

LEGISLATIVE  
MANUAL



1913

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**JOINT RULES, RULES of the SENATE**  
**AND**  
**RULES OF THE HOUSE**  
**OF THE**  
**STATE LEGISLATURE**  
**OF WASHINGTON**

**TOGETHER WITH THE**

**Members of the Legislature**  
**Standing Committees, and Employes**

**AND THE**

**Constitution of the State**

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**SESSION OF 1913**

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**WM. T. LAUBE,**                      **G. R. MAYBURY**  
**Sec'y of the Senate. Chief Clerk of the House**

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## SENATE ROSTER, 1913.

LOUIS F. HART, *President.*

WM. T. LAUBE, *Secretary of the Senate.*

NAME	District.....	County.....	Residence.....	Age.....	Birthplace.....	Occupation.....	Politics.....	Previous Legislative Experience	
								Senate	House
Allen, Pliny L.....	33	King.....	Seattle.....	39	Wis....	Printer, Pub. ..	R.	1907-09-11	.....
Anderson, A. W.....	2	Stevens.....	Chewelah...	42	Ill.....	Banker .....	R.	1907-09-11	.....
Bethel, C. W.....	14	Lincoln.....	Harrington	56	Ill.....	Farmer .....	D.	.....	.....
Bowen, B. A.....	30	King.....	Kent.....	52	Ill.....	Real Est., Ins...	R.	1911	.....
Brown, Ed. ....	41	Whatcom....	Blaine.....	57	Can'da	Farmer .....	R.	1909-11	1899-01
Campbell, John E...	38	Snohomish...	Everett.....	32	Mich...	Publisher .....	P.	.....	1909-11
Carlyon, P. H.....	22	Thurston....	Olympia....	50	Wis....	Dentist .....	R.	.....	'07-09-11
Chappell, John E...	16	{ Klickitat, } { Skamanfa }	Goldendale.	40	Ore....	Merchant .....	D.	1911	.....

Collins, Josiah .....	35	King .....	Seattle.....	48	N. O...	Lawyer .....	R.	1911	.....
Cotter, W. D.....	25	Pierce.....	Puyallup...	57	Iowa..	Farmer .....	P.	.....	.....
Davis, Walter S....	27	Pierce.....	Tacoma....	46	Ind...	Professor .....	P.	.....	.....
Espy, H. A.....	19	{ Pacific, Whitman }	Oysterville.	36	Wash..	Dairyman .....	R.	1911	.....
Fairchild, Wilburn..	22	Pierce.....	Tacoma....	53	Ill.....	R. R. Conductor	P.	.....	.....
Flummerfelt, C. H..	13	{ Chelan, Kittitas }	Ellensburg.	49	N. J....	Real Est., Ins...	D.	.....	'89-90-91
French, Edward L..	17	Clarke.....	Vancouver.	52	Ind....	Farmer .....	R.	.....	1909-11
Hall, Oliver .....	8	Whitman....	Colfax.....	60	N. Y...	Farmer .....	R.	1865-7-9, 1901-11	.....
Hammer, Emerson..	40	Skagit.....	S. Woolley.	56	Ind....	Merchant .....	R.	'99-05-11	.....
Hewitt, H. B.....	21	Chehalis....	Hoguinam..	38	Wis....	Lumberman ...	R.	1911	1907-09
Hutchinson, R. A...	4	Spokane....	Spokane....	60	Miss...	Farmer .....	P.	93-05-09-11	1891-07
Imus, A. H.....	18	Cowlitz....	Kalama....	52	Iowa..	Lawyer .....	R.	.....	.....
Iverson, Peter .....	23	{ Island, Kitsap, Mason }	Poulsbo....	51	Norw'y	Publisher .....	P.	.....	.....
Jackson, Frank C...	37	King.....	Seattle.....	33	Colo...	Real Estate ...	R.	1911	1907-09
Jensen, Peder .....	29	Pierce.....	Tacoma....	49	D'mark	Pharmacist .....	S.	1911	.....
Landon, Daniel ....	32	King.....	Seattle.....	37	Wis....	Lawyer .....	P.	1911	.....
Leonard, J. E.....	20	Lewis.....	Chehalis....	48	Paoo..	Coal Mine Opr..	R.	.....	1911
Metcalf, Ralph .....	26	Pierce.....	Tacoma....	51	R. I....	Lbr., Shingles...	R.	1907-09-11	.....
McCoy, W. C.....	9	Whitman....	Oakesdale..	56	Ore....	Farmer .....	R.	.....	1911

## SENATE ROSTER, 1913—Concluded.

NAME	District.....	County.....	Residence.....	Age.....	Birthplace.....	Occupation.....	Politics.....	Previous Legislative Experience	
								Senate	House
McGuire, Arthur ...	1	{ Grant, Douglas, Ferry, Okanogan }	Waterville..	37	Ind....	Lawyer .....	D.	.....	.....
Nichols, Ralph D....	31	King.....	Seattle.....	38	Iowa..	Lawyer .....	R.	1907-09-11	.....
Phipps, Harve H....	3	Spokane.....	Spokane....	30	N. C...	Lawyer .....	P.	.....	1911
Piper, George U....	34	King.....	Seattle.....	46	Ind....	Real Estate ...	R.	1907-09-11	.....
Rosenhaupt, Harry.	7	Spokane.....	Spokane....	44	Ill....	Lawyer .....	R.	1907-09-11	.....
Scott, D. A.....	11	{ Franklin, W. Walla, Adams }	Ritzville....	43	Wis....	Farmer .....	R.	.....	1909
Shaefer, George W..	6	Spokane.....	Spokane....	50	Ienn..	Lawyer .....	R.	1911	.....

Sharpstein, John L.	12	Walla Walla.	W. Walla...	57	Wis....	Lawyer	R	.....	1891
Steiner, G. E.....	36	King.....	Seattle.....	40	Ohio...	Lawyer	R	.....	
Stephens, E. Milton.	39	Snobomish...	Monroe.....	44	Ore....	Banker, Lbr.	R.	1911	1907-09
Sutton, W. J.....	5	Spokane....	Cheney.....	47	Mich...	Farmer	R.	.....	
Troy, David S.....	24	{ Jefferson, } Clallam, } San Juan }	Chimacum.	42	Wash..	Farmer	D.	1911	1907
Weatherford, J. C..	10	{ Asotin, } Garfield, } Columbia }	Covello.....	30	Wash..	Farmer	D.	.....	
Wende, Henry H....	15	{ Yakima, } Benton }	No. Yakima	42	N. Y...	Lawyer	D.	.....	
White, Henry M....	42	Whatcom....	Bellingham	38	W. Va.	Lawyer	D.	1911	.....



## STANDING COMMITTEES OF THE SENATE.

*Agriculture*—Senators McCoy (chairman), Cotter, Bethel, Weatherford, Chappell.

*Appropriations* — Senators Troy (chairman), Anderson, Carlyon, Piper, Brown, Scott, Landon, Hutchinson, French.

*Banks and Banking* — Senators Stephens (chairman), Anderson, Leonard, Bowen, Weatherford.

*Cities of First Class*—Senators Shaefer (chairman), Steiner, Davis, White, Stephens, Allen, Metcalf.

*Claims and Auditing* — Senators Wende (chairman), Allen, Phipps.

*Commerce and Manufactures*—Senators Fairchild (chairman), White, Shaefer, Jackson, Campbell.

*Congressional Apportionment* — Senators Hewitt (chairman), Carlyon, Sharpstein, Landon, French, McCoy, Troy, Anderson, Bethel.

*Constitution and Constitutional Revision*—Senators Imus (chairman), Phipps, Wende, Collins, Sharpstein.

*Corporations other than Municipal*—Senators Piper (chairman), Shaefer, Stephens, McGuire, Sutton.

*Counties and County Boundaries*—Senators Chappell (chairman), Bowen, Wende, Hall, Rosenhaupt.

*Dairy and Live Stock*—Senators Bowen (chairman), Stephens, Hammer, Espy, Cotter.

*Dikes, Drains and Drainage* — Senators Hammer (chairman), Espy, Bowen.

*Education* — Senators Davis (chairman), Sharpstein, Phipps, Piper, Bethel.

*Educational Institutions*—Senators Sutton (chairman), Flummerfelt, Landon, White, Hall, Espy, Imus, Metcalf.

*Elections and Privileges*—Senators Metcalf (chairman), Iverson, Wende, Collins, Brown.

*Engrossed Bills*—Senators Wende (chairman), Davis, McCoy, Steiner, Chappell.

*Enrolled Bills* — Senators Weatherford (chairman), Chappell, Nichols, Scott, Rosenhaupt.

*Fisheries* — Senators White (chairman), Espy, Hammer, Imus, Iverson, Nichols, Troy, Collins, Steiner.

*Game* — Senators Collins (chairman), Phipps, White, Campbell, Troy, Sharpstein.

*Game Fish*—Senators Bethel (chairman), Scott, Chappell, McCoy, Steiner.

*Harbor and Harbor Lines*—Senators Landon (chairman), Brown, Carlyon, Espy, Piper.

*Horticulture and Forestry* — Senators French (chairman), Weatherford, Cotter, Hutchinson, Jackson.

*Insurance* — Senators Allen (chairman), Flummerfelt, Hall, Sutton, Jensen.

*Irrigation and Arid Lands* — Senators Flummerfelt (chairman), Scott, Bethel, McGuire, Hutchinson, Wende.

*Judiciary* — Senators Rosenhaupt (chairman), Sharpstein, Landon, White, Shaefer, Nichols, Metcalf, Imus, Steiner, Wende, McGuire, Phipps, Collins.

*Labor and Labor Statistics* — Senators Campbell (chairman), Hewitt, Metcalf, Landon, Rosenhaupt.

*Legislative Apportionment* — Senators Jackson (chairman), Stepnens, Wende, Leonard, Hall, Chappell, Sutton, Wende, Allen, Metcalf.

*Logged-off Lands*—Senators Allen (chairman), Metcalf, Brown, French, Hammer.

## 10 Senate Standing Committees 1913

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*Medicine, Dentistry, Surgery and Hygiene*—Senators Jensen (chairman), Sutton, Carlyon.

*Memorials*—Senators French (chairman), Davis, Allen.

*Military*—Senators Brown (chairman), Hewitt, Jackson, Shaefer, Jensen.

*Mines and Mining*—Senators Cotter (chairman), Brown, Anderson, Flummerfelt, Bowen, White, Imus, Leonard.

*Municipal Corporations*—Senators Sharpstein (chairman), Cotter, Iverson, Hammer, Hewitt.

*Printing*—Senators McGuire (chairman), Metcalf, Anderson, Allen, Rosenhaupt.

*Public Buildings and Grounds*—Senators Carlyon (chairman), Fairchild, Piper, Scott, Chappell.

*Public Morals*—Senators Espy (chairman), Campbell, Steiner, Sharpstein, Carlyon, Anderson, Shaefer.

*Public Revenue and Taxation*—Senators Scott (chairman), Fairchild, Jackson, Bethel, Hutchinson.

*Pure Food and Drugs*—Senators Jensen (chairman), Allen, Carlyon.

*Railroads and Transportation*—Senators Anderson (chairman), Piper, Bowen, Stephens, Hewitt, Fairchild, Imus, McGuire, Carlyon.

*Roads and Bridges*—Senators Nichols (chairman), French, McCoy, Flummerfelt, Anderson, Leonard, Brown, Collins, Hall, Metcalf, McGuire, Phipps.

*Rules and Joint Rules*—Mr. President (chairman), Senators Carlyon, Hall, Troy, Shaefer, Collins, Sharpstein.

*Salaries and Mileage*—Senators Iverson (chairman), Sutton, Hewitt.

*Senate Employes*—Senators Hall (chairman), Rosenhaupt, Jackson.

*Senate Standing Committees 1913 11*

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*State Charitable Institutions* — Senators Hutchinson (chairman), French, Hammer, Iverson, Jensen, Steiner, Hewitt.

*State, Granted, School and Tide Lands* — Senators Steiner (chairman), Weatherford, Espy, McGuire, Cotter, Hammer, Sutton.

*State Library* — Senators Phipps (chairman), Iverson, Davis, Flummerfelt, Collins.

*State Penal and Reformatory Institutions* — Senators Leonard (chairman), McCoy, Weatherford, Stephens, Fairchild, Jackson.

## SENATE EMPLOYEES.

Name	Service	Residence
Wm. W. Lamb	Secretary	Seattle
Roy D. Rullo	Asst. secretary	W. Walla
V. D. Logan	Serg't-at-arms	Waterville
Charles Grant	Auditory clerk	Spokane
A. J. Hoskin	Reading clerk	Valley
George Gregory	Minute clerk	Seattle
Marion Garland	Asst. min. clerk	Bremerton
Colonel S. Sapp	Index clerk	Snohomish
H. B. LaMonte	Docket clerk	Everett
Robert Pitchforth	Journal clerk	Tacoma
L. C. VanPatten	Enrolling clerk	Cheney
Elmer E. Hall	As't S.-at-arms	Spokane
Ed. Jorgensen	Bill clerk	Kent
A. D. Elwell	Asst. bill clerk	Olympia
W. S. Peacock	Doorkeeper	Gig Harbor
Perry M. Watson	Asst. doork'per	Centralia
John Wilson, Jr.	Asst. doork'per	Olympia
Mrs. W. E. McCroskey	Postmistress	Palouse
Helen M. Adams	Stenographer	Seattle
Marion Blankenship	Stenographer	Olympia
Mildred Henthorne	Stenographer	Vancouver
Minnie Hyde	Stenographer	Tacoma
Harry Lindley	Stenographer	Olympia
Maude McKinney	Stenographer	Kalama
Reta M. TeRoller	Stenographer	Seattle
Clara E. Lewis	Stenographer	Olympia
Lucretia Featherly	Stenographer	Spokane
Hazel Davenport	Stenographer	W. Walla
Bertha Lasswell	Stenographer	Olympia
Roger Watts	Stenographer	Orting
Thomas Hartson	Stenographer	Olympia
Hobart Peters	Page	Olympia
Bradford Barnes	Page	Olympia
Alfred Hinchcliff	Page	Olympia
A. F. Haynes	Head janitor	Seattle
Bob Taylor	Janitor	Ole Elum
Joseph Hagens	Janitor	Spokane
Arthur Springer	Poster	Olympia
Lawrence Mack	Asst. poster	Olympia

# HOUSE ROSTER, 1913.

HOWARD D. TAYLOR, *Speaker.*

C. R. MAYBURY, *Chief Clerk.*

NAME	District.....	County.....	Residence.....	Age.....	Birthplace.....	Occupation.....	Politics.....	Previous Legislative Experience	
								Senate	House
Aagaard, O. B.....	23	Clarke.....	LaCenter....	47	Norway	Farmer .....	R.	.....	.....
Adams, Phillip H.....	19	Kittitas...	Ellensburg..	36	Wash...	Farmer and Stock Raiser....	D.	.....	.....
Arnold, Wm. A.....	25	W'hk'kum	Cathlamet..	62	Engl'nd	Farmer .....	R.	.....	.....
Arnold, W. E.....	27	Lewis.....	Mossy Rock.	30	Tenn...	Real Est., Ins....	E.	.....	.....
Axtell, Frances C.....	54	Whatcom.	Bellingham.	47	Ill.....	House wife .....	R.	.....	.....
Beam, J. E.....	34	Clallam...	Port Angeles	50	Iowa...	Lumberman .....	B.	.....	.....
Black, Dr. Clark.....	10	Garfield...	Pomarcy....	37	Iowa...	Phys., Farmer....	P.	.....	.....
Brislawn, J. W.....	16	Lincoln....	Davenport..	32	Wash...	Farmer .....	D.	.....	.....
Brown, E. K.....	19	Kittitas...	Ellensburg..	33	Iowa...	Lawyer .....	P.	.....	.....
Brooks, N. B.....	21	Klickitat..	Goldendale..	54	Mich...	Attorney .....	D.	.....	1883
Bryant, A. M.....	35	Pierce.....	Buckley.....	56	Maine..	Merchant .....	P.	.....	.....

## HOUSE ROSTER, 1913—Continued.

NAME	District	County	Residence	Age	Birthplace	Occupation	Politics	Previous Legislative Experience	
								Senate	House
Capron, Victor J.....	52	San Juan..	Fri. Harbor.	45	N. Y....	Physician .....	R.	.....	.....
Catlin, J. R.....	24	Cowlitz....	Kelso.....	27	Wash...	Farmer, Banker..	R.	.....	.....
Chamberlin, Chas. L.	7	Whitman..	Colfax.....	46	Ohio...	Lawyer .....	R.	.....	.....
Childe, Eugene A.....	44	King.....	Seattle.....	33	Nebr....	Lawyer .....	R.	.....	.....
Christensen, W. T....	42	King.....	Seattle.....	34	Ore....	Physician .....	P.	.....	1909-11
Cleland, Hance H.....	5	Spokane..	Spokane....	28	Ill.....	Lawyer .....	R.	.....	.....
Conner, W. W.....	51	Skaft....	Mt. Vernon..	30	Ont....	Farmer, Dairy...	R.	.....	1911
Corkery, Thomas .....	3	Spokane..	Spokane....	33	Ohio...	Lawyer .....	P.	.....	.....
Craig, Robt. W.....	30	Chehalis..	Hogusam...	35	Ontario	Druggist .....	R.	.....	.....
Croake, Nena Jolidon	37	Pierce....	Tacoma.....	10-1	Ill.....	Dr. of Osteop...	P.	.....	.....
Darling, R. E.....	18	Douglas..	Bridgeport..	39	Ohio...	Farmer .....	R.	.....	.....
Davis, J. H.....	37	Pierce....	Tacoma.....	46	Ind....	Insurance .....	R.	.....	1911
Dunning, Gzy E.....	53	Whatcom.	Blaine.....	29	Minn...	Teacher .....	P.	.....	.....

Earle, Dan .....	41	King.....	Seattle.....	36	Mich....	Lawyer .....	P.	.....
Falkner, J. J.....	53	Whatcom.	Ferndale....	40	Ky.....	Farmer .....	P.	.....
Farnsworth, E. L.....	16	Lincoln....	Wilbur.....	50	Mich....	Banker .....	D.	1909-11
Poster, H. E.....	47	King.....	Seattle.....	44	Ohio....	Lawyer .....	R.	1911
Fontaine, Jos. A.....	11	Columbia.	Dayton.....	61	Md.....	Farmer .....	D.	1911
Field, L. W. ....	27	Lewis.....	Adna.....	37	Mich....	Merchant .....	R.	.....
Freeman, Miller .....	47	King.....	Seattle.....	37	Utah...	Publisher .....	R.	.....
Gilkey, Daniel E.....	38	Pierce.....	Tacoma.....	52	Maine..	Maf. Paper Box..	P.	.....
Gilbo, A. J.....	39	Pierce.....	Tacoma.....	54	Norway	Contractor and House Mover...	P.	.....
Goss, Frank Patrick.	45	King.....	Seattle.....	38	Ireland.	Publisher .....	R.	1911
Grass, Robert .....	45	King.....	Seattle.....	30	Iowa...	Lawyer .....	R.	.....
Gray, John .....	5	Spokane..	Spokane....	69	Ind.....	Mining .....	D.	1903
Groendank, G. H.....	28	Thurston..	Olympia....	39	Wis....	Merchant .....	R.	.....
Halsey, Elmer E.....	9	Asotin....	Clarkston...	51	N. J....	Lawyer .....	R.	1909-11
Hastings, Fred W....	46	King.....	Seattle.....	30	Ohio....	Attorney .....	R.	1911
Hays, W. Dean.....	28	Thurston..	Tenino.....	38	Virg....	Banker .....	R.	.....
Hedger, Fred M.....	12	W. Walla..	Walla Walla	56	Ill.....	Grain Business ..	D.	.....
Herber, M. O.....	38	Pierce.....	Tacoma.....	32	Iowa...	Plumb., Heat....	P.	.....
Hill, Ben F.....	13	W. Walla..	Walla Walla	32	Ky.....	Undertaker .....	D.	.....
Holmes, H. W.....	48	Sn'homish	Everett.....	48	Mich....	Attorney .....	P.	1911
Horrigan, B. B.....	14	Franklin..	Pasco.....	32	Minn...	Lawyer .....	D.	1911
Houser, Paul W.....	41	King.....	Benton.....	33	Ill.....	Lawyer .....	P.	.....
Hughes, W. J.....	54	Whatcom.	Bellingham..	59	N. Y....	Retired Supt. of Schools .....	D.	.....
Hurd, Eugene T.....	46	King.....	Seattle.....	31	Wis....	Physician .....	R.	.....



