, Miller and McManus called for the yeas and nays.

Those voting in the affirmative were: Senators Claypool, Cooper, Forrest, Gilbert, Ide, Kellogg, Richards, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—12.

Those voting in the negative were: Senators Belknap, Brown, Campbell, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, and Rutter—22.

Motion to strike out enacting clause declared lost.

The bill was then placed on its final passage:

Those voting in the affirmative were: Senators Brown, Campbell, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Frink, Hastings, Helm, Hutchinson, Kinnear, McCroskey, McManus, Miller, and Roberts—17.

Those voting in the negative were: Senators Belknap, Claypool, Cooper, Forrest, Foss, Gilbert, Horr, Ide, Kellogg, O'Neill, Richards, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—17.

Senator Shaw gave notice that he would move a reconsideration of the vote by which House bill No. 124 failed to pass.

The following invitation was sent to the secretary's desk by Senator McManus.

EVERETT, WASH., March 2, 1893.

*Hon. John E. McManus:*

Please extend to the members of the legislature a cordial invitation to visit Everett as the guests of our city. The State of Washington will leave Olympia on Saturday next at 2 o'clock, reaching Everett in the early evening. On Sunday a special train will carry the visitors to and from Snohomish, taking in the various industries en route. After dinner at Everett on Sunday the boat will leave for Olympia, reaching that city

at an early hour on Sunday night. Answer if they will come, and how many, approximately, that we may arrange for their comfort.

HENRY HEWITT, Jr.

Senator McManus was notified that the invitation was accepted, and that the members of the Senate would attend the excursion. The thanks of the Senate were extended to Mr. Hewitt.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Heliker, Hoole, Rutter, Van Houten, and Van De Vanter.

The reading of yesterday's journal was dispensed with and journal approved.

Senators Rutter and Van Houten were announced as paired for to-day's ballot.

#### EIGHTY-EIGHTH JOINT BALLOT.

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, 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—47.

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—23.

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—25.

Those voting for J. C. Van Patten were: Baker, Burton, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Hutchinson voted for C. H. Warner.

McManus voted for R. C. McCroskey.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 107.

Not voting: Heliker, Hoole, Rutter, Van De Vanter, and Van Houten — 5.

EIGHTY-NINTH JOINT BALLOT.

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 — 47.

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 — 23.

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.) — 24.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.) — 9.

McManus and Turpin voted for R. C. McCroskey — 2.

Hutchinson voted for C. H. Warner.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 107.

Not voting: Heliker, Hoole, Rutter, Van De Vanter, and Van Houten — 5.

The joint session then dissolved.

At 12:25 P. M., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator McCroskey, a recess was taken until 2:30 P. M.

## AFTERNOON SESSION.

Senate called to order at 2:30 o'clock p. m. President Luce in the chair.

Roll call; all senators present.

The following report was received and referred to Committee on Appropriations:

## REPORT OF 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 hennerly 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 that \$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 \$8,200 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 evidences of corruption in the location of the college grounds, letting the 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 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.

All of which is respectfully submitted.

D. F. ANDERSON,  
Chairman of Joint Committee,  
W. P. McELWAIN,  
O. B. NELSON,  
W. D. E. ANDERSON,  
HENRY C. COOPER,  
J. M. FRINK,  
B. F. SHAW.

#### REPORTS OF COMMITTEE ON CLAIMS.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1893.

MR. PRESIDENT:

We, your Committee on Claims, to whom was referred Senate bill No.

245, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be reported back without recommendation, and that it be placed on table subject to call, awaiting the passage of a general law relative to the formation of new counties.

Respectfully submitted.

W. P. SERGEANT, Chairman.

We concur in this report:

TRUSTEN P. DYER,

B. F. SHAW.

Report received, and bill laid on stable subject to call.

MR. PRESIDENT:

We, your Committee on Claims, to whom was referred Senate bill No. 276, entitled "An act for the relief of Ben. E. Snipes and W. R. Adams, co-partners, doing business under the firm name and style of Ben. E. Snipes and Co., and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed, for the reason that to recommend the passage of such a bill would be the establishing of a dangerous precedent, as the committee has no satisfactory evidence that the amount of money asked for in said bill was ever expended, and if it was, it was at the special instance and request of the parties mentioned in said bill, and not authorized by any officer of the law, or any other person in authority.

Respectfully submitted.

W. P. SERGEANT, Chairman.

We concur in this report:

TRUSTEN P. DYER,

B. F. SHAW.

Report adopted, and Senate bill No. 275 indefinitely postponed.

## REPORT OF COMMITTEE ON ROADS AND BRIDGES.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1893.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House bill No. 302, entitled "An act relating to the construction, repair and improvement of public roads, etc.," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it pass, and we further recommend that in consideration of the urgent demand for road legislation, and in consideration of the importance of this bill, immediate action be taken thereon.

Respectfully submitted.

J. A. KELLOGG, Chairman.

We concur in this report:

C. E. FORSYTH,

J. J. EDENS,

C. I. HELM,

W. H. GILBERT,

FRANCIS DONAHOE,

R. A. HUTCHINSON.

Report received, and bill placed on file.

## REPORT OF COMMITTEE ON COMMERCE.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1893.

MR. PRESIDENT:

We, your Committee on Commerce, to whom was referred Senate bill No. 269, entitled "An act to protect persons while engaged on the navigable waters of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. C. RUTTER, Chairman.

We concur in this report:

E. L. BROWN,

JOHN G. CAMPBELL.

Report adopted, and bill indefinitely postponed.

## REPORT OF COMMITTEE ON AGRICULTURE.

The following report was received from the Committee on Agriculture:

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1893.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 268, entitled "An act for the taxing of dogs," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that as amended by the committee it be passed.

Respectfully submitted.

R. C. MCCROSKEY, Chairman.

We concur in this report:

W. H. GILBERT,

W. C. BELKNAP.

Report received, and bill placed on file.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 2, 1893.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 218, entitled "An act making an appropriation for the state printing and binding for the balance of the fiscal term ending March 31, 1893."

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

REPORT OF COMMITTEE ON CONFERENCE ON SENATE BILL  
No. 88.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1893.

MR. PRESIDENT:

We, your Committee on Conference, to whom was referred Senate bill

No. 88, entitled "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. 386 and 387 be taken up and passed at the earliest possible moment, the same being necessary to properly complete the registration and election laws of this state.

Respectfully submitted.

F. H. RICHARDS,  
E. L. BROWN,  
F. B. TURPIN,  
L. H. WHEELER,  
A. S. BUSH.

Report received, and committee discharged.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 2, 1893.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 21, Permitting the introduction of a bill 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."

The House asks immediate action on this resolution.

T. G. NICKLIN, Chief Clerk.

#### REPORT OF COMMITTEE ON MEMORIALS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 2, 1893.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate memorial No. 3, Relating to Washington state historical society, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

F. W. HASTINGS, Chairman.

We concur in this report:

J. R. KINNEAR,  
C. E. FORSYTH.

Report received, and bill placed on file.

House concurrent resolution No. 21 was read third time and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, 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, Rutter, Sergeant, Shaw, Smith, and Van De Vanter—31.

Absent or not voting: Senators Campbell, Roberts, and Van Houten—3.

The Senate went into committee of the whole for the consideration of Senate bill No. 240.

Senator Dyer in the chair.

The committee, rising, reported progress on the bill.

President Luce in the chair.

Report adopted.

The bill was read third time by sections and amended by inserting the word "at" before the words "Yates' mill" in last line of section 1.

The following was substituted for section 2 of the bill:

"That there is hereby created a commission consisting of three members, who shall be appointed by the governor, subject to confirmation of the Senate, to carry out the provisions of this act."

Section 3 was amended by inserting in the blanks in line 2 the words "first," "November" and "3," respectively, and following "1893," "or until the road is completed or the appropriation exhausted," was inserted.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, O'Neill, Richards, Rutter, Sergeant, Van De Vanter, and Van Houten—25.

Those voting in the negative were: Senators Dyer, Kellogg, Kinnear, McCroskey, McManus, Miller, Shaw, and Smith—8.

Absent or not voting: Senator Roberts.

The title of the bill to remain the title of the act.

House concurrent resolution No. 10 was read third time, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide,

Kellogg, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, and Van De Vanter — 27.

Absent or not voting: Senators Dyer, Donahoe, Frink, Kinnear, McCroskey, Rutter, and Van Houten — 7.

House bill No. 104 was read third time by sections, and failed to pass by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Cooper, Easterday, Edens, Eshelman, Forsyth, Gilbert, Helm, Horr, McCroskey, McManus, O'Neill, Richards, and Sergeant — 15.

Those voting in the negative were: Senators Campbell, Claypool, Dyer, Donahoe, Foss, Frink, Hastings, Hutchinson, Kellogg, Kinnear, Miller, Roberts, Shaw, Smith, and Van De Vanter — 15.

Absent or not voting: Senators Ide, Forrest, Rutter, and Van Houten — 4.

Senator Van De Vanter gave notice that he would move a reconsideration of the vote by which House bill No. 104 failed to pass.

House bill No. 313 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, McCroskey, McManus, Miller, O'Neill, Richards, Sergeant, Shaw, and Smith — 25.

Absent or not voting: Senators Easterday, Hutchinson, Ide, Kellogg, Kinnear, Roberts, Rutter, Van De Vanter, and Van Houten — 9.

The title of the bill to remain the title of the act.

President Luce appointed Senators Forrest, Cooper, McManus, Donahoe and O'Neill as committee on daily revision of Senate calendar.

#### FROM THE HOUSE.

House bill No. 147, Providing for a state agricultural fair.

Read first time; rules suspended, read second time by title, and referred to Committee on Public Buildings and Grounds.

Senate went into committee of the whole for consideration of Senate bill No. 255. Senator Claypool in the chair.

The bill was considered, and section 10 was amended. The committee arose and reported the bill back to the Senate with recommendation that it pass as amended. President Luce in the chair.

Report adopted.

Senate bill No. 255 was read third time by sections, and amended as follows:

In section 1, by striking out all of line 2 after the word "commencing," all of line 3 and the words "Whatcom county" in line 4, and inserting in lieu thereof the words "on the road or trail of the north fork of the Nooksack river at Thompson's, where the Glacier creek empties into the north fork of the Nooksack river, said place of beginning being in township 39 north, of range 7 east in the State of."

In line 5, section 1, after the words "Methow river," insert the words "thence on most practicable and direct route to a point on the Columbia river near the mouth of Kettle river."

In line 1, section 2, after the word "members," insert the words "is hereby created."

Insert in first blank space in section 3 the word "first;" in second space, same section, the word "January;" in third space, same section, the words "four, or until the road is completed or the appropriation exhausted."

Section 10 was amended by adding thereto the following: "*Provided, however,* That the appropriation hereby made shall not be available unless the county of Whatcom shall appropriate the sum of five thousand dollars, and the counties of Okanogan and Stevens one thousand dollars each, which said county appropriations shall be placed in the state fund for the use of said commission."

The bill was then considered engrossed, and placed on final passage, and passed by the following vote:

Those voting in the affirmative were: Senators Brown, Campbell, Claypool, Donahoe, Edens, Eshelman, Forrest, Forsyth, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, O'Neill, Richards, Roberts, Sergeant, Van De Vanter, and Van Houten — 20.

Those voting in the negative were: Senators Belknap, Cooper, Dyer, Easterday, Foss, Kinnear, Miller, Shaw, and Smith — 9.

Absent or not voting: Senators Frink, Kellogg, McCroskey, McManus, and Rutter — 5.

The title of the bill to remain the title of the act.

On motion of Senator Cooper, the Senate, at 5 o'clock P. M., adjourned until 10 o'clock A. M. Friday, March 3, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## FIFTY-FOURTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Friday, March 3, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all senators present.

The reading of yesterday's journal was dispensed with, and journal approved.

### REPORT OF COMMITTEE ON ENGROSSED BILLS.

The Committee on Engrossed Bills made the following report:

SENATE CHAMBER,  
OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

Your Committee on Engrossed Bills respectfully reports that the engrossed copy of Senate bill No. 255, entitled "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," has been carefully compared with the original copy thereof and found correctly engrossed.

Respectfully submitted.

LOUIS FOSS, Chairman,  
J. A. KELLOGG,  
J. C. HERR.

### REPORTS OF COMMITTEE ON APPROPRIATIONS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 2, 1893.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 270, entitled "An act for the relief of W. T. Cavanaugh," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

A. T. VAN DE VANTER, Chairman.

We concur in this report:

IDE,  
SMITH.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 14, entitled "An act to authorize the necessary improvement at the Washington school for defective youth, and to appropriate money therefor," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

A. T. VAN DE VANTER, Chairman.

We concur in this report:

IDE,  
SMITH.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 27, entitled "An act to maintain, improve and purchase land, and build additional buildings for the state reform school," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

A. T. VAN DE VANTER, Chairman.

We concur in this report:

IDE,  
SMITH.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate bill No. 3, entitled "An act to appropriate money for the support of the Washington school for defective youth," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

A. T. VAN DE VANTER, Chairman.

We concur in this report:

IDE,  
SMITH.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON CONSTITUTION AND REVISION.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1893.

MR. PRESIDENT:

We, your Committee on Constitution and Revision, to whom was referred Senate bill No. 248, entitled "An act to provide for voting on a constitutional amendment, being article 16 of the constitution, at a general election to be held in November, 1894, relating to school lands," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed for the reasons—(1) The legislature has passed an act submitting to the people an amendment to the constitution in regard to the investment of the permanent school fund, the provisions of which are identical

with the provisions herein relative to the investment of such funds; (2) we are of the opinion that the provisions of section 4, article 16 of the constitution are a protection to the interests of the state, and that by selling the school lands of the state in accordance therewith the state will realize more therefor than by selling such lands in larger tracts.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

We concur in this report:

J. R. KINNEAR,

DAVID MILLER.

Report received, and bill laid on table.

#### REPORT OF COMMITTEE ON AGRICULTURE.

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1893.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 244, entitled "An act creating a state fair association and providing for the duties and maintenance thereof, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed as amended.

Respectfully submitted.

R. C. McCROSKEY, Chairman.

We concur in this report:

W. C. BELKNAP,

W. H. GILBERT.

Report received, and bill placed on file.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 2, 1893.

MR. PRESIDENT:

The House has concurred in Senate amendments to House bill No. 86, by Mr. Wheeler, An act to regulate the practice of dentistry in the State of Washington.

Also, 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.

Also, House bill No. 283, by Mr. Ludden, An act granting a bounty for the production and manufacture of sugar in the State of Washington.

The House has adopted the report of the conference committee receding from amendment to Senate bill No. 88 (substitute for Senate bill No. 13), An act to provide for and to regulate the registration of votes in cities and towns.

The House has passed House bill No. 31, by Mr. Weed, An act appropriating money for the payment of agents for the state land commission.

Also, 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.

Also, House bill No. 108, by 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.

Also, 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 speaker of the House has signed House bill No. 72, by 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.

Also, House bill No. 236, by 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.

Also, House concurrent resolution No. 21, Permitting the introduction of a general appropriation bill.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

The Committee on Engrossed Bills made the following report:

MR. PRESIDENT:

Your Committee on Engrossed Bills respectfully reports that the engrossed copy of Senate bill No. 203, entitled "An act to amend section 23 of an act providing for printing of ballots at public expense," has been carefully compared with the original copy thereof, and found correctly engrossed.

Respectfully submitted.

LOUIS FOSS, Chairman,  
J. A. KELLOGG,  
J. C. HERR.

Report received.

#### REPORTS OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of 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," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman,  
CHAS. I. HELM.

Report received.

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 129, entitled "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," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman,  
CHAS. I. HELM,  
JOHN G. CAMPBELL.

Report received.

### REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1893.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, 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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as herein suggested, and passed:

We recommend the following amendments:

In the printed bill, section 1, amend by inserting in line two (2) after the word "kind" the words "except hogs," and by substituting in line three (3) the words "prima facie" for the word "conclusive."

In section 2, line two (2), after the words "through the" insert "occupied or enclosed and cultivated," and add to the word "land" the letter "s;" in line three (3) strike out the word "gates;" in line four (4) substitute "with gates or bars" for the words "and cattle guards;" in line five (5) after the words "several parts of his" insert "occupied or enclosed and cultivated," and to the word "land" add an "s;" in line nine (9) strike out the word "gates" after the word "such," insert a comma after the word "crossings," and substitute the words "with gates or bars" for the words "and cattle guards;" in line ten (10) after the words "penalty of" insert "not greater than;" in line twelve (12) after the word "county" insert: "*Provided*, That no more than one crossing in every half mile shall be required under this act upon the property of any one owner."

In section 3, line seven (7) substitute the word "cause" for the word "publish;" in lines seven (7) and eight (8) substitute for the words "in the newspaper of general circulation nearest the place of accident" the following: "to be filed with the agent of the company nearest the place of the accident, to be by him kept at his office for the inspection of the public;" in line ten (10) after the words "of double the" insert the word "market."

In section 4 strike out all of line three (3) after the word "recover," and strike out all of lines four (4), five (5) and six (6), inserting in lieu thereof the following: "judgment, the judge shall allow a reasonable attorney's fee, to be taxed as a part of the costs."

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

We concur in this report:

T. J. SMITH,

C. E. CLAYPOOL,

A. T. VAN DE VANTER,

B. F. SHAW.

Report accepted, and bill placed on file.

#### REPORT OF COMMITTEE ON AGRICULTURE.

The following report was received from the Committee on Agriculture:

SENATE CHAMBER,

OLYMPIA, WASH., March 1, 1893.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate bill No. 235, entitled "An act providing for the taking up, disposition and sale of estrays, and to repeal sections 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542 and 2543 of the General Statutes of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

R. C. MCCROSKEY, Chairman.

We concur in this report:

W. C. BELKNAP,

W. H. GILBERT.

Report received, and bill placed on file.

#### FROM THE HOUSE.

House bill No. 445: An act providing liens upon saw logs, spars, piles or other timber, with manner and procedure of obtaining the same.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 108: Providing for viewing, laying out and surveying of public roads, and award of damages.

Read first time; rules suspended, read second time by title, and referred to Committee on Roads and Bridges.

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."

Read first time; rules suspended, read second time by title, and referred to Committee on State, Granted and School Lands.

House bill No. 31: An act appropriating money for the payment of agents for the state land commission.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

House bill No. 386: An act relating to elections.

Read first time; rules suspended, read second time by title, and referred to Committee on Privileges and Elections.

House bill No. 385: To amend section 3085, Code of 1881, relating to elections.

Read first time; rules suspended, read second time by title, and referred to Committee on Privileges and Elections.

House memorial No. 9: To confirm to the State of Washington the title to certain lands reserved for the purposes of common schools.

Read first time; rules suspended, read second time by title, and referred to Committee on Memorials.

House bill No. 417: For the economical administration of county affairs.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

House bill No. 260: Amending section 8, chapter 153 of the Session Laws of 1891, regulating the practice of pharmacy.

Read first time; rules suspended, read second time by title, and referred to Committee on Medicine.

The president stated that he was about to sign Senate bill No. 129.

Senate bill No. 21 was laid on the table.

#### REPORT OF COMMITTEE ON STATE PRISON.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

We, your Committee on State Prison, to whom was referred Senate bill No. 287, entitled "An act to amend an act entitled 'An act to define, regulate and govern the state penitentiary,' and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass with the following amendments, viz.:

Strike out the words "be filed" in line 21, section one.

Fill the blank in line 25, section one, with the figures "5,000."

Amend the title by adding the words and figures "approved March 9, 1891."

Respectfully submitted.

T. J. SMITH, Chairman.

We concur in this report:

W. H. GILBERT,

J. L. ROBERTS

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON AGRICULTURE.

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1893.

MR. PRESIDENT:

We, your Committee on Agriculture, 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 Senate without recommendation.

Respectfully submitted.

R. C. McCROSKEY, Chairman.

We concur in this report:

W. C. BELKNAP,

W. H. GILBERT.

Report received, and bill placed on file.

Senate bill No. 221 was read third time by sections, and amended by adding to title "and declaring an emergency;" in line 16 of section 2 of printed bill the word "fifty" was substituted for the words "one hundred," and the words "one hundred" were substituted for the words "five hundred."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Claypool, Cooper, Donahoe, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Hastings, Helm, Horr, Hutchinson, Ide, McCroskey, Miller, O'Neill, Richards, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—25.

Those voting in the negative were: Senators Brown, Dyer, Easterday, Kinnear, and McManus—5.

Absent or not voting: Senators Gilbert, Roberts, Campbell, and Kellogg—4.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten—28.

Those voting in the negative were: Senators Dyer and Smith—2.  
Absent or not voting: Senators Campbell, Cooper, Kellogg, and Kinnear—4.

The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

The House has passed House bill No. 386, entitled "An act relating to elections."

Also, House bill No. 385, 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.

And the same are herewith transmitted to the Senate.

The House has indefinitely postponed Senate bill No. 180, An act to amend sections 1 and 2 of an act to regulate, restrain, license or prohibit the sale of intoxicating liquors, and the same is herewith returned to the Senate.

T. G. NICKLIN, Chief Clerk.

Senate memorial No. 9 was read third time and amended by striking out in the address the words "legislative assembly" and inserting in lieu thereof "legislature."

The memorial then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—30.

Absent or not voting: Senators Campbell, Eshelman, Hutchinson, and McManus—4.

House bill No. 215 was read third time by sections, and amended by adding to the title the words, "and declaring an emergency." Further amended by adding to section 3:

"(22) To lay out and plat a townsite or an addition thereto, may correct the original plat or the plat of any addition by widening the alleys into streets or reducing the streets into alleys and vacating other streets and alleys, or may change the location of any railroad reserve provided for and received on said original plat, subject only to damages incurred by owners, and such corrections may be made in any plat by making and filing additions to such original plat, or by filing a supplemental plat, on either or all of which shall be shown such corrections, and which shall be properly explained in the instrument or dedication on said plat written,

and all of which shall be signed, executed and acknowledged as is now provided by law for the acknowledgment and dedication of plats. When said plats or additions thereto are filed in the auditor's office, or in cases where amendments or corrections have been heretofore made, all such plats shall have the same force and effect, and shall be admissible in evidence in all courts of this state with like effect as is provided by law with reference to original plats. The mayor and city council shall have power to accept such plats or additions and corrections made to original plats, and correct the same and cause new plats of such corrections to be made, as is heretofore provided in this section in other cases: *And provided further*, That such corrections hereafter made shall not be valid until the common council shall ratify and approve the same."

The bill then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, O'Neill, Richards, Roberts, Shaw, and Smith — 29.

Absent or not voting: Senators Miller, Rutter, Sergeant, Van De Vanter, and Van Houten — 5.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, O'Neill, Richards, Roberts, Shaw, Van De Vanter, and Van Houten — 30.

Absent or not voting: Senators Miller, Rutter, Sergeant, and Smith — 4.

The title of the bill to remain the title of the act.

The rules were suspended, and House bill No. 215 ordered transmitted to the House at this time.

House bill No. 217 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 31.

Absent or not voting: Senators Campbell, Foss, and Hutchinson — 3.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—31.

Absent or not voting: Senators Campbell, Kinnear, and Hutchinson—3.

The title of the bill to remain the title of the act.

Senate bill No. 68 was indefinitely postponed.

#### REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,  
OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 277, entitled "An act providing for an additional judge for the superior court in certain counties in the State of Washington, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 175, entitled "An act to prevent the sale of more than one-half of entire stock of goods, without the vendor first obtaining the written consent of his creditors," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool and Richards, the members of said committee present.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 109, entitled "An act in relation to liens by docketing judgments of justice's courts, and amending section 455 of Hill's Code of Washington," have had the same under consideration, and we respectfully report the

same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards and Van Houten, being all the members of said committee present.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 37, entitled "An act to amend section 1 of an act entitled 'An act relating to the place of trial of actions and proceedings, and amending sections 50 and 53 of the Code of Washington of 1881,' approved February 25, 1891," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, Brown, Richards and Van Houten, all the members of said committee.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, 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 Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

Senator Rutter moved to indefinitely postpone House bill No. 235.

The yeas and nays were called for without objection.

Those voting in the affirmative were: Senators Campbell, Claypool, Cooper, Easterday, Edens, Eshelman, Forrest, Foss, Frink, Helm, Ide, Richards, Rutter, Sergeant, Smith, Van De Vanter, and Van Houten — 17.

Those voting in the negative were: Senators Belknap, Brown, Dyer, Donahoe, Forsyth, Gilbert, Hastings, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, and Shaw — 17.

Motion lost.

#### REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 290, entitled "An act giving a right of action to the personal repre-

sentatives 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," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 274, entitled "An act to regulate the publication of coal mine inspectors' reports," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 295, entitled "An act to provide for the punishment of the crime against nature, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 275, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 291, entitled "An act to amend an act entitled 'An act with relation to civil actions and proceedings, amending sections 12 and 15 of the Code of Washington of 1881,' approved February 25, 1891," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Van Houten, introducer of the bill.

Report adopted, and bill indefinitely postponed.

## REPORT OF COMMITTEE ON PUBLIC MORALS.

The following report was received from Committee on Public Morals:

SENATE CHAMBER,  
OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

We, your Committee on Public Morals, to whom was referred Senate bill No. 164, entitled "An act for the protection of birds within the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

J. T. ESHELMAN, Chairman.

We concur in this report:

E. L. BROWN,  
W. C. BELKNAP.

Report received, and bill placed on file.

## REPORTS OF COMMITTEE ON COUNTIES AND COUNTY BOUNDARIES.

The following reports were received from the Committee on Counties and County Boundaries:

SENATE CHAMBER,  
OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, 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 so to do, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it pass.

Respectfully submitted.

C. E. FORSYTH, Chairman.

We concur in this report:

HENRY C. COOPER,  
T. J. SMITH.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, 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 Senate, with the recommendation that it pass, after being amended by striking out the word "county" in the fourth line of section 1 and inserting the word "prosecuting."

Respectfully submitted.

C. E. FORSYTH, Chairman.

We concur in this report:

HENRY C. COOPER,  
T. J. SMITH.

Report received, and bill placed on file.

## REPORTS OF COMMITTEE ON EDUCATION.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1893.

MR. PRESIDENT:

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, and declaring an emergency,'" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

E. L. BROWN, Chairman.

I concur in this report:

R. C. McCroskey.

Report received.

MR. PRESIDENT:

Your minority of Committee on Education, having considered House bill No. 141, being 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, etc., etc.," have considered carefully said bill, and respectfully ask that the same be indefinitely postponed, for the following reasons:

*First:* It is a direct blow to the graded and high schools in every city and town in the state, by imposing upon their already overburdened supporters an additional tax to support those outside, and would, if passed, in many cases, compell the suspension of the high and special schools, which have done so much already to advance the standard of our common schools throughout the state.

*Second:* The passage of this bill would, in our judgment, give more funds to many outside and isolated districts, where school could not, by reason of their being but thinly populated, be held but a part of the school year, than they could reasonably expend for conducting said schools, and necessitate an additional tax on the towns and cities; as to illustrate, four mills in Seattle and four and one-half in Spokane.

All of which we respectfully submit.

J. M. FRINK,

Minority Committee on Education.

Report received.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 286, entitled "An act appointing a commission to determine the site for the school buildings known as normal schools now or hereafter to be located, and authorizing said commission to accept donations for said sites," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

E. L. BROWN, Chairman.

We concur in this report:

R. C. McCroskey,

J. M. FRINK.

Report received, and bill placed on file.

MR. PRESIDENT:

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 School Laws," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

E. L. BROWN, Chairman.

We concur in this report:

R. C. McCROSKEY,  
J. M. FRINK.

Report adopted, and bill indefinitely postponed.

House bill No. 141 was made special order for Tuesday, March 7th, at 2 o'clock p. m.

Senate concurrent resolution No. 18 was introduced by Senator Frink, and failing to receive a two-thirds vote of all senators elected, was declared lost.

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Eshelman, Forrest, Frink, Gilbert, Hastings, Horr, Ide, Kinneer, McCroskey, McManus, O'Neill, Richards, Roberts, Rutter, Sergeant, Smith, Van De Vanter, and Van Houten — 22.

Those voting in the negative were: Senators Donahoe, Easterday, Edens, Forsyth, Foss, Kellogg, Miller, and Shaw — 8.

Absent or not voting: Senators Campbell, Dyer, Helm, and Hutchinson — 4.

The president stated that he was about to sign House bill No. 236.

The rules were suspended and House bill No. 215 was sent to the House at this time.

Senator McCroskey moved to reconsider the vote whereby Senate concurrent resolution No. 17 passed the Senate.

The motion was lost and the resolution laid on table subject to call.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Ide, O'Neill, Van Houten and Van De Vanter.

The reading of yesterday's journal was dispensed with, and journal approved.

The following pairs were announced for to-day's ballot: O'Neill and Van Houten, Ide and Van De Vanter.

## NINETIETH JOINT BALLOT.

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—49.

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—21.

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.)—21.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Those voting for L. C. Gilman were: Cowan, Edmonds, Hutchinson, Mulkey, and Turpin—5.

Bush (N. W.) voted for R. O. Dunbar.

Tull voted for A. M. Cannon.

McManus voted for R. C. McCroskey.

Total number of votes cast, 108.

Not voting: O'Neill, Van De Vanter, Ide, and Van Houten—4.

## NINETY-FIRST JOINT BALLOT.

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—49.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, McMillan, Mentzer, Nash, Nelson, Pierce

(D. W.), Richards, Roscoe, Shadle, Sherman, Smith (T. J.), Smithson, Temple, Tull, Westfall, and Woodworth — 20.

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.) — 21.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.) — 9.

Those voting for L. C. Gilman were: Cowan, Edmonds, Hutchinson, Mulkey, and Turpin — 5.

Those voting for C. E. Claypool were: Hurd and Moore — 2.

Bush (N. W.) voted for R. O. Dunbar.

McManus voted for R. C. McCroskey.

Total number of votes cast, 108.

Not voting: O'Neill, Ide, Van Houten, and Van De Vanter — 4.

The joint session then dissolved.

At 12:20 P. M., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator Brown, a recess was taken until 2 o'clock P. M.

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#### AFTERNOON SESSION.

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Senate called to order at 2 o'clock P. M. President Luce in the chair.

Roll call; all senators present.

#### REPORTS OF COMMITTEE ON JUDICIARY.

The following reports were received from the Judiciary Committee:

SENATE CHAMBER,

OLYMPIA, WASH., March 2, 1893.

MR. PRESIDENT:

The Judiciary Committee recommend indefinite postponement of Senate bill No. 288, Relating to fees of county clerks.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

Your Judiciary Committee recommend the passage of Senate bill No. 283, Relating to trade marks.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by committee.

Report received, and bill placed on file.