## HOUSE ROSTER, 1913—Continued.

NAME	District....	County....	Residence.	Age.....	Birthplace.	Occupation	Politics....	Previous Legislative Experience	
								Senate	House
Hutchinson, J. C.....	1	Stevens....	Colville.....	39	Minn...	Lime Mnf. ....	D.	.....	.....
Jensen, Jens .....	60	P'd Oreille	Met'line F'lls	31	Denm...	Mgr. and Treas. Lt. & P. Co.....	P.	.....	.....
Kennedy, H. E.....	44	King.....	Seattle.....	40	Canada	Hotel Prop. ....	R.	.....	1911
Kingery, W. H.....	31	Mason.....	Sbalton.....	33	Cal....	Farmer .....	S.	.....	.....
Langford, Guilford J.	39	Pierce....	Tacoma.....	50	Ill.....	Lawyer .....	P.	.....	.....
LeSourd, F. A.....	50	Island....	Coupeville..	69	Ind....	Farmer .....	R.	.....	1911
Lum, O. E.....	20	Yakima...	No. Yakima.	60	Conn...	Farmer .....	R.	.....	.....
Mapes, J. A.....	29	Odehalls...	Aberdeen....	40	Mich...	Physician .....	R.	.....	.....
Masterson, C. W.....	13	W. Walla..	Walla Walla	44	Mo....	Piano Tuner ....	D.	.....	.....
McArdle, L. D.....	33	Jefferson..	Quilcane....	56	Ohlo...	Oyster Grower ...	R.	.....	1911
McCoy, Geo. ....	23	Clarke....	Vancouver..	48	Wis....	Lumberman .....	R.	.....	1899, 1901-5-7
McFarland, J. E.....	55	Ferry.....	Republic....	35	Wash...	Mining .....	D.	.....	.....
McKay, T. H.....	29	Onehalia..	Aberdeen....	43	Mich...	Lawyer .....	R.	.....	.....

Merriam, Chas. H....	2	Spokane...	Spokane.....	53	Maine..	Lawyer .....	P.	
Mess, Fred J.....	40	King.....	Orilla.....	40	Wash...	Dairy Farmer .....	R.	1911
Middaugh, Frank W..	8	Spokane...	Spokane.....	49	Pa.....	Journalist .....	P.	
Miles, T. C.....	8	Whitman..	Oakesdale..	62	Miss....	Retired Farmer...	D.	1901
Moll, Arthur H.....	40	Sn'homish	Arlington... 39		Wis.....	Merchant and Undertaker .....	P.	
Moren, Walker .....	20	Yakima...	No. Yakima. 36		Ky.....	Lawyer .....	R.	1911
Murphine, Thos. F....	42	King.....	Seattle..... 34		Ohio....	Lawyer .....	P.	
Newman, Geo. H.....	7	Whitman..	Colfax..... 53		N. Y....	Minister .....	R.	
Neumann, Max M.....	6	Spokane...	Spokane..... 27		Pa.....	R. E., & Mortg...	P.	
Norton, Eli. P.....	36	Pierce...	Tacoma..... 49		Iowa...	Real Estate .....	P.	
Oaks, J. B.....	8	Spokane...	Spokane..... 36		Wash...	Merchant .....	P.	
Overman, Fred K....	48	Sn'homish	Everett..... 41		Ore.....	Printer .....	P.	
Picken, R. L.....	17	Okanogan	Tonasket... 29		Iowa...	Fruit Grower and Real Estate .....	R.	
Pierce, Frank .....	32	Kitsap.....	Harper..... 48		Mo.....	Lawyer .....	P.	
Reid, Geo. L.....	4	Spokane...	Spangle.... 46		Virg....	Farmer .....	P.	
Robe, T. K.....	49	Sn'homish	Granite F'lls 43		Mo.....	Farmer .....	P.	
Rowland, Herbert K..	58	Benton....	Richland... 36		Ohio....	Farmer .....	R.	
Rowland, Dix H.....	80	Pierce.....	Tacoma..... 40		Pa.....	Lawyer .....	P.	
Sller, J. S.....	27	Lewis.....	Vance..... 49		N. G....	Farmer .....	R.	
Sims, Edgar A.....	33	Jefferson..	Pt. T'wnsend 37		Canada	Salmon Packer ..	R.	1909-11
Sisson, E. A.....	61	Skagit....	Anacortes... 63		Pa.....	Farmer .....	R.	
Smith, Walter D.....	1	Stevens...	Chewelah... 32		N. Y....	Farmer .....	D.	
Stevenson, J. M.....	22	Skamanla.	Stevenson... 40		Mo.....	Real Estate .....	R.	1903-5-7

## HOUSE ROSTER, 1913—Concluded.

NAME	District	County	Residence	Age	Birthplace	Occupation	Politics	Previous Legislative Experience	
								Senate	House
Stevens, A. M.	4	Spokane	Deer Park	48	Maine	Farmer	P.		1909-11
Stewart, Zachariah	2	Spokane	Spokane	48	Ohio	Mgr. Abstract Co.	R.		
Stream, A. T.	26	Pacific	Klipsan B'ch	67	Norway	Farmer	D.		
Summer, Sam R.	56	Ohelan	Wenatchee	33	Mich.	Lawyer	R.		
Sweet, Frank L.	35	Pierce	So. Prairie	41	Nebr.	Ry. Conductor	P.		1909
Taylor, Howard D.	40	King	Eagle Gorge	35	Iowa	Lumberman	R.		'07-09-11
Tonkin, E. H.	40	King	Blk Diam'nd	37	Atlantic Ocean	Engineer	R.		'07-09-11
Truax, John	15	Adams	Ritzville	35	Mich.	Lawyer	R.		
Turnbow, J. E.	8	Whitman	Palouse	39	Ky.	Farmer	D.		
Urquhart, John	59	Grant	Krupp	50	Scot'nd	Stockraiser and Fruit Grower	D.		
Wray, William	43	King	Seattle	36	Engl.	Lawyer	R.		1911
Wells, W. V.	51	Skagit	Anacortes	46	N. Y.	Lawyer	R.		
Zednick, Victor	43	King	Seattle	28	Colo.	Newspaperman	R.		1911

## STANDING COMMITTEES OF THE HOUSE.

*Agriculture*—Fontaine (chairman), Truax, Urquhart, Miles, Capron, Angaard, Sisson, Siler, LeSourd, Brislawn, Arnold (W. E.), Howland (H. K.), Darling, Falkner, Black, Kingery.

*Appropriations*—Davis (chairman), Sims, Field, Mapes, Goss, Greenbank, Horrigan, Wells, Sumner, Moren, Smith, Brislawn, Catlin, Stevens, Halsey, Gilkey, McCoy, Zednick, Christensen, Capron, Axtell, Brown, Jensen.

*Banks and Banking*—Farnsworth (chairman), Childe, Catlin, Hurd, Hays, Dunning, Sisson, Brooks, Rowland (H. K.).

*Claims and Auditing*—Hughes (chairman), Rowland (H. K.), Sisson, Turnbow, McFarland.

*Commerce and Manufacturing*—Grass (chairman), Field, Freeman, Beam, Neumann (M. M.), Hutchinson, Sims, Jensen.

*Congressional Apportionment*—Moren (chairman), McKay, Truax, McArdle, Conner, Brown, Hays, Dunning, Sumner, Foster, Murphine, Greenbank, Gilkey, Stewart, Siler, Corkery, McCoy, Chamberlin.

*Constitutional Revision*—Cleland (chairman), Sumner, Middaugh, Brown, Chamberlin, Grass, Wells, LeSourd, Childe, McKay, Stevenson, Truax, Halsey.

*Compensation and Fees for State and County Officers*—Stream (chairman), Stewart, Arnold (W. E.), Newman (G. H.), Masterson, Brislawn, Oaks, Moren.

*Corporations other than Municipal and Railroads*—Stevenson (chairman), Gilbo, Moll, Wray, Neumann (M. M.), Hedger, Darling, Lum, McCoy, Hayes, Axtell.

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*Counties and County Boundaries*—Brooks (chairman), Tonkin, Truax, Hutchinson, Picken, Bryant, Darling, Holmes, Houser, Stream, Mess, Lum.

*Dairy and Live Stock*—Mess (chairman), Capron, Miles, Tonkin, Catlin, Arnold (W. E.), Gilbo, Aagaard, Arnold (W. A.), Kingery.

*Dikes, Drains and Drainage*—Sisson (chairman), Moll, Reed, Brown, Mapes, Pierce, Bryant, Houser.

*Education*—Hedger (chairman), Hughes, Stewart, Dunning, Siler, Brooks, Turnbow, Brislawn, Darling, Axtell, Black, Croake, McArdle, Moll, Hill, Brown.

*Engrossed Bills*—Bryant (chairman), Houser, Langford, Norton, Kingery, Darling, Turnbow.

*Enrolled Bills*—Hill (chairman), Arnold (W. A.), Beam, Herber, Smith, Falkner.

*Federal Relations and Immigration*—Siler (chairman), Oaks, Truax, Pierce, Corkery, Kingery, Herber, Langford.

*Fisheries*—Sims (chairman), Stream, Freeman, Hughes, Craig, Wells, Christensen, Capron, Stevenson.

*Game and Game Fish*—Moll (chairman), McFarland, Adams, Beam, Picken, Mess, Stevenson, Sweet, Oaks, Arnold (W. E.).

*Horticulture and Forestry*—Arnold, (W. E.) (chairman), Smith, Urquhart, Roland (H. K.), Oaks, Moll.

*Harbors and Waterways*—Freeman (chairman), Stream, Earle, Mapes, Conner, Christensen, Mess, Grass, Hastings, Norton.

*Hospital for the Insane*—Gray (chairman), Overman, Middaugh, Stevens, Black, Norton, Rowland (D. H.).

*House Arrangements*—Miles (chairman), Fontaine, Norton, Langford, Overman.

*Insurance*—Childe (chairman), Davis, Field, Farnsworth, Wray, Neumann (M. M.), Norton, Arnold (W. E.), Chamberlin.

## House Standing Committees 1913 21

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*Internal Improvements and Indian Affairs*—McKay (chairman), Middaugh, Kingery, Picken, Holmes.

*Irrigation and Arid Lands*—Roland (H. K.), (chairman), Horrigan, Adams, Stevens, Cleland, Lum, Urquhart, Neumann (M. M.), Picken, Foutaine, Oaks.

*Judiciary*—Wray (chairman), Cleland, Childe, Chamberlin, Sumner, Wells, Truax, Goss, McKay, Brown, Brooks, Earle, Holmes, Halsey, Rowland (D. H.), Moren, Corkery, Murphine, McFarland, Hastings, Grass, Pierce, Mess.

*Labor and Labor Statistics*—Goss (chairman), McCoy, Tonkin, Overman, Earle, Brown, Beam, Dunning, Gilbo, Sweet, Field, Hutchinson, Jensen.

*Medicine, Surgery, Dentistry and Hygiene*—Hurd (chairman), Craig, Mapes, Christensen, Kennedy, Capron, Mess, Masterson, Black, Croake, Hastings, Hill.

*Memorials*—Capron (chairman), Picken, McFarland, Sisson, Miles, Hedger.

*Mileage and Contingent Expenses*—Sweet (chairman), Miles, Kingery, Hedger, Zednick.

*Military Affairs*.—Horrigan (chairman), Merriam, Freeman, Black, Hill, Corkery, Houser, Moren, Chamberlin.

*Mines and Mining*—Tonkin (chairman), Smith, McFarland, Gray, Adams, Sweet, Croake, Houser.

*Miscellaneous*—Brislawn (chairman), Reed, Robe, Rowland (D. H.), Croake, Foster.

*Municipal Corporations of the First Class*—Hastings (chairman), Gray, Stewart, Neumann (M. M.), Grass, Rowland (D. H.), Holmes, Zednick, McKay, Kennedy, Davis.

*Municipal Corporations other than First Class*—Sumner (chairman), Truax, Smith, Horrigan, Wells, Bryant, Moren, Robe.

*Printing and Supplies*—Gilkey (chairman), Overman, Hays, Conner, Stewart, Hughes.

## 22 House Standing Committees 1918

*Privileges and Elections*—Conner (chairman), Halsey, Gray, Middaugh, Chamberlin, Gillbo, Grass, Hastings, Zednick; Catlin, Cleland.

*Public Morals*—Stevenson (chairman), Fontaine, Sweet, Gray, Goss, Halsey, LeSourd, Beam, Urquhart.

*Pure Food and Drugs*—Craig (chairman), Hurd, Kennedy, Newman (G. H.), Black.

*Revenue and Taxation*—Stewart (chairman), Smith, Hughes, Goss, Cleland, Childe, McKay, Gillbo, Merriam, Darling, Turnbow, Brislawn, Aagaard.

*Railroads*—Halsey (chairman), Wray, Hurd, Kennedy, Hays, Hutchinson, Grass, Sweet, Stevenson, Sumner, Hedger, Siler.

*Reapportionment Senatorial and Representative Districts*—Kennedy (chairman), Tonkin, Smith, Cleland, Childe, Sims, Earle, McKay, Adams, Farnsworth, Murphine, Herber, Reid, Zednick, Lum, Arnold (W. E.), Jensen.

*Roads and Bridges*—McArdle (chairman), Lum, Craig, Adams, Hughes, Siler, Horriگان, Hays, Farnsworth, Kennedy, Conner, Urquhart, Aagaard, Miles, Stream, Hutchinson, Stevenson, Sweet, Gray, LeSourd, Beam, Newman (G. H.), Tonkin.

*Rules and Order*—Mr. Speaker (chairman), Sims, Conner, Farnsworth, Halsey, Stevens, Adams, Goss, Stevenson, Sumner, McCoy.

*State Capitol and Grounds*—Greenbank (chairman), Freeman, Stevens, Craig, Kennedy, Sweet.

*State Library*—Catlin (chairman), Greenbank, Wray, Farnsworth, Dunning, McArdle, Davis.

*State Normal Schools*—Newman (G. H.) (chairman), Middaugh, Gray, Cleland, Merriam, Dunning, Brown, Reid, Falkner.

*State, School and Granted Lands*—Wells (chairman), Arnold (W. E.), Greenbank, Hughes, McArdle, Craig, Hutchinson, Capron, Darling, McCoy, Jensen.

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*State Penitentiary*—Masterson (chairman), Fontaine, Black, Hill, Falkner.

*State School for Defective Youth, Reform School and Reformatory*—Fields (chairman), Masterson, Stewart, LeSourd, Newman (G. H.), Robe, McCoy.

*State University*—Christensen (chairman), Hays, Dunning, Axtell, Hastings, Murphine.

*State Soldiers' and Veterans' Home*—LeSourd (chairman), Goss, Merriam, Bryant, Hill, Croake.

*Tidelands*—Mapes (chairman), Freeman, Arnold (W. A.) Kingery, Foster, McArdle, Langford, Murphine.

*Water and Water Rights other than Irrigation*—Lum (chairman), Hurd, Urquhart, Moll, Axtell, Foster, Gilkey.

*Washington State College*—Chamberlin (chairman), Newman (G. H.), Fontaine, Corkery, Herber.

*Township Organization*—Stevens (chairman), Aagaard, Pierce, Robe, Norton, Turnbow, Brooks, Falkner.

*Industrial Insurance*—McCoy (chairman), Gilkey, Wells, Beam, Bryant, Capron, Fields, Gilbo, Lum, Mess, Moll, Sims, Jensen.



## HOUSE EMPLOYES.

Name	Service	Residence
O. R. Maybury.....	Chief clerk.....	Seattle
L. D. Williams, Jr....	Asst. chief clk....	Riverview
W. B. Price.....	Serg't. at-arms....	Ellensburg
W. J. Coyle.....	Reading clerk....	Seattle
George Harrigan .....	Minute clerk....	Tacoma
Leon Nebergall .....	Speaker's clerk....	Pt Towns'd
E. H. Nash.....	Engross. clerk....	Fri. Harbor
C. A. Snow.....	Engross. clerk....	Tacoma
Jacob Smith .....	Engross. clerk....	Coupeville
O. H. Renschler.....	Journal clerk....	Reg't's P'k
Wm. Nessly .....	Bill clerk.....	Pullman
Harry VanHorn .....	Asst. bill clerk....	Richland
D. D. James.....	Asst. bill clerk....	Blk Diam'd
E. R. Thoma.....	Enrolling clerk....	Olympia
R. I. McLaughlin....	Docket clerk....	Sunnyside
G. C. Newman.....	Stenographer....	Colfax
Frank Coyle .....	Stenographer....	Seattle
Sadle Shafton .....	Stenographer....	Aberdeen
Geo. J. Stewart.....	Stenographer....	Malott
Gertrude Spafford ..	Stenographer....	Seattle
E. A. Peters.....	Stenographer....	Tacoma
John A. Begg.....	Stenographer....	Seattle
Lon A. Shimp.....	Index clerk.....	Portage
Martin Wall .....	As't S.-at-arms....	Seattle
Ed. Olson .....	Proof clerk....	W. Walla
Medill Connell .....	Proofreader....	Bellingham
Mrs. A. R. Gilchrist..	Asst. proof clk....	Seattle
Marie Lane .....	Appropriations clk.	Bellingham
W. Laughlin .....	Industrial clk....	Sunnyside
E. W. Robertson....	Judiciary clerk....	Spokane
P. M. Smith.....	Asst. jud. clerk....	Vance
J. S. McIntosh.....	Mimeog'ph clk....	Seattle
E. M. Smith.....	Mimeograph....	Blaine
A. E. Corlett.....	Mimeograph....	.....
Mrs. E. M. Boschke..	Committee clk....	Spokane
Oora Coffin .....	Committee clk....	Tacoma
Jack Frost .....	Committee clk....	Olympia
H. H. Sloler.....	Committee clk....	Wheeler
Marie Weisenberger..	Committee clk....	Bellingham
August Witt .....	Committee clk....	Davenport
L. L. Bowers.....	Committee clk....	Little Rock
J. E. Griffin.....	Committee clk....	Seattle
George Oyster .....	Committee clk....	Kelso
Lin Shields .....	Committee clk....	Stevenson

## HOUSE EMPLOYES—Continued.

Name	Service	Residence
Howard Fisher .....	Committee clk.	Spokane
D. L. Gillespie.....	Committee clk.	Brewster
C. E. Bragg.....	Committee clk.	Olympia
H. C. Walbot.....	Committee clk.	Ellensburg
Otis Hergert .....	Committee clk.	Seattle
E. Drake .....	Committee clk.	Spokane
Carl Oline .....	Committee clk.	Bellingham
H. C. Graham.....	Committee clk.	Ritzville
J. R. Neville.....	Committee clk.	Deer Park
J. B. Edwards.....	Postmaster....	Concrete
Zeus Page .....	Asst. p'stm'st'r	No. Yakima
W. W. Thompson...	Doorkeeper....	Tacoma
J. Laughlin .....	Doorkeeper....	Ellensburg
John Taylor .....	Doorkeeper....	Chesham
B. S. Weston.....	Doorkeeper....	Seattle
J. D. Jones.....	Doorkeeper....	.....
J. Gleason .....	Watchman....	Seattle
Thos. Harlan .....	Watchman....	Oakville
Wm. Collins .....	Janitor.....	Seattle
Walter Strauther ...	Janitor.....	Seattle
Thos. Ryan .....	Janitor.....	Spokane
Olas. Herth .....	Porter.....	Seattle
Fred Adams .....	Page.....	Ellensburg
Carl Mapes .....	Page.....	Aberdeen
B. Turnbow .....	Page.....	Palouse
W. Foster .....	Page.....	Seattle
Maynard Duxbury...	Page.....	Bremerton
Clarence Koger .....	Page.....	So. Prairie
Ray Darling .....	Page.....	Bridgeport

## SUGGESTIONS AS TO FORM OF LEGISLATION.

1. Preambles should be stricken from bills before enactment.

2. The title of an act need not be an index to the provisions therein, but should be phrased in general language sufficiently comprehensive to indicate the scope of the act.

3. Laws cannot be amended by adding thereto or striking therefrom certain words, or by amending a subdivision of a section. The full section amended must be set forth at length.

4. Whenever practicable, bills relating to subjects covered by existing laws should be prepared in the form of amendments to Remington & Ballinger's Annotated Codes and Statutes of Washington, Pierce's Washington Code for 1905, or the Laws of 1911, as the case may be.

5. Amendments of acts found in the Session Laws should designate such laws by section and chapter number rather than by quotation of the title of the act amended, and reference to the date of its approval.

6. As a general rule it will be found practicable to first state the subject-matter of amendatory act, following such statement by a reference to the law amended, for illustration: "An act relating to the organization of the naval militia, and amending section 1 of chapter 102 of the Laws of 1911."

7. Bills amending more than one section of existing laws should contain a separate section for each section amended.

8. The form of amendatory language in each section of the bill itself should be, for illustration, as follows: "That section . . . of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows: Sec. . . . ."

9. Acts which are not amendatory of existing laws should be divided into short sections where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

10. Laws defining crimes should not fix the duration of the imprisonment or the amount of fine, but should make the commission of such crime a misdemeanor, gross misdemeanor or felony, as the case may be, leaving the punishment to be fixed by the court under the provisions of the Criminal Code.

11. Bills carrying an appropriation should designate the particular fund from which money appropriated is to be paid. It is unnecessary to prescribe in detail the manner of paying funds from the state treasury. This matter is covered by existing law.

12. All laws will take effect ninety days after the adjournment of the legislature unless other provision is made in the act. The amendment to the constitution adopted in 1912 provides that "such laws as may be necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions" shall not be subject to the referendum. Laws designed to take effect before ninety days after the adjournment of the legislature must contain a declaration substantially in one of the following forms: "This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately." "This act is necessary for the immediate support of the state government and shall take effect immediately." "This act is necessary for the immediate support of the existing public institutions of the state and shall take effect immediately." A combination of these forms may be used, or where the act is intended to take effect upon a definite date within ninety days after the adjournment of the legislature, a designated date may be inserted in lieu of the word "immediately."

## JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.

### CONFERENCE AND FREE CONFERENCE COMMITTEES.

**RULE 1.** In every case of an amendment of a bill or joint or concurrent resolution, agreed to in one house, dissented from in the other and not receded from by the one making the same, such house shall appoint a committee to confer with a like committee to be appointed by the other, and the committee so appointed shall meet at a convenient hour, to be agreed upon by their respective chairmen, and shall confer upon the differences between the two houses as indicated by the amendment made in one and rejected in the other, and report as early as convenient the result of their conference to their respective houses. If after such a report the two houses shall disagree upon the recommendations of the reporting committees as to their differences between the two houses, a committee of free conference shall be appointed to whom the whole subject matter embraced in the bill or resolution shall be committed, and the committee of free conference may report by new bill or resolution, or otherwise, and bills or resolutions so reported shall be treated as amendments, unless such bills or resolutions are comprised entirely of original matter, in which case they shall receive the treatment required in the respective houses for original bills or resolutions, as the case may be.

### MESSAGES, SENATE TO HOUSE.

**RULE 2.** Messages from the senate to the house of representatives shall be delivered by the secretary or assistant secretary, and messages from the house

of representatives to the senate shall be delivered by the chief clerk or assistant clerk, who shall be announced by the doorkeeper, enter within the bar, announce or deliver his message.

### BILLS, FINAL ACTION ON COMMUNICATED.

**RULE 3.** Each house shall communicate its final action on any bill or resolution, or matter in which the other may be interested, in writing, signed by the secretary or clerk of the house from which such notice is sent.

### ENROLLED AFTER PASSING BOTH HOUSES.

**RULE 4.** After a bill shall have passed both houses, it shall be duly enrolled by the enrolling clerk of the house in which it originated, and shall be examined by the enrolling committee of such house, who shall carefully compare the enrolled bill with the engrossed bill as passed, correcting any errors that may be discovered in the enrolled bill, procure in open session the signature thereto of the necessary officers of the two houses, present the same to the governor, and forthwith report to such house the time when such presentation to the governor was made. The enrolling clerk shall endorse on the back of each bill the house in which said bill originated.

### JOINT RESOLUTIONS TO TAKE THE SAME COURSE AS BILLS.

**RULE 5.** All joint resolutions to be presented to the governor, excepting such as may be addressed to him, shall take the usual course of bills.

### TO BE TRANSMITTED WITH BILLS.

**RULE 6.** Each house shall transmit to the other papers on which any bill or resolution may be founded.

PRINTING AUTHORITY OF JOINT COMMITTEE.

RULE 7. The standing committees on printing of the two houses shall be a joint standing committee, who shall examine all matters proposed to be printed by concurrent order, and shall report what part of such matter is needful to print. Each house may order the printing of bills introduced, reports of its own committees, and other matters pertaining to such house only; but no other printing shall be ordered except by a concurrent resolution passed by both houses. It shall be the duty of the secretary of the senate and the clerk of the house to compare the bills introduced in each house, and such bills as are introduced in both houses and are of the same wording shall only be printed in one house.

RESOLUTIONS, JOINT TO TAKE SAME COURSE AS BILLS.

RULE 8. Joint resolutions and memorials addressed to congress, or either house thereof, or to the president of the United States, or to the head of any of the national departments, or proposing amendments to the state constitution, shall be treated in all respects as bills.

VETOES, TO BE MADE SPECIAL ORDER.

RULE 9. Bills which have passed a previous legislature, and which are transmitted to the legislature next sitting, accompanied by a message or statement of the governor's disapproval, or veto of the same, shall become the subject of a special order; and when the special order for their consideration is reached and called, the said message or statement shall be read, together with the bill or bills so disapproved or vetoed, and the message and bill shall be read by the clerk, without interruption, consecutively, one following the other, and not upon separate occasions; and no such bill or message shall be referred to any com-

mittee, or otherwise acted upon, save as provided by law and custom; that is to say, that immediately following such reading the only question (except as hereinafter stated) which shall be put by the speaker is, "Shall the bill pass, notwithstanding the objections of the governor?" It shall not be in order, any time, to vote upon such vetoed bill without the same shall have first been read, from the first word of its title to and including the last word of its final section; and no motion shall be entertained after the chair has stated the question save a motion for the "previous question," but the merits of the bill itself may be debated.

### SPECIAL ORDER.

**RULE 10.** Senate bills in the house, and house bills in the senate shall be the special order on Wednesday of each week during the session.

### BILLS FOR AMENDMENTS SHALL REFER TO TITLE.

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



## RULES OF THE SENATE.

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

### QUORUM.

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

### DUTIES OF THE PRESIDENT.

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

chair, but such substitution shall not extend beyond an adjournment, nor authorize the senator so substituted to sign any document requiring the signature of the president.

#### PRESIDENT PRO TEM.

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

In the event that the lieutenant-governor is acting as governor the senate shall also elect one of its members temporary president, who in the absence or disability of the president elected by the senate shall have all the power and authority and who shall discharge the duties of such president.

#### SUBORDINATE OFFICERS.

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

#### COMMITTEE APPOINTMENTS.

RULE 6. The president shall appoint all special, joint and hereinafter named standing committees on the part of the senate: Provided, however, That the Committee on Rules and Joint Rules shall consist of seven (?) members, four (4) of whom shall be from Western Washington, and three (3) from Eastern

Washington, of which the president shall be a member, and: Provided further, That the appointment of the said standing committees shall be subject to the confirmation of the senate, such confirmation to be made a special order at 2:30 p. m. on the day following the announcement of the appointment by the president.

In the event the senate shall refuse to confirm any committee or committees, such committee or committees shall be forthwith elected by the senate.

The following standing committees shall constitute the standing committees of the senate:

Committee.	No. of Members.
1. Agriculture .....	5
2. Appropriations .....	9
3. Banks and Banking .....	5
4. Cities of the First Class .....	7
5. Claims and Auditing .....	3
6. Commerce and Manufactures .....	5
7. Congressional Apportionment .....	9
8. Constitution and Constitutional Revision .....	5
9. Corporations Other Than Municipal .....	5
10. Counties and County Boundaries..	5
11. Dairy and Live Stock .....	5
12. Dykes, Drains and Drainage .....	3
13. Education .....	5
14. Educational Institutions .....	3
15. Elections and Privileges .....	5
16. Engrossed Bills .....	5
17. Enrolled Bills .....	5
18. Fisheries .....	9
19. Game .....	6
20. Game Fish .....	5
21. Harbor and Harbor Lines .....	5
22. Horticulture and Forestry .....	5
23. Insurance .....	5
24. Irrigation and Arid Lands .....	6
25. Judiciary .....	13
26. Labor and Labor Statistics .....	5
27. Legislative Apportionment .....	9
28. Medicine, Dentistry, Surgery and Hygiene .....	3
29. Memorials .....	3
30. Military .....	5

	Committee.	No. of, Members.
39.	Mines and Mining .....	3
40.	Municipal Corporations .....	5
41.	Printing .....	5
42.	Public Buildings and Grounds .....	5
43.	Public Morals .....	7
44.	Public Revenue and Taxation .....	5
45.	Pure Food and Drugs .....	3
46.	Railroads and Transportation .....	9
47.	Roads and Bridges .....	12
48.	Rules and Joint Rules .....	7
49.	Salaries and Mileage .....	3
50.	State Charitable Institutions.....	7
51.	Senate Employes .....	2
52.	State Granted, School and Tide Lands .....	7
53.	State Library .....	5
54.	State Penal and Reformatory In- stitutions .....	6

### COMMITTEE REFERENCE.

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

**FIRST:** The Committee of the Whole Senate.

**SECOND:** A Standing Committee.

**THIRD:** A Select Committee.

### DUTIES OF COMMITTEES.

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

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

The Committee on Rules and Joint Rules shall have charge of the daily calendar of the senate and shall direct the secretary the order in which the business of the senate shall be transacted: Provided, however, That by a vote of the majority of the senate any bill may be advanced to any place on the calendar, and any bill may be withdrawn from the committee by a like majority of the senate and placed upon the calendar in such position as may be ordered. No committee shall sit during the daily session of the senate unless by special leave.

### COMMITTEE REPORTS.

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

### SENATE EMPLOYES.

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

The regular employes or officers of the senate shall not exceed forty in number.

The senate shall elect a secretary, who shall perform the usual duties pertaining to such office. He shall appoint,

subject to the approval of the senate, the necessary clerks and stenographers, whose hours of duty and assignments shall be under his direction and instructions and who may be dismissed by him at his discretion.

All other employes shall report to the sergeant-at-arms and be under his supervision and direction.

All senate employes shall remain on duty dally during the hours designated by the secretary and sergeant-at-arms, respectively.

### COMMITTEE OF THE WHOLE.

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

### RULES IN COMMITTEE OF THE WHOLE.

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

### MESSAGES RECEIVED.

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

**REPORT OF COMMITTEE OF THE WHOLE.**

**RULE 14.** A motion that the committee of the whole rise shall always be in order, and shall be decided without debate.

**SUSPEND RULES FOR COMMITTEE OF THE WHOLE.**

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

**ENROLLED AND ENGROSSED BILLS.**

**RULE 16.** The committees on enrolled and engrossed bills may report at any time during the sitting of the senate.

**ORDER OF BUSINESS.**

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

**FIRST.** Presentation of petitions, memorials, resolutions and motions.

**SECOND.** Reports of standing committees.

**THIRD.** Reports of select committees.

**FOURTH.** Messages from the governor and other state officers.

**FIFTH.** Messages from the house of representatives.

**SIXTH.** Introduction and first reading of bills.

**SEVENTH.** Second reading and reference of bills.

**EIGHTH.** Business on general file and third reading of bills.

**NINTH.** Business lying on the table.

**TENTH.** The orders of the day.

**ELEVENTH.** Unfinished business.

**BUSINESS TO BE ANNOUNCED.**

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

**UNFINISHED BUSINESS.**

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

**READING OF BILLS.**

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

**GENERAL FILE.**

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

**ENGROSSED BILLS.**

**RULE 22.** Engrossed bills shall be placed at the head of the general file in



the order in which they are reported on the floor (except general appropriation bills, which shall be placed at the head of the general file.)

#### BILLS MAY BE COMMITTED.

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

#### ONLY ONE SUBJECT.

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

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

#### INTRODUCTION OF BILLS.

RULE 26. No bill shall be introduced in the senate after the fortieth day of the session except the senate shall otherwise direct by a vote of two-thirds of all the members elected thereto, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session; provided that the time limitation for introduction of bills shall not apply to substitute bills reported by standing committees for bills pending before such committees.

#### LIMIT TO AMENDMENTS.

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

#### RECONSIDERATION, HOW TAKEN.

RULE 28. The vote on any motion or resolution may be reconsidered on the same, or, upon the next succeeding day of the sitting under the order of "Presentation of petitions, memorials, resolutions and motions," but not after said order has been passed.

The vote by which the report of a committee or motion amending a bill is adopted may be reconsidered as above prescribed for

the reconsideration of votes on motions or resolutions; or it may be reconsidered in the third reading of the bill, notwithstanding two or more days may have elapsed; provided, that any amendment made to the bill by committee report, shall, however, be considered as a part of the original bill and may be amended or stricken as an ordinary amendment.

After the final vote on any bill, before the adjournment of that day's session or during the sitting of the next following session, and at such times only, any member who voted with the prevailing side may give notice of reconsideration. Such motion to reconsider shall be in order only on the first or second day's sitting after such final vote.

No notice of reconsideration of any final vote shall be in order on the day next preceding the last day of the session.

No motion to reconsider shall be in order where action has been had by the Senate in consequence of the decision proposed to be reconsidered.

A motion to reconsider shall have precedence over every other motion, except a motion to adjourn; and when the Senate adjourns while a motion to reconsider is pending or before passing the order of "Presentation of petitions, memorials, resolutions and motions," the right to move a reconsideration shall continue to the next day of sitting.

### APPROPRIATION BILLS.

**RULE 20.** Bills appropriating money shall be considered in committee of the whole senate, and no change in the amount appropriated shall be made outside of the committee of the whole.

### PRINTING OF BILLS, ETC.

**RULE 30.** Unless otherwise ordered 450 copies of all bills of a general nature originating in the senate, shall be printed for the use of the senate and house of representatives; provided that on request of the senator introducing the bill, additional copies of such bill shall be printed.

## SPECIAL ORDER.

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

## WORDS TO BE UNDERLINED.

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

## JOINT RESOLUTIONS AND MEMORIALS

**Rule 33.** Joint resolutions and memorials addressed to congress, or either house thereof, or to the president of the UNITED STATES, or the heads of any of the national departments, or proposing amendments to the state constitution, shall be subject in all respects to the foregoing rules governing the course of bills.

## SENATE RESOLUTIONS.

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

## MOTIONS.

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

## MOTION TO ADJOURN.

**RULE 36.** A motion to adjourn shall always be in order. The name of the senator moving to adjourn, and the time

when the motion was made shall be entered on the journal.

#### PRECEDENCE OF MOTION.

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

FIRST. To fix the time to which to adjourn.

SECOND. To adjourn.

THIRD. For a call of the senate.

FOURTH. To lay on the table.

FIFTH. For the previous question.

SIXTH. To postpone to a day certain.

SEVENTH. To commit.

EIGHTH. To amend.

NINTH. To postpone indefinitely.

The second, third, fourth and fifth motions shall be decided without debate, and no motion to postpone to a day certain, to commit, to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session.

#### CALL FOR DIVISION.

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

#### PREVIOUS QUESTION.

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

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

#### PRIORITY OF BUSINESS.

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

#### THE VOTE.

RULE 41. The passage of a bill or action on a question is lost by a tie vote, but when a vote of the senate is equally divided, the lieutenant-governor, when presiding, shall have the deciding vote on questions other than the final passage of a bill.

#### THE YEAS AND NAYS.

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

#### READING OF PAPERS.

RULE 43. When the reading of any paper is called for, and is objected to by any senator, it shall be determined by a vote of the senate, without debate.

#### MESSAGES.

RULE 44. Messages from the governor, other state officers, and from the house of representatives may be considered at any time by consent of the senate.

#### RULES OF DEBATE.

RULE 45. When any senator is about to speak in debate, or submit any matter to the senate, he shall rise from his seat,

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

#### MAY CALL SENATOR TO ORDER.

**RULE 46.** If any senator in speaking, or otherwise, transgresses the rules of the senate, the president, shall, or any senator may, call him to order, and when a senator shall be so called to order he shall resume his seat and not proceed without leave of the senate, which leave, if granted, shall be upon motion "that he be allowed to proceed in order," when if carried, he shall confine himself to the question under consideration.

#### POINTS OF ORDER.

**RULE 47.** Every decision of points of order by the president shall be subject to appeal, and no discussion of a question of order shall be allowed except on appeal of three senators, and in all cases of appeal the question shall be "Shall the decision of the chair stand as the judgment of the senate?"

#### BREACH OF DECORUM.

**RULE 48.** In cases of breach of decorum or propriety, any senator, officer or other person shall be liable to such censure or punishment as the senate may deem proper, and if any senator be called to order for offensive or indecor-

ous language or conduct, the person calling him to order shall report the language excepted to, which shall be taken down or noted at the secretary's desk, and no member shall be held to answer for any language used upon the floor of the senate if business has intervened before exception to the language was thus taken and noted.

#### RECOGNITION BY THE PRESIDENT.

RULE 49. When two or more senators rise at the same time to address the chair, the president shall name the one who shall speak first, giving preference, when practicable, to the mover or introducer of the subject under consideration.

#### OPENING AND CLOSING DEBATE.

RULE 50. The author of a bill, motion or resolution shall have the privilege of opening and closing debate upon the same, unless the previous question has been moved and sustained.

#### PROTEST MAY BE ENTERED.

RULE 51. Any senator or senators may protest against the action of the senate upon any question, and have such protest entered upon the journal.

#### QUESTION OF PRIVILEGE.

RULE 52. Any senator may rise to a question of privilege and explain a matter personal to himself by leave of the president, but he shall not discuss any pending question in such explanation.

#### ABSENCE FROM SESSION.

RULE 53. No senator shall absent himself from the senate without leave, except in case of accident or sickness, and if any senator or officer shall absent himself his per diem shall not be allowed or paid him, and no senator, officer or attache shall obtain leave of absence or be excused from attendance without the consent of two-thirds of the members present.

## CALL OF THE SENATE.

**RULE 54.** A call of the senate may be moved by three senators, whose names shall be entered upon the journal, and if carried by a majority of all present the secretary shall call the roll and note the absentees, after which the names of the absentees shall again be called. The doors shall then be closed and the sergeant-at-arms directed to take into custody all who may be absent without leave, and all the senators so taken into custody shall be presented at the bar of the senate for such action as the senate may deem proper.

## ABSENCE DURING ROLL CALL.

**RULE 55.** A senator having been absent during roll call may ask to have his name called.

## ELECTION BY ROLL CALL.

**RULE 56.** In all cases of election by the senate the votes shall be taken viva voce, and no senator or other person shall remain by the secretary's desk while the roll is being called or the votes are being counted. No senator shall be allowed to vote except when within the bar of the senate, nor upon any question in which he is in any way personally or directly interested, nor be allowed to explain his vote or discuss the question while the yeas and nays are being called, nor change his vote after the result has been announced.

## ANNOUNCEMENT OF VOTE.

**RULE 57.** The announcement of all votes shall be made by the president, and the announcement of the result of any vote shall not be postponed.

## WITNESSES BEFORE THE SENATE.

**RULE 58.** Witnesses summoned by or on behalf of the senate to appear before the senate, or any of its committees, shall be paid for each day's attendance three dollars. For each mile traveled in coming to the place of examination, ten



cents; and nothing shall be paid for travel where the witness was served at the place of examination, and no mileage shall be paid except where the witness actually traveled for the purpose of giving testimony.

#### USE OF SENATE CHAMBER.

**RULE 59.** The senate chamber shall not be used for any but legislative business during the session, except by permission of the senate given by two-thirds vote.

#### ADMISSION TO FLOOR OF SENATE.

**RULE 60.** The sergeant-at-arms and doorkeepers shall not admit to the floor of the senate during the session any person other than a member of the senate, except:

The governor.

Members of the house of representatives.

State officers,

Officers and employes of the senate,

Representatives of the press or other persons designated by name by resolution of the senate and holding cards of admission signed by the president.

#### ADMISSION TO SENATE.

**RULE 61.** The sergeant-at-arms and doorkeepers shall not admit to the floor of the senate during the time the senate is not in session, any person other than one requested by a senator, the president or secretary of the senate.

#### SENATE GALLERY.

**RULE 62.** The gallery back of the president's desk is reserved for the use of the governor and state officers and their families, for the families of senators, and for members of the house of representatives and their families.

#### SMOKING NOT ALLOWED.

**RULE 63.** Smoking shall not be allowed in the senate chamber during the session of the senate, nor shall indecor-

ous conduct, bolsterous or unbecoming language be permitted there at any time.

### REED'S PARLIAMENTARY RULES.

**RULE 64.** The rules of parliamentary practice as contained in Reed's Parliamentary Rules shall govern the senate in all cases to which they are applicable, and in which they are not inconsistent with the rules and orders of this senate and the joint rules of this senate and the house of representatives.

### SUSPENSION OF RULES.

**RULE 65.** No standing rule or order of this senate shall be rescinded or changed without a vote of two-thirds of the members, and one day's notice of the motion thereof; but a rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present. When the suspension of a rule is called, and after due notice from the president, no objection is offered, he may announce the rule suspended, and the senate may proceed accordingly; but this shall not apply to that portion of Rule 20 relating to the third reading of bills, which cannot be suspended.

### PURCHASE OF SUPPLIES.

**RULE 66.** The board of control shall furnish all necessary supplies for the senate upon the requisition of the sergeant-at-arms, when signed by the secretary of the senate.

**RULE 67.** Any senator shall have the right to compare an enrolled bill with the engrossed bill before the president signs the same.

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**RULES OF THE HOUSE.**

**ORDER OF BUSINESS.**

**RULE 1.** Business shall be disposed of in the following order:

**FIRST**—Calling the roll and reading the journal of the preceding day.

**SECOND**—Presentation of petitions, memorials and remonstrances addressed to the legislature.

**THIRD**—Propositions, motions and resolutions.

**FOURTH**—Reports of standing committees.

**FIFTH**—Reports of special committees.

**SIXTH**—Messages from the senate.

**SEVENTH**—Introduction and first reading of bills.

**EIGHTH**—Second reading of bills.

**NINTH**—Third reading of bills.

**TENTH**—Orders of the day.

**ELEVENTH**—Other business to be considered.

**TWELFTH**—Announcements of committee meetings.

**RULE 2.** The committee on rules and order shall have charge of the daily calendar of the house, and direct the clerk the order in which the business of the house shall be transacted.

**RULE 3.** The speaker shall on each day announce to the house the business in order, agreeably to the preceding rule, and no business shall be taken up or considered until the class to which it belongs shall be declared in order, but messages from the governor or senate, or any communication from any state officer, may be read at any time.