REPORTS OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 84, entitled "An act to declare and regulate the powers and duties of corporations organized for improving streams chiefly valuable for the navigation of logs, etc.," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

We concur in this report:

CLAYPOOL,  
SMITH,  
SHAW.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred House bill No. 301, entitled "An act to regulate the operating of railroads," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

We concur in this report:

CLAYPOOL,  
SMITH,  
SHAW.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 279, entitled "An act prescribing the manner and form for the assessment of the property of railroads and railway corporations in this state," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

We concur in this report:

CLAYPOOL,  
SMITH,  
SHAW.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 285, entitled "An act to provide for the levy and sale of corporate stock on execution," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

We concur in this report:

CLAYPOOL,  
SMITH,  
SHAW.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,  
OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of 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, and declaring an emergency;" also, Senate bill No. 271, entitled "An act supplementary to 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, have been carefully compared with the original copies thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman,  
C. I. HELM.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

The House has passed House concurrent resolution No. 22, Relating to second appeals in criminal cases, being House bill No. 332, which was returned to the House without the governor's approval.

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

The president stated that he was about to sign Senate bill No. 161 and Senate bill No. 271.

Senate concurrent resolution No. 17 was taken from the table and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Cooper, Dyer, Easterday, Edens, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McManus, O'Neill, Roberts, Rutter, Sergeant, Smith, and Van Houten — 23.

Those voting in the negative were: Senators Campbell, Donahoe, Foss, Hutchinson, McCroskey, Miller, and Shaw — 7.

Absent or not voting: Senators Claypool, Eshelman, Richards, and Van De Vanter — 4.

Senate bill No. 237 was read third time by sections and amended in line 2 of section 5 by inserting the word "in" after "equalization," and by inserting the word "manner" after the word "same" and by striking out the words "and general."

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten — 30.

Absent or not voting: Senators Claypool, Eshelman, Miller, and Van De Vanter — 4.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Smith — 29.

Absent or not voting: Senators Claypool, Edens, Eshelman, Van Houten, and Van De Vanter — 5.

The title of the bill to remain the title of the act.

House concurrent resolution No. 22 was read in full, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Sergeant, Shaw, and Smith — 25.

Absent or not voting: Senators Campbell, Claypool, Cooper, Foss, Ide, Richards, Rutter, Van Houten, and Van De Vanter — 9.

The rules were suspended, and House concurrent resolution No. 22 returned to the House at this time.

Senate bill No. 219 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten—30.

Absent or not voting: Senators Claypool, Donahoe, Eshelman, and Van De Vanter—4.

The emergency clause then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten—31.

Absent or not voting: Senators Claypool, Eshelman, and Van De Vanter—3.

The title of the bill to remain the title of the act.

House bill No. 71 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten—31.

Absent or not voting: Senators Claypool, Richards, and Van De Vanter—3.

The title of the bill to remain the title of the act.

Senate bill No. 187 was read third time by sections, considered engrossed, and failed to pass by the following vote:

Those voting in the affirmative were: Senators Brown, Cooper, Edens, Eshelman, Forsyth, Hastings, Helm, Horr, Richards, and Sergeant—10.

Those voting in the negative were: Senators Belknap, Donahoe, Dyer, Easterday, Forrest, Foss, Frink, Gilbert, Ide, Kellogg, Kinnear, McManus, Miller, O'Neill, Roberts, Shaw, and Smith—17.

Not voting: Senators Campbell, Claypool, Hutchinson, McCroskey, Rutter, Van De Vanter, and Van Houten — 7.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

The House has passed House bill No. 262, 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.

Also, House bill No. 415 (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 the same are herewith.

T. G. NICKLIN, Chief Clerk.

House bill No. 114 was read third time by sections and amended by striking out all of section 26 and renumbering subsequent sections.

The bill then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Helm, Horr, Hutchinson, Ide, Kinnear, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Smith — 26.

Absent or not voting: Senators Campbell, Claypool, Gilbert, Hastings, Kellogg, McCroskey, Van De Vanter, and Van Houten — 8.

The title of the bill to remain the title of the act.

President pro tem. Dyer in the chair.

House bill No. 65 was read third time by sections and amended by striking out in line 2 of section 3 the word "one" and inserting in lieu thereof the word "three" and changing the word "year" in same line to "years."

The bill was then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, and Smith — 26.

Absent or not voting: Senators Claypool, Donahoe, Frink, Hastings, Kellogg, Sergeant, Van De Vanter, and Van Houten—8.

The title of the bill to remain the title of the act.

The rules were suspended, and the bill sent to the House at this time.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

The House has refused to concur in Senate amendments to 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.

And respectfully asks the Senate to recede from its amendments.

T. G. NICKLIN, Chief Clerk.

House bill No. 263 was read the third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Easterday, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Hutchinson, Ide, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, and Smith—25.

Absent or not voting: Senators Claypool, Donahoe, Edens, Hastings, Kellogg, Kinnear, Sergeant, Van Houten, and Van De Vanter—9.

The title of the bill to remain the title of the act.

Senate bill No. 97 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Horr, Hutchinson, Ide, Kinnear, McManus, Miller, Richards, Roberts, and Shaw—22.

Absent or not voting: Senators Claypool, Eshelman, Hastings, Helm, Kellogg, McCroskey, O'Neill, Rutter, Sergeant, Smith, Van De Vanter, and Van Houten—12.

The title of the bill to remain the title of the act.

## REPORTS OF COMMITTEE ON JUDICIARY.

The following reports were received from the Judiciary Committee:

SENATE CHAMBER,  
OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

Judiciary Committee returns Senate bill No. 294, Relating to actions by poor persons, without recommendation.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

MR. PRESIDENT:

Your Judiciary Committee recommends the passage of House bill No. 417, Relating to the economical management of county affairs.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

## REPORT OF COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

We, your Committee on Public Buildings and Grounds, to whom was referred Senate bill No. 148, entitled "An act to establish a state normal school at the city of Montesano, State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. I. HELM, Chairman.

I concur in this report:

W. C. RUTTER.

Report adopted, and Senate bill No. 148 indefinitely postponed.

## FROM THE HOUSE.

House bill No. 262: An act to enable cities and towns 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.

Read first time; rules suspended, read second time by title, and placed on file.

House bill No. 415: An act providing for the assessment and collection of taxes in cities of the first class, and specifying the duties of certain county officers thereto, and declaring an emergency.

Read first time; rules suspended, read second time by title, and placed on file.

House bill No. 20 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Smith — 27.

Absent or not voting: Senators Claypool, Frink, Hutchinson, McCroskey, McManus, Van De Vanter, and Van Houten — 7.

The title of the bill to remain the title of the act.

Senate rule No. 28, so far as it applies to the time allowed for motions to reconsider, was suspended for the remainder of the session, and all documents on which action is taken from this time by the Senate, ordered transmitted to the House at once, unless notice of intention to move a reconsideration be given immediately upon the vote being taken.

Senate bill No. 292 and House bill No. 49 were referred to joint committee on state university grounds.

Senator Forrest moved to reconsider the vote by which Senate concurrent resolution No. 18 was lost.

The unanimous consent of the Senate was given, and the resolution passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Edens, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Kellogg, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Smith — 24.

Those voting in the negative were: Senators Easterday, Foss, Ide, and Kinnear — 4.

Absent or not voting: Senators Cooper, Eshelman, Hutchinson, McManus, Van Houten, and Van De Vanter — 6.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

The following report was received from the Committee on Municipal Corporations:

SENATE CHAMBER,

OLYMPIA, WASH., February 28, 1898.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 62, entitled "An act authorizing the establishment of public libraries in cities," have had the same again under consideration, and we

respectfully report the same back to the Senate, with the recommendation that it be amended by striking out the words "mayor and" in line 4 of section 1 of the printed bill, and striking out the word "one" and inserting the word "three" in line 6 of same section, and by adding to same section the words: "*Provided*, This law shall not apply to cities that have otherwise provided for libraries."

We also recommend that the figures "1,000" in line 4, section 2 of said printed bill be stricken out and the figures "3,000" be inserted in lieu thereof.

We also recommend that the word "as" after the word "manner" in line 3 of section 4 of said printed bill be inserted, and that the last sentence of said section 4, commencing with the words "and the council," be entirely stricken out.

We further recommend that the word "the" before the word "mayor" in line 3 of section 6 of said printed bill be inserted, and that as above amended the said Senate bill No. 62 do pass.

Respectfully submitted.

C. E. CLAYPOOL, Chairman.

All members of committee concur.

Report received, and bill placed on file.

On motion of Senator Frink, the Senate, at 5:10 P. M., adjourned until 10 o'clock A. M., Saturday, March 4, 1893.

ALLEN WEIR,

*Secretary of the Senate.*

F. H. LUCE,

*President of the Senate.*

## FIFTY-FIFTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Saturday, March 4, 1893. }  
10 o'clock A. M. }

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all senators present excepting Senators Dyer, Frink, Kinnear, McManus and Van De Vanter, who were excused.

The reading of yesterday's journal was dispensed with, and journal approved.

## REPORT OF COMMITTEE ON LABOR AND LABOR STATISTICS.

SENATE CHAMBER,

OLYMPIA, WASH, March 3, 1893.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate bills Nos. 211, 212, 213, 214 and 216, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that they do pass.

Respectfully submitted.

W. C. BELKNAP, Chairman.

We concur in this report:

RUTTER,

FOSS.

Report received, and bills placed on file.

## REPORTS OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, 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 for a penalty therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

We concur in this report:

SMITH,

SHAW,

VAN DE VANTER.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 166, entitled "An act to establish a maximum rate of express charges in the State of Washington, and providing a penalty for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be amended, and that it do then pass.

Amend section 3 of the printed bill as follows: In line 4, substitute "ninety (90)" for "seventy-five (75);" in line 5, substitute the word "second" for the word "first;" in line 7, substitute "eighty-five per centum (85 per cent.)" for "seventy per centum (70 per cent.)," and in line 8, substitute the word "second" for the word "first." After the word "products," line 9, add: "*Provided further*, That no person, company, corporation or association of persons shall be compelled to receive and transport any express package for a less sum than twenty-five (25) cents."

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

- We concur in this report:

CLAYPOOL,

SMITH,

SHAW.

Report received, and bill placed on file.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 4, 1893.

MR. PRESIDENT:

The House has passed House bill No. 292, by Mr. Mentzer, An act to provide for the location and erection of a capitol building, and declaring an emergency.

Also, House bill No. 293, by 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.

And the same are herewith transmitted to the Senate.

W. M. CHANDLER, Acting Chief Clerk.

## REPORT OF COMMITTEE ON STATE, SCHOOL AND GRANTED LANDS.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

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 Senate with the recommendation that it be indefinitely postponed, for the reason that the subject matter thereof is covered by Senate bill No. 160†.

Respectfully submitted.

J. J. EDENS, Chairman.

We concur in this report:

C. M. EASTERDAY,

J. T. ESHELMAN,

J. C. HERR,

C. W. IDE,

R. C. McCROSKEY.

Report adopted, and bill indefinitely postponed.

## REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

We, your Committee on Privileges and Elections, to whom was referred 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," have

had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

We concur in this report.

TRUSTEN P. DYER,  
DAVID MILLER.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1893.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 272, entitled "An act to provide for the establishment of a board of railroad commissioners, defining their duties and to regulate the receiving and transportation of freight on railroads in this state, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

We concur in this report:

CLAYPOOL,  
SMITH,  
SHAW.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1893.

MR. PRESIDENT:

We, your Committee on Municipal Corporations, to whom was referred Senate bill No. 258, entitled "An act to amend section 673, volume 1, Hill's Code, providing for the organization, classification and government of municipal corporations, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it pass.

Respectfully submitted.

C. E. CLAYPOOL, Chairman.

We concur in this report: All the committee.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1893.

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 88, entitled "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," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman,  
C. I. HELM.

#### REPORTS OF 'COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS.

The following reports were received from the Committee on Public Buildings and Grounds:

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1893.

MR. PRESIDENT:

We, your Committee on Public Buildings and Grounds, to whom was referred House bill No. 147, entitled "An act to establish a state fair for the State of Washington, making an appropriation therefor, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

C. I. HELM, Chairman.

I concur in this report:

B. C. VAN HOUTEN.

Bill laid on table, subject to call.

#### MINORITY REPORT.

MR. PRESIDENT:

As a minority of the Committee on Public Buildings and Grounds, to whom was referred House bill No. 147, entitled "An act concerning a state agricultural fair for the State of Washington, and to declare an emergency," have had the same under consideration, and, dissenting from the majority of said committee, respectfully submits the following minority report:

The minority of your Committee on Public Buildings and Grounds, to which was referred House bill No. 147, entitled "An act concerning a state agricultural fair for the State of Washington, and to declare an emergency," beg leave to report the bill back, and recommend that the same do not pass.

The objections to the bill are—

1. The bill fixes the location at North Yakima. This may be a good location, but your committee believes that it is entirely possible that other points may be more desirable, and believe it only fair that other and larger agricultural districts and centers should at least be considered.

2. The act entails too much expense for a commission in locating and preparing the grounds; it adds seven commissioners, a secretary and a treasurer to the pay roll of the state; the per diem and expense will

amount to approximately fifty (\$50) dollars per day. Under this bill it would cost the state from five to ten thousand dollars to do what ought to be done for one or two thousand dollars.

3. The appropriation for the year 1893 is wholly insufficient. Even if the grounds are presented to the state it would be impossible to put them in order to hold a state fair without a large appropriation. Five thousand dollars would be practically wasted.

4. There should be no such officer as a treasurer for a commission.

Respectfully submitted.

W. C. RUTTER.

Report received, and bill tabled, subject to call.

Senate concurrent resolution No. 19 was introduced by Senator McCroskey, asking permission to introduce out of order a Senate bill regulating grain warehouses and the handling, weighing and inspection of grain at Tacoma, Seattle and Spokane.

Adopted unanimously and sent to House.

House bill No. 377 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Easterday, Edens, Eshelman, Forrest, Gilbert, Helm, Horr, Ide, Kellogg, Miller, O'Neill, Richards, Rutter, Sergeant, Shaw, and Van Houten — 20.

Absent or not voting: Senators Campbell, Dyer, Donahoe, Forsyth, Foss, Frink, Hastings, Hutchinson, Kinnear, McCroskey, McManus, Roberts, Smith, and Van De Vanter — 14.

The title of the bill to remain the title of the act.

The following report was submitted:

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 had 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 storehouse 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 superin-

tendent 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 it does 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 ten dollars 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 also were 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 addition 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 36 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. It is a substantial brick structure, and accommodates 160 patients, at a cost of \$40,000.

The laundry and boiler house has been remodeled and raised another

story. Additional machinery has been put in. Two new sixty 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 proper 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 estimated 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 is 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 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:

J. T. ESHELMAN,

C. W. IDE,

S. JUDSON,

E. P. HELIKER,

Of the committee appointed to visit the hospitals for the insane.

The report was received, and ordered placed on file.

House bill No. 292: Relating to state capitol building.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

House bill No. 293: Relating to state capitol building.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

Senate went into committee of the whole for consideration of House bills Nos. 292 and 293.

Senator Claypool in the chair.

Committee arose and reported the bills back to the Senate without recommendation.

President Luce in the chair.

Report of the committee of the whole adopted, and House bills Nos. 292 and 293 placed on file.

Senator Claypool in the chair.

House bill No. 262 was read third time by sections.

At this time, Senator Rutter presented a petition urging the passage of a bill giving certain cities the right of eminent domain.

The petition was considered in connection with House bill No. 262, which was then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown,

Campbell, Claypool, Cooper, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Smith, and Van Houten — 26.

Senator Shaw voted in the negative.

Absent or not voting: Senators Dyer, Frink, Gilbert, Kinnear, McCroskey, McManus, and Van De Vanter — 7.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Claypool, Cooper, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, and Van Houten — 24.

Those voting in the negative were: Senators Brown, Rutter, and Smith — 3.

Absent or not voting: Senators Campbell, Dyer, Frink, Kinnear, McCroskey, McManus, and Van De Vanter — 8.

The title of the bill to remain the title of the act.

Senator Rutter gave notice that he would move a reconsideration of the vote by which House bill No. 262 was passed.

House bill No. 415 was read third time by sections and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Ide, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, and Van Houten — 25.

Absent or not voting: Senators Dyer, Eshelman, Frink, Hutchinson, Kellogg, Kinnear, McManus, Sergeant, and Van De Vanter — 9.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, and Van Houten — 27.

Absent or not voting: Senators Dyer, Frink, Hutchinson, Kinnear, McManus, Sergeant, and Van De Vanter — 7.

The title of the bill to remain the title of the act.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 4, 1893.

MR. PRESIDENT:

The speaker has signed Senate bill No. 129, entitled "An act to amend section 2313 of title 25, chapter 2 of volume 1 of the General Statutes and Codes of the State of Washington, as arranged and annotated by Wm. Lair Hill."

The House has passed Senate bill No. 117, An act to secure secrecy in the transmission of telegraph and telephone messages.

The speaker of the House has signed Senate bill No. 129, An act in relation to the location and registration of mines.

Also, House concurrent resolution No. 22, Asking permission to introduce a bill repealing an act relating to second appeals.

The House has passed House concurrent resolution No. 23, Authorizing and directing the consideration of a bill not introduced ten days before the final adjournment of the legislature.

The speaker of the House has signed Senate bill No. 271, entitled "An act supplementary to an act to provide for the collection of products of the State of Washington at the World's Columbian Exposition.

Also, Senate bill No. 161, An act to repeal section 237 of chapter 6, title 5, volume 1 of General Statutes and Codes of Washington.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

## REPORT OF COMMITTEE ON MEDICINE AND HYGIENE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1893.

MR. PRESIDENT:

We, your Committee on Medicine and Hygiene, to whom was referred 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, approved March 9, 1891," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass.

Respectfully submitted.

JOHN G. CAMPBELL, Chairman.

We concur in this report:

J. L. ROBERTS,

F. W. HASTINGS.

Report accepted, and bill placed on file.

Senate bill No. 206 was read third time by sections, and amended as follows:

In line 2, section 1, insert, after the word "kind," the words "except hogs."

In line 3, same section, strike out the word "conclusive" and insert the words "prima facie" in lieu thereof.

In line 2, section 2, after the words "through the," insert the words "occupied or enclosed or cultivated," and add to the word "land," same line, the letter "s."

In line 3, section 2, strike out the word "gates."

In line 4, section 2, strike out the words "and cattle guards," and insert the words "with gates or bars" in lieu thereof.

In line 5, section 2, after the word "his," insert the words "occupied or enclosed and cultivated," and to the word "land" add the letter "s."

In line 9, section 2, strike out the word "gates" and insert a comma after the word "crossings," and strike out the words "and cattle guards," and insert the words "with gates or bars" in lieu thereof.

In line 10, section 2, after the words "penalty of" insert the words "not greater than."

In line 12, section 2, after the word "county" insert the following: "*Provided*, That no more than one crossing in every half mile shall be required under this act upon the property of any one owner."

In line 7, section 3, strike out the word "publish" and insert the word "cause" in lieu thereof. In lines 7 and 8 the words "in the newspaper of general circulation nearest the place of accident" were stricken out, and "to be filed with the agent of the company nearest the place of the accident, to be by him kept at his office for the inspection of the public" was inserted in lieu thereof. In line 10 the word "market" was inserted after the words "of double the." In section 4 all of line 3 after the word "recover" was struck out, and all of lines 4, 5 and 6 were stricken out, and the following inserted in lieu: "judgment, the judge shall allow a reasonable attorney's fee, to be taxed as a part of the costs."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Donahoe, Easterday, Edens, Eshelman, Forrest, Foss, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten — 28.

Absent and not voting: Senators Dyer, Forsyth, Frink, Kinnear, McManus, and Van De Vanter—6.

The title of the bill to remain the title of the act.

The Senate went into committee of the whole for the consideration of Senate bill No. 27. Senator Brown in the chair.

The committee, rising, reported progress on the bill.

Senator Claypool in the chair.

Report adopted.

Senate bill No. 27 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, and Van Houten—28.

Absent or not voting: Senators Dyer, Frink, Kinnear, McManus, Rutter, and Van De Vanter—6.

The emergency clause was stricken from the bill.

The title of the bill was amended by striking out the words "and declaring an emergency."

President Luce in the chair.

House concurrent resolution No. 23, asking permission to consider a bill not introduced ten days before adjournment (relating to House bill No. 332) was read and unanimously adopted and returned to House.

Senate went into committee of the whole for consideration of Senate bill No. 232. Senator Claypool in the chair.

The committee of the whole arose and reported progress.

President Luce in the chair.

Report adopted.

Senate bill No. 232 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hastings, Horr, Hutchinson, Ide, Kellogg, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten—27.

Absent or not voting: Senators Dyer, Donahoe, Frink, Helm, Kinnear, McManus, and Van De Vanter—7.

The title of the bill to remain the title of the act.

## REPORT OF COMMITTEE ON FISHERIES.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House bill No. 183, entitled "An act to protect the food fishes of the State of Washington, and amending section eight (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 Senate, with the recommendation that the bill do pass.

Respectfully submitted.

J. C. HERR, Chairman.

We concur in this report:

B. F. SHAW,

F. H. RICHARDS.

Report received, and bill placed on file.

## COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,

OLYMPIA, March 3, 1893.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—I have this day approved and signed the following:

Senate bill No. 165, entitled "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."

Senate bill No. 95, entitled "An act relating to the lien of judgments upon real estate, and repealing sections 449, 450, 455, 456, 457 and 460 of title 7, chapter 15 of volume 2 of the General Statutes and Codes of the State of Washington, as arranged and annotated by William Lair Hill."

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."

I have the honor to be, very respectfully, your obedient servant,

J. H. MCGRAW, Governor.

## REPORT OF COMMITTEE ON FISHERIES.

SENATE CHAMBER,

OLYMPIA, WASH., February 27, 1893.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate bill No. 200, entitled "An act to regulate the fishing industry of the State of Washington," have had the same under consideration, and we respectfully

report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. C. HERR, Chairman.

We concur in this report:

B. F. SHAW,

F. H. RICHARDS.

Report adopted, and bill indefinitely postponed.

Senator Claypool moved to reconsider House bill No. 104. Laid on table.

Senate concurred in House amendments to Senate bill No. 21.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Dyer, Frink, Kinnear, McManus, Richards, Roth, T. J. Smith, Temple and Van De Vanter.

The following pairs were announced: Ludden and Temple, Gilman and Roth, Richards and Kinnear, Smith and Frink, Sherman and Mead, Dyer and Eshelman, Ide and Van De Vanter.

#### NINETY-SECOND JOINT BALLOT.

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—38.

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—15.

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.)—13.

Those voting for J. C. Van Patten were: Baker, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—8.

Those voting for L. C. Gillman were: Burton, Cowan, Crockett, Edmonds, Foster, Hutchinson, Kline, McElwain, Moore, Mulkey, Payne, Shaw, Shelton, Turpin, and Webb—15.

Those voting for Representative Nash were: Kelly, Shadle, and Woodworth — 3.

Those voting for J. W. Arrasmith were: Roscoe and Weed — 2.

Bush (N. W.) voted for R. O. Dunbar.

Winchell voted for J. R. Kinnear.

Rutter voted for C. W. Ide.

Total number votes cast, 97.

Not voting: Dyer, Frink, Kinnear, Mead, Roth, Van De Venter, Ide, Ludden, Richards, Sherman, Smith (T. J.), Temple, McManus, Gilman, and Eshelman — 15.

#### NINETY-THIRD JOINT BALLOT.

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, McElwain, McKenzie, McMurphy, McNew, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Rutter, Sergeant, Speck, Tucker, Washburn, Webb, Weed, Wheeler, White, and Mr. Speaker — 38.

Those voting for George Turner were: Cooper, Easterday, Helm, Hurd, McMillan, Mentzer, Nash, Nelson, Pierce (D. W.), Shadle, Smithson, Tull, Westfall, and Woodworth — 14.

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.) — 14.

Those voting for J. C. Van Patten were: Burton, Collin, Denn, Durant, Edwards, Egbert, and Smith (J. B.) — 7.

Those voting for L. C. Gilman were: Cowan, Crockett, Edmonds, Foster, Hutchinson, Keller, Kline, Moore, Mulkey, Payne, Shaw, and Turpin — 12.

Those voting for Representative Egbert were: Baker and Scott — 2.

Those voting for T. J. Smith were: Claypool, Sallee, and Van Houten — 3.

Bush (N. W.) voted for R. O. Dunbar.

Greenberg voted for C. W. Ide.

Hastings voted for Representative Hoole.

Hoole voted for F. W. Hastings.

Kelly voted for Representative Nash.

Winchell voted for J. R. Kinnear.

Roscoe voted for J. W. Arrasmith.

Total number of votes cast, 97.

Not voting: Dyer, Frink, Kinnear, Mead, Roth, Van De Vanter, Ide, Ludden, Richards, Sherman, Smith (T. J.), Temple, McManus, Gilman, and Eshelman — 15.

The joint session then dissolved.

At 12:30 P. M., immediately following the joint session, the Senate was called to order by President Luce.

#### REPORT OF COMMITTEE ON ELECTIONS AND PRIVILEGES.

SENATE CHAMBER,

OLYMPIA, WASH., March 3, 1893.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred House bill No. 386, "An act relating to elections," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as indicated upon the margin thereof, and that as so amended it do pass.

Respectfully submitted. C. M. EASTERDAY, Chairman.

Report concurred in by Senators Dyer and Miller.

Report received, and bill placed on file.

The president stated that he was about to sign Senate bill No. 88.

Senator Shaw moved to reconsider House bill No. 124.

Laid on table.

On motion of Senator Campbell, the Senate, at 12:35 P. M., adjourned until 10 o'clock A. M., Monday, March 6, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

## FIFTY-SEVENTH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Monday, March 6, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all senators present.

The reading of yesterday's journal was dispensed with, and journal approved.

The following resolution was introduced by Senator Richards, and adopted:

*Resolved*, That F. J. Kinghorn, assistant secretary of the Senate, be authorized to have the "copy" of the Senate journal prepared for the printer and a suitable index prepared, and that he be allowed for said work the amount allowed for that purpose in the general appropriation bill. The state auditor to issue a warrant for one-half the amount when the printer's receipt for the "copy" is filed in his office, and the balance when the state printer shall certify that the reading of proof on the journal and index has been completed and the same found to be correct.

#### REPORT OF THE COMMITTEE ON MILITARY.

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1893.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred Senate bill No. 296, entitled "An act to establish a naval battalion to be attached to the National Guard of Washington, have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted. TRUSTEN P. DYER, Chairman.

Senators Claypool and McManus concur in this report.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON EDUCATION.

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1893.

MR. PRESIDENT:

We, your Committee on Education, to which was referred Senate bill No. 239, entitled "A bill for an act repealing an act entitled 'An act establishing a normal school for the State of Washington in the city of Cheney,' approved March 22, 1890, and establishing a normal school for the State of Washington in the city of Davenport, Lincoln county," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation, as amended:

Strike out all of section 1. Amend title by striking out all after the word "act," in line 1, down to and including the word "and," after the figures "1890."

Respectfully submitted. E. L. BROWN, Chairman.

I concur in this report: R. C. MCCROSKEY.

Report received, and bill placed on file.

House bill No. 302 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Forrest, Forsyth,

Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Shaw, Smith, Van De Vanter, and Van Houten—28.

Absent or not voting: Senators Easterday, Edens, Eshelman, Kinnear, Rutter, and Sergeant—6.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—29.

Absent or not voting: Senators Easterday, Edens, Eshelman, Ide, and Rutter—5.

The title of the bill to remain the title of the act.

Senate resolved itself into committee of the whole for consideration of Senate bill No. 241.

Senator Claypool in the chair.

Committee rising, reported bill back to the Senate with recommendation to pass.

President Luce in the chair.

Committee report adopted.

Senate bill No. 241 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—31.

Absent or not voting: Senators Easterday, Edens, and Rutter—3.

The title of the bill to remain the title of the act.

Senate went into committee of the whole, Senator Claypool in the chair, for consideration of Senate bill No. 150.

Committee rising, reported bill back to the Senate with recommendation that it pass.

President Luce in the chair.

Report adopted, and bill read third time, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown,

Campbell, Claypool, Cooper, Dyer, Donahoe, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Ide, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 27.

Absent or not voting: Senators Easterday, Edens, Frink, Hutchinson, Kellogg, Kinnear, and Rutter — 7.

The title of the bill to remain the title of the act.

Senate bill No. 192 was read third time by sections, and amended as follows:

The parenthesis marks in the title of the bill were stricken out, and after the word "code" in the title of the bill the words "being section 2340 of the Code of 1881, relating to plats of cities, towns, and additions, and of streets, etc., therein," were added.

A new paragraph was made after the enacting clause of the bill and "section 1" was inserted, and the word "that" following "section 1" was changed to begin with capital "T."

In line 1 of section 1 the words "being section 2340 of the Code of 1881" were inserted between the word "code" and the word "be."

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 29.

Absent or not voting: Senators Campbell, Easterday, Edens, Hutchinson, and Rutter — 5.

The title of the bill to remain the title of the act.

Senate memorial No. 8 was read third time, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McManus, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 27.

Absent or not voting: Senators Campbell, Easterday, Edens, Eshelman, McCroskey, Miller, and Rutter — 7.

The president stated that he was about to sign House concurrent resolution No. 22.

House bill No. 284: Amending certain acts relating to quarantine.

Read first time; rules suspended, read second time by title, and referred to Committee on Medicine and Surgery.

Senate bill No. 53 was returned from the House with the following amendments:

In line 9 of section 8 the word "seven" was stricken out and "six" inserted in lieu thereof.

In line 4 of section 10 the words "or less" were stricken out and the words "less than" inserted before the word "one."

In line 1 of section 12 the word "eighteen," wherever it occurs, was stricken out and the word "seventeen" inserted in lieu thereof.

The word "eighteen," where it occurs in section 16, was stricken out and "fifteen" inserted in lieu thereof.

Section 19 was stricken out and the following inserted:

"Sec. 19. All acts or parts of acts in conflict with this act are hereby repealed."

The words "and declaring an emergency," were added to the title.

The foregoing amendments were concurred in by the Senate.

#### REPORTS OF COMMITTEE ON APPROPRIATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., March 6, 1893.

MR. PRESIDENT:

Your Committee on Appropriations, to whom was referred Senate bill No. 171, entitled "An act to provide for the location of a capitol building, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do not pass.

Respectfully submitted. A. T. VAN DE VANTER, Chairman.

We concur in this report: T. J. SMITH,

C. W. IDE.

Report received, and bill placed on file.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 6, 1893.

MR. PRESIDENT:

The speaker has signed House bill No. 71, entitled "An act in relation to county, school, city and town warrants, and the manner of their payment."

Also, House bill No. 159, An act for the protection of the public health, and to provide for certain boards of health and regulate their duties.

Also, 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," approved February 4, 1886; the same being section 231 of volume 1 of Hill's Annotated Statutes and Codes of Washington.

Also, House bill No. 283, An act granting a bounty for the production and manufacture of sugar in the State of Washington.

The House has passed Senate bill No. 53, entitled "An act relating to the state library," with amendments noted in the bill.