**RULE 4.** The unfinished business at which the house was engaged preceding ad-



journalment shall not be taken up until reached in regular order, and shall then have precedence under such order from day to day until finally disposed of.

#### SPEAKER.

RULE 5. The speaker shall take the chair every day precisely at the hour to which the house shall have adjourned on the preceding day. He shall immediately call the members to order, and on the appearance of a majority of the members shall cause the journal of the preceding day to be read.

RULE 6. The speaker shall preserve order and decorum, may speak to points of order in preference to other members, rising from his chair for that purpose, and shall decide questions of order, subject to an appeal to the house.

RULE 7. The speaker shall rise to put a question, but may state it sitting.

RULE 8. The speaker shall have a general direction of the house of representatives' room; he shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment. He shall have the right to appoint all committees.

RULE 9. In case of any disturbance or disorderly conduct in the lobby, the speaker (or chairman of the whole house) shall have the power to order the same to be cleared.

#### APPEAL FROM THE CHAIR.

RULE 10. The decision of the chair may be appealed from by any two members, on which appeal no member shall speak more than once, unless by leave of the house.

#### QUORUM.

RULE 11. Seven members with the speaker, or eight members in his absence, having chosen a speaker *pro tempore*, shall be authorized to call the house, and compel the attendance of absent members, making order for their fine and censure, and may adjourn. For the purpose of determining whether a quorum be present, the speaker, or chairman, shall count all members present, whether voting or not.

## TIME OF MEETING.

RULE 12. The time of meeting of the house shall be at 10 o'clock a. m., and the time of meeting after the noon recess shall be 2 o'clock p. m., unless otherwise ordered by the house.

## FORM OF QUESTION.

RULE 13. Questions shall be put in this form, to-wit: "As many as are in favor of (as the question shall be) say 'Aye!'" and after the affirmative vote is expressed, "As many as are opposed say 'No.'" If the speaker is in doubt, or if division is called for, the house shall divide. Those in the affirmative on the question shall rise in their seats, and the number being announced, those in the negative shall rise.

## DECORUM OF MEMBERS.

RULE 14. When any member is about to speak in debate, or deliver any matter to the house, he shall rise from his seat and respectfully address himself to Mr. Speaker, and shall confine himself to the question under debate, and avoid personalities; and no member shall impugn the motive of any member's vote or argument.

RULE 15. If any member in speaking or otherwise, transgress the rules of the house, the speaker shall, or any member may, call him to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and the house shall, if appealed to, decide the case without debate; if there be no appeal, then the decision of the chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, and the case require it, he shall be liable to the censure of the house.

RULE 16. If any member be called to order for words spoken in debate, the person calling him to order shall repeat the words excepted to and they shall be taken down in writing at the clerk's table, and no member shall be held to answer, or be subject to the censure of the house for words spoken in debate if any other member has spoken, or other business has intervened,

after the words are spoken, and before exception to them shall have been taken.

**RULE 17.** When two or more members arise at once, the speaker shall name the one who is first to speak.

**RULE 18.** No member shall speak more than twice on the same question without leave of the house, except the chairman of the committee, or the mover of the question, who may close the debate: *Provided*, That no member shall speak longer than five minutes without unanimous consent.

### MOTIONS.

**RULE 19.** When a motion is made and seconded, it shall be stated by the speaker, or, being in writing, it shall be handed to the chair and read aloud before debate.

**RULE 20.** Every motion shall be reduced to writing, if the speaker or a member desire it.

**RULE 21.** After a motion is stated by the speaker, or bill, memorial, resolution, petition or remonstrance is read by the clerk, it shall be deemed to be in possession of the house, but may be withdrawn at any time, by consent of the house, before decision or amendment.

**RULE 22.** When a question is under debate, no motion shall be received but the following, in the rank named:

1st rank: Question of consideration.

2nd rank: To lay on the table.

3rd rank: For the previous question.

4th rank: To postpone to a day certain.

To commit or recommit.

To postpone indefinitely.

5th rank: To amend.

**RULE 23.** When a reading of a paper is called for, it shall be decided by a vote of the house.

**RULE 24.** All questions, whether in committee or in the house, shall be propounded in the order in which they are named, except that in filling blanks, the largest sum and the longest time shall be first put.

## INDEFINITE POSTPONEMENT.

RULE 25. No motion to postpone indefinitely, having been decided in the negative, shall again be allowed on the same day, and at the same stage of the bill or proposition. When a question is postponed indefinitely, the same shall not be acted upon again during the session.

## RECONSIDERATION.

RULE 26. When a vote, which by Reed's Parliamentary Rules, is capable of reconsideration, has once been taken and decided in the affirmative or negative, it shall be in order for any member of the prevailing side to move for reconsideration thereof on the same day or the next working day thereafter, and when a motion to reconsider has been carried its effect shall be to place before the house the original question in the exact position it occupied before it was voted upon.

## PREVIOUS QUESTION.

RULE 27. The previous question may be ordered by two-thirds of the members present upon all recognized motions or amendments which are debatable, and shall have the effect to cut off all debate and bring the house to a direct vote upon the motion or amendment on which it has been ordered. On motion for the previous question, and prior to the seconding of the same, a call of the house shall be in order but such call shall not be in order thereafter prior to the decision of the main question.

The question is not debatable and cannot be amended. The previous question shall be put in this form: "Mr. . . . . demands the previous question. As many as are in favor of ordering the previous question will say 'Aye'; as many as are opposed will say 'No.'"

The results of the motion are as follows: If determined in the negative, the consideration goes on as if the motion had never been made; if decided in the affirmative, the presiding officer at once and without debate, proceeds to put the amendment or motion as ordered. If an adjournment is had after the previous question is or-

dered, the subject comes up the first thing after the reading of the Journal the next day, and the previous question still operates, making the main question privileged over all other business, whether new or unfinished.

#### DIVISION OF QUESTIONS.

**RULE 28.** A division cannot be demanded as a right by any member. It must be made pursuant to a motion stating precisely the division asked for, which motion can be amended. The presiding officer can decide, subject to an appeal to the house, that the division proposed cannot be made. Otherwise it is submitted to the house and decided by it.

#### AMENDMENTS AND RECOMMITMENT.

**RULE 29.** No motion or proposition on a subject shall be admitted under color of amendment, if different from that under consideration. No bill or resolution shall at any time be amended by annexing thereto or incorporating any bill or resolution pending before the house. (See also Rule 34.)

**RULE 30.** No amendment shall be received to a bill on its third reading, but it may be referred or recommitted for the purpose of amendment. A bill may be recommitted at any time before its passage.

#### PETITIONS, MEMORIALS AND RESOLUTIONS.

**RULE 31.** Petitions, memorials and other papers addressed to the house may be presented by the speaker or any member, and shall not be debated or decided on the day of their being first read unless the house shall direct otherwise, but they may be referred to the committee having the subject-matter thereof under consideration, or may lie on the table, or be taken up in the order in which they are presented.

#### PROCEDURE ON BILLS, JOINT AND CONCURRENT RESOLUTIONS.

**RULE 32.** Any member desiring to introduce a bill shall first obtain the floor

and state that he desires to introduce a bill, and if entitled to do so, the bill shall be sent to the clerk's desk to be numbered and all bills shall be read in the order in which they are numbered by the clerk, but no bill shall be read a first time until every member present entitled to introduce a bill has had an opportunity to do so, unless otherwise ordered by the house. After the fortieth day of the session, no bills shall be introduced in the house except by consent of two-thirds of the members present.

**RULE 33.** All bills introduced in this house which are intended to amend existing statutes, shall have the words which are amendatory to such existing statutes underlined or underscored or printed in italics; where a bill is introduced by way of amendment to strike out any part of an existing statute, that matter to be stricken shall be in capitals and enclosed in brackets; any such matter as cannot be conveniently underscored shall be marked "new matter," by printed words on the margin, so that when the printed bill is presented for the perusal of members, such new or amendatory matter shall be easily discernable; all bills, joint resolutions, and joint memorials introduced either by a member or committee shall be in duplicate, one copy of which shall have endorsed thereon the word "original" and shall be retained by the house. The duplicate thereof shall have endorsed thereon the word "copy," and when the printing of such bill shall have been ordered, the same shall be sent to the printer and his receipt taken therefor. Such bill must hereafter be returned to the chief clerk at the time the printed bill is delivered to the house; and *Provided further*, That no bill shall be acted upon until the provisions of this rule shall have been complied with.

**RULE 34.** Every bill shall be read on three several days unless the house deem it expedient to suspend this rule. The first reading shall be by title only, unless a majority of the members present demand a reading in full. All bills shall be printed unless otherwise ordered by the house, and be referred to committee after first reading.

Bills shall pass to second reading when reported back by the committee, unless there shall be a unanimous report against a bill, in which case the vote shall be immediately called for, upon the indefinite postponement of the bill.

Each amendment made by a committee to a bill shall be in writing on a separate slip of paper, and shall be securely attached to the original bill by a paper fastener. The report of the committee shall also contain a statement of the amendments agreed to by the committee. Any committee report on a bill not conforming with this rule shall be returned by the chief clerk of the house to the committee for a compliance with this rule without further order by the house. Upon second reading, the bill shall be read section by section in full, and be subject to amendment. No amendment shall be considered by the house until it shall have been sent to the desk in writing and read by the clerk. All amendments adopted on the second reading shall be securely attached to the original bill by a paper fastener.

Amendments rejected by the house shall be passed to the minute clerk, and the journal shall show the disposition of such amendments. When no further amendments shall be offered, the speaker shall declare the bill has passed its second reading. The bill, with the amendments, if there be any attached thereto, shall be sent to the committee on engrossed bills, which committee shall see that all amendments are properly engrossed upon the original bill, and the bill returned to the chief clerk before the opening of the house on the next succeeding day, and the bill shall then come up in the regular order for a third reading. Bills on third reading shall be read in full by sections. The only question on the third reading of a bill shall be upon its passage, and no amendment shall be entertained. No bill introduced "by request" shall be printed until the committee to which said bill has been referred has acted and reported upon the same.

**RULE 35.** A bill may be advanced on the calendar by a vote of three-fifths of all

members present voting in the affirmative; and the question shall be, "Shall the bill be advanced on the calendar?"

**RULE 36.** All joint or concurrent resolutions or memorials shall be acted upon the same as bills, unless otherwise ordered by a majority of the house.

**RULE 37.** When a bill shall pass, it shall be certified to by the clerk, together with the vote upon final passage, noting the day of its passage at the foot thereof.

**RULE 38.** On the final passage of every bill, the yeas and nays shall be taken and entered upon the journal.

**RULE 39.** No engrossed bill, memorial or joint resolution shall be sent to the senate until one day after its passage, without special instructions by the house. That in the event of a committee having a number of bills on the same subject, of which none can be agreed upon by the committee, and it is their wish to present a different bill upon the same subject, such bill must be reported to the house and accepted before any of the other bills can be recommended for indefinite postponement.

#### YEAS AND NAYS.

**RULE 40.** Upon the passage of any question the vote shall be taken by yeas and nays, and shall be entered upon the journal of the house, when demanded by one-sixth of the members present. The speaker shall vote when the yeas and nays are called for, his name being called last, and in case of an equal division, the question shall be lost.

#### VOTING.

**RULE 41.** No member shall be allowed to explain his vote or discuss the question while the yeas and nays are being called nor change his vote after the result has been announced or vote on any question in the event of which he is immediately or particularly interested, or in any case when he was not within the bar of the house before the last name was called, unless by unanimous consent; and when any member shall ask leave to vote, the speaker shall propound to him the question, "Were you



within the bar of the house when the last name was called?"

RULE 42. Upon a division and count of the house on any question, no member without the bar shall be counted.

#### DUTIES OF MEMBERS.

RULE 43. While the speaker is putting the question, no member shall walk across or out of the house; nor when a member is speaking shall any member entertain private discourse or pass between him and the chair.

RULE 44. Every member who shall be in the house when the question was put shall give his vote unless the house for special reasons shall excuse him. All motions to excuse a member shall be made before the house divides or before the call for yeas and nays is commenced; and any member requesting to be excused from voting may make a brief and verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

RULE 45. No member shall absent himself from the service of the house unless he shall have leave or be sick and unable to attend.

RULE 46. No person shall be allowed to smoke in the hall or lobby thereof during the session or recess.

#### COMMITTEE OF THE WHOLE HOUSE.

RULE 47. In forming a committee of the whole house the speaker having the chair shall call upon some member to preside, who shall be addressed as "Mr. Chairman."

RULE 48. Upon a bill committed to a committee of the whole house, the bill shall be read and debated by clauses, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined, but all amendments (noting the line and page) shall be duly entered by the clerk on a separate paper, as the same shall be agreed to by the committee, and so reported to the house. After a report, the bill shall again be subject to be debated

and amended by clauses before a question to engross it be taken.

**RULE 40.** The rules of proceedings in the house shall be observed in a committee of the whole house so far as they may be applicable, but no member shall be recognized a second time until every member choosing to speak shall have spoken.

### CURRENT VETOES.

**RULE 50.** The veto message of the governor accompanying any bill passed by the house of representatives other than as provided in joint rule No. 9, shall be immediately read, together with the bill vetoed. It shall then be in order to proceed to the reconsideration of the bill, or to postpone its consideration to a day certain. A veto message and a bill, or the message alone, may be referred, and the bill may be laid on the table. The main question in the consideration of a vetoed bill is, "Shall the bill pass notwithstanding the veto of the governor?" If two-thirds of the members present vote aye, the bill shall be sent to the senate, together with the message of the governor, for its action. The merits of the bill may be debated before the vote is taken, but the vote on a vetoed bill cannot be reconsidered.

### STANDING COMMITTEES.

**RULE 51.** The standing committees to be appointed by the speaker shall consist of not less than five nor more than twenty-three members as follows:

1. Agriculture.
2. Appropriations.
3. Banks and Banking.
4. Claims and Auditing.
5. Commerce and Manufacturing.
6. Congressional Apportionment.
7. Constitutional Revision.
8. Compensation and Fees for State and County Officers.
9. Corporations other than Municipal and Railroads.
10. Counties and County Boundaries.
11. Dairy and Livestock.
12. Dikes, Drains and Drainage.
13. Education.

14. Engrossed Bills.
15. Enrolled Bills.
16. Federal Relations and Immigration.
17. Fisheries.
18. Game and Game Fish.
19. Horticulture and Forestry.
20. Harbors and Waterways.
21. Hospital for the Insane.
22. House Arrangements.
23. Industrial Insurance.
24. Insurance.
25. Internal Improvements and Indian Affairs.
26. Irrigation and Arid Lands.
27. Judiciary.
28. Labor and Labor Statistics.
29. Logged-Off Lands.
30. Medicine, Surgery, Dentistry and Hygiene.
31. Memorials.
32. Mileage and Contingent Expenses.
33. Military Affairs.
34. Mines and Mining.
35. Miscellaneous.
36. Municipal Corporations of the First Class.
37. Municipal Corporations other than First Class.
38. Printing and Supplies.
39. Privileges and Elections.
40. Public Morals.
41. Pure Food and Drugs.
42. Revenue and Taxation.
43. Railroads.
44. Reapportionment Senatorial and Representative Districts.
45. Roads and Bridges.
46. Rules and Order.
47. State Capitol and Grounds.
48. State Library.
49. State Normal Schools.
50. State, School and Granted Lands.
51. State Penitentiary.
52. State School for Defective Youth, Reform School and Reformatory.
53. State University.
54. State Soldiers' and Veterans' Home.
55. Tidelands.
56. Township Organization.
57. Water and Water Rights other than Irrigation.
58. Washington State College.

**RULE 52.** No committee shall sit during the sitting of the house without special leave; and all its writs, warrants and subpoenas issued by order of the house shall be under the hand and seal of the speaker, attested by the clerk.

**RULE 53.** It shall be in order for the committee on enrolled bills and engrossed bills to report at any time, if no motion is before the house. These committees may report without notice to the house by handing reports to the chief clerk.

#### STANDING COMMITTEES.

**RULE 54.** Standing committees shall report all bills back to the house with their action thereon signed by the chairman and the members thereof, within ten days from the time of reference, unless further time be granted by the house, and the journal shall contain an exact copy of said report.

#### CALL OF THE HOUSE.

**RULE 55.** Ten members may demand a call of the house at any time before the house has divided or the voting has commenced by yeas and nays, and thereupon the doors shall be closed until further proceedings upon the call have been dispensed with, which shall not be done until the absentees have been sent for, if requested by any member; but arrests of members for absence shall not be made unless ordered by a majority of the members present.

#### USE OF HALL.

**RULE 56.** The use of the chamber of the house of representatives shall not be granted for any purpose without unanimous consent, except for caucuses of the members of the legislature.

#### ADMITTANCE TO FLOOR.

**RULE 57.** The following classes of persons shall be entitled to admittance to the floor of the house during the session thereof, viz.:

1. The governor and Lieutenant governor.
2. The members of the senate.
3. The state officers.
4. Persons in the exercise of official duty directly connected with the business of the house.

5. Reporters of the press as provided in the next rule.

6. The following persons upon presentation of a card of admission to be issued by the speaker:

Deputy state officers.

No other person shall be admitted to the floor during the session, or from 9 a. m. to 10 p. m., except the immediate family of members, who may be admitted when the house is not in session; and the sergeant-at-arms is directed to enforce this rule.

### REPORTERS.

**RULE 58.** The speaker shall designate the persons who shall act as reporters for the public press. Such reporters so appointed shall be entitled to such seats as the speaker shall designate, and shall have the right to pass to and fro from such seats in entering or leaving the chamber of the house of representatives.

### VISITORS' GALLERY.

**RULE 59.** The gallery over the speaker's desk is reserved for the use of the ladies and families of the governor, lieutenant governor, state officials and members of the legislature.

### STANDING RULES.

**RULE 60.** No standing rule or order of the house shall be rescinded or changed without one day's notice being given of the motion therefor, nor shall any rule be suspended except by a vote of at least two-thirds of the members present. Neither the standing rules nor the order of business established by the house shall be postponed, changed or rescinded except by a vote of at least two-thirds of the members present.

**RULE 61.** The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern in all cases in which they are not inconsistent with the standing rules and orders of the house.

### DUTIES OF SUBORDINATE OFFICERS AND EMPLOYES.

**RULE 62.** The chief clerk of the house shall see that the journal is properly kept, and have general supervision over all the clerks, excepting committee clerks while

their services are required by standing committees.

**RULE 63.** The assistant chief clerk, reading clerk, minute clerk, docket clerk, journal clerk and desk clerk shall perform the duties of their respective positions under the direction of the chief clerk, and shall also perform such other duties as he may direct.

**RULE 64.** The enrolling clerk shall be under the supervision of the committee on enrolled bills when needed.

**RULE 65.** The engrossing clerk shall be under the supervision of the committee on engrossed bills when needed.

**RULE 66.** The sergeant-at-arms shall attend the house during the sittings, announce all messages, preserve order, execute all processes issued by authority of the house and directed to him by the speaker. He shall see that the hall of the house and adjoining rooms are kept clean, well heated and ventilated and that the furniture is kept in good order and repair. He shall also have general supervision of the work of the assistant sergeant-at-arms, the doorkeepers, postmasters, bill clerks, watchman, messengers, pages and janitors, and shall see that they properly perform the duties of their respective positions and such other duties as he shall assign them.

**RULE 67.** All clerks, excepting when acting under assignment, shall report to the chief clerk or assistant for duty one hour before the opening of each daily session. All other employes of the house, excepting the watchman, shall report for duty to the sergeant-at-arms daily at 9 a. m.

**RULE 68.** Any officer or employe of the house who neglects or refuses to perform any duty assigned to him, or shall be found in a state of intoxication, shall, when reported to the house in writing by the chief clerk, sergeant-at-arms, or the chairman of any standing committee, be subject to a reprimand, and for a second offense be removed by a majority vote of the house.

**RULE 69.** The state board of control shall furnish all proper supplies for the use of the house, upon requisition signed by the chief clerk and sergeant-at-arms, and approved by the speaker of the house.

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# CONSTITUTION.

## PREAMBLE.

WE, THE PEOPLE OF THE STATE OF WASHINGTON, GRATEFUL TO THE SUPREME RULER OF THE UNIVERSE FOR OUR LIBERTIES, DO ORDAIN THIS CONSTITUTION.

## ARTICLE I—DECLARATION OF RIGHTS.

Section 1. All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.

Sec. 2. The Constitution of the United States is the supreme law of the land.

Cited: 30 W. 480; 55 W. 286.  
Construed: 1 W. 886; 7 W. 500; 15 W. 15; 18 W. 687; 30 W. 430; 40 W. 462; 52 W. 80; 53 W. 1; 55 W. 414; 58 W. 860; 68 W. 681.

Sec. 3. No person shall be deprived of life, liberty or property without due process of law.

Cited: 5 W. 304; 17 W. 450; 18 W. 78; 18 W. 595; 19 W. 208; 36 W. 453; 54 W. 153; 67 W. 40.

Construed: 13 W. 160; 40 W. 298; 55 W. 278; 57 W. 550; 52 W. 888; 16 W. 863; 16 W. 412; 17 W. 460; 17 W. 447; 35 W. 271; 10 W. 337; 29 W. 604; 20 W. 164; 41 W. 178; 42 W. 240; 44 W. 352; 45 W. 252; 46 W. 302; 52 W. 17; valid—58 W. 585; 60 W. 112; valid—68 W. 468; valid—65 W. 175; valid—67 W. 641.