Also, House bill No. 284, An act to amend section 2186 of the Code of 1881 relating to quarantine.

The speaker has signed Senate bill No. 88, Relating to the registration of voters.

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### REPORT OF COMMITTEE ON MEMORIALS.

SENATE CHAMBER,

OLYMPIA, WASH., March 6, 1893.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House memorial No. 9, entitled "An act relating to school lands," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be passed.

Respectfully submitted.

F. W. HASTINGS, Chairman.

We concur in this report:

J. R. KINNEAR,

C. E. FORSYTH.

Report received, and memorial placed on file.

Senate bill No. 248 was read third time by sections, and amended by changing the title so as to read "An act submitting an amendment to article sixteen (16) of the constitution, relating to school and granted lands."

Section 1 was amended by striking out all after the word "qualified" in line 2 and inserting "electors of Washington the following amendment to article sixteen (16) of the constitution of Washington."

Strike out all of sections numbered four (4) and five (5) of article sixteen (16) of the constitution of the State of Washington, and insert in lieu thereof the following: "Sec. 4. None of the permanent school fund shall ever be loaned to private persons or corporations, but it may be invested in national, state, county, school district or municipal bonds."

Section 3 was amended by adding thereto: "Yes. Proposed amendment to article 16 of the constitution, relating to school and granted lands. No."

Senate bill No. 248 was considered engrossed, and failed to pass by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Cooper, Eshelman, Forrest, Foss, Frink, Gilbert, Helm, Hutchinson, Kinnear, O'Neill, Richards, Sergeant, and Smith—16.

Those voting in the negative were: Senators Brown, Dyer, Donahoe, Forsyth, Hastings, Horr, Ide, Kellogg, McManus, Miller, Roberts, Shaw, Van De Vanter, and Van Houten—14.

Absent or not voting: Senators Easterday, Edens, McCroskey, and Rutter—4.

Senator Forrest gave notice that he would move a reconsideration of the vote whereby Senate bill No. 248 failed to pass.

The president stated that he was about to sign House bills Nos. 283, 159, 252 and 71.

The Senate went into committee of the whole for the consideration of Senate bill No. 301.

Senator Kinnear in the chair.

The committee rose and reported the bill back to Senate without recommendation.

President Luce in the chair.

Report adopted.

The bill was read third time by sections, considered engrossed, and failed to pass by the following vote:

Those voting in the affirmative were: Senators Claypool, Forrest, Frink, McManus, Richards, Roberts, Sergeant, and Shaw—8.

Those voting in the negative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Eshelman, Forsyth, Foss, Gilbert, Hastings, Horr, Hutchinson, Ide, Kellogg, Kinnear, Miller, O'Neill, Smith, and Van Houten—20.

Absent or not voting: Senators Easterday, Edens, Helm, McCroskey, Rutter, and Van De Vanter—6.

President pro tem. Dyer in the chair.

Senate bill No. 131 was read third time by sections, and amended by striking out the word "it" and inserting in lieu thereof the word "they," in line 3 of section 8.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Edens, Farrish, Green, Richards, Rutter and Speck.

Reading of Saturday's journal dispensed with, and journal approved.

The following pairs were announced for to-day's ballot: Rutter and Richards, Green and Farrish, Ide and Van De Vanter.

#### NINETY-FOURTH JOINT BALLOT.

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, Kelly, Kellogg, Kinnear, Ludden, McElwain, McKenzie, McMurphy, McNew, Mead, Meany, Merchant, Morrison, Neergaard, O'Neill, Pierce (C. M.), Rinehart, Roberts, Roth, Sallee, Sergeant, Tucker, Washburn, Webb, Weed, Wheeler, White, and Mr. Speaker—45.

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—22.

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.)—15.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Those voting for L. C. Gilman were: Cowan, Crockett, Edmonds, Foster, Hutchinson, Kline, Mulkey, Shaw, and Turpin—9.

Winchell voted for J. R. Kinnear.

McManus voted for R. C. McCroskey.

Gilman voted for B. F. Shaw.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 104.

Not voting: Edens, Farrish, Green, Ide, Richards, Rutter, Speck, and Van De Vanter—8.

## NINETY-FIFTH JOINT BALLOT.

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, Roth, Sergeant, Tucker, Washburn, Webb, Weed, Wheeler, White, and Mr. Speaker—44.

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, Westfall, Van Houten, and Woodworth—20.

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.)—15.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Those voting for L. C. Gillman were: Cowan, Crockett, Edmonds, Foster, Hutchinson, Kline, Mulkey, Shaw, and Turpin—9.

Bush (N. W.) voted for R. O. Dunbar.

Roscoe and Winchell voted for J. R. Kinnear—2.

Gilman and Moore voted for B. F. Shaw—2.

Sallee voted for T. J. Smith.

McManus voted for R. C. McCroskey.

Total number of votes cast, 104.

Not voting: Edens, Farrish, Green, Ide, Richards, Rutter, Speck, and Van De Vanter—8.

The joint session then dissolved.

At 12:25 P. M., immediately following the joint session, the Senate was called to order by President pro tem. Dyer, and, on motion of Senator Kinnear, a recess was taken until 2:30 o'clock P. M.

## AFTERNOON SESSION.

Senate called to order at 2:30 o'clock p. m. President pro tem. Dyer in the chair.

Roll call; all senators present excepting Senator Edens.

## COMMITTEE REPORTS ON HOUSE BILL No. 93.

The following reports were presented by the Committee on Corporations other than Municipal, relating to House bill No. 93:

## MINORITY REPORT.

MR. PRESIDENT:

We are satisfied that House bill No. 93 provides for a just and reasonable reduction of the existing rates charged for the transportation of the articles enumerated therein, and that the reduction contemplated will work no hardship upon the railroads affected.

From the best information accessible, it clearly appears that the average cost for carrying all kinds of freight over the railroads in the United States is .63 of a cent per ton mile, while the actual average revenue received from freights is 1.001 cents per ton mile, leaving a net profit of .371 cents per ton mile, or \$1.55½ per ton of five hundred miles' haul.

The average distances from sources of freight supply to the harbors of Puget Sound is between 350 and 400 miles. For the purpose of computation we use 400 miles. The average cost per ton mile being .63 of a cent, it follows that, if that average is applied to the lines in Washington, the cost of hauling from Eastern Washington points covered by the bill, to Puget Sound, is \$3.52 per ton for four hundred miles; while the average revenue received is \$4.004, leaving a net profit of \$1.484 per ton.

The report of the interstate commerce commission shows that the increased earnings of the various groups of roads in different parts of the United States are in the following order: Pacific slope roads, trunk lines, etc., etc. Pacific slope roads standing at the head of the list in increased earnings, it therefore clearly follows that the real net profits of the roads affected by this measure are in excess of the general average of the entire mileage of the United States as shown above, and therefore are in a position to accept the reduction provided for in this bill.

The reduction contemplated will lower the rate on wheat from about \$5.75 per ton to Puget Sound points to \$4.31 per ton, or from the ruinous rate of 17½ cents per bushel to the high rate of 13 cents per bushel. Can any fair-minded citizen reasonably advocate the proposition that the railroads will suffer from being required to carry wheat 400 miles or less at 13 cents per bushel?

Some seven years ago, when rates were first established in this state, the fixed charge on wheat for the haul mentioned in this bill was \$7 per ton. No data are at hand, but from the best information obtainable from

those residing in the localities affected, the roads carried about 1,500,000 bushels per year. From the same territory no less than 14,000,000 bushels are now shipped, an increased production of more than 800 per cent. With such an enormous increase in production, and the further fact that wheat production is as yet in its infancy in eastern Washington, if the farmers are not simply permitted to exist, but to enjoy some profit from their labor, we insist that the provisions of this bill are not only moderate, but even generous to the railroads.

It must be kept in mind that this bill does not tamper with existing rates into Washington or between points within the state in relation to the jobbing trade. Much complaint is heard about the high rates on all commodities shipped into the state from outside points, as well as between points within the state, and these excessive charges are commonly understood and given in explanation of the high cost of living in this state. To illustrate: The rates from Portland and Sound points to the chief grain producing territory in the state for a 400 mile haul are approximately as follows:

First class.....	\$1 50 per hundred.
Second class.....	1 35 per hundred.
Third class.....	1 00 per hundred.
Fourth class.....	75 per hundred.
Fifth class.....	65 per hundred.

An average of \$1.05 per hundred or \$20.10 per ton. The present rate on wheat being \$5.75 per ton to the general average per ton for 400 miles haul both ways in the state is about \$12.85, or 3.8% cents per ton per mile. We say, then, that in view of the fact that the jobbing trade of the state, which is large and growing at a phenomenal rate, is undisturbed by this bill, relief must be afforded our producing classes, otherwise the whittling down of the proceeds of their labor by the payment of excessive freights on what they both purchase and sell will eventually impoverish the farming classes.

We have no data from other states except Iowa. In that state the maximum rate on the articles included in this bill for a 400 mile haul is \$3.24 per ton, leaving a difference of \$1.07 per ton in favor of the railroads of this state under the provisions of this bill as against those of the State of Iowa. It cannot be maintained with consistency that increased costs of operating lines in this state over that in the older states warrants so great a variance in rates. Nor is it fair to set up the claim that the roads in this state carrying the products named in this bill are not paying upon the investment and the cost of operation. The time has come when our products should be released from paying dividends upon hundreds of miles of lines in other states, passing through territory wholly incapable of self support or sustaining a railroad.

The interstate commerce commission, in speaking of the lowering of rates says: "There seems to be no reason to believe, therefore, that the effect of the law has been injurious to railroad earnings, but on the contrary that, notwithstanding the general lowering of rates from all causes and the equalization and reduction of charges due especially to the just

provisions of the law, railroads in the main have prospered." This is but an official statement of the familiar rule that the lowering of freight and passenger rates always increases the business of transportation.

The proposed saving to the producer is approximately 4 cents per bushel, or over \$500,000 in the aggregate each season. It is not surprising that this measure should be opposed by the railroads affected, with all the skill and adroitness at their command, since their net earnings in the localities affected would be temporarily lessened by the amount saved to the farmers. But we maintain that not only the people will be benefited by this measure, but the railroads likewise. The reduction proposed will stimulate production, because the farmer will be afforded a remuneration for his labor, and desirable immigration will be attracted to the lands awaiting the touch of labor, thus stimulating production as well as consumption. It is a notorious fact that were not our wheat producing lands the most fertile as well as the most certain to yield abundantly year in and year out, our wheat producers would long since have ceased to contend against exorbitant freight rates, and sought other means of existence. The railroads of this state during the years past have not been impeded in their progress by legislation of any character. They have been free to establish and maintain rates as they saw fit, and the people have borne the burden of those rates with marvelous patience. We believe that the true interests of the people and the railroads are identical, and we do not believe in unjust discrimination against the roads, nor do we believe that the masses of the people demand such legislation; but the time has come, in our judgment, when the business of the railroads is such that they can grant the relief needed and demanded, and we are of the opinion that it is time that the voice of the people be heard and heeded. This bill appears to us to be an equitable measure, and we therefore recommend its passage.

T. J. SMITH,

A. T. VAN DE VANTER.

#### MAJORITY REPORT.

MR. PRESIDENT:

Your Committee on Corporations other than Municipal have had under consideration House bill No. 93, entitled "An act regulating and fixing railroad freight rates in the State of Washington," and herewith respectfully refer the same back with amendments as hereinbelow set forth; and in view of the importance of the subject to be dealt with by this proposed law, your committee respectfully submit the following statement of the grounds on which they recommend that the bill as it passed the House be amended as below specified before it shall be passed by the Senate.

The act known as the Wasson law, which was passed by the present legislature over the veto of the late acting governor, prescribed as the maximum rate of freight for the transportation of the articles specified in section 1 of the bill now under consideration, 85 per cent. of the rates in force in December, 1890. We find on investigation that the rates on those articles in force on January 3, 1893, (which was made the basis of the reduction prescribed in the bill now under consideration), were on an average 89 per cent. of the rates in force in December, 1890. This bill as it

passed the House prescribes a reduction of 25 per cent. of the rates in force on January 3, 1893, which would make the lawful maximum rate henceforth only 66 $\frac{2}{3}$  per cent. of the rates in force in December, 1890, as compared with 85 per cent. of the same rates, prescribed by the Wasson law. In other words, the rates named in this bill as it passed the House are only 78 $\frac{1}{2}$  per cent. of those lately prescribed by the Wasson law.

In the judgment of your committee, this would be too great a reduction; at once doing injustice to investors in the business of railroad transportation, and, by discouraging further investment in that direction, depriving the people of the state of the hoped-for benefit of a further ample and speedy development of railroad facilities. This it would do, both by its direct effect in depriving those engaged in transportation of a fair remuneration for the costs and risks of the undertaking, and by the evidence that it would afford of a disposition on the part of our people, as voiced by their legislature, to make an unjust and oppressive use of their undoubted supervisory power over corporations and public carriers. If such a spirit must ever become controlling in the policy of this state, it is too early yet, viewing the matter not on principle but as a mere question of policy, to allow it to be shown and embodied in legislation. The railways that we now have are not completed systems, but mere vertebræ, so to speak, of future systems, and must yet be supplemented by arms and feeders spreading in all directions, in order to furnish to our people the facilities of transportation which they will require as fertile but sparsely settled regions develop, and to assist in hastening that development. To secure these, capital must be invited and encouraged by liberal treatment, not served with notice that, once invested here beyond escape from the operation of our laws, it will be compelled to render service at rates fixed without due regard for the cost of that service and the laws of trade.

In view of these considerations, and of the fact that during the past two years the rates in question have been reduced by eleven per cent. under the operation of competition, and other forces controlling the matter of rates, and of the fact that, according to the most competent and reliable information obtainable without a special investigation, the actual present cost of transportation, including the proportionate share of necessary fixed charges upon the plant, will not at present justify much further arbitrary reduction of these rates, your committee are opposed to the enactment of the proposed law embodied in House bill No. 93, in such a form as to prescribe more than 15 per cent. reduction of the rates in force January 3, 1893. And your committee are also of the opinion that the rates so to be prescribed ought not to be made to cover the transportation of potatoes or hay, as the former commodity requires more consumption of time in the loading and unloading of cars, and the latter requires a much greater amount of car space in proportion to the weight on which freight is earned than do wheat, barley, oats, flour or other mill stuffs.

Your committee are of the opinion that the proviso in section 1 of this bill should also be modified so as to prescribe \$5 per ton, instead of \$4.50

per ton, as the maximum fixed rate to be charged for carrying the articles mentioned in the section for a haul of five hundred miles or less.

Your committee further find that the rates in force on January 3, 1893, in respect to the articles dealt with by section 2 of this bill (that is, all articles other than those enumerated in section 1), were and still are, in some cases, and on some lines, owing to the extreme competition of lines of water transportation, far below the actual cost of handling the goods. For example, rail rates from Seattle to New Whatcom, on goods classified as first class freight, were fixed by tariffs published in the fall of 1891 at fifty-five cents per one hundred pounds, which appears to have been a reasonable one; but they have since been reduced, under the compulsion of competition by Sound boats, to ten cents, which means not only no profit but a considerable loss in carrying by rail. It would be manifestly unjust to enact that such rates as these, temporarily evolved by such peculiar circumstances, should be crystallized as permanent maximum rates that may be charged, notwithstanding the rivalry of water lines may hereafter refrain from going to such ruinous extremes. Therefore, your committee recommends the modification of the bill by the addition, at the end of section 2, of a proviso so that the section shall not apply in respect to rates made in consequence of competition by water lines.

Your committee accordingly conclude this report by recommending that House bill No. 93, as passed by the House and sent to the Senate, be amended in the following particulars, to wit:

First amendment: In line 3 of section 1 of the printed bill, insert after the word "barley" the word "oats," and strike out the words "oats, potatoes or hay" where they occur at the end of said line.

Second amendment: In line 4 of section 1 of the printed bill, strike out the word "seventy-five" and insert in lieu thereof the word "eighty-five."

Third amendment: In lines 5 and 6 of section 1 of the printed bill, strike out the words "four and  $\frac{5}{100}$ " and insert in lieu thereof the word "five."

Fourth amendment: Add to section 2 of the printed bill, at the end of the section, a proviso, reading as follows: "*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 your committee further respectfully recommend that the bill under consideration, when amended as specified above, do pass the Senate.

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

Report concurred in by C. E. Claypool and B. F. Shaw, committee.

The majority and minority reports were ordered printed at once, and, with House bill No. 93, were made a special order for 10 o'clock A. M. to-morrow.

Senator Easterday presented a petition remonstrating against the passage of the bill changing the name of the town of Sidney, Kitsap county, to Port Orchard.

Referred to committee of the whole.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 6, 1893.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 86, by Mr. Wheeler, An act to regulate the practice of dentistry in the State of Washington.

Also, House bill No. 114, by Mr. Gilman, An act in relation to garnishments.

Also, 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.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 6, 1893.

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 117, entitled "An act to secure secrecy in the transmission of telegraph and telephone messages;" also Senate bill No. 21, entitled "An act giving the power and regulating the mode of procedure to acquire, take or damage private property by municipal corporations, except cities of the first class, and of ascertaining and securing compensation therefor, and repealing laws in conflict with this act," have been carefully compared with the engrossed copies thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman,  
C. I. HELM,  
JOHN G. CAMPBELL.

## REPORT OF COMMITTEE ON PUBLIC MORALS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1893.

MR. PRESIDENT:

We, your Committee on Public Morals, to which was referred Senate bill No. 289, entitled "An act to establish a state board of charities and corrections for the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. T. ESHELMAN, Chairman.

I concur in this report:

E. L. BROWN.

Report adopted, and bill indefinitely postponed.

Senate bill No. 131 was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Claypool, Cooper, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Kellogg, O'Neill, Richards, Roberts, Rutter, Sergeant, Smith, Van De Vanter, and Van Houten—19.

Those voting in the negative were: Senators Brown, Campbell, Dyer, Donahoe, Easterday, Eshelman, Foss, Hutchinson, Kinnear, McCroskey, McManus, Miller, and Shaw—13.

Absent or not voting: Senators Ide and Edens—2.

The emergency clause was stricken from the bill.

The title of the bill was amended by striking out the words "and declaring an emergency."

Senate bill No. 197 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, Van De Vanter, and Van Houten—31.

Absent or not voting: Senators Edens, Foss and Sergeant—3.

The title of the bill to remain the title of the act.

President Luce in the chair.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 6, 1893.

MR. PRESIDENT:

The speaker of the House has signed 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."

Also, 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."

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

Senate went into committee of the whole for the consideration of House bill No. 147. Senator Eshelman in the chair.

Bill considered, and committee of the whole arose and reported progress.

President Luce in the chair.

Report adopted.

House bill No. 147 was read third time and amended as follows:

In line 2, section 3, strike out the word "seven" and insert the word "five" in lieu thereof; strike out all of line 2 after the word "commissioners" and the first three words in line three.

In line 16, section 3, after the word "malfeasance," insert the words "or misfeasance."

In line 3, section 4, beginning with the word "at," strike out all in said line up to and including the word "Olympia," and in lieu thereof insert the words "North Yakima."

In line 6, section 4, strike out the word "not" and in same line strike out the word "each," and in lieu thereof insert the words "before qualifying furnish the said commission with a good and sufficient bond of five thousand dollars (\$5,000) to be approved by them and."

In line 8 of section 4 strike out the word "subsequent."

Add to section 4 the following: "*Provided*, That before qualifying, each of such commissioners shall file in the office of the secretary of state a good and sufficient bond of twenty-five hundred (\$2,500) dollars, with not less than two sureties each, to be approved by the governor and secretary of state, conditioned for the faithful performance of their duties as such commissioners."

In line 4, section 8, strike out the word "appointed" and insert the word "elected" in lieu thereof.

In line 13, section 8, after the word "report," strike out all that follows in said section.

In line 8 of section 9 strike out the word "four" and insert the word "two" in lieu thereof.

Add to section 9 the following proviso: "*Provided further*, That no part of the money donated by this state shall be used as payment of purses in trials of speed between man or beast."

In lines 5 and 6, section 10, strike out the words "traveling expenses" and insert in lieu thereof the words "mileage actually paid out."

In line 3, section 12, strike out the word "first" before the word "Monday" and insert the word "last" in lieu thereof.

The bill was then passed, as amended, by the following vote:

Those voting in the affirmative were: Senators Brown, Campbell, Dyer, Easterday, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McManus, O'Neill, Sergeant, Shaw, Van De Vanter, and Van Houten—21.

Those voting in the negative were: Senators Belknap, Cooper, Donahoe, Foss, Kellogg, McCroskey, Miller, Richards, Rutter, and Smith—10.

Absent or not voting: Senators Roberts, Claypool, and Edens—3.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Brown, Campbell, Cooper, Dyer, Easterday, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, O'Neill, Richards, Sergeant, Shaw, and Van Houten—24.

Those voting in the negative were: Senators Belknap, Donahoe, Kellogg, Miller, Rutter, Smith, and Van De Vanter—7.

Absent or not voting: Senators Claypool, Edens, and Roberts—3.

The title of the bill to remain the title of the act.

Senator Van Houten gave notice that he would move a reconsideration of the vote by which House bill No. 147 was passed.

On motion of Senator Smith, the Senate, at 4:55 P. M., adjourned until 10 o'clock A. M., Tuesday, March 7, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## FIFTY-EIGHTH DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Tuesday, March 7, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President pro tem. Dyer in the chair.

Roll call; all senators present.

The reading of yesterday's journal was dispensed with, and journal approved.

The following resolution was introduced by Senator Sergeant, and adopted:

*Resolved*, That Mr. P. R. Helm be assigned to the position of docket clerk for the remainder of the session, and Mr. Will Clogston to the position of engrossing clerk.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The House has refused to concur in Senate amendments to House bill No. 482, as noted in report herewith by number, and asks the Senate to recede.

The House has concurred in amendments as noted in report herewith.

First amendment. Concurred.

Second amendment. Concurred.

Third amendment. Refuses.

Fourth. Did not act in total.

Fifth amendment. Refuses.

Sixth amendment. Refuses.

Seventh amendment. Concurred.

Eighth amendment. Concurr.

Ninth amendment. Refuses.

Tenth amendment. Total.

Eleventh amendment. Refuses.

Twelfth amendment. Refuses.

Thirteenth amendment. Refuses.

Fourteenth amendment. Total.

Fifteenth amendment. Refuses.

Sixteenth amendment. Total.

Seventeenth amendment. Concurr.

Eighteenth amendment. Concurr.

Nineteenth amendment. Total.

Twentieth amendment. Concurr.

Twenty-first amendment. Refuses.

Twenty-second amendment. Total.

Twenty-third amendment. Refuses.

Twenty-fourth amendment. Refuses.

Twenty-fifth amendment. Concurr.

Twenty-sixth amendment. Concurr.

Twenty-seventh amendment. Total.

Twenty-eighth amendment. Refuses.

Twenty-ninth amendment. Concurr.

Thirtieth amendment. Concurr.

Thirty-first amendment. Total.

Thirty-second amendment. Concurr.

Thirty-third amendment. Concur.  
 Thirty-fourth amendment. Concur.  
 Thirty-fifth amendment. Concur.  
 Thirty-sixth amendment. Concur.  
 Thirty-seventh amendment. Concur.  
 Thirty-eighth amendment. Refuses.  
 Thirty-ninth amendment. Concur.  
 Fortieth amendment. Concur.  
 Forty-first amendment. Refuses.  
 And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### REPORTS OF COMMITTEE ON JUDICIARY.

The following reports were received from the Judiciary Committee:

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 11, 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 Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards, Van Houten, and Claypool, all the members of said committee present.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 282, entitled "An act to amend certain sections of volume 1 of Hill's Code, relative to the community rights of husband and wife, being sections 2409, 2410 and 2415 of Code of Washington of 1881," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards, Van Houten, and Claypool, being all the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 284, entitled "An act to amend an act entitled 'An act for the protection of farmers, ranchmen, herders of cattle, tavern keepers, and livery and boarding house stable keepers and other persons for herding, keeping, pasturing, feeding and caring for stock, and declaring an emergency,' approved March 4, 1891, and declaring an emergency," have had the same

under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards, Van Houten and Claypool, all the members of said committee present.

Report received.

On motion of Senator Claypool, the bill was indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 445, 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," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards, Van Houten and Claypool, all the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 300, entitled "An act to regulate the publication of reports of state officers, institutions, boards and commissioners," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards, Van Houten, and Claypool, all the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 297, entitled "An act defining the descent of community property and of the homestead," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards, Van Houten, and Claypool, all the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 303, entitled "An act relating to the granting of rights-of-way to railroad companies by incorporated towns and cities," have had the same

under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards, Van Houten and Claypool, all the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 226, entitled "An act to regulate notices, pleadings and other papers in civil actions and proceedings, and to prescribe the mode of service thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be passed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards, Van Houten and Claypool, all the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 158, entitled "An act to prescribe the powers of counties relative to public works and structures for county purposes," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards, Van Houten and Claypool, all the members of said committee present.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 299, entitled "An act to amend section 119 of Hill's Annotated Statutes and Codes of Washington," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards, Van Houten and Claypool, all the members of said committee present.

Report received, and bill placed on file.

#### REPORTS OF COMMITTEE ON EDUCATION.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1893.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 310, entitled "An act relating to unused school district moneys, etc.,"

have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

E. L. BROWN, Chairman.

Concurred in by all the members of said committee.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 302, entitled "An act amending section 818, volume 1, Hill's Code," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

E. L. BROWN, Chairman.

Concurred in by all members of said committee.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 256, entitled "An act to establish a system of public schools in cities of 2,500 or more inhabitants," etc., etc., have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

E. L. BROWN, Chairman.

Concurred in by all members of committee.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate bill No. 162, entitled "An act to provide free text books in the public schools," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

E. L. BROWN, Chairman.

Concurred in by all members of the committee.

Report adopted, and bill indefinitely postponed.

## REPORTS OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1893.

MR. PRESIDENT:

We, your Committee on Privileges and Elections, to whom was referred Senate bill No. 308, entitled "An act providing for submission to the qualified electors an amendment to the state constitution granting limited suffrage to female citizens," have had the same under consideration, and

we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report received, and bill placed on file.

MR. PRESIDENT:

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 providing for printing and distributing ballots at public expense, and to regulate voting at state and other elections,' approved March 19, 1890," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows, and passed:

Amend title so that it will read, "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."

Strike out sections 1, 3, 4 and 6 of the bill.

Respectfully submitted.

C. M. EASTERDAY, Chairman.

Report received, and bill placed on file.

#### REPORTS OF COMMITTEE ON PUBLIC REVENUE AND TAXATION.

SENATE CHAMBER,

OLYMPIA, WASH., February 24, 1893.

MR. PRESIDENT:

We, your Committee on Public 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,' said sections being the law with reference to the collection of a poll tax," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. R. FORREST, Chairman.

We concur in this report:

BELKNAP,  
CAMPBELL,  
COOPER,  
HUTCHINSON,  
MCCROSKEY,  
ROBERTS.

Report adopted, and bill indefinitely postponed.

MR. PRESIDENT:

We, your Committee on Public Revenue and Taxation, to whom was referred Senate bill No. 52, entitled "An act to provide for the appointment and election of precinct assessors," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be indefinitely postponed.

Respectfully submitted.

W. R. FORREST, Chairman.

We concur in this report:

BELKNAP,  
CAMPBELL,  
COOPER,  
HUTCHINSON,  
McCROSKY,  
ROBERTS.

Report adopted, and bill indefinitely postponed.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 7, 1893.

MR. PRESIDENT:

The House has passed 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," with numerous amendments noted in a printed copy of said bill folded within the original.

The speaker of the House has signed Senate bill No. 53, by Senator Eshelman, An act relating to the state library.

Also, Senate bill No. 21, by Senator McManus, An act to regulate the mode of procedure to acquire, take or damage private property by municipal corporations, etc.

Also, Senate bill No. 117, by Senator Forrest, An act to secure secrecy in the transmission of telegraph and telephone messages.

And the same are herewith returned to the Senate.

T. G. NICKLIN, Chief Clerk.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 53, entitled "An act relating to the state library, and declaring an emergency," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman.

We concur in this report:

JOHN G. CAMPBELL,  
C. I. HELM.

The president pro tem. stated that he was about to sign House

bill No. 63, House bill No. 86, House bill No. 37, Senate bill No. 21, House bill No. 114, House bill No. 215, Senate bill No. 53.

House bill No. 93, together with majority and minority reports of Senate Committee on Corporations other than Municipal, was considered as a special order.

Senator McCroskey moved the adoption of the minority report.

Senator Claypool moved to amend by substituting the word "majority" for the word "minority."

The yeas and nays were called for, and no objection offered, the amendment was adopted by the following vote:

Those voting in the affirmative were: Senators Brown, Campbell, Claypool, Cooper, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hastings, Horr, Ide, McManus, O'Neill, Richards, Rutter, Sergeant, Shaw, and Van Houten—21.

Those voting in the negative were: Senators Belknap, Dyer, Donahoe, Frink, Helm, Hutchinson, Kellogg, Kinnear, McCroskey, Miller, Roberts, Smith, and Van De Vanter—13.

House bill No. 93 was then read third time by sections, and amended by inserting the words "in car load lots" after the word "enumerated," in line 1 of section 1.

Senator Easterday moved to adopt committee amendments, striking out the words "seventy-five" in line 4, section 1, and inserting the words "eighty-five" in lieu thereof.

Senator Frink moved to amend by inserting "eighty" in place of "eighty-five."

The yeas and nays being called for unanimously, the amendment by Senator Frink failed to pass by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Dyer, Donahoe, Eshelman, Frink, Helm, Hutchinson, Kellogg, Kinnear, McCroskey, Miller, Roberts, Smith, and Van De Vanter—15.

Those voting in the negative were: Senators Campbell, Claypool, Cooper, Easterday, Edens, Forrest, Forsyth, Foss, Gilbert, Hastings, Horr, Ide, McManus, O'Neill, Richards, Rutter, Sergeant, Shaw, and Van Houten—19.

The amendment offered by Senator Easterday was then adopted.

In lines 5 and 6 of section 1, the words "four and  $\frac{5}{100}$ " were stricken out, and the word "five" inserted in lieu thereof.

The following was added to section 2: "*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.”

Senate bill No. 171 (being duplicate of House bill No. 292) was indefinitely postponed.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Neergaard, Richards, Rutter, Smith (T. J.), and Van De Vanter.

The reading of yesterday's journal was dispensed with, and journal approved.

The following pairs were announced for to-day's ballot: Rutter and Richards, Ide and Van De Vanter, Frink and Smith, Nash and Neergaard.

#### NINETY-SIXTH JOINT BALLOT.

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 — 47.

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, Van Houten, Westfall, and Woodworth — 20.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Donahoe, Foss, Leo, Mays, and Smith (H. F.) — 7.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.) — 9.

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 — 19.

Bush (N. W.) voted for R. O. Dunbar.