Sec. 4. The right of petition, and of the people peaceably to assemble for the common good, shall never be abridged.

Sec. 5. Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right.

Sec. 6. The mode of administering an oath, or affirmation, shall be such as may be consistent with and binding upon the conscience of the person to whom such oath, or affirmation, may be administered.

Sec. 7. No person shall be disturbed in his private affairs, or his home invaded, without authority of law.

Sec. 8. No law granting irrevocably any privilege, franchise or immunity shall be passed by the legislature.

Sec. 9. No person shall be compelled in any criminal case to give evidence against himself, or be twice put in jeopardy for the same offense.

Cited: 7 W. 338; 17 W. 100; 17 W. 525; 32 W. 7; 36 W. 441; 36 W. 485; 40 W. 217; 40 W. 480.

Construed: 56 W. 132.

Sec. 10. Justice in all cases shall be administered openly, and without unnecessary delay.

Construed: Valid—63 W. 468.

Sec. 11. Absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person or property on account of religion, but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for or applied to any religious worship, exercise or instruction, or the support of any religious establishment. No religious qualification shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony.

Sec. 12. No law shall be passed granting to any citizen, class of citizens, or corpora-

tion other than municipal, privileges or immunities which upon the same terms shall not equally belong to all citizens or corporations.

Cited: 21 W. 522; 23 W. 580.

Construed: 4 W. 426; 15 W. 421; 16 W. 368; 18 W. 78; 18 W. 591; 21 W. 554; 24 W. 56; 28 W. 681; 29 W. 456; 31 W. 108; 31 W. 641; 35 W. 36; 36 W. 848; 35 W. 315; 37 W. 482; 41 W. 238; 42 W. 217; 42 W. 240; 44 W. 352; 44 W. 858; 44 W. 354; 45 W. 477; 49 W. 35; 51 W. 125; 51 W. 682; 54 W. 288; 58 W. 476; 47 W. 589; 49 W. 462; 52 W. 314; 55 W. 289; unconstitutional—58 W. 501; valid—58 W. 468; 87 W. 641.

Sec. 13. The privilege of the writ of habeas corpus shall not be suspended unless in case of rebellion or invasion the public safety requires it.

Cited: 58 W. 687.

Sec. 14. Excessive bail shall not be required, excessive fines imposed, nor cruel punishments inflicted.

Construed: 39 W. 164; 49 W. 296.

Sec. 15. No conviction shall work corruption of blood, nor forfeiture of estate.

Sec. 16. Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes or ditches on or across the lands of others for agricultural, domestic or sanitary purposes. No private property shall be taken or damaged for public or private use without just compensation having been first made, or paid into court for the owner, and no right-of-way shall be appropriated to the use of any corporation other than municipal, until full compensation therefor be first made in money, or ascertained and paid into the court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived as in other civil cases in courts of record. In the manner prescribed by law. Whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public shall

be a judicial question, and determined such without regard to any legislative section that the use is public.

Cited: 2 W. 155; 21 W. 194; 54 W. 158; 55 W. 187, 577; 58 W. 612; 65 W. 404; 66 W. 440.

Construed: 35 W. 60; 38 W. 614; 5 W. 1; 5 W. 85; 5 W. 871; 28 W. 100; 40 W. 444; 89 W. 855; 6 W. 1; 11 W. 633; 6 W. 108; 31 W. 558; 33 W. 400; 42 W. 632; 39 W. 648; 42 W. 660; 26 W. 278; 27 W. 620; 7 W. 267; 8 W. 295; (see 6 W. 402); 4 W. 451; 5 W. 744; 6 W. 402; 9 W. 2 (invalidates drainage act Laws 1890, p. 652); 9 W. 87 (invalidates road law, Laws of 1893, p. 287); 9 W. 92; 11 W. 420 (invalidates chapter 2, title 21 of the general statutes); 13 W. 49 (declaring portion of act. Laws of 1898, p. 301. unconstitutional); 13 W. 150; 15 W. 319; 19 W. 202; 19 W. 358; 20 W. 88; 28 W. 212; 24 W. 501; 26 W. 289; 27 W. 526; 29 W. 5; 29 W. 494; 30 W. 224; 32 W. 54; 32 W. 227; 33 W. 801; 33 W. 497; 34 W. 351; 35 W. 76; 36 W. 117; 37 W. 16; 38 W. 687; 41 W. 61; 41 W. 498; 42 W. 408; 43 W. 115; 43 W. 290; 43 W. 628; 44 W. 645; 45 W. 303; 47 W. 416; 48 W. 618; 50 W. 29; 50 W. 38; 52 W. 50; 52 W. 203; 53 W. 42, 44, 239, 585; 57 W. 53; unconstitutional—58 W. 597; 163 Fed. 108; 140 U. S. 655; 50 W. 621; 61 W. 271; 62 W. 218; 62 W. 531. valid—63 W. 457; valid—63 W. 573; 65 W. 108; 66 W. 445; 67 W. 143; 67 W. 580; 69 W. 650.

Sec. 17. There shall be no imprisonment for debt, except in cases of absconding debtors.

Cited: 2 W. 162; 21 W. 200.

Construed: 3 W. 180; 19 W. 837; 13 W. 135; 21 W. 195; 26 W. 213; 52 W. 318; 52 W. 316; 58 W. 464; 60 W. 98.

Construed: Holding imprisonment in contempt for refusing to pay amount ordered not prohibited.

Sec. 18. The military shall be in strict subordination to the civil power.

Sec. 19. All elections shall be free and equal, and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

Sec. 20. All persons charged with crime shall be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great.  
 Construed: 64 W. 140.

Sec. 21. The right of trial by jury shall remain inviolate, but the legislature may provide for a jury of any number less than twelve in courts not of record, and for a verdict of nine or more jurors in civil cases in any court of record, and for waiving of the jury in civil cases where the consent of the parties interested is given thereto.

Cited: 13 W. 663; 15 W. 421; 30 W. 310; 58 W. 180.

Construed: 15 W. 443; 16 W. 382; 22 W. 131; 33 W. 537; 39 W. 164; 39 W. 199; 97 Fed. 937; 176 U. S. 586; 59 W. 621; void—60 W. 106; valid—65 W. 176, 213, 214.

Sec. 22. In criminal prosecutions, the accused shall have the right to appear and defend in person and by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to meet the witnesses against him face to face, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trial by an impartial jury of the county in which the offense is alleged to have been committed, and the right to appeal in all cases; and in no instance shall any accused person before final judgment be compelled to advance money or fees to secure the rights herein guaranteed.

Cited: 54 W. 383.

Construed: 2 W. 125; 3 W. 114; 2 W. 371; 7 W. 257; 9 W. 204; 9 W. 336; 12 W. 297; 13 W. 486; 15 W. 15, 421; 16 W. 575; 17 W. 563; 18 W. 48; 19 W. 464; 22 W. 5; 23 W. 578; 27 W. 528; 29 W. 60; 30 W. 134; 32 W. 80; 35 W. 149; 39 W. 164; 41 W. 241; 49 W. 437; unconstitutional—55 W. 589; 56 W. 297; 58 W. 420; 57 W. 247; 58 W. 414; 65 W. 629; 68 W. 12.

Sec. 23. No bill of attainder, ex post facto law, or law impairing the obligations of contracts shall ever be passed.

Construed: 4 W. 131; 14 W. 539; 17



W. 613; 19 W. 208; 38 W. 627; 42 W. 237; 49 W. 180; 49 W. 181; 54 W. 166; 58 W. 414; valid—60 W. 241; 61 W. 437; 63 W. 334.

Sec. 24. 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.

Sec. 25. Offenses heretofore required to be prosecuted by indictment may be prosecuted by information or by indictment as shall be prescribed by law.

Sec. 26. No grand jury shall be drawn or summoned in any county, except the superior judge thereof shall so order.

Sec. 27. Treason against the state shall consist only in levying war against the state, or adhering to its enemies, or in giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or confession in open court.

Sec. 28. No hereditary emoluments, privileges or powers shall be granted or conferred in this state.

Sec. 29. The provisions of this constitution are mandatory unless by express words they are declared to be otherwise.

Sec. 30. The enumeration in this constitution of certain rights shall not be construed to deny others retained by the people.

Sec. 31. No standing army shall be kept up by this state in time of peace, and no soldiers shall in time of peace be quartered in any house without the consent of its owner, nor in time of war except in the manner prescribed by law.

Sec. 32. A frequent recurrence to fundamental principles is essential to the security of individual right and the perpetuity of free government.

Cited: 60 W. 113.

Sec. 33. Every elective public officer in the State of Washington except judges of courts of record is subject to recall and discharge by the legal voters of the state, or of

the political subdivision of the state, from which he was elected whenever a petition demanding his recall, reciting that such officer has committed some act or acts of malfeasance or misfeasance while in office, or who has violated his oath of office, stating the matters complained of, signed by the percentages of the qualified electors thereof, hereinafter provided, the percentage required to be computed from the total number of votes cast for all candidates for his said office to which he was elected at the preceding election, is filed with the officer with whom a petition for nomination, or certificate for nomination, to such office must be filed under the laws of this state, and the same officer shall call a special election as provided by the general election laws of this state, and the result determined as therein provided.

Sec. 34. The legislature shall pass the necessary laws to carry out the provisions of section thirty-three (33) of this article, and to facilitate its operation and effect without delay: *Provided*, That the authority hereby conferred upon the legislature shall not be construed to grant to the legislature any exclusive power of law-making nor in any way limit the initiative and referendum powers reserved by the people. The percentages required shall be, state officers, other than judges, senators and representatives, city officers of cities of the first class, school district boards in cities of the first class; county officers in counties of the first, second and third classes, twenty-five per cent. Officers of all other political subdivisions, cities, towns, townships, precincts and school districts not herein mentioned, and state senators and representatives, thirty-five per cent.

## ARTICLE II — LEGISLATIVE DEPARTMENT.

Section 1. The legislative authority of the State of Washington shall be vested in the legislature, consisting of a senate and house of representatives, which shall be called the legislature of the State of Washington, but the people reserve to themselves the power to propose bills, laws, and to

enact or reject the same at the polls, independent of the legislature, and also reserve power, at their own option, to approve or reject at the polls any act, item, section or part of any bill, act or law passed by the legislature.

(a) Initiative: The first power reserved by the people is the initiative. Ten per centum, but in no case more than fifty thousand, of the legal voters shall be required to propose any measure by such petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions shall be filed with the secretary of state not less than four months before the election at which they are to be voted upon, or not less than ten days before any regular session of the legislature. If filed at least four months before the election at which they are to be voted upon, he shall submit the same to the vote of the people at the said election. If such petitions are filed not less than ten days before any regular session of the legislature, he shall transmit the same to the legislature as soon as it convenes and organizes. Such initiative measure shall take precedence over all other measures in the legislature except appropriation bills and shall be either enacted or rejected without change or amendment by the legislature before the end of such regular session. If any such initiative measure shall be enacted by the legislature it shall be subject to the referendum petition, or it may be enacted and referred by the legislature to the people for approval or rejection at the next regular election. If it is rejected or if no action is taken upon it by the legislature before the end of such regular session, the secretary of state shall submit it to the people for approval or rejection at the next ensuing regular general election. The legislature may reject any measure so proposed by initiative petition and propose a different one dealing with the same subject, and in such event both measures shall be submitted by the secretary of state to the people for approval or rejection at the next ensuing regular general election. When conflicting measures are submitted to the people the ballots shall be so printed that a voter can

express separately by making one cross (X) for each, two preferences, first, as between either measure and neither, and secondly, as between one and the other. If the majority of those voting on the first issue is for neither, both fail, but in that case the votes on the second issue shall nevertheless be carefully counted and made public. If a majority voting on the first issue is for either, then the measure receiving a majority of the votes on the second issue shall be law.

(b) Referendum. The second power reserved by the people is the referendum, and it may be ordered on any act, bill, law, or any part thereof passed by the legislature, except such laws as may be necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions, either by petition signed by the required percentage of the legal voters, or by the legislature as other bills are enacted, six per centum, but in no case more than thirty thousand, of the legal voters shall be required to sign and make a valid referendum petition.

(c) No act, law, or bill subject to referendum shall take effect until ninety days after the adjournment of the session at which it was enacted. No act, law, or bill approved by a majority of the electors voting thereon shall be amended or repealed by the legislature within a period of two years following such enactment. But such enactment may be amended or repealed at any general regular or special election by direct vote of the people thereon.

(d) The filing of a referendum petition against one or more items, sections or parts of any act, law or bill shall not delay the remainder of the measure from becoming operative. Referendum petitions against measures passed by the legislature shall be filed with the secretary of state not later than ninety days after the final adjournment of the session of the legislature which passed the measure on which the referendum is demanded. The veto power of the governor shall not extend to measures initiated by or referred to the people. All elections on measures referred to the peo-

ple of the state shall be had at the biennial regular elections, except when the legislature shall order a special election. Any measure initiated by the people or referred to the people as herein provided shall take effect and become the law if it is approved by a majority of the votes cast thereon: *Provided*, that the vote cast upon such question or measure shall equal one-third of the total votes cast at such election and not otherwise. Such measure shall be in operation on and after the thirtieth day after the election at which it is approved. The style of all bills proposed by initiative petition shall be: "Be it enacted by the people of the State of Washington." This section shall not be construed to deprive any member of the legislature of the right to introduce any measure. The whole number of electors who voted for governor at the regular gubernatorial election last preceding the filing of any petition for the initiative or for the referendum shall be the basis on which the number of legal voters necessary to sign such petition shall be counted. All such petitions shall be filed with the secretary of state, who shall be guided by the general laws in submitting the same to the people until additional legislation shall especially provide therefor. This section is self-executing, but legislation may be enacted especially to facilitate its operation.

The legislature shall provide methods of publicity of all laws or parts of laws, and amendments to the constitution referred to the people with arguments for and against the laws and amendments so referred, so that each voter of the state shall receive the publication at least fifty days before the election at which they are to be voted upon.

Sec. 2. The house of representatives shall be composed of not less than sixty-three nor more than ninety-nine members. The number of senators shall not be more than one-half nor less than one-third of the number of members of the house of representatives. The first legislature shall be composed of seventy members of the house of representatives and thirty-five senators.

Sec. 3. The legislature shall provide by law for an enumeration of the inhabitants

of the state in the year one thousand eight hundred and ninety-five, and every ten years thereafter; and at the first session after such enumeration, and also after each enumeration made by the authority of the United States, the legislature shall apportion and district anew the members of the senate and house of representatives, according to the number of inhabitants, excluding Indians not taxed, soldiers, sailors and officers of the United States army and navy in active service.

Sec. 4. Members of the house of representatives shall be elected in the year eighteen hundred and eight-nine, at the time and in the manner provided by this constitution, and shall hold their offices for the term of one year and until their successors shall be elected.

Construed: 49 W. 72.

Sec. 5. The next election of the members of the house of representatives after the adoption of this constitution shall be on the first Tuesday after the first Monday of November, eighteen hundred and ninety, and thereafter members of the house of representatives shall be elected biennially, and their term of office shall be two years; and each election shall be on the first Tuesday after the first Monday in November, unless otherwise changed by law.

Sec. 6. After the first election the senators shall be elected by single districts of convenient and contiguous territory at the same time and in the same manner as members of the house of representatives are required to be elected, and no representative district shall be divided in the formation of a senatorial district. They shall be elected for the term of four years, one-half of their number retiring every two years. The senatorial districts shall be numbered consecutively, and the senators chosen at the first election had by virtue of this constitution in odd numbered districts, shall go out of office at the end of the first year, and the senators elected in the even numbered districts shall go out of office at the end of the third year.

Sec. 7. No person shall be eligible to the legislature who shall not be a citizen of the

United States and a qualified voter in the district for which he is chosen.

Cited: 54 W. 463.

Sec. 8. Each house shall be the judge of the election returns, and qualifications of its own members, and a majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day and may compel the attendance of absent members in such manner and under such penalties as each house may provide.

Cited: 60 W. 420.

Sec. 9. Each house may determine the rules of its own proceedings, punish for contempt and disorderly behavior, and with the concurrence of two-thirds of all the members elected, expel a member, but no member shall be expelled a second time for the same offense.

Sec. 10. Each house shall elect its own officers, and when the lieutenant-governor shall not attend as president, or shall act as governor, the senate shall choose a temporary president. When presiding, the lieutenant-governor shall have the deciding vote in case of an equal division of the senate.

Sec. 11. Each house shall keep a journal of its proceedings, and publish the same, except such parts as require secrecy. The doors of each house shall be kept open, except when the public welfare shall require secrecy. Neither house shall adjourn for more than three days, nor to any place other than that in which they may be sitting, without the consent of the other.

Sec. 12. The first legislature shall meet on the first Wednesday after the first Monday in November, A. D. 1889. The second legislature shall meet on the first Wednesday after the first Monday in January, A. D. 1891, and sessions of the legislature will be held biennially thereafter, unless specially convened by the governor, but the times of meeting of subsequent sessions may be changed by the legislature. After the first legislature the sessions shall not be more than sixty days.

Sec. 13. No member of the legislature, during the term for which he is elected,

shall be appointed or elected to any civil office in the state, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.

Sec. 14. No person, being a member of congress, or holding any civil or military office under the United States or any other power, shall be eligible to be a member of the legislature; and if any person after his election as a member of the legislature shall be elected to congress or be appointed to any other office, civil or military, under the government of the United States, or any other power, his acceptance thereof shall vacate his seat: *Provided*, That officers of the militia of the state who receive no annual salary, local officers and postmasters, whose compensation does not exceed three hundred dollars per annum, shall not be ineligible.

Sec. 15. The governor shall issue writs of election to fill such vacancies as may occur in either house of the legislature.

Sec. 16. Members of the legislature shall be privileged from arrest in all cases except treason, felony and breach of the peace; they shall not be subject to any civil process during the session of the legislature, nor for fifteen days next before the commencement of each session.

Sec. 17. No member of the legislature shall be liable in any civil action or criminal prosecution whatever for words spoken in debate.

Sec. 18. The style of the laws of the state shall be: "Be it enacted by the Legislature of the State of Washington." And no law shall be enacted except by bill.

Sec. 19. No bill shall embrace more than one subject and that shall be expressed in the title.

Cited: 49 W. 623; 54 W. 233; 55 W. 518.

Construed: 1 W. 204; 1 W. 307; 1 W. 311; 1 W. 387; 2 W. 405; 3 W. 275; 10 W. 149; 15 W. 11; 15 W. 480; 17 W. 450; 17 W. 684; 19 W. 398; 19 W. 443; 21 W. 338; 24 W. 250; 25 W. 126; 28 W. 321; 31 W. 192; 35 W. 166; 35 W. 341; 36



W. 537; 88 W. 312; 89 W. 185; 40 W. 403;  
 41 W. 1; 42 W. 108; 42 W. 491; 43 W. 684;  
 27 W. 659; 84 W. 108; 34 W. 81; 46 W.  
 597; 48 W. 71; 49 W. 610; 50 W. 508;  
 50 W. 518; 55 W. 208; 55 W. 220; 55 W.  
 513 (holding Laws 1900, p. 174, sec. 4, void  
 as an amendment to registration law); 57  
 W. 102; 66 W. 230; 66 W. 612-613.

Sec. 20. Any bill may originate in either house of the legislature, and a bill passed by one house may be amended in the other.

Sec. 21. The yeas and nays of the members of either house shall be entered on the journal on the demand of one-sixth of the members present.

Sec. 22. No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded thereon as voting in its favor.

Sec. 23. Each member of the legislature shall receive for his services five dollars for each day's attendance during the session, and ten cents for every mile he shall travel in going to and returning from the place of meeting of the legislature, on the most usual route.

Sec. 24. The legislature shall never authorize any lottery or grant any divorce.

Sec. 25. The legislature shall never grant any extra compensation to any public officer, agent, servant or contractor after the services shall have been rendered or the contract entered into, nor shall the compensation of any public officer be increased or diminished during his term of office.

Cited: 4 W. 92; 54 W. 450.

Construed: 19 W. 486; 22 W. 367; 7 W. 450; 6 W. 258; 9 W. 232; 21 W. 430; 22 W. 208; 47 W. 375; 48 W. 465.

Sec. 26. The legislature shall direct by law in what manner and in what courts suit may be brought against the state.

Construed: 68 W. 320.

Sec. 27. In all elections by the legislature the members shall vote viva voce, and their votes shall be entered on the journal.

## SPECIAL LEGISLATION.

Sec. 28. The legislature is prohibited from enacting any private or special law in the following cases:

Construed: 69 W. 293.

1. For changing the names of persons, or constituting one person the heir at law of another.

2. For laying out, opening or altering highways, except in cases of state roads extending into more than one county, and military roads to aid in the construction of which lands shall have been or may be granted by congress.

3. For authorizing persons to keep ferries wholly within this state.

4. For authorizing the sale or mortgage of real or personal property of minors, or others under disability.

5. For assessment or collection of taxes, or for extending the time of collection thereof.

6. For granting corporate powers or privileges.

7. For authorizing the apportionment of any part of the school fund.

8. For incorporating any town or village, or to amend the charter thereof.

Construed: 64 W. 69.