McCroskey voted for Louis K. Church.

Not voting: Frink, Neergaard, Rutter, Van De Vanter, Ide, Nash, Richards, and Smith (T. J.)—8.

NINETY-SEVENTH JOINT BALLOT.

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—46.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Hurd, McMillan, Mentzer, Nelson, Pierce (D. W.), Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Westfall, Van Houten, and Woodworth—19.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Donahoe, Foss, Leo, Mays, and Smith (H. F.)—7.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

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—20.

Bush (N. W.) voted for R. O. Dunbar.

McCroskey voted for Louis K. Church.

Sallee voted for T. J. Smith.

Total number of votes cast, 104.

Not voting: Frink, Rutter, Neergaard, Van De Vanter, Ide, Nash, Richards, and Smith (T. J.)—8.

The joint session then dissolved.

At 12:25 P. M., immediately after the joint session, the Senate was called to order by President pro tem. Dyer, and, on motion of Senator O'Neill, a recess was taken until 2:30 o'clock P. M.

## AFTERNOON SESSION.

Senate called to order at 2:30 o'clock P. M. President pro tem. Dyer in the chair.

Roll call; all senators present.

Senate refused to concur in House amendments to Senate bill No. 260, and the House was requested to recede from the amendments.

The third reading of House bill No. 93 was then concluded, and the bill passed by the following vote.

Those voting in the affirmative were: Senators Belknap, Brown, 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, and Van Houten—31.

Senator Smith voted in the negative.

Absent or not voting: Senators Campbell and Van De Vanter—2.

The title of the bill to remain the title of the act.

President Luce in the chair.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 7, 1893.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 65, by Mr. Gilman, "An act relating to private sales of real property belonging to estates of decedents, minors and insane persons."

Also, House bill No. 217, by Mr. Roth, "An act legalizing indebtedness of cities and towns contracted previous to consolidation of said cities and towns."

Also, 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."

Also, House concurrent resolution No. 10, by Mr. Meany, "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."

Also, House concurrent resolution No. 23, by Mr. Leo, "Providing for

the repeal of House bill No. 332, relative to second appeals to the supreme court."

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

House bill No. 141 was considered as a special order. Motion to indefinitely postpone.

The yeas and nays being called for and no objection offered, the bill was indefinitely postponed by the following vote:

Those voting in the affirmative were: Senators Campbell, Cooper, Dyer, Easterday, Forrest, Foss, Frink, Hastings, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, Richards, Rutter, Sergeant, Van De Vanter, and Van Houten — 20.

Those voting in the negative were: Senators Belknap, Brown, Claypool, Donahoe, Edens, Forsyth, Gilbert, Kellogg, O'Neill, Roberts, Shaw, and Smith — 12.

Absent or not voting: Senators Eshelman and Helm — 2.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 7, 1893.

MR. PRESIDENT:

The house has refused to concur in Senate amendments to House bill No. 93, by Mr. Anderson, An act to regulate railroad rates, and the House respectfully but urgently requests the Senate to recede from said amendments.

The House has refused to recede from its amendments to Senate bill No. 260, An act amending the revenue law, and the speaker has appointed as conference committee on part of the House, Messrs. Wheeler, Pierce of Klickitat, Neergaard, Judson and Mays to act in conjunction with a like committee of the Senate.

The House has passed 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 the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

The president stated that he was about to sign House bill No. 65, House concurrent resolution No. 10, House concurrent resolution No. 23, and House bill No. 217.

Senate bill No. 234 was indefinitely postponed.

House bill No. 349 was read first time; rules suspended, read

second time by title, and referred to Committee on Harbors and Harbor Lines.

#### REPORTS OF COMMITTEE ON CORPORATIONS OTHER THAN MUNICIPAL.

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1893.

MR. PRESIDENT:

We, your Committee on Corporations other than Municipal, to whom was referred Senate bill No. 309, entitled "An act to regulate the sale and redemption of transportation tickets of common carriers," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

B. C. VAN HOUTEN, Chairman.

We concur in this report:

A. T. VAN DE VANTER,

C. E. CLAYPOOL,

B. F. SHAW.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON APPROPRIATIONS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1893.

MR. PRESIDENT:

We, your Committee on Appropriations, 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 Senate, with the recommendation that it do pass.

Respectfully submitted.

A. T. VAN DE VANTER, Chairman.

We concur in this report:

T. J. SMITH,

C. W. IDE.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON STATE TIDE LANDS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1893.

MR. PRESIDENT:

We, your Committee on State Tide Lands, to whom was referred Senate bill No. 311, entitled "An act referring to the sale of tide lands having valuable improvements thereon; providing how contests may be made in cases of over valuation, and defining the time in which payments shall be made on all tide lands, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended by striking out of line 7 in section 1 the words "until the first day of July, 1893;" that it be further amended by adding as follows:

"SEC. 4. Any person having heretofore made application to purchase tide lands upon which valuable improvements had been made at the time of application and not having completed the purchase of the same, may make application as provided in this act: *Provided*, That said application be made on or before the first day of July, 1893."

That said bill be further amended by making the emergency clause section 5, by placing before the word "Whereas," in line 13 of section 3 the word and figure "section 5," and that as amended the said bill do pass.

Respectfully submitted.

We concur in this report:

HENRY C. COOPER, Chairman,

W. R. FORREST,

F. W. HASTINGS,

JAMES O'NEILL,

J. T. ESHELMAN.

Report received, and bill laid on table subject to call.

#### REPORT OF COMMITTEE ON STATE, SCHOOL AND GRANTED LANDS.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1893.

MR. PRESIDENT:

We, your Committee on State, School and Granted Lands, 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 Senate, with the recommendation that it do pass.

Respectfully submitted.

We concur in this report:

J. J. EDENS, Chairman.

C. W. IDE,

A. T. VAN DE VANTER,

C. M. EASTERDAY,

R. C. McCROSKEY,

J. T. ESHELMAN,

J. C. HERR.

Report received, and bill placed on file.

Senate bill No. 170 was read third time by sections, and amended by striking out the word "fourteen" in line 13, section 2, and inserting in lieu thereof the word "fifteen."

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Dyer, Easterday, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, Van De Vanter, and Van Houten — 27.

Absent or not voting: Senators Campbell, Cooper, Donahoe, Edens, Eshelman, Foss, and Sergeant—7.

The title of the bill to remain the title of the act.

Moved that the Senate recede from its amendment to House bill No. 93.

Lost by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Dyer, Eshelman, Frink, Helm, Kinnear, McCroskey, Miller, Roberts, Smith, and Van De Vanter—12.

Those voting in the negative were: Senators Campbell, Claypool, Cooper, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Gilbert, Hastings, Horr, Hutchinson, Ide, Kellogg, McManus, O'Neill, Richards, Rutter, Sergeant, Shaw, and Van Houten—22.

A motion then prevailed that the House be notified of the Senate's refusal to recede, and requested to appoint a conference committee for the consideration of House bill No. 93 and Senate amendments thereto.

Senate went into committee of the whole for the consideration of Senate bill No. 155.

Senator Dyer in the chair.

Committee of the whole arose and reported progress.

President Luce in the chair.

Report adopted.

Senate bill No. 155 read third time by sections and amended as follows: In lines 3 and 4, section 1, strike out the words "five thousand," and insert in lieu thereof the words "fifteen hundred."

In line 6, section 2, insert the word "of" after the word "form."

In line 2, section 4, strike out the words "one hundred" and insert the word "sixty" in lieu thereof.

Insert after word "disposition," in line 4, section 4, the words "except that there shall be delivered but five copies of each of the supreme court reports and Codes of the Territory and State of Washington as aforesaid."

In line 4, section 6, strike out the words "the passage and approval of," and add after the word "act" the words "takes effect."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Hastings, Helm, Horr,

Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—31.

Senator Hutchinson voted in the negative.

Absent or not voting: Senators Gilbert and O'Neill—2.

The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 7, 1893.

MR. PRESIDENT:

The House has passed House bill No. 340, substitute for House bill No. 23, by Judiciary Committee, An act concerning insane persons.

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

The president appointed as Senate members of conference committee on House bill No. 93 Senators Ide, Edens and Miller.

Senator Rutter moved to reconsider the vote whereby House bill No. 262 passed.

Motion to reconsider laid on the table.

At 5:35 P. M., on motion of Senator Rutter, a recess was taken until 7:30 o'clock P. M.

#### EVENING SESSION.

Senate called to order, pursuant to adjournment, at 7:30 o'clock P. M. President Luce in the chair.

Roll call; all present excepting Senators Kellogg and Sergeant.

Senate bill No. 30 was read third time by sections and amended as follows:

In line 1 of section 1 the word "five" was stricken out and the word "three" inserted in lieu thereof.

In line 4 of section 1 the words "two of said" were stricken out and the word "one" inserted, and the final "s" dropped from the word "commissioners;" in same line the word "three" was stricken out and the word "two" inserted.

In line 19 of section 1 the word "five" was stricken out and the word "three" inserted.

The words "paid out by him" were added to section 26.

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Shaw, Smith, Van De Vanter, and Van Houten—30.

Those voting in the negative were: Senators Donahoe and Rutter—2.

Absent or not voting: Senators Sergeant and Kellogg—2.

The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 7, 1893.

MR. PRESIDENT:

The speaker of the House has appointed Messrs. Neergaard, Anderson of Whitman, Webb and Green as conference committee to act with like committee of the Senate concerning Senate amendments to House bill No. 93, An act reducing railroad rates.

The House has passed House bill No. 299, by Mr. Ludden, An act for the appraising and disposing of tide and shore lands belonging to the State of Washington, approved March 26, 1890.

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

House bill No. 292 was read third time by sections, and amended as follows: In lines 3 and 4 of section 3 the words "his actual traveling expenses" were stricken out, and the words "mileage actually paid out" inserted.

The Senate then went into committee of the whole, Senator Claypool in the chair.

In line 5 of section 1 the words "who shall not be citizens of the city of Olympia, and no two of whom shall be from the same county," were inserted after the word "state."

In line 17 of section 6 the following proviso was inserted after the word "board:" "Provided, That the architect being awarded the first prize shall satisfy the commission that he is the author of

the design and plan so submitted, and that he is skilled in his profession."

In line 4 of section 5 the word "two" was stricken out and "one" inserted.

In line 5 of section 10 the word "two" was stricken out and "one" inserted.

In line 4 of section 5 the words "and no more" were stricken out, and the words "not exceeding" were inserted after the words "shall be."

The committee of the whole rose and reported the bill back to the Senate with the recommendation that it pass as amended.

President Luce in the chair.

The report was adopted; the bill was amended as recommended by the committee of the whole, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Donahoe, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, Van De Vanter, and Van Houten—29.

Those voting in the negative were: Senators Dyer, Easterday, and McCroskey—3.

Absent or not voting: Senators Sergeant and Kellogg—2.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kinnear, McManus, O'Neill, Richards, Roberts, Rutter, Van De Vanter, and Van Houten—24.

Those voting in the negative were: Senators Dyer, Easterday, Ide, McCroskey, Shaw, and Smith—6.

Absent or not voting: Senators Donahoe, Kellogg, Miller, and Sergeant—7.

The title of the bill to remain the title of the act.

Senator Smith, who had changed his vote on the passage of the bill, gave notice that he would move a reconsideration of the vote by which House bill No. 292 was passed.

The president stated that he was about to sign House bill No. 302.

House bill No. 293 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Donahoe, Easterday, Edens, Eshelman, Forrest, Foss, Frink, Gilbert, Helm, Horr, Hutchinson, Ide, Kinnear, McManus, Miller, O'Neill, Richards, Roberts, Shaw, and Van Houten—25.

Those voting in the negative were: Senators McCroskey, Rutter, Smith, and Van De Vanter—4.

Absent or not voting: Senators Dyer, Forsyth, Hastings, Kellogg, and Sergeant—5.

The title of the bill to remain the title of the act.

Senator Ide gave notice that he would move a reconsideration of the vote by which House bill No. 293 was passed.

Senate bill No. 172 was indefinitely postponed.

On motion of Senator Claypool, the Senate, at 9:30 P. M., adjourned until 10 o'clock A. M., Wednesday, March 8, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## FIFTY-NINTH DAY.

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Wednesday, March 8, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all senators present.

The reading of yesterday's journal was dispensed with, and journal approved.

The president stated that he was about to sign House bill No. 415.

Senator Van De Vanter withdrew his notice to reconsider House bill No. 147, Relating to state fair.

Senator Claypool moved that all rules be suspended, and the secretary be instructed to transmit at once to the House all bills which have passed the Senate and which are being held under no-

tices given of intention to move reconsideration of the vote by which said bills were passed.

Senator Horr moved that rule 28 be suspended by virtue of the provisions of rule 63.

Senator Claypool withdrew his motion in order that action might be taken on the motion of Senator Horr.

The president ruled Senator Horr's motion out of order.

At the suggestion of the president, Senator Claypool appealed from the decision.

The decision of the chair was sustained by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Frink, Gilbert, Hastings, Helm, Ide, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, and Van De Vanter—23.

Those voting in the negative were: Senators Campbell, Claypool, Cooper, Foss, Horr, Hutchinson, McManus, and Sergeant—8.

Absent or not voting: Senators Forrest, Smith, and Van Houten—3.

Senate concurrent resolution No. 20, Relating to printing of House and Senate journals, was introduced by Senator Frink.

The resolution was adopted.

## REPORTS OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 10, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 31, entitled "An act to amend sections 2 and 16 of an act entitled 'An act in relation to attachments and garnishments,' approved February 3, 1886," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Claypool, Brown, Richards, Easterday and Van Houten, all the members of said committee.

Report received, and bill placed on file.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate bill No. 40, entitled "An act to provide for voting on a constitutional amendment at the general election to be held in November, 1894, relating to the ownership of lands by aliens," have had the same under consideration, and

we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Claypool, Brown and Richards, being all the members of said committee present.

Report received, and bill placed on file.

#### REPORT OF COMMITTEE ON ROADS AND BRIDGES.

SENATE CHAMBER,

OLYMPIA, WASH., March 6, 1893.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House bill No. 108, entitled "An act providing for viewing, laying out and surveying public roads," etc., etc., have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it be amended as follows, and that it pass as amended:

First amendment: In line 10, section 3, after the word "county" insert the words "one of whom may be the county surveyor."

Second amendment: After section 11 insert the following new section, numbered 12: "Sec. 12. After the establishment of any county road as hereinbefore provided, it shall be the duty of the county clerk forthwith, or as soon as may be, to furnish a complete transcript of the proceedings had in the establishment of such road, to the county auditor of such county, such transcript of record to be copied by the auditor in the county road records of his office."

Renumber last section, "section 13."

Respectfully submitted.

J. A. KELLOGG, Chairman.

We concur in this report:

FRANCIS DONAHOE,

W. H. GILBERT,

C. E. FORSYTH,

J. J. EDENS,

R. A. HUTCHINSON,

C. I. HELM.

Report received, and bill placed on file.

#### REPORTS OF COMMITTEE ON HARBORS AND HARBOR LINES.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1893.

MR. PRESIDENT:

We, your Committee on Harbors and Harbor Lines, to whom was referred House bill No. 349, entitled "An act relating to waterways," have had the same under consideration, and we respectfully report the same back to the Senate, without recommendation.

Respectfully submitted.

FRANK H. RICHARDS, Chairman.

We concur in this report:

J. M. FRINK,

B. C. VAN HOUTEN.

Report received, and bill placed on file.

## COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 6, 1891.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—I have this day approved and signed Senate bill No. 271, entitled "An act supplemental 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."

I have the honor to be, very respectfully, your obedient servant,  
J. H. MCGRAW, Governor.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 7, 1893.

MR. PRESIDENT:

The House has passed House bill No. 259, by 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, and declaring an emergency.

Also, 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.

The speaker of the House has signed House bill No. 331, by Mr. Roth, An act to amend sections 107, 109, 113, 116, 124, 125, 126, 132, 133, 134, 135 and 136, relating to municipal corporations.

The House has passed House bill No. 274, by Mr. Letterman, 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 10,000 inhabitants or more.

The speaker of the House has signed 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.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

## FROM THE HOUSE.

House bill No. 299, by Mr. Ludden: An act amending an act for appraising and disposing of tide lands.

Read first time; rules suspended, read second time by title, and referred to Committee on State Tide Lands.

House bill No. 340, by Judiciary Committee: An act concerning insane persons.

Read first time; rules suspended, read second time by title, and referred to Committee on Judiciary.

Senate bill No. 120 was read third time by sections, and amended by striking out the words "fair cash value," in line 6, section 1 of the printed bill, and inserting in lieu thereof the words "true and fair value in money."

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Horr, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten—26.

Absent or not voting: Senators Forrest, Frink, Gilbert, Hastings, Helm, Hutchinson, Roberts, and Smith—8.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Gilbert, Horr, Ide, Kellogg, Kinnear, McManus, Miller, O'Neill, Richards, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten—26.

Absent or not voting: Senators Forrest, Frink, Hastings, Helm, Hutchinson, McCroskey, Roberts, and Smith—8.

The title of the bill to remain the title of the act.

Senate bill No. 160½ was read third time by sections, and amended as follows:

In line 2, section 1, strike out first word "the."

In line 4, section 1, after the word "members," insert the words "not more than two of whom shall be members of any one political party."

In line 13, section 1, insert in blank space "1,500."

President pro tem. Dyer in the chair.

Further amendments to Senate bill No. 160½:

In line 3, section 1, strike out word "two" and insert word "three" in lieu thereof.

In line 7, section 1, strike out word "one" and insert the word "two" in lieu thereof.

Section 6 stricken out.

Section 7 numbered section 6, and all following sections renumbered in consecutive order.

The following was added to section 6: "And said board of state land commissioners shall have full power and authority to expend the moneys appropriated under an act entitled 'An act relating to the improvement of harbors and waterways of the State of Washington,' approved March 10, 1891."

Add at end of line 13 of section 7, the following: "*Provided, however,* That the powers contemplated by this section shall be exercised subject to and in conformity with the requirements of the state constitution and all applicable provisions of law in force for the time being."

Add to section 8 the following: "*Provided,* That money heretofore paid into or deposited with the the state treasurer on account of surveys of tide lands shall be paid out to the persons who made the surveys, or their assigns, upon accounts approved by said state board of land commissioners and audited by the state auditor as other bills are audited, and there is hereby appropriated for this purpose out of the fund created by such deposits in the state treasury the sum of twenty thousand dollars, or so much thereof as may be necessary, to be paid out upon warrants drawn by the state auditor."

In line 10, section 3, strike out the words "then subject to sale."

Line 5, section 18, strike out the word "thirty" and insert the word "ten" in lieu thereof.

Line 31, section 20, strike out the word "and" and insert the word "or" in lieu thereof.

The president pro tem. appointed as conference committee on Senate bill No. 260, Senators Forrest, Belknap and McManus.

The president pro tem. stated that he was about to sign House bill No. 331.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all senators and representatives present excepting Van De Vanter and Heliker.

The reading of yesterday's journal was dispensed with and journal approved.

Senator Smith and Representative Heliker were announced as paired for to-day's ballot.

## NINETY-EIGHTH JOINT BALLOT.

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 — 48.

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 — 20.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Donahoe, Foss, Leo, Mays, and Smith (H. F.) — 7.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.) — 9.

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 — 20.

Hurd, Sallee and Van Houten voted for W. C. Jones — 3.

Bush (N. W.) voted for R. O. Dunbar.

Roscoe voted for Steve De Lacey.

Total number of votes cast, 109.

Not voting: Heliker, Van De Vanter and Smith (T. J.) — 3.

## NINETY-NINTH JOINT BALLOT.

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 — 47.

Those voting for George Turner were: Claypool, Cooper, Easterday, Greenberg, Helm, Ide, McMillan, Mentzer, Moore, Nash, Nelson, Pierce (D. W.), Richards, Roscoe, Shadle, Sherman, Smithson, Temple, Tull, Van Houten, Westfall, and Woodworth — 22.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Donahoe, Foss, Leo, Mays, and Smith (H. F.)—7.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

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—20.

Sallee and Hurd voted for W. C. Jones—2.

Rutter voted for J. M. Frink.

Bush (N. W.) voted for R. O. Dunbar.

Total number votes cast, 109.

Not voting: Heliker, Van De Vanter, and Smith (T. J.)—3.

The joint session then dissolved.

At 12:20 P. M., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator Shaw, a recess was taken until 2 P. M.

#### AFTERNOON SESSION.

Senate called to order at 2 o'clock P. M.

Roll call; all senators present excepting Senator Kellogg, who was excused.

The following was introduced by Senator Dyer, and adopted:

*Resolved by the Senate,* That the state librarian, being the legal custodian of the capitol building and grounds, be allowed twenty dollars for cleaning up the Senate chamber and the adjacent rooms, and for taking an inventory and properly storing the furniture and other public property therein after adjournment.

#### MESSAGE FROM THE HOUSE.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 8, 1893.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 20, by Mr. Wheeler, "An act relating to appeals to the supreme court."

The House has indefinitely postponed Senate bill No. 90, by Senator

Frink, "An act to establish a system of public schools in cities of ten thousand or more inhabitants."

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

### COMMUNICATIONS FROM THE GOVERNOR.

The following communications were received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 7, 1893.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—I have this day approved and signed the following:

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 biennial census by the county assessors, and declaring an emergency."

Senate bill No. 88, entitled "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."

Senate bill No. 129, entitled "An act to amend section 2213 of chapter 2, title 25, of volume 1, of the General Statutes and Codes of Washington, as arranged and annotated by William Lair Hill.

I have the honor to be, very respectfully, your obedient servant,

J. H. MCGRAW, Governor.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 8, 1891.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—I have this day approved and signed the following:

Senate bill No. 53, entitled "An act relating to the state library, and declaring an emergency."

Senate bill No. 21, entitled "An act giving the power and regulating the mode of procedure to acquire, take or damage private property by municipal corporations except cities of the first class, and of ascertaining and securing compensation therefor, and repealing laws in conflict with this act."

Senate bill No. 117, entitled "An act to secure secrecy in the transmission of telegraph and telephone messages."

I have the honor to be, very respectfully, your obedient servant,

J. H. MCGRAW, Governor.

### REPORT OF COMMITTEE ON TIDE LANDS.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1893.

MR. PRESIDENT:

We, your Committee on Tide Lands, to whom was referred House bill No. 299, entitled "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," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

HENRY C. COOPER, Chairman.

We concur in this report:

CHAS. I. HELM,  
F. W. HASTINGS,  
J. T. ESHELMAN,  
W. R. FORREST,  
JAMES O'NEILL,  
JNO. E. MCMANUS.

Report received, and bill placed on file.

### REPORT OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1893.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House bill No. 340, entitled "An act concerning insane persons," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Report received, and bill placed on file.

Third reading of Senate bill No. 160½ concluded, and following amendments made:

In line 11, section 21, strike out the word "ten" and insert the word "twenty-five" in lieu thereof.

In line 26, section 21, strike out the word "ten" and insert the word "twenty-five" in lieu thereof.

In line 30, section 21, after the word "otherwise," insert the following: "*Provided*, That any sale so vacated or set aside shall be so vacated or set aside within thirty days from the date of such sale."

In line 6, section 23, strike out the word "the."

In section 23, strike out all in line 8 beginning with the word "that," and all of line 9, and all in line 10 up to and including the word "further."

Add to section 23 the following: "*Provided further*, That any person leasing school lands, having improvements thereon made by any former occupant, shall pay per annum for said improvements not less than 15 per cent. on the appraised or assessed value thereof, said payment to be turned over to the owner of the improvements."

In line 3, section 25, strike out the words "or municipal," and insert between the words "state" and "county" the word "or."

In line 4, section 25, strike out the words "or incorporate cities or towns of this state."

Strike out section 29 and insert the following substitute:

"SEC. 29. The board of state land commissioners shall have the power to lease any and all portions of the areas within the harbor lines of the State of Washington for a term not exceeding thirty years, subject to and in conformity with any provisions of law regulating the making of such leases in force at the time of making thereof."

In line 9, section 32, strike out the word "county" and insert the word "court" in lieu thereof.

Senate went into committee of the whole for consideration of Senate bill No. 160½.

Senator Claypool in the chair.

Bill considered, and committee arose and reported progress.

President Luce in the chair.

Report adopted.

Senate bill No. 160½ was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Gilbert, Horr, Ide, Kinnear, McCroskey, McManus, O'Neill, Richards, Rutter, Sergeant, Smith, Van De Vanter, and Van Houten — 22.

Those voting in the negative were: Senators Brown, Frink, Hastings, Roberts, and Shaw — 5.

Absent or not voting: Senators Belknap, Campbell, Forrest, Helm, Hutchinson, Kellogg, and Miller — 7.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Gilbert, Hastings, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, O'Neill, Roberts, Rutter, Sergeant, Smith, Van De Vanter, and Van Houten — 26.

Those voting in the negative were: Senators Brown and Shaw — 2.

Absent or not voting: Senators Forrest, Frink, Helm, Kellogg, Miller, and Richards — 6.

The title of the bill was amended to read as follows: An act to provide for the creation of a state board of land commissioners for the management and disposition of the public lands of the state, making appropriations therefor, and declaring an emergency.

The Senate then went into executive session, with open doors, for the consideration of the appointments made by ex-Governor Ferry and ex-Lieutenant Governor and Acting Governor Laughton.

The Senate refused to confirm the appointment of Frank M. Lowden to be a member of the board of directors of the state penitentiary by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 31.

Absent or not voting: Senators Easterday, Kellogg and Forrest — 3.

The Senate refused to confirm the appointment of F. W. Paine, to be a member of the board of directors of the state penitentiary, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 31.

Absent or not voting: Senators Easterday, Forrest and Kellogg — 3.

The Senate refused to confirm the appointment of P. B. Johnson, to be a member of the board of directors of the state penitentiary, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 29.

Absent or not voting: Senators Cooper, Easterday, Horr, Kellogg, and Richards — 5.

The Senate refused to confirm the appointment of Henry Landes, to be a member of the board of health for the collection district of Puget Sound, by the following vote:

Those voting against confirmation were: Senators Belknap,

Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 30.

Absent or not voting: Senators Easterday, Forrest, Kellogg, and Miller — 4.

The Senate refused to confirm the appointment of Thomas Jackman, to be a member of the board of health for the collection district of Puget sound, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Smith — 30.

Absent or not voting: Senators Foss, Kellogg, Van Houten and Van De Vanter — 4.

The Senate refused to confirm the appointment of J. R. Smith, to be a member of the board of trustees of the Washington school for defective youth, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van De Vanter — 29.

Those voting for confirmation were: Senators Richards and Shaw — 2.

Absent or not voting: Senators Foss, Kellogg, and Van Houten — 3.

The Senate refused to confirm the appointment of R. C. Hill, to be a member of the board of health for the collection district of Puget sound, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 29.

Absent or not voting: Senators Donahoe, Easterday, Forrest, Kellogg, and Richards — 5.

A call of the Senate was then ordered, the following named senators responding: 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, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 33.

Absent: Senator Richards.

Senator Richards entered, and the secretary reported all senators present.

The Senate refused to confirm the appointment of S. A. Wells, to be a member of the board of trustees of the normal school at Cheney, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van De Vanter — 32.

Absent or not voting: Senators Van Houten and Kellogg — 2.

The Senate refused to confirm the appointment of J. W. Langley, to be a member of the board of trustees of the Washington soldiers' home, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 31.

Senator Kinnear voted for confirmation.

Absent or not voting: Senators Kellogg and McCroskey — 2.

The Senate refused to confirm the appointment of J. R. Hayden, to be a member of the board of regents of the University of Washington, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McManus, Miller, O'Neill,

Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 32.

Absent or not voting: Senators Kellogg and McCroskey — 2.

The Senate refused to confirm the appointment of A. H. Adams, to be a member of the board of trustees of the Washington soldiers' home, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 33.

Absent or not voting: Senator Kellogg.

The Senate refused to confirm the appointment of D. E. Lesh, to be a member of the board of regents of the agricultural college, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 31.

Absent or not voting: Senators Forrest, Kellogg, and McManus — 3.

The Senate refused to confirm the appointment of N. Fred Essig, to be a member of the state board of health, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 30.

Absent or not voting: Senators Forrest, Ide, Kellogg, and McManus — 4.

The Senate refused to confirm the appointment of Fred W. Agatz, to be a member of the board of trustees of the state normal school at Ellensburg, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutch-

inson, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 29.

Absent or not voting: Senators Eshelman, Forrest, Ide, Kellogg, and Richards — 5.

The Senate refused to confirm the appointment of Frank Allyn, to be a member of the board of regents of the university of Washington, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 30.

Absent or not voting: Senators Forrest, Ide, Kellogg, and Richards — 4.

The Senate refused to confirm the appointment of David Kellogg, to be a member of the board of regents of the university of Washington, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, McManus, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 30.

Absent or not voting: Senators Forrest, Ide, Kellogg, and Miller — 4.

The Senate refused to confirm the appointment of Wm. D. Wood, to be a member of the board of regents of the University of Washington, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 31.

Absent or not voting: Senators Forrest, Ide and Kellogg — 3.

The Senate refused to confirm the appointment of R. Osborn, to be a member of the board of regents of the university of Washington, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—31.

Absent or not voting: Senators Forrest, Ide, and Kellogg—3.

The Senate refused to confirm the appointment of G. H. Boardman, to be a member of the board of trustees of the Washington soldiers' home, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—31.

Senator Richards voted to confirm.

Absent or not voting: Senators Forrest and Kellogg—2.

The Senate refused to confirm the appointment of G. S. Armstrong, to be a member of the state board of health, by the following vote:

Those voting against confirmation were: Senators Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Hutchinson, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—29.

Absent or not voting: Senators Belknap, Forrest, Horr, Ide, and Kellogg—5.

The Senate refused to confirm the appointment of J. R. Hathaway, to be a member of the state board of health, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—31.

Absent or not voting: Senators Forrest, Kellogg, and Richards—3.

The Senate refused to confirm the appointment of O. A. Bowen, to be a member of the state board of health, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 30.

Absent or not voting: Senators Forrest, Horr, Kellogg, and Rutter — 4.

The Senate refused to confirm the appointment of J. B. Eagleston, to be a member of the state board of health, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 32.

Absent or not voting: Senators Kellogg and Rutter — 2.

The Senate refused to confirm the appointment of B. W. Brintnall, to be a member of the state board of education, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 31.

Absent or not voting: Senators Forrest, Kellogg, and Rutter — 3.

The Senate refused to confirm the appointment of Geo. W. Hopp, to be a member of the board of regents of the state agricultural college, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 30.

Absent or not voting: Senators Forrest, Kellogg, Kinnear, and Rutter — 4.

The Senate refused to confirm the appointment of John Arthur, to be a member of the board of university land and building commissioners, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 31.

Absent or not voting: Senators Forrest, Kellogg, and Rutter — 3.

The Senate refused to confirm the appointment of E. Fellows, to be a member of the board of regents of the agricultural college, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 30.

Absent or not voting: Senators Forrest, Ide, Kellogg, and Rutter — 4.

The Senate refused to confirm the appointment of A. H. Smith, to be a member of the board of regents of the agricultural college, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Shaw, Smith, Van De Vanter, and Van Houten — 29.

Absent or not voting: Senators Forrest, Ide, Kellogg, Rutter, and Sergeant — 5.

The Senate refused to confirm the appointment of S. B. Conover, to be a member of the board of regents of the agricultural college, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm,

Horr, Hutchinson, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 30.

Absent or not voting: Senators Forrest, Ide, Kellogg, and Rutter — 4.

The Senate refused to confirm the appointment of J. H. Bellinger, to be a member of the board of regents of the agricultural college, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 30.

Absent or not voting: Senators Forrest, Ide, Kellogg, and Rutter — 4.

The Senate refused to confirm the appointment of J. McReavy, to be a member of the board of university land and building commissioners, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 29.

Absent or not voting: Forrest, Ide, Kellogg, Kinnear, and Rutter — 5.

The Senate refused to confirm the appointment of C. F. Leavenworth, to be a member of the board of university land and building commissioners, by the following vote:

Those voting against confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Helm, Horr, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Smith, Van De Vanter, and Van Houten — 26.

Absent or not voting: Senators Forrest, Gilbert, Hastings, Hutchinson, Ide, Kellogg, Rutter, and Shaw — 8.

The Senate refused to confirm the appointment of J. W. Goodell, to be a member of the board of trustees of the Washington state reform school, by the following vote:

Those voting against confirmation were: Senators Belknap,

Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, McCroskey, McManus, Miller, O'Neill, Richards, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 26.

Absent or not voting: Senators Brown, Forrest, Hutchinson, Ide, Kellogg, Kinnear, Roberts, and Rutter — 8.

The executive session then dissolved.

Senate bill No. 193 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Horr, Hutchinson, Ide, McCroskey, McManus, Miller, O'Neill, Roberts, Shaw, and Smith — 25.

Absent or not voting: Senators Hastings, Helm, Kellogg, Kinnear, Richards, Rutter, Sergeant, Van Houten, and Van De Vanter — 9.

The title of the bill to remain the title of the act.

The president stated that he was about to sign House bill No. 20.

Senate bill No. 258 was read third time, and amended in line 19, section 1 by inserting after the last word "open," the word "vacate."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, and Van De Vanter — 27.

Absent or not voting: Senators Campbell, Easterday, Forrest, Helm, Kellogg, Rutter, and Van Houten — 7.

The title of the bill to remain the title of the act.

House bill No. 417 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Horr, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, and Van Houten — 26.

Absent or not voting: Senators Campbell, Forrest, Hastings, Helm, Hutchinson, Kellogg, Sergeant, and Van De Vanter—8.

The title of the bill to remain the title of the act.

House bill No. 94 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Horr, Hutchinson, Ide, McCroskey, McManus, Miller, O'Neill, Roberts, Shaw, and Smith—25.

Absent or not voting: Senators Hastings, Helm, Kellogg, Kinnear, Richards, Rutter, Sergeant, Van Houten, and Van De Vanter—9.

The title of the bill to remain the title of the act.

Senate bill No. 166 was read third time by sections, and amended in line 4 of section 3 by substituting "90" for "75." In line 5 the word "second" was substituted for the word "first." In line 7 "eighty-five per centum (85 per cent.)" was substituted for "seventy per centum (70 per cent.)," and in line 8 the word "second" was substituted for the word "first."

After the word "products," in line 9, the following was added: "*Provided further*, That no person, company, corporation or association of persons shall be compelled to receive and transport any express package for a less sum than twenty-five (25) cents."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Edens, Eshelman, Forsyth, Foss, Gilbert, Hastings, Hutchinson, Ide, Kinnear, McCroskey, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, and Van Houten—23.

Those voting in the negative were: Senators Campbell, Horr and McManus—3.

Absent or not voting: Senators Donahoe, Easterday, Forrest, Frink, Helm, Kellogg, Rutter, and Van De Vanter—8.

The title of the bill to remain the title of the act.

House bill No. 88 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Foss, Frink, Gilbert, Hastings, Hutchinson, Ide, Kinnear,

McCroskey, McManus, Miller, O'Neill, Roberts, Shaw, and Smith — 24.

Absent or not voting: Senators Cooper, Forsyth, Helm, Horr, Kellogg, Richards, Rutter, Sergeant, Van De Vanter and Van Houten — 10.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Frink, Gilbert, Hastings, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Shaw, and Smith — 24.

Absent or not voting: Senators Cooper, Forsyth, Foss, Helm, Horr, Kellogg, Rutter, Sergeant, Van De Vanter, and Van Houten — 10.

The title of the bill to remain the title of the act.

House bill No. 322 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forrest, Forsyth, Gilbert, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Shaw, and Smith — 24.

Absent or not voting: Senators Easterday, Foss, Frink, Hastings, Helm, Kellogg, Rutter, Sergeant, Van De Vanter, and Van Houten — 10.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forrest, Forsyth, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, and Smith — 26.

Absent or not voting: Senators Easterday, Foss, Frink, Kellogg, Kinnear, Sergeant, Van De Vanter, and Van Houten — 8.

The title of the bill to remain the title of the act.

At 5:15 p. m., on motion of Senator Belknap, a recess was taken until 7:30 o'clock p. m.

EVENING SESSION.

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Senate called to order at 7:30 o'clock p. m. President Luce in the chair.

Roll call; all present excepting Senator Eshelman.

House bill No. 347 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Forrest, Forsyth, Gilbert, Helm, Horr, Ide, Kinnear, O'Neill, Richards, Sergeant, Smith, and Van Houten — 19.

Absent or not voting: Senators Campbell, Edens, Eshelman, Foss, Frink, Hastings, Hutchinson, Kellogg, McCroskey, McManus, Miller, Roberts, Rutter, Shaw, and Van De Vanter — 15.

The title of the bill to remain the title of the act.

Senate bill No. 3 was laid on the table subject to call.

Senate bill No. 290 was read third time by sections, and amended by striking out the word "he" in line 3, section 1, and inserting the words "the deceased" in lieu thereof.

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Kinnear, O'Neill, Richards, Sergeant, Shaw, Smith, and Van Houten — 22.

Those voting in the negative were: Senators Dyer, McManus, and Roberts — 3.

Absent or not voting: Senators Donahoe, Eshelman, Hutchinson, Ide, Kellogg, McCroskey, Miller, Rutter, and Van De Vanter — 9.

The title of the bill to remain the title of the act.

The Senate went into committee of the whole for the consideration of Senate bill No. 14.

President pro tem. Dyer in the chair.

The committee arising, reported bill back to the Senate with the recommendation that it do pass.

President Luce in the chair.

Report adopted.

Senate bill No. 14 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McManus, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten—28.

Absent or not voting: Senators Dyer, Eshelman, Hutchinson, McCroskey, Miller, and Van De Vanter—6.

The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 8, 1893.

MR. PRESIDENT:

The House has passed 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.

Also, House bill No. 261, by Mr. McElwain, 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.

Also, Senate bill No. 241, by Senator O'Neill, An act for relief of Stevens county.

Also, Senate bill No. 125, by Senator Kinnear, An act to amend an act to provide for the publication of supreme court reports, etc.

Senate bill No. 237, by Senator Brown (substitute for Senate bill No. 68), An act relating to assessment and collection of taxes in municipal corporations of the third and fourth class.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

House bill No. 208 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McManus, O'Neill, Roberts, Rutter, Sergeant, Shaw, Smith, and Van De Vanter—26.

Absent or not voting: Senators Campbell, Edens, Eshelman, Kellogg, McCroskey, Miller, Richards, and Van Houten—8.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Gilbert, Hastings, Horr, Hutchinson, Ide, Mc-

Manus, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, Van De Vanter, and Van Houten—25.

Absent or not voting: Senators Campbell, Eshelman, Frink, Helm, Kellogg, Kinnear, McCroskey, Miller, and Sergeant—9.

The title of the bill to remain the title of the act.

Senate bill No. 287 was read third time by sections, and amended as follows: In line 21, section 1, strike out the words "be filed." In line 19, section 1, insert in blank space the figures "10,000."

In line 4, section 1, insert after the word "persons" the words "subject to confirmation by the Senate."

Section 3 was added to the bill:

"SEC. 3. Whereas, a vacancy now exists in the board of penitentiary commissioners, an emergency exists for the immediate taking effect of this act, and this act shall take effect immediately upon its approval by the governor."

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McManus, Miller, Richards, Rutter, Shaw, and Smith—24.

Absent or not voting: Senators Campbell, Easterday, Eshelman, Kellogg, McCroskey, O'Neill, Roberts, Sergeant, Van Houten, and Van De Vanter—10.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kellogg, Kinnear, Miller, Richards, Rutter, Shaw, and Smith—24.

Absent or not voting: Senators Campbell, Eshelman, Ide, McCroskey, McManus, O'Neill, Roberts, Sergeant, Van De Vanter, and Van Houten—10.

The title of the bill was amended by adding the words "approved March 9, 1891, and declaring an emergency."

#### REPORT OF COMMITTEE OF CONFERENCE ON HOUSE PROPOSED AMENDMENTS TO SENATE BILL No. 260.

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1893.

MR. PRESIDENT:

We, your committee of conference on House proposed amendments to 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 various amendments proposed by the House of Representatives under consideration, and we respectfully report the same back to the Senate, with the recommendation that it concur in the proposed amendment to section three of said bill provided the following addition be made to said 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;" that the Senate concurs in the proposed amendment by the House to line 15 in section 4; that it concurs in the proposed amendment in lines 6, 7, 8, 11, 16 and 17, in section 5; that the Senate does not concur in the proposed amendment in line 18 of section 5 in striking out the word "personal." and that the House be asked to recede therefrom; that the proposed 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; that the proposed amendment to section 6, providing a maximum amount of three hundred dollars as the assessed value of any animal kept for stock purposes only, be concurred in; that the House proposed amendment to line 2 of section 8 be concurred in; that the House proposed amendment to said section 8, between the lines 24 and 25 in the "Detail List," be concurred in, as also in lines 38 and 44 in "Detail List" of real property; that the proposed House amendment to line 2 of section 29 be not concurred in, and that the House be asked to recede; that the proposed House amendment to section 43 be not concurred in, and that the House be asked to recede; that the House proposed amendment to section 45 be concurred in; that the House proposed 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 47 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 commissioners, not exceeding five dollars per day;" that the house proposed amendment to line 19 of section 55 be concurred in; that the House proposed amendment in striking out section 59, 60, 61, 62, 63, 64, 65 and 66 be concurred in; that the House proposed amendment to lines 6 and 7 in section 72 be concurred in; that the House proposed amendment to line 5 in section 81 be concurred in; that the House proposed amendment, by striking out sections 82 and 83, be concurred in; that the house proposed amendment to lines 6 and 8 of section 90 be concurred in; that the House proposed amendment to line 7 of section 91 be concurred in; that the House proposed 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 said section 93 by striking out in line 2 the word "three" and inserting the word "two;" that the House proposed amendment to section 103 be concurred in; that the House proposed amendment changing the form of assessment roll in section 105, by inserting five per cent. penalty instead of ten per cent. penalty, be concurred in, and that the changing of the three per cent. rebate in said form of assessment roll by striking the same

out be not concurred in, and that the words "three per cent. rebate" be stricken out of said form and the words "two per cent. rebate" be inserted in lieu thereof; that the House proposed amendment to section 106 in line 4 be not concurred in, and the House be asked to recede therefrom; that the House proposed amendment to line 1 in section 112 be concurred in; that the House proposed amendment in line 21 in section 116 be concurred in; that the House proposed amendment in line 10 of section 118 be concurred in; that the House proposed amendment in line 8 of section 136 be concurred in; that the House proposed amendment in line 15 in section 137 be not concurred in, and that the House be asked to recede therefrom; that the House proposed amendment to line 1 of section 140 be not concurred in, and that the House be asked to recede; and that the House proposed amendment to line 38 of section 67 be concurred in, and that the sections be numbered to correspond with the amendments which may be adopted.

Respectfully submitted.

W. R. FORREST, Chairman.

We concur in this report:

W. C. BELKNAP,  
JNO. E. McMANUS.

The report was received and adopted.

President pro tem. Dyer in the chair.

House bill No. 148 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McManus, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—27.

Absent or not voting: Senators Belknap, Campbell, Eshelman, Frink, Hutchinson, McCroskey, and Miller—7.

The title of the bill to remain the title of the act.

House bill No. 156 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Ide, Kellogg, McCroskey, McManus, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, and Van Houten—26.

Absent or not voting: Senators Belknap, Eshelman, Hastings, Hutchinson, Kinnear, Miller, Rutter, and Van De Vanter—8.

The title of the bill to remain the title of the act.

Senate bill No. 278 was read third time by sections, and amended by striking out section 2.

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Dyer, Edens, Forrest, Forsyth, Gilbert, Hastings, Helm, Horr, Ide, Kinnear, McCroskey, McManus, O'Neill, Roberts, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten—21.

Those voting in the negative were: Senators Campbell, Claypool, Cooper, Easterday, Foss, and Frink—6.

Absent or not voting: Senators Donahoe, Eshelman, Hutchinson, Kellogg, Miller, Richards, and Smith—7.

The title of the bill to remain the title of the act.

#### REPORT OF COMMITTEE ON JUDICIARY.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1893.

MR. PRESIDENT:

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 Senate, with the recommendation that it be indefinitely postponed.

Respectfully submitted.

J. R. KINNEAR, Chairman.

Concurred in by Senators Dyer, Easterday, Richards, and Van Houten, being all the members of said committee present.

Motion to lay on table lost.

House bill No. 150 was read third time by sections, and failed to pass by the following vote:

Those voting in the affirmative were: Senators Belknap, Claypool, Cooper, Forrest, Forsyth, Foss, Gilbert, Hastings, Horr, Ide, O'Neill, Sergeant, and Shaw—13.

Those voting in the negative were: Senators Campbell, Dyer, Donahoe, Easterday, Frink, Helm, Kinnear, McCroskey, McManus, Richards, Rutter, Smith, Van De Vanter, and Van Houten—14.

Absent or not voting: Senators Brown, Edens, Eshelman, Hutchinson, Kellogg, Miller, and Roberts—7.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1893.

MR. PRESIDENT:

The House has passed House bill No. 184, by Mr. Cameron, An act ap-

propriating money for the purchase of materials and regulating the manufacture and sale of jute and other fabrics and brick.

Also, House bill No. 454, Deficiency appropriation bill.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

House bill No. 337 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McCroskey, McManus, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, Van De Vanter, and Van Houten—29.

Absent or not voting: Senators Eshelman, Frink, Hutchinson, Miller, and Sergeant—5.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McCroskey, McManus, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, Van De Vanter, and Van Houten—28.

Absent or not voting: Senators Edens, Eshelman, Frink, Hutchinson, Miller, and Sergeant—6.

The title of the bill to remain the title of the act.

#### FROM THE HOUSE.

House bill No. 454, Deficiency appropriation.

Read first time; rules suspended, read second time by title, and referred to the committee of the whole.

House bill No. 184, An act making appropriation for a jute factory at Walla Walla.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

House bill No. 261, An act to protect food fishes.

Read first time; rules suspended, read second time by title, and placed on file without reference.

House bill No. 482, General appropriation bill.

Read first time; rules suspended, read second time by title, and referred to committee of the whole.

House bill No. 98 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown,

Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McManus, Miller, O'Neill, Rutter, Shaw, Smith, Van De Vanter, and Van Houten — 28.

Absent or not voting: Senators Eshelman, Hutchinson, McCroskey, Richards, Roberts, and Sergeant — 6.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, McManus, O'Neill, Rutter, Sergeant, Shaw, Smith, Van Houten, and Van De Vanter — 27.

Absent or not voting: Senators Eshelman, Hutchinson, Kinnear, McCroskey, Miller, Richards, and Roberts — 7.

The title of the bill was amended by adding the words "and declaring an emergency."

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 8, 1893.

MR. PRESIDENT:

The House has passed Senate bill No. 255, by Senator Hutchinson, An act to establish a state road through the Cascade mountains, with amendments in title and in sections 1 and 11.

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

House bill No. 482 was re-referred to Committee on Appropriations.

Senate concurred in House amendments to Senate bill No. 255, and the bill was ordered enrolled.

Senate went into committee of the whole for the consideration of House bill No. 184. Senator Claypool in the chair.

The committee rose and reported the bill back to Senate with recommendation that it pass.

President pro tem. Dyer in the chair.

Report adopted.

House bill No. 184 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, For-

syth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, Miller, O'Neill, Richards, Rutter, Shaw, Smith, and Van De Vanter—27.

Absent or not voting: Senators Belknap, Eshelman, Kinnear, McManus, Roberts, Sergeant, and Van Houten—7.

The title of the bill to remain the title of the act.

Senate bill No. 239 was read third time by sections, and amended by striking out section 1. Section 19 was stricken from the bill, the subsequent sections were renumbered, the bill was considered engrossed, and failed to pass by the following vote:

Those voting in the affirmative were: Senators Claypool, Cooper, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McManus, O'Neill, Richards, Van De Vanter, and Van Houten—17.

Those voting in the negative were: Senators Belknap, Donahoe, Dyer, Easterday, Edens, Kellogg, Miller, Rutter, Shaw, and Smith—10.

Absent or not voting: Senators Brown, Campbell, Eshelman, Foss, McCroskey, Roberts, and Sergeant—7.

Senator Kellogg was excused for the balance of the evening.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

##### HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 8, 1893.

MR. PRESIDENT:

The House has passed House bill No. 179, by Mr. Bush of Pacific, An act appropriating money from the fish commission fund for the enforcement of the fish laws.

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

House bill No. 445 was read third time by sections, and amended by inserting the words "and shingles" after the word "lumber" in line 2, section 2; also, by inserting the word "shingles" after the word "piles" in line 2, section 25.

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Claypool, Cooper, Donahoe, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Helm, Ide, Kinnear, McManus, O'Neill, Richards, Rutter, Shaw, Smith, and Van Houten—20.

Those voting in the negative were: Senators Brown, Dyer, and Horr—3.

Absent or not voting: Senators Campbell, Easterday, Eshelman, Hastings, Hutchinson, Kellogg, McCroskey, Miller, Roberts, Sergeant, and Van De Vanter—11.

The title of the bill to remain the title of the act.

#### FROM THE HOUSE.

House bill No. 197: An act appropriating money for the fish commission.

Read first time; rules suspended, read second time by title, and referred to Committee on Appropriations.

House bill No. 340 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Gilbert, Helm, Horr, Ide, Kinnear, Miller, O'Neill, Richards, Rutter, Shaw, Van De Vanter, and Van Houten—24.

Absent or not voting: Senators Eshelman, Frink, Hastings, Hutchinson, Kellogg, McManus, McCroskey, Roberts, Sergeant, and Smith—10.

The title of the bill to remain the title of the act.

House bill No. 180 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Helm, Horr, Kinnear, Miller, O'Neill, Richards, Rutter, Shaw, Smith, Van De Vanter, and Van Houten—22.

Absent or not voting: Senators Campbell, Eshelman, Frink, Gilbert, Hastings, Hutchinson, Ide, Kellogg, McCroskey, McManus, Roberts, and Sergeant—12.

The title of the bill to remain the title of the act.

Senate bill No. 275 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Easterday, Edens, Forsyth, Gilbert, Helm, Horr, Kinnear, Miller, O'Neill, Richards, Rutter, Shaw, Smith, Van De Vanter, and Van Houten—20.

Absent or not voting: Senators Campbell, Donahoe, Eshelman,

Forrest, Foss, Frink, Hastings, Hutchinson, Ide, Kellogg, McCroskey, McManus, Roberts, and Sergeant — 14.

The title of the bill to remain the title of the act.

House bill No. 181 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Easterday, Edens, Forrest, Forsyth, Frink, Gilbert, Helm, Horr, Ide, Kinnear, McManus, Miller, O'Neill, Richards, Rutter, Smith, Van De Vanter, and Van Houten — 23.

Absent or not voting: Senators Campbell, Donahoe, Eshelman, Foss, Hastings, Hutchinson, Kellogg, McCroskey, Roberts, Sergeant, and Shaw — 11.

The title of the bill to remain the title of the act.

House bill No. 182 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Easterday, Edens, Forrest, Forsyth, Frink, Gilbert, Helm, Horr, Kinnear, McManus, Miller, O'Neill, Richards, Rutter, Shaw, Van De Vanter, and Van Houten — 22.

Absent or not voting: Senator Campbell, Donahoe, Eshelman, Foss, Hastings, Hutchinson, Ide, Kellogg, McCroskey, Roberts, Sergeant, and Smith — 12.

The title of the bill to remain the title of the act.

House bill No. 31 was read third time by sections.

Senate went into committee of the whole for consideration of House bill No. 31.

Senator Claypool in the chair.

Committee arose and reported bill back with recommendation to pass.

President pro tem. Dyer in the chair.

Report adopted.

House bill No. 31 was then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Ide, Kinnear, McManus, Miller, O'Neill, Richards, Rutter, Shaw, Van De Vanter, and Van Houten — 24.

Absent or not voting: Senators Campbell, Donahoe, Eshelman,

Hastings, Hutchinson, Kellogg, McCroskey, Roberts, Sergeant, and Smith — 10.

The title of the bill to remain the title of the act.

REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,

OLYMPIA, WASH., March 8, 1893.

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copies of the following bills have been carefully compared with the engrossed copies thereof, and found correctly enrolled:

Senate bill No. 241, entitled "An act for the relief of Stevens county."

Also, 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."

Also, 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."

Respectfully submitted.

HENRY C. COOPER, Chairman,

C. I. HELM,

JOHN G. CAMPBELL.

President Luce in the chair.

The following reports were received from the conference committee having had under consideration House bill No. 93.

MINORITY REPORT ON HOUSE BILL No. 93.

*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 "\$5.00" in section 1 be stricken out and "\$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.

## MAJORITY REPORT.

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 words "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 "four and  $\frac{50}{100}$ ," 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.

The minority report was adopted by the following vote:

Those voting in favor of the minority report were: Senators Campbell, Claypool, Cooper, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Ide, McManus, O'Neill, Richards, Rutter, Van De Vanter, and Van Houten—16.

Those voting in the negative were: Senators Belknap, Brown, Donahoe, Dyer, Edens, Frink, Horr, Hutchinson, Kinnear, McCroskey, Miller, and Smith—12.

Absent or not voting: Senators Easterday, Eshelman, Kellogg, Roberts, Sergeant, and Shaw—6.

The title of the bill to remain the title of the act.

## FROM THE HOUSE.

House bill No. 274, Relating to schools in cities of less than ten thousand.

Read first time; rules suspended, read second time by title, and placed on general file.

House bill No. 390, In relation to fees of state and county officers.

Read first time; rules suspended, read second time by title, and placed on general file.

House bill No. 259, In relation to public schools in cities of ten thousand or more.

Read first time; rules suspended, read second time by title, and referred to Committee on Education.

On motion of Senator Kinnear, the Senate, at 11 P. M., adjourned until 10 A. M., Thursday, March 9, 1893.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*

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## SIXTIETH DAY.

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Thursday, March 9, 1893. }  
10 o'clock A. M.

Senate called to order, pursuant to adjournment, at 10 o'clock A. M. President Luce in the chair.

Roll call; all senators present.

Senator Smith was excused for committee work.

The reading of yesterday's journal was dispensed with, and journal approved.

Senator Claypool moved to reconsider the vote by which House bill No. 292 passed the Senate.

Motion lost.

Senator Claypool moved to reconsider the vote by which House bill No. 293 passed the Senate.

Motion lost.

The president stated that he was about to sign Senate bills Nos. 125, 241 and 237.

### REPORTS OF COMMITTEE ON EDUCATION.

SENATE CHAMBER,  
OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

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 Senate, with the recommendation that it be indefinitely postponed.

J. M. FRINK,  
R. C. McCROSKEY,  
Majority of committee.

I do not concur in this report:

E. L. BROWN.

Report adopted, and House bill No. 259 indefinitely postponed.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 255, entitled "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, and providing an appropriation therefor," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman.

We concur in this report:

C. I. HELM,  
JOHN G. CAMPBELL.

House bill No. 124 was indefinitely postponed by the following vote:

Those voting in the affirmative were: Senators Belknap, Claypool, Cooper, Donahoe, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, O'Neill, Richards, Rutter, Sergeant, Van De Vanter, and Van Houten — 17.

Those voting in the negative were: Senators Brown, Campbell, Dyer, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Hutchinson, Kinnear, McCroskey, McManus, Miller, Roberts, and Shaw — 16.

Absent or not voting: Senator Smith.

The president stated that he was about to sign Senate bill No. 255.

House bill No. 49 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Edens, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, McManus, Miller, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten — 24.

Absent or not voting: Senators Campbell, Donahoe, Easterday, Foss, Hutchinson, Kinnear, McCroskey, O'Neill, Smith, and Van De Vanter — 10.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Edens, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McManus, Miller, Richards, Roberts, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten — 27.

Absent or not voting: Senators Donahoe, Easterday, Foss, Hutchinson, McCroskey, O'Neill, and Smith — 7.

The title of the bill to remain the title of the act.

Senate bill No. 44 was read third time by sections, and amended as follows:

In line 3, section 5, the word "ten" and figures "10" were struck out, and the word "seven" and figure "7" inserted in lieu thereof.

In lines 9 and 10, section 5, the word "five" and figure "5" were struck out, and the word "three" and figure "3" inserted in lieu thereof.

Emergency clause was stricken out.

The bill was considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, McManus, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten — 27.

Senator Miller voted in the negative.

Absent or not voting: Senators Campbell, Donahoe, Helm, Ide, Smith, and Van De Vanter — 6.

The title of the bill was amended by striking out the words "and declaring an emergency."

The president stated that he was about to sign House bills Nos. 94, 180, 98 and 262.

House bill No. 349 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, McManus, O'Neill, Richards, Rutter, Sergeant, and Shaw — 23.

Those voting in the negative were: Senators Miller and Roberts — 2.

Absent or not voting: Senators Campbell, Eshelman, Foss, Ide, Kellogg, Richards, Smith, Van De Vanter, and Van Houten—9.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Hutchinson, Ide, Kinnear, McCroskey, McManus, O'Neill, Roberts, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten—29.

Absent or not voting: Senators Horr, Kellogg, Miller, Richards, and Smith—5.

The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 94, An act concerning the formation of new school districts, changing the boundaries, and transferring territory from one district to another.

Also, House bill No. 98, An act fixing the fees and compensation of justices of the peace.

Also, House bill No. 180, An act to authorize the fish commissioner to make research for the purpose of enforcing the fish laws of the State of Washington.

Also, House bill No. 262, 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.

Also, Senate bill No. 125, An act to amend an act to provide for the publication of supreme court reports, etc.

Also, Senate bill No. 237 (substitute for Senate bill No. 68), An act relating to assessment and collection of taxes in municipal corporations of the third and fourth class.

Also, Senate bill No. 241, An act for relief of Stevens county.

The House has concurred in Senate amendments to House bill No. 292, Relating to erection of capitol building.

The House has passed Senate bill No. 275, An act providing for state printing, binding, etc.

Also, Senate bill No. 190, An act providing for a system of improved roads in counties.

The House has concurred in Senate amendments to House bill No. 93, as modified by the adoption of the minority report of the conference committee on said bill.

T. G. NICKLIN, Chief Clerk.

Senate bill No. 158 was read third time by sections, and amended by inserting in section 4, line 7, the words "or to payment of principal or interest of bonds, or other evidences of indebtedness issued under the provisions of this act, or to the cost of."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, McManus, Miller, O'Neill, and Van Houten — 24.

Absent or not voting: Senators Campbell, Ide, Kellogg, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van De Vanter — 10.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Kinnear, McCroskey, McManus, Miller, O'Neill, and Van Houten — 24.

Absent or not voting: Senators Campbell, Ide, Kellogg, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van De Vanter — 10.

The title of the bill was amended by adding the words "and declaring an emergency."

On motion of Senator Claypool, House bill No. 93 was reconsidered.

The bill was amended by striking out the word "five" in line 9, section 1, original bill, and inserting in lieu thereof the words "four and  $\frac{1}{4}$ %" so that that part of section 1 shall read "no greater rate than four and  $\frac{1}{4}$ % dollars per ton shall be charged."

The amendment was adopted by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten — 30.

Absent or not voting: Senators Hutchinson, Ide, Smith, and Van De Vanter — 4.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The House has refused to pass Senate bill No. 240, by Senator Sergeant, An act to establish a state road through Natches pass.

The House has refused to adopt the conference committee report on Senate bill No. 260, by Committee on Public Revenue and Taxation, An act for the assessment and collection of taxes in the State of Washington.

The speaker of the House has signed Senate bill No. 255, by Senator Hutchinson, An act to establish a state road through the Cascade mountains.

Also, House bill No. 181, by Mr. Bush of Pacific, An act authorizing the fish commissioner and his deputies to make arrests.

Also, House bill No. 347 (substitute for House bill No. 101), An act relating to municipal corporations.

Also, 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.

Also, House bill No. 182, by Mr. Bush of Pacific, An act to authorize the fish commissioner to appoint a deputy in each county.

Also, 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.

Also, House bill No. 292, by Mr. Mentzer, An act to provide for the location and erection of a capitol building, and declaring an emergency.

House bill No. 293, by 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.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

House bill No. 266 was then read third time by sections, and amended by striking out sections 1, 3, 4 and 6, and remaining sections renumbered.

The bill was then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, McManus, Miller, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten—27.

Senator Kellogg voted in the negative.

Absent or not voting: Senators Ide, Kinnear, McCroskey, O'Neill, Smith, and Van De Vanter — 6.

The title of the bill was amended so as to read:

“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.”

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The House having refused to adopt the report of the conference committee on Senate bill No. 260, requests the appointment of a free conference committee, and the speaker has appointed on part of House, Messrs. Neergaard, Pierce of Klickitat, Judson, Wheeler and Mays.

T. G. NICKLIN, Chief Clerk.

House bill No. 110 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Hutchinson, Kellogg, McManus, Miller, O'Neill, Richards, Roberts, Ruter, Sergeant, Shaw, and Van Houten — 27.

Absent or not voting: Senators Edens, Horr, Ide, Kinnear, McCroskey, Smith, and Van De Vanter — 7.

The title of the bill to remain the title of the act.

House bill No. 108 was read third time by sections, and amended as follows:

In line 10 of section 3 insert, after the word “county,” the words “one of whom may be the county surveyor.”

Section 12 was added to the bill:

“SEC. 12. After the establishment of any county road, as hereinbefore provided, it shall be the duty of the county clerk forthwith, or as soon as may be, to furnish a complete transcript of the proceedings had in the establishment of such road to the county auditor of such county, such transcript of records to be copied by the auditor in the county road records of his office.”