9. From giving effect to invalid deeds, wills or other instruments.

10. Releasing or extinguishing, in whole or in part, the indebtedness, liability or other obligation of any person or corporation to this state, or to any municipal corporation therein.

11. Declaring any person of age, or authorizing any minor to sell, lease or encumber his or her property.

12. Legalizing, except as against the state, the unauthorized or invalid acts of any officer.

13. Regulating the rates of interest on money.

14. Remitting fines, penalties or forfeitures.

15. Providing for the management of common schools.

16. Authorizing the adoption of children.

17. For limitation of civil or criminal action.

18. Changlug county lines, locating or changing county seats: *Provided*, This shall not be construed to apply to the creation of new counties.

Sec. 20. After the first day of January, eighteen hundred and ninety, the labor of convicts of this state shall not be let out by contract to any person, copartnership, company or corporation, and the legislature shall by law provide for the working of convicts for the benefit of the state.

Sec. 30. 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, shall be defined by law, and shall be punished by fine and imprisonment: Any person may be compelled to testify in any lawful investigation or judicial proceeding against any person who may be charged with having committed the offense of bribery or corrupt solicitation, or practice of solicitation, and shall not be permitted to withhold his testimony on the ground that it may criminate himself or subject him to public infamy, but such testimony shall not afterwards be used against him in any judicial proceeding—except for perjury in giving such testimony—and any person convicted of either of the offenses aforesaid, shall as part of the punishment therefor, be disqualified from ever holding any position of honor, trust or profit in this state. A member who has a private interest in any bill or measure proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon.

Cited: 67 W. 520.

Sec. 31 repealed.

Sec. 32. No bill shall become a law until the same shall have been signed by the presiding officer of each of the two houses in open session, and under such rules as the legislature shall prescribe.

Sec. 33. The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in

this state, except where required by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts; and all conveyances of lands hereafter made to any alien directly, or in trust for such alien, shall be void: *provided*, That the provisions of this section shall not apply to lands containing valuable deposits of minerals, metals, iron, coal or fire clay, and the necessary land for mills and machinery to be used in the development thereof and the manufacture of the products therefrom. Every corporation, the majority of the capital stock of which is owned by aliens, shall be considered an alien for the purposes of this prohibition.

Sec. 34. There shall be established in the office of the secretary of state, a bureau of statistics, agriculture and immigration, under such regulations as the legislature may provide.

Sec. 35. The legislature shall pass necessary laws for the protection of persons working in mines, factories and other employment dangerous to life and deleterious to health; and fix pains and penalties for the enforcement of same.

Sec. 36. No bill shall be considered in either house unless the time for its introduction shall have been at least ten days before the final adjournment of the legislature unless the legislature shall otherwise direct by a vote of two-thirds of all the members elected to each house, said vote to be taken by ayes and nays and entered upon the journal, or unless the same be at a special session.

Sec. 37. No act shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length.

Cited: 55 W. 517; 62 W. 125.

Construed: 82 W. 270; 29 W. 481; 40 W. 455; 9 W. 65; 14 W. 486; 26 W. 482; 82 W. 473; 82 W. 270; 41 W. 284; 50 W. 508; 51 W. 17; 50 W. 520; 50 W. 77; 68 W. 58; valid—64 W. 81.

Sec. 38. No amendment to any bill shall be allowed which shall change the scope or object of the bill.

Construed: Valid—64 W. 70.

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

### ARTICLE III—THE EXECUTIVE.

Section 1. The executive department shall consist of a governor, lieutenant-governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, and a commissioner of public lands, who shall be severally chosen by the qualified electors of the state at the same time and place of voting as for the members of the legislature.

Construed: 59 W. 493.

Sec. 2. The supreme executive power of this state shall be vested in a governor, who shall hold his office for a term of four years, and until his successor is elected and qualified.

Sec. 3. The lieutenant-governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, and commissioner of public lands, shall hold their offices for four years, respectively, and until their successors are elected and qualified.

Construed: 59 W. 494.

Sec. 4. The returns of every election for the officers named in the first section of this article shall be sealed up and transmitted to the seat of government by the returning officers, directed to the secretary of state, who shall deliver the same to the speaker of the house of representatives at the first meeting of the house thereafter, who shall open, publish and declare the result thereof in the presence of a majority of the members of both houses. The person having the highest number of votes shall be declared duly elected, and a certificate thereof shall be given to such person, signed by the presiding officers of both houses; but if any two or more shall be highest and equal in votes for the same office, one of them shall be chosen by the joint vote of both

houses. Contested elections for such officers shall be decided by the legislature in such manner as shall be decided by law. The terms of all officers named in section one of this article shall commence on the second Monday in January after their election, until otherwise provided by law.

Sec. 5. The governor may require information in writing from the officers of the state upon any subject relating to the duties of their respective offices, and shall see that the laws are faithfully executed.

Sec. 6. He shall communicate at every session by message to the legislature the condition of affairs of the state, and recommend such measures as he shall deem expedient for their action.

Sec. 7. He may, on extraordinary occasions, convene the legislature by proclamation, in which shall be stated the purpose for which the legislature is convened.

Sec. 8. He shall be commander-in-chief of the military in the state except when they shall be called into the service of the United States.

Sec. 9. The pardoning power shall be vested in the governor under such regulations and restrictions as may be prescribed by law.

Sec. 10. In case of the removal, resignation, death, or disability of the governor, the duties of the office shall devolve upon the lieutenant-governor, and in case of a vacancy in both the offices of governor and lieutenant-governor, the duties of governor shall devolve upon the secretary of state, who shall act as governor until the disability be removed or a governor be elected.

Amended at general election Nov. 1910.  
See Amendment 6.

Sec. 11. The governor shall have power to remit fines and forfeitures, under such regulations as may be prescribed by law, and shall report to the legislature at its next meeting each case of reprieve, commutation, or pardon granted, and the reasons for granting the same, and also the names of all persons in whose favor remission of fines and forfeitures shall have been

made, and the several amounts remitted, and the reason for the remission.

Sec. 12. Every act which shall have passed the legislature shall be, before it becomes a law, presented to the governor. If he approves, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, which house shall enter the objections at large upon the journal and proceed to reconsider. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present, it shall become a law; but in all such cases the vote of both houses shall be determined by the yeas and nays, and the names of the members voting for or against the bill shall be entered upon the journal of each house respectively. If any bill shall not be returned by the governor within five days, Sunday excepted, after it shall be presented to him, it shall become a law without his signature, unless the adjournment shall prevent its return, in which case it shall become a law unless the governor within ten days next after the adjournment, Sundays excepted, shall file such bill, with his objections thereto, in the office of secretary of state, who shall lay the same before the legislature at its next session in like manner as if it had been returned by the governor. If any bill presented to the governor contain several sections or items he may object to one or more sections or items while approving other portions of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the section or sections, item or items to which he objects and the reasons therefor and the section or sections, item or items, so objected to shall not take effect unless passed over the governor's objection as heretofore provided.

Cited: 55 W. 482.

Sec. 13. When, during a recess of the legislature, a vacancy shall happen in any office, the appointment to which is vested in the legislature, or when at any time a va-

vacancy shall have occurred in any other state office, for the filling of which vacancy no provision is made elsewhere in this constitution, the governor shall fill such vacancy by appointment, which shall expire when a successor shall have been elected and qualified.

Construed: 59 W. 492.

Sec. 14. The governor shall receive an annual salary of four thousand dollars, which may be increased by law, but shall never exceed six thousand dollars per annum.

Sec. 15. All commissions shall issue in the name of the state; shall be signed by the governor, sealed with the seal of the state, and attested by the secretary of state.

Sec. 16. The lieutenant-governor shall be presiding officer of the state senate, and shall discharge such other duties as may be prescribed by law. He shall receive an annual salary of one thousand dollars, which may be increased by the legislature, but shall never exceed three thousand dollars per annum.

Sec. 17. The secretary of state shall keep a record of the official acts of the legislature and executive department of the state, and shall, when required, lay the same and all other matters relative thereto before either branch of the legislature, and shall perform such other duties as shall be assigned to him by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by the legislature, but shall never exceed three thousand dollars per annum.

Sec. 18. There shall be a seal of the state kept by the secretary of state for official purposes, which shall be called "The Seal of the State of Washington."

Sec. 19. The treasurer shall perform such duties as shall be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the legislature, but shall never exceed four thousand dollars per annum.

Sec. 20. The auditor shall be auditor of public accounts, and shall have such powers and perform such duties in connection



therewith as may be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the legislature, but shall never exceed three thousand dollars per annum.

Sec. 21. The attorney general shall be the legal advisor of the state officers, and shall perform such other duties as may be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the legislature, but shall never exceed thirty-five hundred dollars per annum.

Sec. 22. The superintendent of public instruction shall have supervision over all matters pertaining to public schools, and shall perform such specific duties as may be prescribed by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by law, but shall never exceed four thousand dollars per annum.

Sec. 23. The commissioner of public lands shall perform such duties and receive such compensation as the legislature may direct.

Sec. 24. The governor, secretary of state, treasurer, auditor, superintendent of public instruction, commissioner of public lands, and attorney general shall severally keep the public records, books and papers relating to their respective offices, at the seat of government, at which place also the governor, secretary of state, treasurer, and auditor shall reside.

Sec. 25. No person, except a citizen of the United States and a qualified elector of this state, shall be eligible to hold any state office, and the state treasurer shall be ineligible for the term succeeding that for which he was elected. The compensation of state officers shall not be increased or diminished during the term for which they shall have been elected. The legislature may, in its discretion, abolish the offices of lieutenant-governor, auditor and commissioner of public lands.

Cited: 3 W. 487; 47 W. 375, 610; 54 W. 456; 51 W. 587.

## ARTICLE IV—THE JUDICIARY.

Section 1. The judicial power of the state shall be vested in a supreme court, superior courts, justices of the peace, and such inferior courts as the legislature may provide.

Cited: 7 W. 87; 23 W. 60; 23 W. 702; 8 W. 609; 7 W. 228; 10 W. 20; 19 W. 306; 20 W. 53.

Construed: 51 W. 632.

Sec. 2. The supreme court shall consist of five judges, a majority of whom shall be necessary to form a quorum and pronounce a decision. The said court shall always be open for the transaction of business except on non-judicial days. In the determination of causes, all decisions of the court shall be given in writing, and the grounds of the decision shall be stated. The legislature may increase the number of judges of the supreme court from time to time, and may provide for separate departments of said court.

May be temporarily increased—20 W. 335.  
See Session Laws 1901, p. 844.

Superior judges need not be resident of county in which court is held—49 W. 635.  
Competent for legislature to increase number of judges of supreme court to nine and create two departments. (Laws 1909, pp. 83 to 37)—53 W. 558, 554.

Sec. 3. The judges of the supreme court shall be elected by the qualified electors of the state at large, at the general state election at the times and places at which state officers are elected, unless some other time be provided by the legislature. The first election of judges of the supreme court shall be at the election which shall be held upon the adoption of this constitution, and the judges elected thereof shall be classified, by lot, so that two shall hold their office for the term of three years, two for a term of five years, and one for the term of seven years. The lot shall be drawn by the judges, who shall for that purpose assemble at the seat of government, and they shall certify the result thereof to be certified to the secretary of state, and filed in his office. The judge having the shortest term to

serve, not holding his office by appointment or election to fill a vacancy, shall be the chief justice, and shall preside at all the sessions of the supreme court, and in case there shall be two judges having in like manner the same short term, the other judges of the supreme court shall determine which of them shall be chief justice. In case of the absence of the chief justice, the judge having in like manner the shortest or next shortest term to serve shall preside. After the first election the terms of judges elected shall be six years from and after the second Monday in January next succeeding their election. If a vacancy occur in the office of a judge of the supreme court, the governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall take place at the next succeeding general election, and the judge so elected shall hold the office for the remainder of the unexpired term. The term of office of the judges of the supreme court, first elected, shall commence as soon as the state shall have been admitted into the Union, and continue for the term herein provided, and until their successors are elected and qualified. The sessions of the supreme court shall be held at the seat of government until otherwise provided by law.

Sec. 4. The supreme court shall have original jurisdiction in habeas corpus and quo warranta and mandamus as to all state officers, and appellate jurisdiction, in all actions and proceedings, excepting that its appellate jurisdiction shall not extend to civil actions at law for the recovery of money or personal property when the original amount in controversy, or the value of the property, does not exceed the sum of two hundred dollars (\$200), unless the action involves the legality of a tax, impost, assessment, toll, municipal fine, or the validity of a statute. The supreme court shall also have power to issue writs of mandamus, review, prohibition, habeas corpus, certiorari, and all other writs necessary and proper to the complete exercise of its appellate and revisory jurisdiction. Each of the judges shall have power to issue writs of habeas corpus

to any part of the state upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself, or before the supreme court, or before any superior court of the state, or any judge thereof.

Cited: 2 W. 160; 10 W. 220; 18 W. 608; 49 W. 502, 505; 51 W. 310; 54 W. 152.

Construed: 48 W. 67; 1 W. 305; 0 W. 10; 150; 8 W. 77; 9 W. 687; 20 W. 94; 43 W. 100; 8 W. 271; 15 W. 668; 21 W. 604; 10 W. 256; 22 W. 693; 28 W. 705; 20 W. 197; 28 W. 474; 28 W. 170; 5 W. 760; 5 W. 388; 7 W. 382; 16 W. 80; 20 W. 97; 31 W. 21; 17 W. 4; 32 W. 450; 41 W. 150; 41 W. 357; 35 W. 148; but see 35 W. 382; in mandamus, prohibition and certiorari; 40 W. 474; 40 W. 682; 37 W. 588; 15 W. 668; 24 W. 640; 23 W. 700; 28 W. 1; 21 W. 108; 9 W. 800; 21 W. 21; 36 W. 253; 41 W. 448; 14 W. 255; 41 W. 150; 17 W. 606; 56 W. 69; 37 W. 500; 1 W. 382; 7 W. 287; 41 W. 357; 10 W. 382; 32 W. 508; 26 W. 378; 10 W. 284; 20 W. 403; 32 W. 50; 31 W. 638; 12 W. 638; 10 W. 160; 2 W. 158; 6 W. 496; 10 W. 8; 3 W. 57; 3 W. 696; 26 W. 555; 30 W. 219; 31 W. 638; 32 W. 50; 32 W. 450; 32 W. 508; 87 W. 258; 87 W. 509; 60 W. 218; 68 W. 149; 69 W. 141.

Sec. 5. There shall be in each of the organized counties of this state a superior court for which at least one judge shall be elected by the qualified electors of the county at the general state election: *Provided*, That until otherwise directed by the legislature one judge only shall be elected for the counties of Spokane and Stevens, one judge for the county of Whitman; one judge for the counties of Lincoln, Okanogan, Douglas, and Adams; one judge for the counties of Walla Walla and Franklin; one judge for the counties of Columbia, Garfield, and Asotin; one judge for the counties of Kittitas, Yakima, and Klickitat; one judge for the counties of Clarke, Skamania, Pacific, Cowlitz, and Wahkiakum; one judge for the counties of Thurston, Chehalis, Mason, and Lewis; one judge for the county of Pierce; one judge for the county of King; one judge for the counties of Jefferson, Island, Kitsap,

San Juan, and Clallam; and one judge for the counties of Whatcom, Skagit, and Snohomish. In any county where there shall be more than one superior judge, there may be as many sessions of the superior court at the same time as there are judges thereof, and whenever the governor shall direct a superior judge to hold court in any county other than that for which he has been elected, there may be as many sessions of the superior court in said county at the same time as there are judges therein, or assigned to duty therein by the governor, and the business of the court shall be so distributed and assigned by law, or in the absence of legislation therefor, by such rules and orders of court, as shall best promote and secure the convenient and expeditious transaction thereof. The judgments, decrees, orders, and proceedings of any session of the superior court held by any one or more of the judges of said court shall be equally effectual as if all the judges of said court presided at such session. The first superior judges elected under this constitution shall hold their offices for the period of three years, and until their successors shall be elected and qualified, and thereafter the term of all superior judges in this state shall be for four years from the second Monday in January next succeeding their election, and until their successors are elected and qualified. The first election of judges of the superior court, shall be at the election held for the adoption of this constitution. If a vacancy occurs in the office of judges of the superior court, the governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall be at the next succeeding general election, and the judge so elected shall hold office for the remainder of the unexpired term.

42 W. 17; 29 W. 351; 199 U. S. 112.

15 W. 403. See 4 W. 715; 20 W. 221; 19 W. 20; 54 W. 378.

Construed: 59 W. 494.

Sec. 6. The superior court shall have original jurisdiction in all cases in equity, and in all cases of 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 one hundred dollars, and in all criminal cases amounting to a felony, and in all cases of misdemeanor not otherwise provided for by law; of actions of forcible entry and detainer; or 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 justice's 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 counties. Injunctions and writs of prohibition and of habeas corpus may be issued and served on legal holidays and non-judicial days.

Cited: 43 W. 15; 46 W. 405; 47 W. 484. Confers power of naturalization upon state courts and does not conflict with federal constitution—50 W. 655; 57 W. 623; 58 W. 180; 68 W. 400.

Construed: 16 W. 116; 16 W. 354; 16 W. 361; 21 W. 162; 3 W. 62; 12 W. 439; 24 W. 547; 27 W. 182; 31 W. 13; 81 W. 222; 33 W. 172; 37 W. 260; 48 W. 228; 199 U. S. 112; 2 W. 1; 2 W. 548; 2 W. 662; 3 W. 92; 3 W. 57; 18 W. 48; 16 W. 111; 16 W. 858; 16 W. 858; 14 W. 262; 14 W. 604; 15 W. 508; 32 W. 50; 33 W. 166; 27 W. 78; 44 W. 615; 2 W. 1; 3 W. 62; 81 W. 307; 54 W. 378; 55 W. 42; 59 W. 543.

Sec. 7. The judge of any superior court may hold a superior court in any county at the request of the judge of the superior court thereof, and upon the request of the governor it shall be his duty to do so. A case in the superior court may be tried by a judge *pro tempore*, who must be a member of the bar, agreed upon in writing by the parties litigant, or their attorneys of record, approved by the court, and sworn to try the case.

Sec. 8. Any judicial officer who shall absent himself from the state of more than sixty consecutive days shall be deemed to have forfeited his office; *Provided*, That in cases of extreme necessity the governor may extend the leave of absence such time as the necessity therefor shall exist.

Sec. 9. Any judge of any court of record, the attorney general, or any prosecuting attorney may be removed from office by joint resolution of the legislature, in which three-fourths of the members elected to each house shall concur, for incompetency, corruption, malfeasance, or delinquency in office, or other sufficient cause stated in such resolution. But no removal shall be made unless the officer complained of shall have been served with a copy of the charges against him as the ground of removal, and shall have an opportunity of being heard in his defense. Such resolution shall be entered at length on the journal of both houses, and on the question of removal the yeas and nays shall also be entered on the journal.

Sec. 10. The legislature shall determine the number of justices of the peace to be elected in incorporated cities or towns and in precincts, and shall prescribe by law the powers, duties and jurisdiction of justices of the peace; *Provided*, That such jurisdiction granted by the legislature shall not trench upon the jurisdiction of superior courts or other courts of record, except that justices of the peace may be made police justices of incorporated cities and towns. In incorporated cities or towns having more than five thousand inhabitants the justices of the peace shall receive such salary as

may be provided by law, and shall receive no fees for their own use.

Cited: 2 W. 1; 4 W. 91; 15 W. 17; 31 W. 305; 41 W. 45; 15 W. 49; 25 W. 267; 54 W. 455; 58 W. 27.  
 Construed: 57 W. 623.

Sec. 11. The supreme court and the superior courts shall be courts of record, and the legislature shall have power to provide that any of the courts of this state, excepting justices of the peace, shall be courts of record.

Cited: 58 W. 27.

Sec. 12. The legislature shall prescribe by law the jurisdiction and powers of any of the inferior courts which may be established in pursuance of this constitution.

Sec. 13. No judicial officer, except court commissioners and unsalaried justices of the peace, shall receive to his own use any fees or perquisites of office. The judges of the supreme court and judges of the superior courts shall, severally, at stated times during their continuance in office, receive for their services the salaries prescribed by law therefor, which shall not be increased after their election, nor during the term for which they shall have been elected. The salaries of the judges of the supreme court shall be paid by the state. One-half of the salary of each of the superior court judges shall be paid by the state, and the other one-half by the county or counties for which he is elected. In cases where a judge is provided for more than one county, that portion of his salary which is to be paid by the counties shall be apportioned between or among them according to the assessed value of their taxable property, to be determined by the assessment next preceding the time for which such salary is to be paid.

Cited: 47 W. 375; 54 W. 456.

Sec. 14. Each of the judges of the supreme court shall receive an annual salary of four thousand dollars (\$4,000); each of the superior court judges shall receive an annual salary of three thousand dollars (\$3,000), which said salary shall be payable quarterly. The legislature may increase the salaries of the judges herein provided.



Sec. 15. The judges of the supreme court and the judges of the superior court shall be ineligible to any other office or public employment than a judicial office or employment during the term for which they shall have been elected.