The last section was renumbered so as to read "Section 13," and the bill was passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forrest, Forsyth, Foss, Gilbert, Hastings, Horr, Hutchinson, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, and Van Houten — 26.

Absent or not voting: Senators Campbell, Edens, Frink, Helm, Ide, Kinnear, Smith, and Van De Vanter — 8.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forrest, Forsyth, Gilbert, Hastings, Horr, Hutchinson, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts; Rutter, Sergeant, Shaw, and Van Houten — 25.

Absent or not voting: Senators Campbell, Edens, Foss, Frink, Helm, Ide, Kinnear, Smith, and Van De Vanter — 9.

The title of the bill to remain the title of the act.

House bill No. 299 read third time by sections, amended, and failed to pass by the following vote:

Those voting in the affirmative were: Senators Claypool, Edens, Forsyth, Gilbert, Hutchinson, McCroskey, O'Neill, Richards, Rutter, Shaw, and Van Houten — 11.

Those voting in the negative were: Senators Belknap, Brown, Campbell, Cooper, Dyer, Donahoe, Easterday, Eshelman, Foss, Frink, Hastings, Helm, Horr, Kellogg, Kinnear, McManus, Miller, Roberts, and Sergeant — 19.

Absent or not voting: Senators Forrest, Ide, Smith, and Van De Vanter — 4.

The president stated that he was about to sign House bills Nos. 156, 292 and 293.

The chair appointed as Senate members of the conference committee on Senate bill No. 260, Senators Forrest, Helm and Eshelman.

The members of the Senate repaired to the House of Representatives to meet in joint session.

#### JOINT SESSION.

Called to order at 12 o'clock meridian. President Luce in the chair.

Roll call; all present excepting Senator Van De Vanter.

The reading of yesterday's journal was dispensed with, and journal approved.

ONE HUNDREDETH JOINT BALLOT.

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—50.

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, Van Houten, Westfall, and Woodworth—23.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Donahoe, Foss, Hamill, Leo, and Mays—7.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Those voting for B. F. Shaw were: Cowan, Crockett, Eshelman, Edmonds, Foster, Gilman, Green, Hutchinson, Judson, Kline, Letterman, McCroskey, McManus, Miller, Payne, Shelton, and Turpin—17.

Moore and Smith (H. F.) voted for W. C. Jones—2.

Mulkey voted for Hugh C. Wallace.

Shaw voted for B. L. Sharpstein.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 111.

Not voting: Senator Van De Vanter.

ONE HUNDRED AND FIRST JOINT BALLOT.

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, Kellogg, 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—50.

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—24.

Those voting for Chauncey W. Griggs were: Anderson (W. D. E.), Campbell, Donahoe, Foss, Hamill, Leo, Mays, and Smith (H. F.)—8.

Those voting for J. C. Van Patten were: Baker, Burton, Collin, Denn, Durant, Edwards, Egbert, Scott, and Smith (J. B.)—9.

Those voting for B. F. Shaw were: Cowan, Crockett, Edmonds, Eshelman, Foster, Gilman, Green, Hutchinson, Judson, Klippe, Letterman, McCroskey, McManus, Miller, and Shelton—15.

Those voting for Henry Drum were: Mulkey, Payne, and Turpin—3.

Shaw voted for B. L. Sharpstein.

Bush (N. W.) voted for R. O. Dunbar.

Total number of votes cast, 111.

Not voting: Van De Vanter.

The joint session then dissolved.

At 12:25 P. M., immediately following the joint session, the Senate was called to order by President Luce, and, on motion of Senator McCroskey, a recess was taken until 2 o'clock P. M.

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#### AFTERNOON SESSION.

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Senate called to order at 2:00 o'clock P. M. President Luce in the chair.

Roll call; all senators present.

The president stated that he was about to sign House bill No. 337, House bill No. 182, Senate bill No. 255, House bill No. 181, House bill No. 208, House bill No. 347, House bill No. 147, and House bill No. 31.

The following resolution was introduced by Senator Hastings, and adopted:

*Resolved*, That the journal clerk of the Senate be allowed five days extra time to finish up the journal, and be allowed \$25 for said extra labor.

## REPORT OF COMMITTEE ON APPROPRIATIONS.

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House bill No. 454, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it pass with the following amendments:

Amend lines 33 and 34 to read: "For relief of Pierce county for money expended in defending the title to school lands, twelve thousand dollars (\$12,000).

Also, add: "For deficiency in appropriation for university land and building commission, \$20,265.55."

Respectfully submitted.

A. T. VAN DE VANTER, Chairman.

We concur in this report:

C. W. IDE,

T. J. SMITH.

Report received, and bill placed on file.

## REPORTS OF COMMITTEE ON APPROPRIATIONS.

The following report was received from the Committee on Appropriations:

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

Your Committee on Appropriations, to whom 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 Senate, with a recommendation that it pass with the amendments herewith:

First amendment: Amend line 8, section 1, to read as follows: "For private secretary of governor at \$1,800 per year, \$3,600."

Second amendment: Amend lines 9 and 10 of said section by striking out the same.

Third amendment: Amend line 11 so as to read: "For messenger and stenographer in governor's office at \$1,000 per year, \$2,000."

Fourth amendment: Amend line 15 to read: "Total for governor's office, \$15,600."

Fifth amendment: Amend line 20 of said section to read: "For salary of chief clerk of secretary of state at \$1,800 per year, \$3,600."

Sixth amendment: Amend line 21 of said section to read: "For salary of recording clerk for secretary of state at \$1,000 per year, \$2,000."

Seventh amendment: Amend line 25 to read: "For salary of clerk in insurance department at \$1,800 per year, \$3,600."

Eighth amendment: Add to line 32: "Messenger \$600 per year, \$1,200."

Ninth amendment: Amend line 34 to read: "Total for office of secretary of state, \$22,700."

Tenth amendment: Amend line 36 of said section to read: "For salary of deputy state auditor at \$1,800 per year, \$3,600."

Eleventh amendment: Amend line 37 to read: "For clerk in office of state auditor at \$1,500 per year, \$3,000."

Twelfth amendment: Amend line 38 to read: "For book keeper in auditor's office at \$1,200 per year, \$2,400."

Thirteenth amendment: Amend line 48 to read: "\$18,000."

Fourteenth amendment: Amend line 50 by making "\$1,500" "\$1,800."

Fifteenth amendment: Amend line 77 to read: "For expenses of appraisal and sale of school lands and other state lands, \$25,000."

Sixteenth amendment: Between the lines 77 and 78 add: "For advertising sale of tide lands, section 13, Laws of 1891, relating to such sales, \$500."

Seventeenth amendment: Amend lines 78 and 79 to read: "Total for office of commissioner of public lands and state land commission, \$63,400."

Eighteenth amendment: Amend said section by striking out lines 88, 89, 90 and 91.

Nineteenth amendment: Amend line 92 to read: "Total for the office of the attorney general, \$12,650."

Twentieth amendment: Amend said section by striking out lines 114, 115, 116, 117, 118, 119 and 120.

Twenty-first amendment: Amend line 126 to read: "Total for office of fish commissioner, \$7,500."

Twenty-second amendment: Amend line 138 to read: "Total for state library, \$5,940."

Twenty-third amendment: Amend line 144 to read: "For extradition expenses, \$5,000."

Twenty-fourth amendment: Amend line 151 to read: "For preparing copy, reading proof and indexing Senate journal, \$300."

Twenty-fifth amendment: Amend line 187 by inserting "\$6,000."

Twenty-sixth amendment: Amend line 188 to read: "For hospital building at penitentiary, \$7,500."

Twenty-seventh amendment: Amend line 197 to read: "\$244,500."

Twenty-eighth amendment: Amend said section by striking out lines 224, 225, 226, 227 and 228.

Twenty-ninth amendment: Amend line 229 to read: "For the erection of administration buildings for the agricultural college, \$50,000, not to be available until May 1, 1894."

Thirtieth amendment: Add between lines 259 and 260: "Insurance on state printing and binding stock and stationery, \$500."

Thirty-first amendment: Amend lines 264 and 265 to read: "For maintenance of the national guard for the year ending March 31, 1894, to be paid out of the military fund, \$40,000."

Thirty-second amendment: Amend lines 266 and 267 to read: "For the maintenance of the national guard for the year ending March 31, 1895, to be paid out of the military fund, \$40,000."

Thirty-third amendment: Amend line 268 to read: "Total for the national guard, \$80,000."

Thirty-fourth amendment: Amend lines 270, 271 and 272 to read: "For the maintenance of the local board of tide land appraisers, to be paid out of the tide land fund, and for the survey of tide lands of the second and third class, \$40,000, \$10,000 of which shall be applied to the payment of local boards of tide land appraisers."

Respectfully submitted.

A. T. VAN DE VANTER, Chairman.

We concur in this report:

C. W. IDE,

T. J. SMITH.

Report received, and bill placed on file.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The House has, on reconsideration, adopted by roll call the minority report of the free conference committee on Senate bill No. 260.

The House has adopted the amendments recommended in said report, and has passed the bill as so amended.

The speaker of the House has signed House bill No. 31, by Mr. Weed, An act appropriating money for the payment of agents for the state land commission.

Also, House bill No. 147, by Mr. Webb, An act concerning a state agricultural fair for the State of Washington, and to declare an emergency.

Also, 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.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

House bill No. 69 was passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Dyer, Donahoe, Edens, Foss, Gilbert, Hastings, Horr, Ide, Kellogg, McCroskey, O'Neill, Roberts, Rutter, Sergeant, Van De Vanter, and Van Houten — 19.

Absent or not voting: Senators Campbell, Cooper, Easterday, Eshelman, Forrest, Forsyth, Frink, Helm, Hutchinson, Kinnear, McManus, Miller, Richards, Shaw, and Smith — 15.

The title of the bill to remain the title of the act.

House bill No. 390 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown,

Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Kellogg, Kinnear, McCroskey, Miller, O'Neill, Roberts, Sergeant, Van De Vanter, and Van Houten—25.

Absent or not voting: Senators Eshelman, Foss, Ide, Hutchinson, McManus, Richards, Rutter, Shaw, and Smith—9.

The title of the bill to remain the title of the act.

Senate bill No. 154 was laid on table subject to call.

The following resolution was introduced by Senator Dyer, and adopted:

*Resolved by the Senate,* That the honorable House of representatives be requested to act on Senate bills—as the Senate is acting on House bills—this to assist in the passage of bills that have gone through one of the bodies; and the secretary is hereby directed to notify the House of this resolution at once.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 148, by Mr. Crockett, An act relative to the qualification and compensation of county commissioners.

Also, House bill No. 417, by Mr. Roth, An act to provide for the economical management of county affairs.

Also, 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 House has passed Senate bill No. 167 (substitute for Senate bill No. 65), submitted by Judiciary Committee, with amendments noted in the bill.

Also, House bill No. 93, as amended according to conference committee report.

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

House bill No. 261 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McManus, O'Neill, Richards, Roberts, Rutter, and Van De Vanter—26.

Absent or not voting: Senators Forrest, Hutchinson, McCroskey, Miller, Sergeant, Shaw, Smith, and Van Houten — 8.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Ide, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, Van De Vanter, and Van Houten — 25.

Absent or not voting: Senators Forrest, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, McManus, Miller, and Sergeant — 9.

The title of the bill to remain the title of the act.

House bill No. 212 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Donahoe, Easterday, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McManus, O'Neill, Richards, Roberts, Rutter, Shaw, and Van Houten — 26.

Absent or not voting: Senators Dyer, Edens, Kellogg, McCroskey, Miller, Sergeant, Smith, and Van De Vanter — 8.

The title of the bill to remain the title of the act.

The Senate concurred in House amendments to Senate bill No. 167.

House bill No. 232 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, O'Neill, Richards, Roberts, Shaw, Smith, Van De Vanter and Van Houten — 31.

Absent or not voting: Senators Miller, Rutter and Sergeant — 3.

The title of the bill to remain the title of the act.

House bill No. 76 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, O'Neill, Rob-

erts, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten — 29.

Absent or not voting: Senators Campbell, Horr, Miller, Richards, and Smith — 5.

The title of the bill to remain the title of the act.

President pro tem. Dyer in the chair.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

#### HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The House has passed House bill No. 348 (substitute for House bill No. 202), An act relating to the militia.

Also, Senate bill No. 145, by Senator Gilbert, An act concerning drainage ditches.

Also, House concurrent resolution No. 24, Relative to printing session laws and journals.

The speaker of the House has signed 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.

Also, House bill No. 184, by Mr. Cameron, An act appropriating money for the purchase of materials and regulating the manufacture and sale of jute and other fabrics and brick.

Also, House bill No. 340 (substitute for House bill No. 23), by Judiciary Committee, An act concerning insane persons.

Senate bill No. 240 failed to pass, lacking constitutional majority.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

House concurrent resolution No. 24, Relative to printing and binding of session laws, was read and adopted.

Senate went into committee of the whole for the consideration of House bill No. 454.

Senator Kinnear in the chair.

Bill amended as follows:

Lines 33 and 34, section 1, amended to read as follows: "For relief of Pierce county for money expended in defending the title to school lands, twelve thousand dollars (\$12,000).

Amend line 41 by inserting after the figures "1891" the figures "1893-4."

Add to section 1: "For deficiency in appropriations for university land and building commission, twenty thousand two hundred and sixty-five and 55-100 (\$20,265.55).

The committee of the whole arose and reported progress.

President pro tem. Dyer in the chair.

The report was adopted, and the bill amended as recommended by committee of the whole.

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

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Eshelman, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—31.

Absent or not voting: Senators, Cooper, Forrest, and Kinnear—3.

The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The House has passed Senate bill No. 60, by Senator Campbell, An act relating to assignments and assignees.

Also, Senate bill No. 160½, Providing for a state board of land commissioners, with emergency, and with amendments noted in printed bill folded within original.

The speaker has signed House bill No. 93, by Mr. Anderson, of Whitman, An act regulating and fixing railroad freight rates in the State of Washington.

Also, 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.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### REPORTS OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,  
OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The following have been carefully compared with the engrossed copies thereof, and found correctly enrolled:

Senate bill No. 145, entitled "An act to provide for payment for state lands of their share of the expense of constructing drainage ditches, and declaring an emergency."

Senate bill No. 275, entitled "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."

Senate bill No. 190, entitled "An act providing for the establishment of a system of improved roads in counties, and providing for the manner of laying out, constructing and maintaining the same."

Respectfully submitted.

HENRY C. COOPER, Chairman,  
C. I. HELM,  
JOHN G. CAMPBELL.

The Senate then went into committee of the whole for the consideration of House bill No. 482.

Senator Claypool in the chair.

The bill was considered and amended.

The committee rose and reported progress.

◦ President pro tem. Dyer in the chair.

Report adopted.

The amendments of the minority report of the free conference committee on Senate bill No. 260 were adopted, as follows:

MINORITY REPORT OF COMMITTEE ON FREE CONFERENCE  
ON SENATE BILL No. 260.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1893.

MR. SPEAKER:

Your committee on free conference, to whom was referred Senate bill No. 260, To provide for 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 the committee on conference heretofore submitted be adopted.

Respectfully submitted.

L. H. WHEELER.

Senate bill No. 260, as amended, passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, McManus, O'Neill, Richards, Roberts, Rutter, and Sergeant—25.

Those voting in the negative were: Senators Kellogg, McCroskey, Miller, Shaw, Smith, Van De Vanter, and Van Houten—7.

Absent or not voting: Senators Edens and Kinnear—2.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Helm, Hutchinson, Ide, Kellogg, McManus, O'Neill, Richards, Roberts, Rutter, Sergeant, and Van De Vanter — 25.

Those voting in the negative were: Senators Foss, McCroskey, Miller, Shaw, and Smith — 5.

Absent or not voting: Senators Edens, Horr, Kinnear, and Van Houten — 4.

The title of the bill to remain the title of the act.

Senate bill No. 286 was read third time by sections, considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, McManus, Miller, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten — 27.

Absent or not voting: Senators Eshelman, Forrest, Frink, Kinnear, McCroskey, O'Neill, and Van De Vanter — 7.

The title of the bill to remain the title of the act.

The president stated that he was about to sign House bills Nos. 349, 93, 340, 49, 184, and Senate bills Nos. 145, 275 and 190.

House bill No. 482 was read third time by sections, and amended as follows:

Amend line 8 of section 1 to read as follows: "for private secretary of governor at \$1,800 per year, \$3,600."

Amend lines 9 and 10 of section 1 by striking out the same.

Amend line 11 of section 1 so as to read "for messenger and stenographer in governor's office at \$1,000 per year, \$2,000."

Amend line 15 of section 1 to read "total for governor's office \$15,600."

Amend line 20 of section 1 to read "for salary of chief clerk of secretary of state at \$1,800 per year, \$3,600."

Amend line 21 of section 1 to read "for salary of recording clerk of secretary of state \$1,000 per year, \$2,000."

Amend line 25 to read "for salary in insurance department at \$1,800 per year, \$3,600."

Amend line 26 of section 1 by striking out the words "secretary of state as."

Add to line 32 "messenger \$600 per year, \$1,200."

Amend line 34 of section 1 to read "total for office of secretary of state, \$22,700."

Amend line 36 of section 1 to read "for salary of deputy state auditor at \$1,800 per year, \$3,600."

Amend line 37 to read "for clerk in office of state auditor at \$1,500 per year, \$3,000."

Amend line 38 to read "for bookkeeper in auditor's office at \$1,200 per year, \$2,400."

In line 48, strike out figures "\$16,400" and insert figures "\$18,000."

Amend line 50 to read: "For clerk of state treasurer, at \$1,800 per year, \$3,600."

Amend line 56 to read: "Total for office of state treasurer, \$9,100."

In line 77, strike out figures "40,000" and insert figures "25,000."

Between lines 77 and 78 add: "For advertising sale of tide lands, section 13, laws of '91, relating to such sales, \$500."

In line 79, strike out figures 77,900" and insert figures "63,400."

In line 92, strike out figures "17,650" and insert figures "12,650."

Amend line 111 to read: "For salary of reporter of supreme court, \$3,000 per year, \$6,000."

Amend section 1 by striking out lines 114, 115, 116, 117, 118, 119, 120.

Amend line 138 to read: "Total for state library, \$6,040."

Amend line 144 to read: "For extradition expenses, \$5,000."

In line 151, strike out figures "250" and insert "300."

Strike out figures "12,000," in line 187, and insert figures "6,000."

Amend line 188 to read: "For hospital building at penitentiary, \$7,500."

Strike from line 197 the figures "258,000" and insert figures "242,500."

Strike out lines 224, 225, 226, 227, 228.

In line 265, strike out figures "56,000" and insert "40,000."

In line 267, strike out figures "56,000" and insert figures "40,000."

Amend line 268 to read: "Total for national guard, \$80,000."

Amend lines 270, 271, 272 to read: "For the maintenance of the local boards of tide land appraisers, to be paid out of the tide land fund, and for the survey of tide lands of the first, second and third class, \$40,000."

Amend line 153 to read: "For salaries and expenses of state board of health, \$2,500 per year, \$5,000."

In line 172, insert the words "and dining room" after the word "kitchen."

In line 223, insert the words "location and" after the word "the."

In line 257, strike out figures "7,500" and insert "15,000."

In line 258, by striking out figures "46,500" and inserting "54,000."

House bill No. 482 as amended was then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, McManus, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten — 28.

Senator Richards voted in the negative.

Absent or not voting: Senators Eshelman, Forrest, Kinnear, McCroskey, and Van De Vanter — 5.

The title of the bill to remain the title of the act.

At 6:05 P. M., on motion of Senator Rutter, a recess was taken until 7:30 P. M.

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### EVENING SESSION.

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Senate called to order at 7:30 o'clock P. M. President Luce in the chair.

Roll call; all senators present.

Senator Forrest was excused for committee work.

House bill No. 92 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens,

Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten — 31.

Absent or not voting: Senators Eshelman, Forrest, and Smith — 3.  
The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 88, 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.

Also, House bill No. 232, 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.

Also, House bill No. 261, 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.

Also, 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.

Also, House bill No. 69, 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."

Also, House bill No. 212, 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.

Also, House bill No. 110, An act to prevent the sale or injury of mortgaged personal property, and to provide punishment for violations thereof.

Also, House bill No. 322 (substitute for House bill No. 140), An act authorizing cities to make assessments and reassessments.

Also, Senate bill No. 190, Providing for a system of roads.

Also, Senate bill No. 275, Concerning state printing.

Also, Senate bill No. 145, In relation to state lands.

The House has concurred in Senate amendments to House bill No. 454.

The House has passed Senate bill No. 204, by Senator Horr, An act legalizing tax levies for 1892, and declaring an emergency, with amendments noted in bill.

Also, Senate bill No. 262, by Committee on Public Revenue and Taxation, An act amending section 8, page 61, of Session Laws of 1885 and 1886.

The House has receded from its amendments to Senate bill No. 160½ in section 1.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

House memorial No. 7 was read third time in full, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, Smith, and Van Houten — 29.

Absent or not voting: Senators Eshelman, Forrest, Hutchinson, Sergeant, and Van De Vanter — 5.

The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following messages were received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The House has indefinitely postponed Senate bill No. 30, by Senator Richards, An act creating a board of harbor commissioners, etc.

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### COMMUNICATIONS FROM THE GOVERNOR.

The following communications were received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 9, 1893.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN — Governor McGraw directs me to inform you that he has this day approved and signed the following:

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."

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."

Senate bill No. 241, entitled "An act for the relief of Stevens county."  
 I have the the honor to be, very respectfully, your obedient servant,  
 E. C. MACDONALD, Private Secretary.

The president stated that he was about to sign House bills Nos. 110, 88, 322, 212, 69, 232, 266, and 261.

House bill No. 75 was indefinitely postponed.

House bill No. 295 was laid on table subject to call.

Senate bill No. 274 was indefinitely postponed.

House bill No. 104 was indefinitely postponed.

The Senate concurred in House amendments to Senate bill No. 204.

House bill No. 194 was indefinitely postponed.

House concurrent resolution No. 18 was read third time, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Easterday, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Kinnear, McCroskey, Miller, O'Neill, Smith, and Van Houten—19.

Absent or not voting: Senators Campbell, Donahoe, Edens, Eshelman, Forrest, Hutchinson, Ide, Kellogg, McManus, Richards, Roberts, Rutter, Sergeant, Shaw, and Van De Vanter—15.

House bill No. 245 was read third time, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Easterday, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Kinnear, McManus, Sergeant, Smith, and Van Houten—18.

Absent or not voting: Senators Campbell, Donahoe, Edens, Eshelman, Forrest, Hutchinson, Ide, Kellogg, McCroskey, Miller, O'Neill, Richards, Roberts, Rutter, Shaw, and Van De Vanter—16.

The title of the bill to remain the title of the act.

House bill No. 162 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kinnear, McCroskey, Richards, Smith, and Van Houten—22.

Absent or not voting: Senators Eshelman, Forrest, Hutchinson, Kellogg, McManus, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, and Van De Vanter—12.

The title of the bill to remain the title of the act.

House bill No. 193 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, O'Neill, Richards, Rutter, Smith, and Van Houten—25.

Absent or not voting: Senators Eshelman, Forrest, Kellogg, McManus, Miller, Roberts, Sergeant, Shaw, and Van De Vanter—9.

The title of the bill to remain the title of the act.

Senate concurs in House amendments to sections 5 and 6 of Senate bill No. 160½, and asks the House to recede from House amendment to section 1.

House bill No. 142 was read third time by sections, and amended by striking out all of lines 1 and 2 down to the word "third," and substituting sub-divisions 1 and 2 of section 34 of the act of which this bill is amendatory, to wit:

"SEC. 34. [Sec. 12, ch. 127, Laws, 1891.] The duties of the district clerk shall be as follows: *First*—To attend all meetings of the board of directors; but if he shall not be present, the board of directors shall select one of their number to act as clerk, who shall certify the proceedings of the meeting to the clerk of the district to be recorded by him. He shall keep his records in a book to be furnished by the board of directors, and he shall preserve copies of all reports made to the county superintendent, and safely preserve and keep all books and documents belonging to his office, and shall turn the same over to his successor. *Second*—To keep accurate and detailed accounts of all receipts and expenditures of school money. At each annual school meeting the district clerk must present his record book for public inspection, and shall make a statement of the financial condition of the district and of the action of the directors, and such record must always be open for public inspection."

Also, section 8 amended by striking out lines 1 and 2 down to the word "third," and inserting sub-divisions 1 and 2 of the act of which this bill is amendatory, to wit:

"SEC. 71. [Sec. 27, ch. 127, Laws, 1891.] The county treasurers of the several counties of this state shall be ex officio treasurers of the several school districts of their respective counties, and it shall be the duty of each county treasurer—*First*: To receive and hold all moneys belonging to such school districts, and to pay them out upon warrants or orders of the boards of directors or boards of education of the districts to which they belong. *Second*: To certify to the county superintendent of common schools of his county, within twenty days after the day on which taxes become delinquent each year, and quarterly thereafter, the amount of all

school moneys in his possession subject to apportionment, which certificate shall specify the source or sources from which said moneys were derived."

The bill was then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Easterday, Edens, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Horr, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten—29.

Absent or not voting: Senators Donahoe, Eshelman, Forrest, Hutchinson, and Van De Vanter—5.

The title of the bill to remain the title of the act.

Senate bill No. 62 was read third time by sections, and amended as follows:

Strike out words "mayor and" in line 4 of section 1, and strike out word "one" and insert the word "three" in line 6 of same section.

In line 7 of section 1, beginning with the word "said," strike out all that follows in said section.

Add to section 1 the following: "*Provided*, This law shall not apply to cities that have otherwise provided for libraries under their charters."

In line 4 of section 2 strike out the figures "1,000" and insert the figures "3,000" in lieu thereof.

In line 3 of section 4 insert the word "as" after the word "manner."

Strike all of the last sentence of section 4 commencing with the words "and the council" to the end of said section.

In line 3, section 6, insert the word "the" before the word "mayor."

The bill was then considered engrossed, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Hastings, Helm, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, and Van De Vanter—29.

Absent or not voting: Senators Eshelman, Horr, Kinnear, Rutter, and Van Houten—5.

The title of the bill to remain the title of the act.

House bill No. 136 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Donahoe, Easterday, Edens, Forrest, Foss, Frink, Gilbert, Helm, Horr, Ide, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Richards, Rutter, Sergeant, Shaw, Van De Vanter, and Van Houten—27.

Absent or not voting: Senators Cooper, Eshelman, Forsyth, Hastings, Hutchinson, Roberts, and Smith—7.

The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

#### HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The speaker of the House has signed 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.

The House has passed Senate bill No. 261, entitled "An act relating to plats," with amendments noted in the bill, and emergency in title.

The House has concurred in Senate amendments to House bill No. 108.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

House bill No. 386 was read third time by sections, and amended by inserting after the word "imprisonment," in next to last line in section 1, the words "in the county jail." After the word "for," following the word "imprisonment," the words "a term." In section 2, after the word "imprisonment," in next to the last line of section 2, by inserting the words "in the county jail," and strike out in the same line the words "any period," following the word "for," and insert the words "a term" in lieu thereof; also, strike out the word "two," at beginning of last line of section 2, and insert the word "one" in lieu thereof.

The bill then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Easterday, Edens, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, and Van De Vanter—26.

Those voting in the negative were: Senators Shaw and Smith—2.

Absent or not voting: Senators Donahoe, Eshelman, Frink, Kinnear, Sergeant, and Van Houten—6.

The title of the bill to remain the title of the act.

House bill No. 230 was indefinitely postponed.

House bill No. 385 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, McCroskey, McManus, Miller, O'Neill, Richards, Roberts, Rutter, Smith, and Van De Vanter—28.

Absent or not voting: Senators Eshelman, Frink, Kinnear, Sergeant, Shaw, and Van Houten—6.

The title of the bill to remain the title of the act.

#### COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 25, 1891.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN—I have this day appointed Thomas M. Young, esq., of Seattle, a trustee of the Washington soldiers' home, in place of J. W. Langley, esq., resigned.

I ask that the Senate advise and consent to this appointment.

Respectfully, J. H. MCGRAW, Governor.

The Senate concurred in House amendments to Senate bill No. 261.

House bill No. 274 was indefinitely postponed.

Senate bill No. 311 was laid on the table.

The president stated that he was about to sign House bill No. 108.

House bill No. 348, relating to state militia, was read first time; rules suspended, read second time by title, and rules further suspended, read third time by sections, and, by unanimous consent, placed on final passage.

The bill passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Campbell, Claypool, Cooper, Dyer, Donahoe, Edens, Forrest, Forsyth, Foss, Gilbert, Hastings, Helm, Horr, Hutchinson, Ide, Kellogg, Kinnear, McCroskey, McManus, O'Neill, Richards, Roberts, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten—28.

Absent or not voting: Senators Brown, Easterday, Eshelman, Frink, Miller, and Rutter—6.

The title of the bill to remain the title of the act.

The Senate then went into executive session for the consideration of the governor's appointment of Thomas M. Young, to be a member of the board of trustees of the Washington soldiers' home. The appointment was confirmed by the following vote:

Those voting for confirmation were: Senators Belknap, Brown, Campbell, Claypool, Cooper, Dyer, Easterday, Edens, Forrest, Forsyth, Frink, Hastings, Helm, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, O'Neill, Roberts, Rutter, Sergeant, Shaw, and Van De Vanter—25.

Those voting against confirmation were: Senators Donahoe, Foss, Gilbert, Miller, Smith, and Van Houten—6.

Absent or not voting: Senators Eshelman, Kellogg, and Richards—3.

The executive session then dissolved.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The House has concurred in Senate amendment to House bill No. 142.

The speaker of the House has signed 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.

Also, 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.

Also, House bill No. 193, by Mr. Letterman, An act punishing bank officials for receiving deposits knowing the bank to be insolvent.

Also, House concurrent resolution No. 18, Relating to Pacific Park reservation.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

The Senate took a recess of five minutes.

Senate called to order at 9:55 p. m. by President Luce.

Rule 61 was temporarily suspended.

Senate bill No. 173 was indefinitely postponed.

Senate bill No. 31 was indefinitely postponed.

Senate bill No. 270 was indefinitely postponed.  
 Senate bill No. 108 was indefinitely postponed.  
 Senate bill No. 186 was indefinitely postponed.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

#### HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The speaker of the House has appointed as conference committee on House bill No. 482 Messrs. Kelly, Washburn, Roth and Mulkey.

The House has indefinitely postponed Senate bill No. 263, by Committee on Public Revenue and Taxation, An act amending section 37, page 314, Session Laws of 1889-90.

The House has passed Senate bill No. 264, by Committee on Public Revenue and Taxation, An act amending section 10, page 638, Session Laws of 1889-90.

Also, Senate bill No. 265, by Committee on Public Revenue and Taxation, An act amending and repealing certain sections and subdivisions of the laws of the State of Washington, with amendments noted in the bill in section 11.

The House has concurred in Senate amendments to House bill No. 386. And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

Senate bill No. 217 was indefinitely postponed.

Senate bill No. 58 was indefinitely postponed.

Senate bill No. 38 was indefinitely postponed.

Senate bill No. 230 was indefinitely postponed.

House concurrent resolution No. 17 was adopted.

The president stated that he was about to sign House bills Nos. 245, 193, 454, and House concurrent resolution No. 18.

House memorial No. 1 was read third time in full, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Dyer, Donahoe, Edens, Eshelman, Forrest, Foss, Frink, Gilbert, Helm, Horr, Hutchinson, Kinnear, Roberts, Sergeant, Shaw, and Van Houten—19.

Senator McCroskey voted in the negative.

Absent or not voting: Senators Campbell, Cooper, Easterday, Forsyth, Hastings, Ide, Kellogg, McManus, Miller, O'Neill, Richards, Rutter, Smith, and Van De Vanter—14.

The Senate refused to concur in House amendments to Senate bill No. 265.

The Senate refused to concur in House amendments to House bill No. 482.

The president appointed as conference committee on House bill No. 482, Senators Van De Vanter, Richards and Campbell.

Senate bill No. 196 was indefinitely postponed.

House concurrent resolution No. 19 was read third time in full, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forsyth, Frink, Gilbert, Hastings, Helm, Horr, Kellogg, O'Neill, Roberts, Rutter, Sergeant, and Van Houten — 19.

Those voting in the negative were: Senators Brown, Eshelman, Forrest, Foss, Hutchinson, Kinnear, McCroskey, McManus, Miller, and Shaw — 10.

Absent or not voting: Senators Campbell, Ide, Smith, Richards, and Van De Vanter — 5.

Senator Van Houten introduced the following resolution, which was adopted:

*Resolved*, That as the Senate has had no docket clerk during the greater part of the session, and the docket record is not complete, P. R. Helm, who is at present acting in that capacity, be allowed three days to complete the record and be allowed \$15 therefor.

House bill No. 160 was read third time, and laid on the table.

House bill No. 235 was indefinitely postponed.

House bill No. 227 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were; Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Eshelman, Forrest, Forsyth, Frink, Gilbert, Horr, Kellogg, McCroskey, O'Neill, Rutter, Smith, and Van Houten — 19.

Those voting in the negative were: Senators Edens, Foss, Helm, Hutchinson, Kinnear, McManus, Miller, and Shaw — 8.

Absent or not voting: Senators Campbell, Hastings, Ide, Richards, Roberts, Sergeant, and Van De Vanter — 7.

The title of the bill to remain the title of the act.

House bill No. 183 was read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Eshelman, Forrest, Foss, Frink, Gilbert, Helm, Horr, Hutchinson, Kellogg,

Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Sergeant, Shaw, Smith, and Van Houten — 27.

Absent or not voting: Senators Campbell, Forsyth, Hastings, Ide, Richards, Rutter, and Van De Vanter — 7.

The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The House has passed Senate bill No. 266, by Committee on Public Revenue and Taxation, An act amending sections 2740, 2747 and 2748 of the Code of 1881, and section 21, page 53, Session Laws of 1885-86.

Also, Senate bill No. 267, by Committee on Public Revenue and Taxation, An act relating to the duties of county commissioners, with amendments noted in the bill.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

The Senate refused to concur in House amendments to Senate bill No. 267; the House requested to recede.

House bill No. 260 was then read third time by sections, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Claypool, Cooper, Dyer, Donahoe, Edens, Forrest, Forsyth, Frink, Gilbert, Helm, Horr, Kellogg, McCroskey, O'Neill, Roberts, Rutter, Sergeant, Smith, and Van Houten — 20.

Those voting in the negative were: Senators Eshelman, Foss, Hutchinson, and Shaw — 4.

Absent or not voting: Senators Brown, Campbell, Easterday, Hastings, Ide, McManus, Miller, Richards, Kinnear, and Van De Vanter — 10.

The emergency clause then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Claypool, Cooper, Dyer, Easterday, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Kellogg, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, Smith, and Van Houten — 25.

Absent or not voting: Senators Brown, Campbell, Donahoe, Hastings, Hutchinson, Ide, Kinnear, Richards, and Van De Vanter — 9.

The title of the bill to remain the title of the act.

House memorial No. 9 was read third time in full, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Kellogg, McCroskey, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, and Van Houten — 23.

Absent or not voting: Senators Campbell, Easterday, Eshelman, Hastings, Hutchinson, Ide, Kinnear, McManus, Richards, Smith, and Van De Vanter — 11.

House bill No. 295 was read third time, and passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forrest, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Hutchinson, Kellogg, McCroskey, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, and Van Houten — 25.

Absent or not voting: Senators Campbell, Easterday, Hastings, Ide, Kinnear, McManus, Richards, Smith, and Van De Vanter — 9.

The emergency clause passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Easterday, Edens, Forrest, Forsyth, Foss, Frink, Gilbert, Helm, Horr, Hutchinson, Kellogg, McCroskey, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, and Van Houten — 25.

Absent or not voting: Senators Campbell, Eshelman, Hastings, Ide, Kinnear, McManus, Richards, Smith, and Van De Vanter — 9.

The title of bill to remain the title of the act.

The resolution passed yesterday by which the state librarian was authorized to check up and turn over all state property in Senate chamber was reconsidered.

Senator Rutter introduced the following resolution, which was adopted:

*Resolved*, That the sergeant-at-arms of the Senate be and is hereby instructed to clean up the Senate chamber after the Senate adjourns; also, to check up and turn over to the proper authorities the property entrusted to him, and to receive as a compensation for the same the sum of twenty-five dollars.

House bill No. 53 was read third time by sections, and amended in line 2, section 1, by striking out the word "void" and inserting in lieu thereof the word "absolute."

The bill then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Easterday, Edens, Eshelman, Forrest, Frink, Gilbert, Horr, Hutchinson, Kellogg, Kinnear, Miller, Roberts, and Rutter—18.

Those voting in the negative were: Senators Forsyth and Shaw—2.

Absent or not voting: Senators Campbell, Donahoe, Foss, Hastings, Helm, Ide, McCroskey, McManus, O'Neill, Richards, Sergeant, Smith, Van Houten, and Van De Vanter—14.

The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The House has passed House bill No. 470, by Mr. Meany, An act providing for the location and maintenance and construction of University of Washington.

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

House bill No. 470, Relating to the University of Washington, was read first time.

Rules suspended, read second time by title.

Rules further suspended, read third time by sections, and, by unanimous consent, was placed on final passage.

The bill passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forrest, Forsyth, Frink, Hastings, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, O'Neill, Roberts, Rutter, Sergeant, Shaw, and Smith—23.

Senators Foss and McManus voted in the negative—2.

Absent or not voting: Senators Campbell, Easterday, Gilbert, Helm, Ide, Miller, Richards, Van De Vanter, and Van Houten—9.

The emergency clause then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Claypool, Cooper, Dyer, Donahoe, Edens, Eshelman, Forrest, Forsyth, Frink, Hastings, Horr, Hutchinson, Kellogg, Kinnear, McCroskey, McManus, Miller, O'Neill, Roberts, Rutter, Sergeant, Shaw, and Smith—25.

Absent or not voting: Senators Campbell, Easterday, Foss, Gilbert, Helm, Ide, Richards, Van De Vanter, and Van Houten—9.  
The title of the bill to remain the title of the act.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The House has passed Senate bill No. 206, entitled "An act to protect the owners of stock."

The House concurred in Senate amendments to House bill No. 227.

The House refuses to recede from amendments to Senate bill No. 265, and the speaker has appointed as conference committee Messrs. Pierce of Klickitat, Temple and Letterman.

The speaker of the House has signed House bill No. 76, by Mr. Nash, An act relating to proceedings supplemental to execution.

Also, 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.

Also, 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.

Also, House bill No. 162, by Mr. Wheeler, An act to amend section 2695 of Code of Washington of 1881, the same being section 298 of Hill's Annotated Statutes and Codes of Washington.

Also, House memorial No. 7, To prevent pauper immigration.

Also, 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.

Also, House bill No. 385.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### COMMUNICATIONS FROM THE GOVERNOR.

The following communications were received from the governor:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 9, 1893.

*To the Honorable the Senate of the State of Washington:*

GENTLEMEN — Governor McGraw directs me to inform you that he has this day approved and signed the following:

Senate bill No. 145, entitled "An act to provide for payment of state

lands of their share of the expense of constructing drainage ditches, and declaring an emergency."

Senate bill No. 275, entitled "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 Code of Washington."

I have the honor to be, very respectfully, your obedient servant,

E. C. McDONALD, Private Secretary.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,

OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The following have been carefully compared with the engrossed copies thereof, and found correctly enrolled:

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 the State of Washington, as arranged and annotated by William Lair Hill, relating to securing creditors.

Also, 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."

Also, Senate bill No. 261, entitled "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."

Respectfully submitted.

HENRY C. COOPER, Chairman,

C. I. HELM,

JOHN G. CAMPBELL.

The president stated that he was about to sign House bill No. 76, House bill No. 99, House bill No. 390, House bill No. 136, House bill No. 380, House memorial No. 7, House bill No. 162.

The president appointed Senators Forrest, Forsyth and Donahoe as Senate members of conference committee on Senate bill No. 265.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The speaker of the House has signed House bills Nos. 386 and 348.

Also, Senate bills Nos. 261, 262 and 60.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

The conference committee on Senate bill No. 265 reported, with recommendation that Senate concur in House amendments.

Report of committee adopted, and the Senate concurred in House amendments to Senate bill No. 265.

The president stated that he was about to sign Senate bill No. 261, Senate bill No. 60, Senate bill No. 262, House bill No. 348, House bill No. 386.

House bill No. 482, as amended, was then passed by the following vote:

Those voting in the affirmative were: Senators Belknap, Brown, Campbell, Claypool, Dyer, Easterday, Edens, Eshelman, Forrest, Forsyth, Frink, Gilbert, Hastings, Horr, Hutchinson, Ide, Kinnear, McCroskey, McManus, O'Neill, Richards, Rutter, Sergeant, Shaw, Smith, Van De Vanter, and Van Houten — 27.

Senators Foss and Miller voted in the negative — 2.

Absent or not voting: Senators Cooper, Donahoe, Helm, Kellogg, and Roberts — 5.

The title of the bill to remain the title of the act.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copies of the following have been carefully compared with the engrossed copy thereof, and found correctly enrolled:

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 1885-6, and relating to the duties of county treasurers, and declaring an emergency."

Senate bill No. 204, entitled "An act legalizing tax levies for the year 1892, and declaring an emergency."

Senate bill No. 264, entitled "An act amending section 10, page 638, Session Laws 1889-90, relating to the duties of the state auditor."

Respectfully submitted.

HENRY C. COOPER, Chairman,

JOHN G. CAMPBELL.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 266.

Also, Senate bill No. 204.

Also, Senate bill No. 264.

Also, Senate bill No. 167.

Also, Senate bill No. 206.

Also, Senate bill No. 146.

Also, Senate bill No. 260.

The House has receded from amendments to Senate bill No. 267.

The House has indefinitely postponed Senate bill No. 45.

The House has passed Senate bill No. 146, entitled "An act providing for removal from office of officers not liable to impeachment."

Also, Senate bill No. 83, entitled "An act for the management of state normal schools," with amendment to section 4 as noted.

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

Senator Claypool then rose to a question of high privilege, and unanimous consent being granted, stated that to him had been delegated the pleasing duty of giving expression to the sentiments of his fellow members regarding President Luce and his courteous, dignified and impartial course in presiding over the deliberations of the third Senate of the State of Washington.

At the conclusion of Senator Claypool's remarks, he presented Lieut. Governor Luce, on behalf of the Senate, with a diamond locket and diamond stud.

Lieut. Governor Luce responded, stating that he had received every help and encouragement from the members of the Senate, and that he would always cherish the recollections of the past sixty days as the most pleasant experience of his life.

The following was introduced by Senator Kinnear, and unanimously adopted:

*Resolved*, That the thanks of the Senate are cordially and heartily extended to the president pro tem. of the Senate, Hon. T. P. Dyer, for the able, efficient and impartial manner in which he has from time to time, in the absence of the president, presided over the deliberations of this body.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copies of the following have been carefully compared with the engrossed copies thereof, and found correctly enrolled:

Senate bill No. 146, entitled "An act providing for the removal from office of officers not liable to impeachment."

Also, 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."

Also, 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."

Also, 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."

Also, Senate bill No. 160½, entitled "An act to provide for the creation of a state board of land commissioners for the management and disposition of the public lands of the state, making appropriations therefor, and declaring an emergency."

Also, Senate bill No. 265, entitled "An act amending sections 2710, 2712, 2571, 2713, 2714, 2717, 2718, 2720, 2726 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."

Respectfully submitted.

HENRY C. COOPER, Chairman.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The speaker of the House has signed House bill No. 482, entitled "An act appropriating sundry civil expenses of the state."

The speaker of the House has signed House bill No. 260.

Also, House concurrent resolution No. 17.

Also, House bill No. 53.

Also, House memorial No. 1.

Also, House memorial No. 9.

Also, House bill No. 142.

Also, House bill No. 183.

Also, House concurrent resolution No. 19.

Also, House bill No. 470.

Also, House bill No. 227.

Also, House bill No. 295.

And the same is herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

#### REPORT OF THE COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

SENATE CHAMBER,  
OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 267, entitled "An act amending sections

2667 and 2678, Code of Washington, 1881, relating to the duties of county commissioners, and declaring an emergency," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman.

The following resolution was offered by Senator Claypool, and unanimously adopted:

*Resolved*, That owing to the confusion of the closing hours of the session, and the accumulation of business at the Senate desk, the minute clerk, Miss Ella Proebstel, and Mr. E. L. Kellogg, her assistant, be allowed two days in which to complete the record, and that they each be allowed \$10 for such service.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

The Committee on Enrolled Bills made the following report:

MR. PRESIDENT:

Your Committee on Enrolled Bills respectfully reports that the enrolled copy of Senate bill No. 83, entitled "An act to provide for the management and control of state normal schools in the State of Washington," has been carefully compared with the engrossed copy thereof, and found correctly enrolled.

Respectfully submitted.

HENRY C. COOPER, Chairman.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 9, 1893.

MR. PRESIDENT:

The speaker of the House has signed Senate bill No. 160½.

Also, Senate bill No. 265.

Also, Senate bill No. 83.

Also, Senate bill No. 267.

And the same are herewith transmitted to the Senate.

T. G. NICKLIN, Chief Clerk.

The president stated that he was about to sign Senate bill No. 204, Senate bill No. 264, Senate bill No. 167, Senate bill No. 206, Senate bill No. 146, Senate bill No. 260.

Senator Claypool offered a resolution thanking all employes of the Senate for the faithful manner in which they have performed their duties.

The resolution was adopted.

The president stated that he was about to sign Senate bill No. 265, Senate bill No. 160½, Senate bill No. 83, Senate bill No. 260, House bill No. 227, House memorial No. 1, House bill No. 53,

House memorial No. 9, House bill No. 260, House concurrent resolution No. 19, House bill No. 295, House bill No. 470, House bill No. 142, House concurrent resolution No. 17, Senate bill No. 267, House bill No. 183, Senate bill No. 83, House bill No. 482.

Senator Cooper, chairman of Committee on Enrolled Bills, reported that all Senate bills had been enrolled and returned to the secretary.

Senators Dyer and Claypool were appointed as a committee to wait upon the House of Representatives, with the information that the Senate had no further communication to make to the House, and was now in readiness to adjourn.

Senators Horr and Forrest were appointed as a committee to wait upon the governor, inform him that the Senate had finished its labors and was in readiness to adjourn, and to ascertain if he desired to send any communication to the Senate before adjournment.

The committee appointed to wait upon the House reported that their message had been received by the House.

The committee was discharged.

The committee appointed to wait upon the governor reported that their message had been delivered, and stated that the governor had no further communication to make.

The committee was discharged.

Messrs. Mead, McElwain and W. D. E Anderson appeared as a committee from the House of Representatives and announced that the House had no further communication to make to the Senate, and was now ready to adjourn.

On motion of Senator Dyer, all bills lying on the table, on file or in committee were indefinitely postponed.

On motion of Senator Dyer, the journal of to-day's session was considered read, and was approved.

On motion of Senator Dyer, the third Senate of the State of Washington adjourned, at 11:59 o'clock P. M., *sine die*.

ALLEN WEIR,  
*Secretary of the Senate.*

F. H. LUCE,  
*President of the Senate.*



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**TITLE AND HISTORY OF SENATE AND HOUSE BILLS,  
MEMORIALS, RESOLUTIONS, ETC.,**

**AND**

**GENERAL AND PERSONAL INDEX.**

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## HISTORY OF SENATE BILLS.

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37. Senator CAMPBELL: An act relating to the place of trials of actions and proceedings.....	55	492					
38. Senator ROBERTS: An act appropriating money to pay deficiency in appropriations for maintenance of state penitentiary.....	55	362	624				
39. Senator KINNEAR: An act providing that in all trials by jury of twelve, in superior courts, except criminal cases, ten jurors may make verdict.....	55	109	109				
40. Senator KINNEAR: An act providing for voting on constitutional amendment relating to alien ownership of land.....	56	560					
41. Senator BELKNAP: An act to govern the levying, assessing and collecting of road property tax.....	58	105					
42. Senator BELKNAP: A substitute for section 1074 of the Code.....	58	406					
43. Senator DYER (by request): To prevent and punish the uttering or issuing of anything as money, and providing penalty for offering to pass as money any other than gold, silver and other coins or other legal tender of the United States.....	59	138	167				
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 bills of exception in case of the death of reporter; also, providing for additional bill of exceptions to be filed with the report, and declaring an emergency.....	59	231	597	597			
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.....	59	213 } 213 } 362 }	411	412	632		
46. Senator CLAYPOOL: An act relating to special proceedings of a civil nature in the courts of the State of Washington.....	64	102					
47. Senator BROWN: An act providing for publication in the session laws of the names of persons changed by order of court, persons admitted to citizenship, names of corporations and of state officers.....	65	110	114	117			
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.....	65	122	126	136	244	256	268
	65	122	126	136	244	256	268



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. Jair Hill, relating to securing creditors.....	78	128	155	155	611	631	630	.....
61. Senator FORSYTH: An act amending section 1534 of the Code of Procedure, relating to costs in civil actions before justices of the peace.....	82	129			169			.....
62. Senator ROBERTS: An act authorizing the establishment of public libraries in cities.....	82	{ 239 } { 596 }	318	620				.....
63. Senator DYER: An act regulating fees of county clerks as ex-officio clerks of superior courts in probate cases, and declaring an emergency.....	83	190						.....
64. Senator DYER: 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.....	88	231						.....
65. Senator DYER: An act in relation to the manner of commencing civil actions.....	88	220						.....
66. Senator HOER: An act to fix the legal rate of interest.....	88	181	160	161	{ 254 } { 269 }	288	298	371
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.....	{ 88 } { 212 }	{ 141 } { 220 }	221	221	141			.....
68. Senator BROWN: An act to provide for the collection of taxes in municipal corporations of the third and fourth class.....	88	240			{ 323 } { 491 }			.....
69. Senator KINNEAR: An act requiring the appointment of police matrons in certain cities, designating their duties, and directing their compensation.....	94	138	{ 182 } { 256 }		170	{ 244 } { 254 }	274	283
70. Senator KINNEAR: An act amending an act in relation to the powers and duties of clerks of courts, approved February 26, 1891.....	94	140	272	272	170			.....
71. Senator DONAHOE: An act regulating the rates of interest on money.....	94	148			{ 156 } { 161 } { 181 }			.....
72. Senator FRINK: An act to provide for the compulsory and reformatory education of juvenile disorderly persons.....	95	424						.....
73. Senator FRINK: An act to authorize school districts to establish and maintain libraries, and to provide for management and care of the same.....	95	225						.....
74. Senator CLAYPOOL: An act creating the office of court commissioner in each county in the State of Washington.....	95	281	318					.....
75. Senator CLAYPOOL: An act providing for the appointment of official stenographers for the superior courts of the state.....	95	232						.....

## HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Report from House.....	Signed by President.....	Signed by Speaker of House.....	Message from Governor.....
76. Senator CLAYPOOL: An act regulating the appointment and qualifications of officers and employes, and providing punishment for the violation thereof.....	95	231	237	237					
77. Senator CLAYPOOL: An act for the relief of the county of Pierce.....	95								
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.....	104	157	169	169		331			
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.....	104	139	155	155					
80. 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.....	104	174	212	212					
81. Senator HUTCHINSON (by request): An act to provide for arbitration of differences between corporations and their employes.....	104	148			176				
82. Senator O'NEILL: An act to abolish the office of fish commissioner and game wardens.....	104								
83. Senator FRANK: An act to provide for the management and control of state normal schools in the State of Washington.....	104	226	461	461		632	634	634	
84. Senator FORSYTH: An act regulating corporations organized for the purpose of improving streams.....	104	499							
85. Senator ESHELMAN: An act for the prevention of cruelty to children, animals, fowls and birds.....	105	160	176	179	{ 180 } 316	299	347	350	382

86. Senator SERREANT: An act to provide for the appointment of a public examiner for the State of Washington.....	105	{ 105 } { 115 }	349	{ 170 } { 263 } { 347 }		
87. Senator DYER: An act to create the office of marshal of the supreme court.....	105	349	349			
88. COMMITTEE ON ELECTIONS AND PRIVILEGES (substitute for Senate bill No. 19): An act amending certain sections of the code regulating the registration of voters in cities and towns having a population of 250 or more.....	{ 104 } { 443 } { 464 }	477	154	154	406	523 528 567
89. JUDICIARY COMMITTEE (substitute for Senate bill No. 39): An act to amend section 35, 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.....	109		271	170		
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.....	{ 110 } { 566 }	141	161	161		
91. Senator BELKNAP: An act to provide for voting on a constitutional amendment at the next general election.....	110	158				
92. Senator DYER (by request): An act establishing a bureau of labor statistics.....	111	290				
93. Senator KELLOGG: An act amending certain sections relating to attachments.....	111	218				
94. Senator KELLOGG: An act providing a penalty for persons removing property from the county, where the same is under attachment.....	111	146	167	167		
95. Senator EASTERDAY: An act relating to the lien of judgments upon real estate.....	111	202	205	211	350	{ 322 } { 446 }
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.....	114	147	212	212	175	{ 341 } { 464 }
97. JUDICIARY COMMITTEE (substitute for Senate bill No. 8): An act to amend paragraphs 4 and 6 of section 354 and section 355 of chapter 2 in title 7 of volume 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.....	116		504	170		
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.....	116	191	214	214		

HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Report from House.....	Signed by President.....	Signed by Speaker of House.....	Message from Governor.....
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,".....	117	249	261	261					
100. Senator FOSS: An act relating to possession, rents and profits of real estate during the time allowed for redemption.....	117	146							
101. Senator SHAW: An act regulating fishing in waters of Columbia river.....	121	296							
102. Senator HASTINGS: An act to authorize the leasing of reserved tide land areas.....	121	465							
103. Senator RUTTER: An act to prevent private persons and corporations from employing armed men or detectives.....	121								
104. Senator MILLER: An act relating to the common school system.....	124	{ 183 } { 366 }							
105. Senator CLAYPOOL: An act to provide for the incorporation of associations for social, charitable and educational purposes.....	125	266	332	332					
106. Senator HUTCHINSON: An act to abolish the poll tax.....	125	219							
107. Senator EDENS (by request): An act to amend certain acts authorizing county commissioners to issue bonds for road purposes.....	125	201			252				
108. Senator BROWN: An act to establish a state normal school.....	125	{ 252 } { 347 }			634				
109. Senator BROWN: An act relating to docketing judgments of justices' courts.....	126	491							
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.....	132	203	211	211					

111. Senator CLAYPOOL: An act in relation to attachments, garnishments and procedure therein, and declaring an emergency.....	132	201	225	228				
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.....	132	190	250	{ 250 } { 284 }				
113. Senator HERR: An act providing for the erection of state capitol building.....	132	383						
114. Senator CLAYPOOL: An act amending sections 830 and 831 of the Code of Washington of 1881, relating to larceny.....	132	189	226	227				
115. Senator DYER: An act relating to escheats.....	132	201						
116. Senator FORREST: An act to regulate the management and disposition of school land.....	133	{ 189 } { 451 }						
117. Senator FORREST: An act to secure secrecy in the transmission of telegraph and telephone messages, and declaring an emergency.....	137		212	212	517	538	547	567
118. Senator SERGEANT: An act to regulate common carriers, and creating a railroad commission.....	141	422						
119. Senator O'NEILL: An act providing for the construction of a fish ladder on the Coville river.....	142	423						
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.....	142	218	563	563				
121. Senator MCCHOSKEY: An act relative to seals of notaries public and their duties.....	142	225						
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".....	142	217	227	227				
123. Senator HERR: A bill for the relief of the Olympia water works.....	142	383						
124. Senator ESHELMAN: An act relating to private sales of real property belonging to minors and insane persons.....	142	218						
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.....	148	311	373	373	583	595	598	617

HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Report from House.....	Signed by President.....	Signed by Speaker of House.....	Message from Governor.....
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.....	148	219	234	235	341 362				
127. Senator HELM: An act providing for additional superior judges.....	148	281							
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.....	158		273	273				517	
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.....	158 459	253	322	322		459	487		567
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.....		159	276	332	332				
131. Senator CLAYPOOL: An act to define, regulate and govern police departments of cities of the first class, and declaring an emergency.....	159	462	529						
132. Senator CLAYPOOL: An act regulating the assessment and collection of taxes.....	159	339							
133. Senator FORRESTER: An act to provide for the validating of meetings of trustees of corporations.....	159	205	295	295					
134. Senator FORRESTER: An act to provide for the amendment of articles of incorporation.....	160	312	322	322	323				
135. Senator FORRESTER: An act relative to the classification of capital stock in corporations, and declaring an emergency.....	160	312	330	330	323				

136. Senator EASTERDAY: An act relating to actions against persons liable upon the same obligation or instrument, amending section 16 of Code of Procedure.....	160	265	277	277			
137. Senator VAN HOUTEN: An act relating to assessments of lands.....	165	405					
138. Senator IDE (by request): An act relating to the unlawful destruction of game, towns of the fourth class.....	165	296		346			
139. Senator McMANUS: An act defining the powers of the town council in towns of the fourth class.....	165	454					
140. Senator KELLOGG: An act to govern the levying, assessing and collection of road property tax.....	165	245	318	345			
141. Senator Foss: An act prohibiting the use of cigarettes by minors.....	170	311	341	342			
142. Senator RICHARDS: An act to authorize county commissioners to issue bonds for road and bridge purposes.....	170	311	341	340			
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 emergency," approved March 21, 1890; said sections being sections 267 and 268 of the General Statutes, compiled and published under authority of the legislature in the year 1891.....	176	320	344	344	610	613	616
144. Senator CLAYPOOL: An act regulating maturity of contracts.....	176	261	318	318	632	634	632
145. Senator GILBER: An act to provide for payment for state lands of their share of the expense of constructing drainage ditches, and declaring an emergency.....	176	338					
146. Senator RICHARDS: An act providing for the removal from office of officers not liable to impeachment.....	176	268	461				
147. Senator EASTERDAY: An act relating to revenue and taxation.....	176	505					
148. Senator COOPER: An act relating to the location of a state normal school at Montesano.....	179	264		341			
149. Senator RUTTER: An act providing for appointment and election of a superior judge for King and Kitsap counties.....	179	264		264			
150. Senator CLAYPOOL: An act for the relief of Elisha P. Ferry and Thomas M. Reed, and making an appropriation therefor.....	179	219	525	525	219		
151. Senator MILLER: An act withdrawing school lands chiefly valuable for agricultural purposes from sale, and providing for leasing of same.....	179	451					

## HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Report from House.....	Signed by President.....	Signed by Speaker of House.....	Message from Governor.....
152. Senator DYER: An act defining the offense of corrupt solicitation of members of the legislature and state or municipal officers, and prescribing punishment therefor.....	179	369							
153. Senator RUTTER: An act for the relief of C. F. Clapp and Thos. F. Drev.....	182	362							
154. Senator DYER: An act amending an act entitled, "An act to provide for the organization, maintenance and discipline of the military of the State of Washington".....	191	445			608				
155. Senator DYER (by request): An act to aid the Washington State Historical Society, and for other purposes.....	192	433	555	555					
156. Senator SHAW: An act for the relief of J. T. Goss.....	192	423							
157. Senator RUTTER: An act to establish a bureau of statistics, agriculture and immigration.....	192	200							
158. Senator FORREST: An act to prescribe the powers of counties relative to public works and structures for county purposes.....	194	544	590	599					
159. Senator IDE: An act for the relief of C. H. Bruenn.....	196	338							
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.....	196	451							
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.....	{ 445 } { 617 }	569	563	569	619	611	634	634	
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.....	204	264	317	317		464	500	517	567

162. Senator ROBERTS: An act to provide for free text-books in public schools.....	204	545					
163. Senator SERGEANT: An act to fix the time a note or draft falling due on Sunday or legal holiday may be protested for non-payment.....	205	312					
164. Senator BROWN: An act for the protection of birds.....	205	404					
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.....	209	310	329	329	331	350	412 443 520
166. Senator IJFF: An act to establish a maximum rate of express charges in the State of Washington, and providing a penalty for the violation thereof.....	209	508	580	580		608	632
167. JUDICIARY COMMITTEE: An act to provide for the manner of commencing civil actions in the superior courts, and bringing the same to trial.....	220		446	446	609	608	163 632
168. Senator DYER: An act to provide for the publication and sale of Washington supreme court reports.....	223	310			374		
169. Senator BROWN (by request): An act fixing fees and compensation of justices of the peace.....	223	369					
170. Senator DYER: An act relating to crimes against public morals and decency.....	224	369	554	554			
171. Senator RICHARDS: An act providing for location and erection of state capitol building.....	224	{ 459 } { 451 }	549	549	{ 449 } { 527 }		
172. Senator CAMPBELL: An act to encourage home industries in the State of Washington.....	224	452			559		
173. Senator CAMPBELL: An act for the relief of B. and C. S. Barlow, of Pierce county.....	224	423			623		
174. Senator CAMPBELL: An act relating to foreclosure of chattel mortgages.....	224	334					
175. Senator CAMPBELL: An act preventing sale of more than one-half stock of goods by vendor, unless with consent of creditors.....	224	401					
176. Senator SERGEANT: An act to define liability of fire insurance companies.....	224	311					
177. Senator COOPER: An act relating to the sale of granted lands for erection of capitol building.....	224	451					
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.....	224	310	345	345			

## HISTORY OF SENATE BILLS — CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Report from House.....	Signed by President.....	Signed by Speaker of House.....	Message from Governor.....
179. Senator IDE: An act providing for the apportionment of the State of Washington into two congressional districts.....	225	323	346	346					
180. Senator FRANK: An act to amend sections 1 and 2 of an act entitled "An act to regulate, license or prohibit the sale of intoxicating liquors".....	{ 225 469 }	334	379	379					
181. Senator ROBERTS: An act to authorize the confinement of United States prisoners in the state penitentiary.....	234	313	344	344	341				
182. Senator HERR: An act to establish a fiscal agency of the State of Washington in the city of New York.....	234	405							
183. Senator HERR: An act amending the laws regulating and licensing the insurance business in the State of Washington.....	234	370							
184. Senator SERGEANT: An act providing for the use of grounds at State Soldiers' Home for militia encampments.....	234	351							
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.....	234	320	340	340					
186. Senator McMANUS: An act relating to publication of legal notices.....	240	320			624				
187. Senator HELM: An act relating to powers of cities of the fourth class.....	240	335	502	502					
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.....	240	334	417	417					
189. Senator MILLER: An act to cure defective acknowledgments.....	240	310	332	332					

190. Senator DONAHOE: An act providing for a system of improved roads in counties.....	245	279	282	294	598	613	616
191. Senator O'NEILL: An act relating to the unlawful destruction of fish and game.....	245	424					
192. Senator COOPER: An act to amend section 756 of the first volume of Hill's Code.....	248	420	526	526			
193. Senator COOPER: An act to amend sections one (1) and three (3) of the laws passed February 25, 1890, in relation to cities and towns extending 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).....	248	454	579	579			
194. Senator RICHARDS (by request): An act defining libel and providing punishment for the same.....	248	264		264			
195. Senator CLAYPOOL: An act amending laws governing civil actions and proceedings.....	248	484					
196. Senator COOPER: An act relating to fees of county officers, jurors and witnesses.....	248	385		625			
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.....	248	385					
198. Senator ROBERTS: An act to promote the well being of railroad passengers.....	248	422					
199. Senator SERGEANT: An act relating to the formation of new counties.....	249	393					
200. Senator CLAYPOOL: An act to regulate the fishing industry.....	261	520					
201. Senator CLAYPOOL: An act for the relief of men employed on geological survey.....	261						
202. Senator CAMPBELL: An act relating to marriage licenses and certificate thereof.....	270	485					
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 Code of Washington of 1881, the same being section 409 of volume 1 of Hill's Annotated Statutes and Codes of Washington.....	270	352	466	465			

HISTORY OF SENATE BILLS — CONTINUED.