Sec. 16. Judges shall not charge juries with respect to matters of fact, nor comment thereon, but shall declare the law.

Generally: 3 W. 42; 3 W. 241; 4 W. 446; 5 W. 125; 6 W. 487; 7 W. 250; 7 W. 341; 7 W. 348; 8 W. 338; 13 W. 608; 15 W. 188; 20 W. 236; 23 W. 659; 26 W. 260; 32 W. 86; 35 W. 560; 38 W. 366; 39 W. 202; 41 W. 647; 47 W. 46; 49 W. 27; 67 Pac. 747; 40 W. 38; 53 W. 201; 58 W. 520; 61 W. 404; 65 W. 675; 69 W. 400.

Sec. 17. No person shall be eligible to the office of judge of the supreme court or judge of the superior court unless he shall have been admitted to practice in the courts of record of this state or of Territory of Washington.

Sec. 18. The judges of the supreme court shall appoint a reporter for the decisions of that court, who shall be removable at their pleasure. He shall receive such annual salary as shall be prescribed by law.

Construed: 64 W. 829.

Sec. 19. No judge of a court of record shall practice law in any court of this state during his continuance in office.

Sec. 20. Every cause submitted to a judge of a superior court for his decision shall be decided by him within ninety days from the submission thereof. Provided, That if within said period of ninety days a rehearing shall have been ordered, then the period within which he is to decide shall commence at the time the cause is submitted upon such a rehearing.

Sec. 21. The legislature shall provide for the speedy publication of opinions of the supreme court, and all opinions shall be free for publication by any person.

Sec. 22. The judges of the supreme court shall appoint a clerk of that court, who shall be removable at their pleasure, but the legislature may provide for the election of the clerk of the supreme court and

prescribe the term of his office. The clerk of the supreme court shall receive such compensation, by salary only, as shall be provided by law.

Sec. 23. There may be appointed in each county, by the judge of the superior court having jurisdiction therein, one or more court commissioners, not exceeding three in number, who shall have authority to perform like duties as a judge of the superior court at chambers, subject to revision by such judge, to take depositions and to perform such other business connected with the administration of justice as may be prescribed by law.

Cited: 44 W. 616; 43 W. 15.

Construed: 27 W. 78; 44 W. 615; 40 W. 817.

Sec. 24. The judges of the superior courts shall, from time to time, establish uniform rules for the government of the superior courts.

Sec. 25. Superior judges shall, on or before the first day of November in each year, report 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 shall, on or before the first day of January in each year, report in writing to the governor such defects and omissions in the laws as they may believe to exist.

Sec. 26. The county clerk shall be, by virtue of his office, clerk of the superior court.

Sec. 27. The style of all process shall be, "The State of Washington," and all prosecutions shall be conducted in its name and by its authority.

Sec. 28. Every judge of the supreme court and every judge of the superior court shall, before entering upon the duties of his office take and subscribe an oath that he will support the constitution of the United States and the constitution of the State of Washington, and will faithfully and impartially discharge the duties of judge to the best of his ability, which oath shall be filed in the office of the secretary of state.

## ARTICLE V—IMPEACHMENT.

Section 1. The house of representatives shall have the sole power of impeachment. The concurrence of a majority of all the members shall be necessary to an impeachment. All impeachments shall be tried by the senate, and when sitting for that purpose the senators shall be upon oath or affirmation to do justice according to law and evidence. When the governor or lieutenant-governor is on trial, the chief justice of the supreme court shall preside. No person shall be convicted without a concurrence of two-thirds of the senators elected.

Sec. 2. The governor and other state and judicial officers, except judges and justices of courts not of record, shall be liable to impeachment for high crimes or misdemeanors, or malfeasance in office, but judgment in such cases shall extend only to removal from office and disqualification to hold any office of honor, trust or profit, in the state. The party, whether convicted or acquitted, shall nevertheless, be liable to prosecution, trial, judgment, and punishment according to law.

Sec. 3. 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.

Construed: 6 W. 498; 8 W. 412; 19 W. 330; 50 W. 284.

## ARTICLE VI—ELECTIONS AND ELECTIVE RIGHTS.

Section 1. All male persons, of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; they shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote; *Provided*, That Indians not taxed shall never be allowed the elective franchise; *Provided further*, That all male persons who at the time of the adoption of this constitu-

tion are qualified electors of the territory shall be electors.

Amended at general election November, 1910. See Amendment 5.

Sec. 2. The legislature may provide that there shall be no denial of the elective franchise at any school election on account of sex.

Sec. 3. All idiots, insane persons, and persons convicted of infamous crime, unless restored to their civil rights, are excluded from the elective franchise.

Construed: 69 W. 270.

Sec. 4. For the purpose of voting and eligibility to office no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while in the civil or military service of the state or of the United States, nor while a student at any institution of learning, nor while kept at public expense at any poor-house or other asylum, nor while confined in public prison, nor while engaged in the navigation of the waters of this state or of the United States, or of the high seas.

Cited: 13 W. 36; 51 W. 556.

Sec. 5. Voters shall in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at elections and in going to and returning therefrom. No elector shall be required to do military duty on the day of any election except in time of war or public danger.

Sec. 6. All elections shall be by ballot. The legislature shall provide for such method of voting as will secure to every elector absolute secrecy in preparing and depositing his ballot.

Construed: 60 W. 370.

Sec. 7. The legislature shall enact a registration law, and shall require compliance with such law before any elector shall be allowed to vote: *Provided*, That this provision is not compulsory upon the legislature, except as to cities and towns having a population of over five hundred inhabitants. In all other cases the legislature may or may not require registration as a

prerequisite to the right to vote, and the same system of registration need not be adopted for both classes.

Sec. 8. The first election of county and district officers, not otherwise provided for in this constitution, shall be on the Tuesday next after the first Monday in November, 1890, and thereafter all elections for such offices shall be held biennially on the Tuesday next succeeding the first Monday in November. The first election of all state officers not otherwise provided for in this constitution, after the election held for the adoption of this constitution, shall be on the Tuesday next after the first Monday in November, 1892, and the elections for such state offices shall be every fourth year thereafter on the Tuesday succeeding the first Monday in November.

Cited: 4 W. 715; 5 W. 548; 5 W. 461; 9 W. 582; 10 W. 578.

Construed: 53 W. 552; 59 W. 404.

## ARTICLE VII—REVENUE AND TAXATION.

Section 1. All property in the state not exempt under the laws of the United States, or under this constitution, shall be taxed in proportion to its value, to be ascertained as provided by law. The legislature shall provide by law for an annual tax sufficient, with other sources of revenue, to defray the estimated ordinary expenses of the state for each fiscal year. And for the purpose of paying the state debt, if there be any, the legislature shall provide for levying a tax annually, sufficient to pay the annual interest and principal of such debt within twenty years from the final passage of the law creating the debt.

(Amended to exempt \$300 worth of personal property of the head of a family. See amendment No. 3.)

Construed: 2 W. 204; 3 W. 206; 17 W. 112; 18 W. 252; 20 W. 079; 21 W. 54; 21 W. 554; 25 W. 54; 28 W. 100; 29 W. 163; 30 W. 445; 45 W. 630; 44 W. 165; 30 W. 489; 23 W. 70; 21 W. 40; 35 W. 26; 39 W. 177; (Invalidating Laws 1907, p. 69, sec. 1)—50 W. 173; 58 W. 535; valid—05 W. 176.

Sec. 2. 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: *Provided*, That a deduction of debts from credits may be authorized: *Provided* further, That the property of the United States and of the state, counties, school districts, and other municipal corporations, and such other property as the legislature may by general laws provide, shall be exempt from taxation.

Cited: 5 W. 146; 62 W. 410.

Construed: 14 W. 264; 17 W. 111.  
 What taxable—20 W. 150; 20 W. 675; 8 W. 548; 18 W. 250; 18 W. 271; 21 W. 90; 28 W. 250; 17 W. 450; 7 W. 101; 57 W. 617; 6 W. 250; 50 W. 173, 177; 52 W. 452; 30 W. 430; 35 W. 576; 37 W. 14; 30 W. 177; 21 W. 554; 28 W. 258; 30 W. 445; 30 W. 449; 35 W. 583; 44 W. 66; 44 W. 408; 48 W. 482; valid—65 W. 176; 69 W. 322.

Sec. 3. The legislature shall provide by general law for the assessing and levying of taxes on all corporation property as near as may be by the same methods as are provided for the assessing and levying of taxes on individual property.

Sec. 4. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the state shall be a party.

Sec. 5. No tax shall be levied except in pursuance of law; and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

11 W. 591; 14 W. 376; 17 W. 135; 21 W. 546; 23 W. 38; 30 W. 430; 31 W. 141; 36 W. 149; 45 W. 639; 50 W. 256.

Sec. 6. All taxes levied and collected for state purposes shall be paid in money only into the state treasury.

Cited: 42 W. 484.

Construed: 65 W. 532.

Sec. 7. An accurate statement of the receipts and expenditures of the public moneys shall be published annually, in such manner as the legislature may provide.

Sec. 8. Whenever the expenses of any fiscal year shall exceed the income, the legislature may provide for levying a tax for the ensuing fiscal year, sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of the ensuing fiscal year.

Sec. 9. The legislature may vest the corporate authorities of cities, towns, and villages with the power to make local improvements by special assessment, or by special taxation of property benefited. For all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes, and such taxes shall be uniform in respect to persons and property within the jurisdiction of the body levying the same.

Construed: *Valk*—62 W. 434; 63 W. 468.

## ARTICLE VIII.—STATE, COUNTY, AND MUNICIPAL INDEBTEDNESS.

Section 1. The state may, to meet casual deficits or failures in revenues, or for expenses not provided for, contract debts, but such debts, direct and contingent, singly or in the aggregate, shall not at any time exceed four hundred thousand dollars (\$400,000), and the moneys arising from the loans creating such debts shall be applied to the purpose for which they were obtained, or to repay the debts so contracted, and to no other purpose whatever.

Sec. 2. In addition to the above limited power to contract debts, the state may contract debts to repel invasion, suppress insurrection, or to defend the state in war, but the money arising from the contracting of such debts shall be applied to the purpose for which it was raised and no other purpose whatever.

Cited: 64 W. 617.

Sec. 3. Except the debts specified in sections one and two of this article, no debt shall hereafter be contracted by, or on be-

Just of this state, unless such debt shall be authorized by law for some single work or object to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the payment of the interest on such debt as it falls due, and also to pay and discharge the principal of such debt within twenty years from the time of the contracting thereof. No such law shall take effect until it shall, at a general election, have been submitted to the people and have received a majority of all the votes cast for and against it at such election, and all moneys raised by authority of such law shall be applied only to the specific object therein stated, or to the payment of the debt thereby created, and such law shall be published in at least one newspaper in each county, if one be published therein, throughout the state, for three months next preceding the election at which it is submitted to the people.

Cited: 1 W. 301; 25 W. 583; 40 W. 74. See 35 W. 508. Generally—0 W. 425; 12 W. 542; 35 W. 614.

Sec. 4. No money shall ever be paid out of the treasury of this state, or any of its funds, or any of the funds under its management, except in pursuance of an appropriation by law; nor unless such payment be made within two years from the first day of May next after the passage of such appropriation act, and every such law making a new appropriation, or continuing or renewing an appropriation, shall distinctly specify the sum appropriated, and the object to which it is to be applied, and it shall not be sufficient for such law to refer to any other law to fix such sum.

Cited: 51 W. 553, 689.

Construed: 10 W. 657; 7 W. 101; 3 W. 125; 13 W. 323.

Sec. 5. The credit of the state shall not in any manner, be given or loaned to, or in aid of, any individual, association, company, or corporation.

Sec. 6. No county, city, town, school district, or other municipal corporation shall for any purpose become indebted in any manner to an amount exceeding one and one-half per centum of the taxable



property in such county, city, town, school district, or other municipal corporation, without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county purposes previous to the incurring of such indebtedness, except that in incorporated cities the assessment shall be taken from the last assessment for city purposes: *Provided*, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly county, city, town, school district, or other municipal purposes: *Provided, further*, That any city or town with such assent may be allowed to become indebted to a larger amount, but not exceeding five per centum additional, for supplying such city or town with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipality.

Generally: 21 W. 208; 1 W. 318; 1 W. 207; 2 W. 676; 4 W. 299; 5 W. 542; 13 W. 606; 17 W. 8; 14 W. 59; 14 W. 100; 10 W. 447; 26 W. 287; 8 W. 306; 25 W. 578; 42 W. 653; 1 W. 297; 13 W. 518; 30 W. 608; 18 W. 568; 26 W. 272. Water debt not a part—2 W. 667; 12 W. 524; 25 W. 300; 17 W. 815; 4 W. 147; 6 W. 452; 5 W. 406; 6 W. 327; 16 W. 9; See 43 W. 81; 15 W. 367. Validation—18 W. 869; 14 W. 59; 10 W. 447; 37 W. 14; 42 W. 299; 48 W. 76; 45 W. 524; 49 W. 73; 49 W. 529; 55 W. 400.

Construed: 62 W. 445; 67 W. 109.

Sec. 7. No county, city, town, or other municipal corporation shall hereafter give any money or property, or loan its money or credit, to or in aid of any individual, association, company, or corporation, except for the necessary support of the poor and infirm, or become directly or indirectly the owner of any stock in or bonds of any association, company, or corporation.

Cited: 5 W. 146; 7 W. 271; 16 W. 574; 18 W. 624.

Construed: 20 W. 525; 30 W. 449; W. 14; 27 W. 18; 48 W. 523; 55 W.

## ARTICLE IX—EDUCATION.

Section 1. It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex.

Sec. 2. The legislature shall provide for a general and uniform system of public schools. The public school system shall include common schools, and such high schools, normal schools, and technical schools as may hereafter be established. But the entire revenue derived from the common school fund, and the state tax for common schools, shall be exclusively applied to the support of the common schools.

Cited: 6 W. 121.

Construed: 5 W. 142; 7 W. 271; 40 W. 95; 16 W. 576; 17 W. 139; 29 W. 595; 51 W. 501 (Invalidating Laws 1907, p. 180, sec. 4.

Sec. 3. The principal of the common school funds shall remain permanent and irreducible. The said fund shall be derived from the following named sources, to-wit: Appropriations and donations by the state to this fund; donations and bequests by individuals to the state or public for common schools; the proceeds of lands and other property which revert to the state by escheat and forfeiture; the proceeds of all property granted to the state when the purpose of the grant is not specified, or is uncertain; funds accumulated in the treasury of the state for the disbursement of which provision has not been made by law; the proceeds of the sale of timber, stone, minerals, and other property from school and state lands, other than those granted for specific purposes; all moneys received from persons appropriating timber, stone, minerals or other property from school and state lands; other than those granted for specific purposes, and all moneys other than rental recovered from persons trespassing on said lands; five per centum of the proceeds of the sale of public lands lying within the state, which shall be sold by the United States subsequent to the admission of the state into the Union as approved by

section 18 of the act of congress enabling the admission of the state into the Union; the principal of all funds arising from the sale of lands and other property which have been and hereafter may be, granted to the state for the support of common schools. The legislature may make further provisions for enlarging said fund. The interest accruing on said fund, together with all rentals and other revenue derived therefrom, and from lands and other property devoted to the common school fund, shall be exclusively applied to the current use of the common schools.

Cited: 40 W. 105; 17 W. 130.

Construed: 31 W. 132; 51 W. 501.

Sec. 4. All schools maintained or supported wholly or in part by the public funds shall be forever free from sectarian control or influence.

Sec. 5. All losses to the permanent common school or any other state educational fund, which shall be occasioned by default, mismanagement, or fraud of the agents or officers controlling or managing the same, shall be audited by the proper authorities of the state. The amount so audited shall be a permanent funded debt against the state in favor of the particular fund sustaining such loss, upon which not less than 6 per cent. annual interest shall be paid. The amount of liability so created shall not be counted as a part of the indebtedness authorized and limited elsewhere in this constitution.

#### ARTICLE X—MILITIA.

Section 1. All able-bodied male citizens of this state between the ages of eighteen (18) and forty-five (45) years, except such as are exempt by laws of the United States or by the laws of this state, shall be liable to military duty.

Sec. 2. The legislature shall provide by law for organizing and disciplining the militia in such manner as it may deem expedient, not incompatible with the constitution and laws of the United States. Officers of the militia shall be elected or appointed in such manner as the legislature shall from time to time direct, and shall

commissioned by the governor. The governor shall have power to call forth the militia to execute the laws of the state, to suppress insurrections, and repel invasions.

Sec. 3. The legislature shall provide by law for the maintenance of the soldiers' home for honorably discharged Union soldiers, sailors and marines, and members of the state militia disabled while in the line of duty, and who are bona fide citizens of the state.

Sec. 4. The legislature shall provide by law for the protection and safe keeping of the public arms.

Sec. 5. The militia shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest during the attendance at musters and elections of officers, and in going to and returning from the same.

Sec. 6. No person or persons, having conscientious scruples against bearing arms, shall be compelled to do militia duty in time of peace: *Provided*, Such person or persons shall pay an equivalent for such exemption.

## ARTICLE XI—COUNTY, CITY AND TOWNSHIP ORGANIZATION.

Section 1. The several counties of the Territory of Washington, existing at the time of the adoption of this constitution, are hereby recognized as legal subdivisions of this state.

Sec. 2. No county seat shall be removed unless three-fifths of the qualified electors of the county, voting on the proposition at a general election, shall vote in favor of such removal, and three-fifths of all votes cast on the proposition shall be required to relocate a county seat. A proposition of removal shall not be submitted in the same county more than once in four years.  
Cited: 1 W. 301; 25 W. 582; 49 W. 74.  
Construed: 8 W. 45; 12 W. 428; 8 W.

60.

Sec. 3. No new county shall be established which shall reduce any county to a population of less than four thousand

(4,000), nor shall a new county be formed containing a less population than two thousand (2,000). There shall be no territory stricken from any county unless a majority of the voters living in such territory shall petition therefor, and then only under such other conditions as may be prescribed by a general law applicable to the whole state. Every county which shall be enlarged or created from territory taken from any other county or counties shall be liable for a just proportion of the existing debts and liabilities of the county or counties from which such territory shall be taken: *Provided*, That in such accounting neither county shall be charged with any debt or liability then existing, incurred in the purchase of any county property or in the purchase or construction of any county buildings then in use or under construction, which shall fall within and be retained by the county: *Provided further*, That this shall not be construed to affect the rights of creditors.

Cited: 24 W. 549.

Construed: 47 W. 466; 54 W. 378 (Invalidating Laws 1909, p. 82.)

Sec. 4. The legislature shall establish a system of county government which shall be uniform throughout the state, and by general laws shall provide for township organization, under which any county may organize whenever a majority of the qualified electors of such county voting at a general election shall so determine, and whenever a county shall adopt township organization, the assessment and collection of revenue shall be made, and the business of such county, and the local affairs of the several townships therein, shall be managed and transacted in the manner prescribed by such general law.

Cited: 94 Pac. 897.

Construed: 49 W. 75; 54 W. 383; 58 W. 496, 497.

Sec. 5. The legislature, by general and uniform laws, shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys, and other county, township, or precinct and district

officers as public convenience may require and shall prescribe their duties and fix their terms of office. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population. And it shall provide for the strict accountability of such officers for all fees which may be collected by them, and for all public moneys which may be paid to them, or officially come into their possession.

Cited: 5 W. 481; 6 W. 168; 16 W. 673; 54 W. 153, 456; 66 W. 418.

Construed: 11 W. 435; 26 W. 204; 7 W. 114; 9 W. 377; 9 W. 530; 24 W. 426; 24 W. 594; 37 W. 428; 14 W. 110; 24 W. 554; 28 W. 498; 46 W. 273; 46 Fed. 392; 53 W. 652; 59 W. 480; 63 W. 400; 68 W. 488.

Sec. 6. The board of county commissioners in each county shall fill all vacancies occurring in any county, township precinct, or road district office of such county by appointment, and officers thus appointed shall hold office till the next general election, and until their successors are elected and qualified.

Sec. 7. No county officer shall be eligible to hold his office more than two terms in succession.

This does not apply to holding by appointment—6 W. 101; 12 W. 50; 24 W. 420. Second term incumbent may hold over upon refusal of his successor to qualify—53 W. 551.

Sec. 8. The legislature shall fix the compensation by salaries of all county officers, and of constables in cities having a population of 5,000 and upward; except that public administrators, surveyors and coroners may or may not be salaried officers. The salary of any county, city, town, or municipal officer shall not be increased or diminished after his election, or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed.

Cited: 6 W. 258; 21 W. 84; 24 W. 420; 25 W. 265; 54 W. 455, 456.

Construed: 4 W. 707; 9 W. 229; 13 W. 201; 14 W. 255; 14 W. 282; 19 W. 396;

22 W. 267; 35 W. 168; 24 W. 426; 48 W. 461; 11 W. 437; 13 W. 703; 25 W. 84; 47 W. 375.

Sec. 9. No county, nor the inhabitants thereof, nor the property therein, shall be released or discharged from its or their proportionate share of taxes to be levied for state purposes, nor shall commutation for such taxes be authorized in any form whatever.