NUMBER, AUTHOR AND TITLE.	HISTORY OF SENATE BILLS — CONTINUED.								
	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Report from House.....	Signed by President.....	Signed by Speaker of House.....	Message from Governor.....
204. Senator HERR: An act legalizing tax levies for the year 1893, and declaring an emergency.....	271	339	381	381	618	617	634	631	
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.....	271	285	286	286					
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.....	271	{ 338 485 }	517	517	388	629	634	632	
207. Senator O'NEILL: An act to regulate the manner of locating mining claims.....	271	392							
208. Senator RICHARDS (by request): An act to amend laws regulating sale of intoxicating liquors.....	286	391							
209. Senator KELLOGG: An act to amend laws regulating assessment and collection of taxes.....	206	406							
210. COMMITTEE ON LABOR AND LABOR STATISTICS: An act to establish a bureau of statistics, agriculture and immigration, and declaring an emergency.....	285	356	356	{ 356 412 }	{ 341 244 357 }				
211. COMMITTEE ON LABOR AND LABOR STATISTICS: An act to prevent letting of sub-contracts on public works.....	290	368	508						
212. COMMITTEE ON LABOR AND LABOR STATISTICS: An act defining a legal working day.....	290	367	508						
213. COMMITTEE ON LABOR AND LABOR STATISTICS: An act regulating hours of labor on state, county and municipal work.....	290	367	508						
214. COMMITTEE ON LABOR AND LABOR STATISTICS: An act relating to negligence.....	291	368	508						

215. COMMITTEE ON LABOR AND LABOR STATISTICS: An act requiring weather guards to be placed on street cars.....	291						
216. COMMITTEE ON LABOR AND LABOR STATISTICS: An act to prevent foreign or alien seamen from handling cargoes of vessels in the various waters of the state.....	291	367	508				
217. Senator CAMPBELL: An act relating to primary elections.....	291	352	381				
218. COMMITTEE ON APPROPRIATIONS: An act making appropriations for state printing and binding.....	{ 305 } { 458 } { 465 }	305	305	425	467	520	
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.....	306	454	502	502			
220. Senator SERGEANT: An act appropriating money for the maintenance of the Soldiers' Home.....	306	306	306	306	347	350	382
221. Senator HUTCHINSON: An act regulating taxation of mines and mining products.....	{ 313 } { 380 }	{ 390 } { 391 }	488	488			
222. Senator CLAYPOOL: An act relating to service of summons by publication.....	313	435					
223. Senator CLAYPOOL: An act relating to the time within which pleadings subsequent to the complaint may be served and filed.....	314	435					
224. Senator CLAYPOOL: An act relating to specifications of the grounds of demurrer to the complaint.....	314	435					
225. Senator CLAYPOOL: An act relating to new trials.....	314	436					
226. Senator CLAYPOOL: An act regulating notices, pleadings and methods of service in civil actions.....	314	544					
227. Senator VAN HOUTEN: An act to establish terms and places of holding the supreme court.....	314	368					
228. Senator SMITH: An act relative to the drawing and summoning of juries.....	314	368					
229. Senator SMITH: An act relative to the drawing and summoning of juries.....	314	369					
230. Senator CAMPBELL: An act concerning Canada thistles.....	314	351			624		
231. Senator SERGEANT: An act to prevent any railroad company from changing line of road from original location, to the detriment of any city, town or village.....	321	425			425		

## HISTORY OF SENATE BILLS — CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Report from House.....	Signed by President.....	Signed by Speaker of House.....	Message from Governor.....
292. 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.....	328	457	519	519					
293. Senator DYER: An act to authorize the interposition of counter claims arising on contracts in actions of unlawful detainer.....	329	436							
294. Senator IDE: An act to fix the compensation of sheriffs for boarding county prisoners.....	329	368			552				
295. Senator SMITH: An act for the taking up, disposition and sale of estrays.....	329	486							
296. Senator IDE: An act to provide for the appointment of upper sheriffs, principal deputies, bookkeepers and bailiffs, and prescribing their duties and compensation.....	329	420							
297. 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.....	329	455	501	501		583	595	598	617
298. Senator EASTERDAY: An act relating to corporations.....	329	442							
299. Senator HUTCHINSON: An act to repeal an act establishing a state normal school at Cheney, and to establish a normal school at Davenport, Lincoln county, Washington.....	340	524	590	590					
240. Senator SERGEANT: An act to provide for the establishment of a state road through the Cascade mountains via the 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.....	340	444	478	478		600 } 610 }			
241. Senator O'NEILL: An act for the relief of Stevens county.....	346	457	525	525		583	595	598	618
242. Senator RICHARDS (by request): An act to aid free public libraries.....	353	454							

243. Senator HUTCHINSON: An act to protect creditors from imposition.....	353	421					
244. Senator CAMPBELL (by request): An act creating a state fair association....	353	483					
245. Senator SERGEANT: An act to create the county of Rainier.....	353	474					
246. Senator DYER: An act defining occupying claimants, and fixing their rights in property.....	353	421					
247. Senator ROBBERS (by request): An act to amend section 112, chapter 1 of title 5, volume 1 of the Code.....	363	442					
248. Senator FORRESTER: An act to provide for voting on a constitutional amendment relating to school lands.....	363	482	528	529			
249. Senator CLAYPOOL: An act to regulate corporations engaged in securing or guaranteeing the fidelity of public or private officials.....	371						
250. Senator CLAYPOOL: An act to amend certain sections of the Code relating to deposits required of foreign building and loan associations doing business in this state.....	371	436					
251. Senator CLAYPOOL: An act relating to products of this state at the World's Columbian Exposition.....	372						
252. Senator EBERS (by request): An act to create a system of tract indexes for counties in the State of Washington.....	372						
253. Senator SERGEANT: An act amending section 1285, chapter 7, title 13, volume 1 of Hill's Code.....	372	434					
254. Senator CAMPBELL: An act establishing a state board of immigration, and making appropriation therefor.....	372	457					
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.....	376	444	479	480	480	589	600
256. Senator VAX HORTEN: An act to establish a system of public schools in cities of 2,500 or more inhabitants.....	376	545					
257. Senator DYER: An act to appropriate money for the State Soldiers' Home.....	377						
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 and government of, and government of municipal corporations, and declaring an emergency" (section 673, volume 1, Hill's Code).....	378	510	579	579			

HISTORY OF SENATE BILLS—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Report from House.....	Signed by President.....	Signed by Speaker of House.....	Message from Governor.....
250. Senators CLAYPOOL, VAN DE VANTER, IDE, FORREST, MCMANUS, SERGRANT, BROWN, SHAW, FORSYTH, FRINK, RUTTER, KELLOGG, MILLER, MCCROSKEY, DYER, KINNEAR, HASTINGS AND ROBERTS: An act to submit to the qualified electors of the state the question of changing the location of the seat of government.....	378	{ 426 } { 581 }	426	428	{ 551 } { 564 } { 602 }	{ 547 } { 552 } { 600 } { 601 } { 607 } { 612 }	634	632	.....
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.....	394	.....	429	429	622	621	631	630	.....
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.....	394	.....	447	447	.....	617	631	630	.....
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.....	394	447	447	447	.....	.....	.....	.....	.....
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.....	394	447	447	447	.....	624	.....	.....	.....
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.....	394	447	448	448	.....	624	634	632	.....
265. COMMITTEE ON PUBLIC REVENUE AND TAXATION: An act amending sections 2710, 2712, 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.....	394	447	448	448	{ 624 } { 631 }	{ 624 } { 629 }	634	634	.....
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.....	395	447	455	456	.....	626	631	631	.....



HISTORY OF SENATE BILLS—CONCLUDED.

NUMBER, AUTHOR AND TITLE.	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Report from House.....	Signed by President.....	Signed by Speaker of House.....	Message from Governor.....
283. Senator CLAYPOOL: An act to amend section 5 of an act entitled "An act in relation to trade marks",.....	407	499							
284. Senator CLAYPOOL: An act to protect farmers, stable keepers, etc., for herding, pasturing and caring for stock, and declaring an emergency.....	408	542							
285. Senator CLAYPOOL: An act to provide for the levy and sale of corporate stock on execution.....	408	500							
286. Senator RICHARDS (by request): An act appointing a commission on normal schools.....	408	495	612	612					
287. Senator MILLER: An act relating to the state penitentiary.....	408	487	584	584					
288. Senator DYER: An act to regulate the fees of county clerks.....	408	498							
289. Senator DYER: An act to establish a board of charities and correction.....	408	587	539	540					
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 and parts of laws in conflict with this act.....	408	492	582	582					
291. Senator VAN HOUTEN: An act relating to civil actions and proceedings.....	408	493							
292. Senator DYER: An act amending chap. 17 of vol. 1 of Hill's Code.....	409	506							
293. Senator CAMPBELL: An act for the prevention of and punishment for enticing and harboring seamen from vessels within the waters of this state.....	409								
294. Senator DYER: An act providing for actions and proceedings by poor persons without payment of fees.....	409	505							

295. Senator EDENS (by request): An act to authorize the survey and sale of beds of lakes, rivers and waterways capable of being reclaimed, other than tide lands.....	409					
296. Senator FORREST: An act to establish a naval battalion.....	409	524				
297. Senator DYER: An act to define the descent of community property and of the homestead.....	409	543				
298. Senator VAN DE VANTER: An act relating to municipal corporations.....	409					
299. Senator VAN DE VANTER: An act to amend section 119 of Hill's Code.....	410	544				
300. Senator VAN DE VANTER: An act to regulate the publication of state reports.....	410	543				
301. Senator FORREST: An act to provide for voting on a constitutional amendment at the general election to be held in 1894.....	410	529	529			
302. Senator SERGEANT: An act amending section 818, volume 1 of Hill's Code.....	410	545				
303. Senator SERGEANT: An act relating to the granting of rights-of-way to railroads by incorporated cities or towns.....	410	543				
304. Senator SERGEANT: An act relating to freight charges.....	410					
305. Senator EASTERDAY: An act for the relief of Lindley E. Moore.....	410					
306. Senator HASTINGS: An act to appropriate money for the building of a road system through Jefferson and Clallam counties.....	410					
307. Senator SHAW: An act appropriating money for the purchase of an oil painting of Isaac I. Stevens, first governor of Washington Territory.....	411					
308. Senator SHAW: An act to grant limited suffrage to female citizens.....	411	545				
309. Senator O'NEILL: An act to regulate the sale and redemption of transportation tickets.....	411	553				
310. Senator SERGEANT: An act relating to unused school district moneys, and providing for levying a tax for the payment of interest on school lands.....	412	544				
311. Senator HERR: An act referring to the sale of tide lands.....	418	553			622	

HISTORY OF HOUSE BILLS IN THE SENATE.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House.....	Signed by President.....
10. Mr. ROSCOPE: 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".....	298	315	546					
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, 1883, 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.....	76	78		78	78		82	85
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.....	{ 109 } { 197 }	112	136	171	171	{ 159 } { 203 }	230	240
20. Mr. WHEELER: A bill for an act relating to appeals to the supreme court.....	350	372	418	506	506		566	579
21. Mr. WHEELER: An act creating and providing for the enforcement of liens for labor and material.....	{ 169 } { 268 }	181	232	255	255		321	322
27. Mr. MEAD: An act requiring railroad companies to fence their tracks.....	262	284						
31. Mr. WEED: An act appropriating money for the payment of agents for the state land commission.....	483	487	553	592	592		607	604
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.....	483	486	554	596	596		610	613
53. Mr. McELWAIN: An act in relation to conditional sales of personal property.....	117	122	139	627	628	171	633	634
62. Mr. LETTERMAN: An act for the detention of domestic animals doing damages, and giving a lien for damages upon such animals.....	192	204	253	322	322		371	373

65. Mr. GILMAN: A bill for an act relating to private sales of real property belonging to estates of decedents, minors and insane persons.....	283	315	369	503	503	551	552
66. Mr. ANDERSON, of Whatcom: An act to establish a state normal school in the county of Whatcom.....	200	233	258	292	292	330	353
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, re-arrange and annotate the laws of Washington, and to provide for publication and distribution thereof and the payment therefor,".....	214	233	253	323	{ 323 } { 607 }	616	618
71. Mr. KAER: An act in relation to county, school, city and town warrants, and the manner of their payment.....	200	233	391	502	502	527	529
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 high-ways.....	283	315	338	462	462	484	496
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.....	321	324	.....	.....	.....	.....	.....
75. Mr. RINFHART: An act to prevent the spread of contagious or infectious diseases among cattle, horses and other domestic animals.....	214	233	488	.....	.....	618	.....
76. Mr. NASH: An act relating to proceedings supplemental to execution.....	263	292	335	609	609	629	630
85. Mr. WHEELER: An act to regulate the practice of dentistry in the State of Wash- ington.....	{ 169 } { 483 }	181	382	462	462	537	548
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 bene- fited by local improvements, and declaring an emergency.....	350	372	453	580	580	616	618
89. Mr. ROTH: An act to quiet possession and confirm titles to land.....	169	181	201	237	250	262	274
93. Mr. ANDERSON, of Whitman: An act regulating and fixing railroad freight rates in the State of Washington.....	{ 321 } { 552 } { 557 } { 598 }	324	{ 532 } { 534 } { 593 }	548	{ 551 } { 594 } { 599 }	608	613
94. Mr. MOORE: An act concerning the formation of new school districts, changing the boundaries and transferring territory from one district to another.....	237	251	356	580	580	598	597
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.....	{ 263 } { 443 }	282	389	413	413	446	446

HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House.....	Signed by President.....
98. Mr. McELWAIN: An act fixing fees and compensation of justices of the peace.....	389	416	420	588	589		598	597
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 summonses and of complaint and notices issued by justices of the peace by persons other than sheriffs and constables.....	370	380	419	419	419		629	630
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.....	159	165	188	252	252		283	288
104. Mr. BUSI, of Chehalis: An act relating to the liens of mechanics and others upon real estate, curing defects in lien notices, and declaring an emergency.....	151	{ 152 } { 364 }	{ 233 } { 419 }	479	479	{ 521 } { 618 }		
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.....	159	165	189	241	241		371	373
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.....	{ 484 } { 621 }	486	561	601	601		621	622
110. Mr. ANDERSON, of Whitman: An act to prevent the sale or injury of mortgaged personal property, and to provide punishment for violations thereof.....	263	284	336	601	601		616	618
114. Mr. GILMAN: A bill for an act in relation to garnishments.....	288	254	436	563	563		537	548
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.....	192	204	266	286	287		341	340

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.....	174	203	249	277	277	321	322
124. Mr. GILMAN: A bill for an act to prevent and punish corrupt practices in elections, and to provide for publicity in election expenses.....	263	282	417	467	.....	.....	.....
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.....	159	165	189	241	241	284	.....
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, 1882, to issue notes, bonds, mortgages or other evidences of indebtedness.....	263	282	421	621	621	629	630
141. Mr. TRUCKER (by request): An act to amend section 52 of chapter 12 of the Laws of 1890-90, 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.....	151	152	495	552	552	496	.....
142. Mr. TRUCKER: 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.....	{ 169 623 }	181	366	619	619	633	635
147. Mr. WEBB: An act concerning a state agricultural fair for the State of Washington, and to declare an emergency.....	464	479	511	.....	.....	{ 540 559 }	604
148. Mr. CROCKETT: An act relative to the qualification and compensation of county commissioners.....	263	264	392	586	586	608	613
150. Mr. KARR: An act in relation to making a declaration of forfeiture of certain contracts.....	192	204	587	587	.....	.....	.....
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.....	283	315	392	586	586	600	602
159. Mr. HELKER: An act for the protection of the public health and to provide for certain boards of health and regulate their duties.....	{ 238 459 453 }	254	313	400	401	{ 401 432 459 }	528
160. Mr. WHEELER: An act relating to the service of summons upon corporations.....	283	315	421	625	.....	.....	.....
162. Mr. WHEELER: An act to amend section 2695 of the Code of Washington of 1881, the same being section 238 of Hill's Annotated Statutes and Codes of Washington.....	234	267	267	618	618	629	630

HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House.....	Signed by President.....
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.....	215 } 388 }	233	257	357	357		388	396
164. Mr. HOOLE: An act providing for the transcribing of county records.....	192	204	219	272	272		321	322
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.....	215	233	312	346	346		371	373
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.....	192	203	219					
174. Mr. MCKENZIE: An act to amend sections 8, 12, 64, 65 and 72 of school laws.....	389	416	496					
179. Mr. BUSH, of Pacific: An act appropriating money for the fish commission fund for the enforcement of the fish laws.....	590	591						
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.....	389	416	433	591	591		598	597
181. Mr. BUSH, of Pacific: An act authorizing the fish commissioner and his deputies to make arrests.....	389	416	434	592	592		600	604
182. Mr. BUSH, of Pacific: An act to authorize the fish commissioner to appoint a deputy in each county.....	388	416	433	592	592		600	604
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".....	424	458	520	625	625		633	635

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.....	587	588	589	589	589	610	613
187. Mr. MORRISON: An act in relation to documentary evidence.....	215	233	267	267	267	.....	.....
193. Mr. LUTHELMAN: An act punishing bank officials for receiving deposits knowing the bank to be insolvent.....	284	316	337	618	623	624	624
194. Mr. EBERHART: An act to prohibit the collection of hospital and other dues from railroad and other classes of employes, and providing for a penalty therefor.....	321	324	508	618	.....	.....	.....
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.....	244	254	266	.....	.....	.....	.....
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.....	299	315	336	583	607	604	604
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.....	283	315	337	609	616	618	618
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.....	{ 406 } { 504 }	416	455	469	490	537	548
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.....	283	316	336	381	443	446	446
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.....	283	316	422	490	551	552	552
227. Mr. SWARTH, of Doughlass: An act providing for county canvassing boards of election returns.....	{ 425 } { 629 }	458	494	625	633	634	634

HISTORY OF HOUSE BILLS IN THE SENATE—CONTINUED.

NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House.....	Signed by President.....
220. 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.....	283	292				622		
221. 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.....	341	348	509				616	618
222. 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.....	283	291	609	609	609		381	353
224. JOINT JUDICIARY COMMITTEE: An act providing for the sale of personal property belonging to the state.....	284	291	492	291	291			
225. Mr. DENN: An act to abolish the office of lieutenant governor.....	443	458				625		
226. 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.....	299 357 378	314	331 467	348	348	372	464	496
227. 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.....	284	316	351	373	373		443	446
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.....	171	171		171	171		196	207
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.....	299	315	327	618	618		623	624

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.....	228	233	240	256	256	321	322
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.....	299	315	337	405	405	528	529
254. (Substitute for House bill No. 59): An act regulating fish traps.....	196	199	205	205	211	215	226
259. Mr. WINGHELL: 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.....	562	595	595	626	626	633	635
260. Mr. RINEHART: 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.....	464	487	517	626	626	633	635
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.....	583	588	608	608	608	616	618
262. Mr. GILMAN: 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.....	503	505	515	515	515	598	597
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.....	350	372	419	504	504	616	618
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.....	443	458	546	600	600	616	618
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.....	562	594	622	622	622	443	446
278. Substitute for House bill No. 3 and No. 67, for the relief of indigent soldiers.....	{ 238 } { 407 }	254	263	380	380	443	446
283. Mr. LUDGEN: An act granting a bounty for the production and manufacture of sugar in the State of Washington.....	{ 370 } { 483 }	380	401	467	467	528	529
284. Mr. HELKER: An act to amend section 2136 of the Code of 1881, relating to quarantine.....	528	527					

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NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House.....	Signed by President.....
285. Mr. McMILLAN: An act to amend title 27 of Hill's Code, entitled "Of protection to the lumbering interests",.....	321	324	370	398	398		443	446
292. Mr. MENTZER: An act to provide for the location and erection of a capitol building, and declaring an emergency.....	509 } 598 }	515	515	537	538	595	600	602
293. Mr. McKEZIE: 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.....	509	515	515	538	539	595	600	602
295. JUDICIARY COMMITTEE: An act to provide for the punishment of the crime against nature.....	443	458	493	627	627	618	633	635
299. Mr. LUTDEN: 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.....	537	562	567	602	602			
301. RAILROAD COMMITTEE (substitute for House bill No. 54): An act to regulate the operating of railroads.....	443	458	499					
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.....	443	458	475	524	524		562	559
307. Mr. MORRISON: An act providing for the changing of the name of the town of Slaughter to Auburn.....	284	316	317	317	317		341	353
313. 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.....	257	257	263	285	285	322		

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.....	378	.....	453	581	.....	.....	616	618
323. Mr. HOOLE: An act extending the time for payment of taxes, remitting penalties, and declaring an emergency.....	268	270	.....	270	.....	.....	283	288
331. Mr. RORER: 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 25, 1890, and declaring an emergency.....	388	416	453	479	.....	.....	562	564
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.....	269	269	297	282	.....	.....	350	383
333. Mr. HOOLE: An act relating to legal publication.....	388	400	.....	400	.....	.....	443	446
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 the failure so to do.....	459	453	494	588	.....	.....	600	604
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.....	556	562	568	591	.....	.....	610	613
347. (Substitute for House bill No. 101): An act relating to municipal corporations.....	284	292	453	582	.....	.....	600	604
348. (Substitute for House bill No. 202): An act relating to the militia.....	610	622	.....	622	.....	.....	630	631
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.....	552	553	561	597	.....	.....	611	613
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.....	350	372	419	512	.....	.....	.....	.....
385. COMMITTEE ON PRIVILEGES AND ELECTIONS: An act to amend section 2085 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.....	480	487	509	622	.....	.....	629	630
386. COMMITTEE ON PRIVILEGES AND ELECTIONS: An act relating to elections.....	{ 480 624 }	487	523	621	.....	.....	630	631
387. Mr. TEMPLE: An act making appropriation for the payment of newspapers for publishing the "proposed constitutional amendments".....	350	372	.....	.....	.....	.....	.....	.....

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NUMBER, AUTHOR AND TITLE.	Received from House.....	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House.....	Signed by President.....
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 2096 of the Code of Washington of 1881.....	562	594	607	607	607		629	630
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.....	503	505	516	516	516		551	559
417. Mr. ROTH: An act to provide for the economical management of county affairs.....	464	487	505	579	578		608	626
445. COMMITTEE ON COMMERCE (Substitute for House bills Nos. 287 and 286): 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.....	484	486	543	590	590		608	604
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.....	{ 588 } { 616 }	588	605	610	611		623	624
470. Mr. MEANY: An act providing for the location and maintenance and construction of the University of Washington.....	628	628		628	628		633	635
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.....	{ 541 } { 583 }	{ 588 } { 589 }	605	{ 612 } { 615 }	{ 615 } { 631 }		633	635

HISTORY OF SENATE MEMORIALS.

NUMBER, AUTHOR AND SUBJECT.	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Message from House.....	Signed by President.....	Signed by Speaker of House.....
1. Senator EASTERDAY: Relating to survivors of Indian wars.....	122	175	206	206				197
2. Senator DYER: In eulogy of Hon. James G. Blaine.....	136		136	136			171	
3. Senator DYER: Relating to state library.....	188	477						
4. Senator HUTCHINSON: Relating to Sunday opening of World's Fair.....	210	230						
5. Senator HUTCHINSON: Relating to establishment of United States assay office at Spokane.....	230	257	258	258				
6. Senator DYER: Substitute for Senate memorial No. 4.....	255		255	255				
7. Senator HERR: Relating to proposed fog signal on Umatilla reef.....	309		309	309				
8. Senator RICHARDS: Relating to the consular seal privilege.....	411	455	526	526				
9. Senator EDENS: For the relief of Dennis Storrs et al.....	411	432	489	489				
10. Senator VAN DE VENTER: Relating to construction of Lake Washington canal.....	424							

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NUMBER AND SUBJECT.	Message from House.....	Read first and second time, and referred.....	Report of committee.....	Third reading, and amendments.....	Vote on final passage.....	Other action in Senate.....	Signed by Speaker of House.....	Signed by President.....
1. Praying for the opening of Columbia and Snake rivers to navigation.....	125	131	352	182	182	624	633	635
2. Relative to protection from infectious diseases.....	169	169	.....	169	169	.....	215	226
3. Praying for appropriations for improvement of Ozette and Quillayute rivers.....	169	181	.....	181	181	.....	215	226
5. Praying for additional light house.....	260	269	274	278	278	.....	331	340
6. Praying for improvement in the coast defense.....	261	270	.....	278	278	.....	321	330
7. To prevent pauper immigration.....	389	417	460	617	617	617	629	630
9. Concerning title to state school lands.....	464	487	528	627	627	.....	633	635

HISTORY OF HOUSE CONCURRENT RESOLUTIONS IN THE SENATE.

NUMBER AND SUBJECT.	Received from House.....	Taken up in Senate.....	Report of committee.....	Action of Senate.....	Signed by Speaker of House.....	Signed by President.....
1. Relative to printing governor's message.....	32	32	.....	32	91	99
3. Favoring the Sherman Nicaragua canal bill.....	53	58	.....	58	91	93
4. Relative to joint committee on fisheries.....	91	91	102	104	117	118
5. Relating to election of United States senators by popular vote.....	125	131	157	168	220	226
9. Relating to annexation of Hawaiian Islands.....	129	148	210	210	.....	.....
10. Authorizing governor to receipt for money due the state from United States.....	341	348	390	478	551	552
11. Providing for joint committee to visit penitentiary.....	197	203	.....	203	.....	.....
12. Providing for joint committee to visit insane asylum and school for defective youth.....	197	203	.....	203	.....	.....
16. In behalf of Hon. F. W. D. Mays.....	323	330	.....	330	.....	.....
17. Urging the teaching of road engineering in agricultural colleges.....	371	380	460	624	633	635
18. Relating to Pacific Park reservation.....	389	417	460	618	623	624
19. Relating to employment of aliens on public work.....	389	416	459	625	633	635
21. Permitting introduction of a bill making appropriation for state expenses for next fiscal term.....	477	477	.....	477	484	488
22. Relating to House bill No. 332, not approved by governor.....	500	501	.....	501	517	526
23. Permitting introduction of a new bill.....	507	519	.....	519	551	551
24. Relative to printing session laws and journals.....	610	610	.....	610	.....	.....

HISTORY OF SENATE CONCURRENT RESOLUTIONS.

NUMBER, AUTHOR AND SUBJECT.	Presented in Senate.....	Report of committee.....	Action of Senate.....	Message from House.....	Signed by President.....	Signed by Speaker of House.....
1. Senator DYER: Providing for joint committee on inauguration ceremonies.....	8	.....	8	12	.....	.....
2. Senator KINNEAR: Providing that first annual report of judges of supreme court be submitted to Judiciary Committees of Senate and House.....	42	.....	42	49	170	177
3. Senator KINNEAR: Providing for joint committee from Senate and House on joint rules and orders.....	42	.....	42	49	170	177
4. Senator DYER: Providing for printing and binding of governor's message and reports of state officers.....	50	.....	50	53	170	177
5. Senator FRANK: Providing for joint committee on World's Fair and World's Fair commission.....	60	.....	60	76	210	215
6. Senator McCROSKEY: Providing for joint committee to investigate agricultural college.....	65	.....	65	76	170	177
7. Senator DYER: Providing for joint committee to provide suitable memorial on the death of Hon. James G. Blaine.....	115	.....	115	125	170	177
8. Senator FORREST: Relating to annexation of Hawaiian Islands.....	136	156	168	197	210	230
9. Senator CLAYPOOL: Referring Senate bill No. 50 to joint Judiciary Committee.....	160	.....	160	.....	.....	.....
10. Senator SMITH: Providing for joint committee to visit state penitentiary.....	162	.....	162	169	183	197
11. Senator IDE: Providing for joint committee to visit hospital for insane.....	162	.....	162	169	183	197
12. Senator DYER: Endorsing rhododendron as state flower.....	162	.....	235	.....	.....	.....
13. Senator DONAHOE: Providing for joint committee to visit reform school.....	174	.....	174	.....	.....	.....
14. Senator CAMPBELL: Providing for purchase of Abbott's Real Property Statutes.....	191	.....	191	.....	.....	.....
15. Senator VAN DE VANTER: Providing for investigation of World's Fair commission.....	217	.....	217	228	240	283

16. Senator CLAYPOOL: Relating to office rooms furnished state officials in McKenny block.....	295	295	295	.....
17. Senator RICHARDS: Relating to federal immigration law.....	404	460	461 463 496	.....
18. Senator FRANK: Permitting introduction of new bill.....	{ 406 } 506	.....	500 506	.....
19. Senator McCROSEY: Permitting introduction of bill relating to grain warehouses.....	512	.....	512	.....
20. Senator FRANK: Relative to printing of Senate and House journals.....	560	.....	560	.....



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#### AGRICULTURAL COLLEGE:

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#### ALIENS:

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#### APPROPRIATIONS:

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## ERRATUM.

Page 411, read Isaac I. *Stevens*, instead of "Stephens."