Sec. 10. Corporations for municipal purposes shall not be created by special laws; but the legislature, by general laws, shall provide for the incorporation, organization, and classification, in proportion to population, of cities and towns, which laws may be altered, amended, or repealed. Cities and towns heretofore organized or incorporated may become organized under such general laws whenever a majority of the electors voting at a general election shall so determine, and shall organize in conformity therewith; and cities or towns heretofore or hereafter organized, and all charters thereof framed or adopted by authority of this constitution, shall be subject to and controlled by general laws. Any city containing a population of twenty thousand inhabitants or more, shall be permitted to frame a charter for its own government, consistent with and subject to the constitution and laws of this state, and for such purpose the legislative authority of such city may cause an election to be had, at which election there shall be chosen by the qualified electors of said city, fifteen freeholders thereof, who shall have been residents of said city for a period of at least two years preceding their election, and qualified electors, whose duty it shall be to convene within ten days after their election and prepare and propose a charter for such city. Such proposed charter shall be submitted to the qualified electors of said city, and if a majority of such qualified electors voting thereon ratify the same, it shall become the charter of said city, and shall become the organic law thereof, and supersede any existing charter, including amendments thereto, and all special laws inconsistent with such charter. Said

proposed charter shall be published in two daily newspapers published in said city, for at least thirty days prior to the day of submitting the same to the electors for their approval, as above provided. All elections in this section authorized shall only be had upon notice, which notice shall specify the object of calling such election, and shall be given at least ten days before the day of election, in all election districts of said city. Said elections may be general or special elections, and except as herein provided shall be governed by the law regulating and controlling general or special elections in said city. Such charter may be amended by proposals therefor submitted by the legislative authority of such city to the electors thereof at any general election after notice of said submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter amendment thereto, any alternate article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others.

Cited: 1 W. 301; 25 W. 304; 25 W. 385; 48 W. 930; 51 W. 178; 64 W. 329; 67 W. 61, 242; 68 W. 688.

Construed: 1 W. 801; 2 W. 139; 2 W. 144; 2 W. 586; 3 W. 9; 3 W. 11; 4 W. 29; 4 W. 86; 4 W. 136; 4 W. 774; 4 W. 775; 6 W. 146; 6 W. 251; 7 W. 231; 8 W. 279; 13 W. 18; 13 W. 19; 13 W. 22; 14 W. 268; 14 W. 306; 14 W. 607; 16 W. 389; 16 W. 888; 19 W. 41; 25 W. 305; 25 W. 307; 26 W. 504; 28 W. 721; 35 W. 580; 12 W. 17; 50 W. 156; 56 W. 230; 58 W. 473; 50 W. 161, 162; 53 W. 435; 56 W. 230; 58 W. 468; 62 W. 315; valid—63 W. 450; 64 W. 69; 64 W. 329; 67 W. 37; valid—69 W. 291.

Sec. 11. Any county, city, town, or township may make and enforce within its limits all such local police, sanitary, and other regulations as are not in conflict with general laws.

Cited: 16 W. 573; 26 W. 275; 28 W. 272.

Construed: 19 W. 41; 16 W. 582; 14 W. 288; 58 W. 497; 50 W. 430; 55 W. 219; 55 W. 289; 61 W. 434; 67 W. 46.



Sec. 12. The legislature shall have no power to impose taxes upon counties, cities, towns, or other municipal corporations, or the inhabitants or property thereof, or county, city, town, or other municipal corporate authorities thereof the power to assess and collect taxes for such purposes.

Cited: 2 W. 586; 15 W. 317; 26 W. 270; 28 W. 45.

See 42 W. 17; 22 W. 570; 6 W. 365; 6 W. 250; 35 W. 576; 37 W. 14; 42 W. 17; 44 W. 851; 51 W. 17.

Construed: Valid—63 W. 457; valid—65 W. 526.

Sec. 13. Private property shall not be taken or sold for the payment of the corporate debt of any public or municipal corporation, except in the mode provided by law for the levy and collection of taxes.

Sec. 14. The making of profit out of county, city, town, or other public money, or using the same for any purpose not authorized by law, by any officer having the possession or control thereof, shall be a felony, and shall be prosecuted and punished as prescribed by law.

Sec. 15. All moneys, assessments and taxes belonging to or collected for the use of any county, city, town, or other public or municipal corporation, coming into the hands of any officer thereof, shall immediately be deposited with the treasurer, or other legal depository to the credit of such city, town, or other corporation respectively, for the benefit of the funds to which they belong.

## ARTICLE XII—CORPORATIONS OTHER THAN MUNICIPAL.

Section 1. Corporations may be formed under general laws, but shall not be created by special acts. All laws relating to corporations may be altered, amended, or repealed by the legislature at any time, and all corporations doing business in this state may, as to such business, be regulated, limited, or restrained by law.

Generally: 24 W. 58; 51 W. 390; 67 W. 37.

Sec. 2. All existing charters, franchises, special or exclusive privileges under which an actual and *bona fide* organization shall not have taken place, and business been commenced in good faith, at the time of the adoption of this constitution, shall thereafter have no validity.

Sec. 3. The legislature shall not extend any franchise or charter, nor permit the forfeiture of any franchise or charter of any corporation now existing or which shall hereafter exist under the laws of this state. Generally: 67 W. 377.

Sec. 4. Each stockholder in all incorporated companies, except corporations organized for banking or insurance purposes, shall be liable for the debts of the corporation to the amount of his unpaid stock, and no more, and one or more stockholders may be joined as parties defendant in suits to recover upon this liability.

Construed: 64 W. 299.

Sec. 5. The term corporations, as used in this article, shall be construed to include all associations and joint stock companies having any powers or privileges of corporations not possessed by individuals or partnerships, and all corporations shall have the right to sue and shall be subject to be sued, in all courts, in like cases as natural persons.

Sec. 6. Corporations shall not issue stock, except to *bona fide* subscribers therefor; or their assignees; nor shall any corporation issue any bond, or other obligation, for the payment of money, except for money or property received or to be received. The stock of corporations shall not be increased, except in pursuance of a general law, nor shall any law authorize the increase of stock, without the consent of the person or persons holding the larger amount in value of the stock, nor without due notice of the proposed increase having been previously given in such manner as may be prescribed by law. All fictitious increase of stock or indebtedness shall be void.

Cited: 69 W. 328.

Sec. 7. No corporation organized outside the limits of this state shall be allowed

to transact business within the state on more favorable conditions than are pre- scribed by law to similar corporations or- ganized under the laws of this state.

Cited: 18 W. 454; 51 W. 621.

Construed: 35 W. 338; 43 W. 375; 46 W. 493; 47 W. 119.

Sec. 8. No corporation shall lease or alienate any franchise, so as to release the franchise, or property held thereunder, from the liabilities of the lessor, or grantor, lessee, or grantee, contracted, or incurred in the operation, use, or enjoyment of such franchise or any of its privileges.

Sec. 9. The state shall not in any manner loan its credit, nor shall it subscribe to, or be interested in, the stock of any company, association or corporation.

Sec. 10. The exercise of the right of eminent domain shall never be so abridged or construed as to prevent the legislature from taking the property and franchises of incorporated companies, and subjecting them to public use the same as the property of individuals.

Cited: 32 W. 595; 57 W. 430.

Sec. 11. No corporation, association, or individual shall issue or put in circulation as money anything but the lawful money of the United States. Each stockholder of any banking or insurance corporation or joint stock association shall be individually and personally liable, equally and ratably, and not one for another, for all contracts, debts and engagements of such corporation or association accruing while they remain such stockholders, to the extent of the amount of their stock therein at the par value thereof, in addition to the amount invested in such shares.

Cited: 21 W. 613.

Construed: 18 W. 676; 19 W. 233; 24 W. 378; 30 W. 253; 86 Fed. 54; 21 W. 223; 57 W. 617; 30 W. 253; 35 W. 151; 36 W. 266; 76 Fed. 389.

Sec. 12. Any president, director, manager, cashier, or other officer of any banking institution who shall receive or assent to the reception of deposits after he shall have knowledge of the fact that such banking in-

stitution is insolvent or in failing circumstances shall be individually responsible for such deposits so received.

Construed: 60 W. 385.

Sec. 13. All railroad, canal, and other transportation companies are declared to be common carriers and subject to legislative control. Any association or corporation organized for the purpose, under the laws of the state, shall have the right to connect at the state line with railroads of other states. Every railroad company shall have the right with its road, whether the same be now constructed or may hereafter be constructed, to intersect, cross, or connect with any other railroad, and when such railroads are of the same or similar gauge they shall at all crossings and at all points where a railroad shall begin or terminate at or near any other railroad, form proper connections, so that the cars of any such railroad companies may be speedily transferred from one railroad to another. All railroad companies shall receive and transport each other's passengers, tonnage, and cars, without delay or discrimination.

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

But two competing roads may combine to build and operate a third road—51 W. 359 (Portland and Seattle R. R. case.)

Sec. 15. No discrimination in charges or facilities for transportation shall be made by any railroad or other transportation company between places or persons, or in the facilities for the transportation of the same classes of freight or passengers within the state, or coming from or going to any other state. Persons and property transported over any railroad, or by any other transportation company, or individual, shall be delivered at any station, landing or port, at charges not exceeding the charges for the transportation of persons and property of the same class in the same direction to any

more distant station, port or landing. Ex-  
cursion and commutation tickets may be is-  
sued at special rates.

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

Construed: 51 W. 349.

Sec. 17. The rolling stock and other movable property belonging to any railroad company or corporation in this state shall be considered personal property, and shall be liable to taxation and to execution and sale in the same manner as the personal property of individuals, and such property shall not be exempted from execution and sale.

Sec. 18. 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 and passenger tariffs on the different railroads and other common carriers in the state, and shall enforce such laws by adequate penalties. A railroad and transportation commission may be established and its powers and duties fully defined by law.

Powers of R. R. commission—52 W. 35.

Construed: 67 W. 37.

Sec. 19. Any association or corporation, or the lessees or managers thereof, organized for the purpose, or any individual, shall have the right to construct and maintain lines of telegraph and telephone within this state, and said companies shall receive and transmit each other's messages without delay or discrimination, and all such companies are hereby declared to be common carriers, and subject to legislative control. Railroad corporations organized or doing business in this state shall allow telegraph and telephone corporations and companies to construct and maintain telegraph lines on and along the rights-of-way of such railroads and railroad companies, and no railroad corporation organized or doing business in this state shall allow any telegraph corporation or company any facilities, privileges, or rates for transportation of men or

material, or for repairing their lines, not allowed to all telegraph companies. The right of eminent domain is hereby extended to all telegraph and telephone companies. The legislature shall, by general law of uniform operation, provide reasonable regulations to give effect to this section.

Sec. 20. No railroad or other transportation company shall grant free passes, or sell tickets or passes at a discount, other than is sold to the public generally, to any member of the legislature, or to any person holding any public office within this state. The legislature shall pass laws to carry this provision into effect.

Sec. 21. Railroad companies now or hereafter organized or doing business in this state, shall allow all express companies organized or doing business in this state, transportation over all lines of railroad owned or operated by such railroad companies upon equal terms with any other express company, and no railroad corporation organized or doing business in this state shall allow any express corporation or company any facilities, privileges, or rates for transportation of men or materials or property carried by them, or for doing the business of such express companies, not allowed to all express companies.

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

(Generally: 32 W. 218; 85 W. 503; 83 W. 320; 85 W. 515; 61 W. 348; 23 W. i.

## ARTICLE XIII—STATE INSTITUTIONS.

Section 1. Educational, reformatory and penal institutions; those for the benefit of blind, deaf, dumb, or otherwise defective youth, for the insane and idiotic, and such other institutions as the public good may require, shall be fostered and supported by the state, subject to such regulations as may be provided by law. The regents, trustees, or commissioners of such institutions existing at the time of the adoption of this constitution, and of such as shall thereafter be established by law, shall be appointed by the governor, by and with the advice and consent of the senate; and upon all nominations made by the governor, the question shall be taken by the yeas and nays, and entered upon the Journal.

## ARTICLE XIV—SEAT OF GOVERNMENT.

Section 1. The legislature shall have no power to change or to locate the seat of government of this state; but the question of the permanent location of the seat of government of the state shall be submitted to the qualified electors of the territory, at the election to be held for the adoption of this constitution. A majority of all the votes cast at said election, upon said question, shall be necessary to determine the permanent location of the seat of government for the state; and no place shall ever be the seat of government which shall not receive a majority of the votes cast on that matter. In case there shall be no choice of location at said first election, the legislature shall, at its first regular session after the adoption of this constitution, provide for submitting to the qualified electors of the state at the next succeeding general election thereafter, the question of choice of location between the three places for which the highest number of votes shall have been cast at the said first election. Said legislature shall provide further that in case there shall be no choice of location at said second election, the question of choice between the two places for which the highest number of votes shall have

been cast, shall be submitted in like manner to the qualified electors of the state at the next ensuing general election: *Provided*, That until the seat of government shall have been permanently located as herein provided, the temporary location thereof shall remain at the city of Olympia. 10 W. 337; 25 W. 588; 49 W. 74; 55 W. 287 (citing 14th amendment to U. S. constitution).

Sec. 2. When the seat of government shall have been located as herein provided, the location thereof shall not thereafter be changed except by a vote of two-thirds of all the qualified electors of the state voting on that question at a general election, at which the the question of location of the seat of government shall have been submitted by the legislature.

Cited: 25 W. 583; 49 W. 74; 54 W. 383.

Sec. 3. The legislature shall make no appropriations or expenditures for capitol buildings or grounds, except to keep the territorial capitol buildings and grounds in repair, and for making all necessary additions thereto, until the seat of government shall have been permanently located, and the public buildings are erected at the permanent capitol in pursuance of law.

### ARTICLE XV—HARBORS AND TIDE WATERS.

Section 1. The legislature shall provide for the appointment of a commission whose duty it shall be to locate and establish harbor lines in the navigable waters of all harbors, estuaries, bays, and inlets of this state, wherever such navigable waters lie within or in front of the corporate limits of any city or within one mile thereof upon either side. The state shall never give, sell, or lease to any private person, corporation, or association any rights whatever in the waters beyond such harbor lines, nor shall any of the area lying between any harbor line and the line of ordinary high tide, and within not less than fifty feet nor more than 600 feet of such harbor line (as the commissioners shall determine) be sold or granted by the state, nor its right to con-



trol the same relinquished, but such area shall be forever reserved for landings, wharves, streets, and other conveniences of navigation and commerce.

Cited: 7 W. 120; 7 W. 152.

Construed: 1 W. 301; 2 W. 98; 4 W. 8; 13 W. 65; 19 W. 44; 53 W. 219, 220; 54 W. 533, 539; 64 W. 315.

Sec. 2. The legislature shall provide general laws for the leasing of the right to build and maintain wharves, docks, and other structures upon the areas mentioned in section 1 of this article, but no lease shall be made for any term longer than thirty years, or the legislature may provide by general laws for the building and maintaining upon such area, wharves, docks, and other structures.

Cited: 2 W. 60; 1 W. 40; 13 W. 68.

Construed: 19 W. 47; 54 W. 538, 539.

Sec. 3. Municipal corporations shall have the right to extend their streets over intervening tide lands to and across the area reserved as herein provided.

Cited: 4 W. 10; 11 W. 231.

Construed: 64 W. 322.

See 6 W. 332; 6 W. 379; 7 W. 150; 10 W. 458; 19 W. 428; 13 W. 67; 17 W. 658; 53 W. 220; 56 W. 660; valid—83 W. 573.

## ARTICLE XVI—SCHOOL AND GRANTED LANDS.

Section 1. All the public lands granted to the state are held in trust for all the people, and none of such lands, nor any estate or interest therein, shall ever be disposed of unless the full market value of the estate or interest disposed of, to be ascertained in such manner as may be provided by law, be paid or safely secured to the state; nor shall any lands which the state holds by grant from the United States (in any case in which the manner of disposal and minimum price are so prescribed) be disposed of except in the manner and for at least the price prescribed in the grant thereof, without the consent of the United States.

Cited: 51 W. 613; 51 W. 55.

Sec. 2. None of the lands granted to the state for educational purposes shall be sold otherwise than at public auction to the highest bidder. The value thereof, less the improvements, shall, before the sale, be appraised by a board of appraisers, to be provided by law, the terms of payment also to be prescribed by law, and no sale shall be valid unless the sum bid be equal to the appraised value of said land. In estimating the value of the said lands for disposal, the value of the improvements thereon shall be excluded: *Provided*, that the sale of all school and university land heretofore made by the commissioners of any county or the university commissioners, when the purchase price has been paid in good faith, may be confirmed by the legislature.

*Cited*: 57 W. 613.

*Construed*: 51 W. 55; 7 W. 215.

Sec. 3. No more than one-fourth of the land granted to the state for educational purposes shall be sold prior to January 1, 1895, and not more than one-half prior to January 1, 1905: *Provided*, That nothing herein shall be construed as to prevent the state from selling the timber or stone off of any of the state lands in such manner and on such terms as may be prescribed by law; *And provided further*, That no sale of timber lands shall be valid unless the full value of such lands is paid or secured to the state.

Sec. 4. No more than one hundred and sixty (160) acres of any granted lands of the state shall be offered for sale in one parcel, and all lands within the limits of any incorporated city, or within two miles of the boundary of any incorporated city, where the valuation of such lands shall be found by appraisement to exceed one hundred dollars (\$100) per acre, shall, before the same be sold, be platted into lots and blocks of not more than five acres in a block, and not more than one block shall be offered for sale in one parcel.

Sec. 5. None of the permanent school fund shall ever be loaned to private persons or corporations, but it may be invested in national, state, county, or municipal bonds.

## ARTICLE XVII—TIDE LANDS.

Section 1. The State of Washington asserts its ownership to the beds and shores of all navigable waters in the state up to and including the line of ordinary high tide, in waters where the tide ebbs and flows, and up to and including the line of ordinary high water within the banks of all navigable rivers and lakes; *Provided*, That this section shall not be construed so as to debar any person from asserting his claim to vested rights in the courts of the state.

Cited: 11 W. 232; 18 W. 499; 54 W. 91.  
See 2 W. 530; 5 W. 156; 24 W. 493; 24 W. 636; 40 W. 359; 40 W. 414; 42 W. 43; 64 W. 166.

Construed: 2 W. 245; 24 W. 499; 40 W. 373; 153 U. S. 284; 49 W. 68, 131; 60 W. 502; 63 W. 464.

Sec. 2. The state of Washington disclaims all title in and claim to all tide, swamp, and overflowed lands patented by the United States; *Provided*, The same is not impeached for fraud.

Construed: 65 W. 215, 221, 222.

## ARTICLE XVIII—STATE SEAL.

Section 1. The seal of the State of Washington shall be a seal encircled with the words: "The seal of the State of Washington," with the vignette of Gen. George Washington as the central figure, and beneath the vignette the figures "1889."

## ARTICLE XIX—EXEMPTIONS.

Section 1. The legislature shall protect by law from forced sale a certain portion of the homestead and other property of all heads of families.

Construed: Valid—66 W. 165.

## ARTICLE XX—PUBLIC HEALTH AND VITAL STATISTICS.

Section 1. There shall be established by law a state board of health and a bureau of vital statistics in connection therewith, with such powers as the legislature may direct.

Sec. 2. The legislature shall enact laws to regulate the practice of medicine and surgery, and the sale of drugs and medicines.

## ARTICLE XXI—WATER AND WATER RIGHTS.

Section 1. The use of the waters of the state for irrigation, mining, and manufacturing purposes shall be deemed a public use.

Construed: Valid—59 W. 621; 67 W. 556.

## ARTICLE XXII—LEGISLATIVE APPORTIONMENT.

Section 1. Until otherwise provided by law, the state shall be divided into twenty-four (24) senatorial districts, and said districts shall be constituted and numbered as follows: The counties of Steyens and Spokane shall constitute the first district, and be entitled to one senator; the county of Spokane shall constitute the second district, and be entitled to three senators; the county of Lincoln shall constitute the third district, and be entitled to one senator; the counties of Okanogan, Lincoln, Adams and Franklin shall constitute the fourth district and be entitled to one senator; the county of Whitman shall constitute the fifth district, and be entitled to three senators; the counties of Garfield and Asotin shall constitute the sixth district, and be entitled to one senator; the county of Columbia shall constitute the seventh district, and be entitled to one senator; the county of Walla Walla shall constitute the eighth district, and be entitled to two senators; the counties of Yakima and Douglas shall constitute the ninth district, and be entitled to one senator; the county of Kittitas shall constitute the tenth district and be entitled to one senator; the counties of Klickitat and Skamania shall constitute the eleventh district, and be entitled to one senator; the county of Clark shall constitute the twelfth district, and be entitled to one senator;

the county of Cowlitz shall constitute the thirteenth district, and be entitled to one senator; the county of Lewis shall constitute the fourteenth district, and be entitled to one senator; the counties of Pacific and Wahklakum shall constitute the fifteenth district, and be entitled to one senator; the county of Thurston shall constitute the sixteenth district, and be entitled to one senator; the county of Chehalis shall constitute the seventeenth district, and be entitled to one senator; the county of Pierce shall constitute the eighteenth district, and be entitled to three senators; the county of King shall constitute the nineteenth district and be entitled to five senators; the counties of Mason and Kitsap shall constitute the twentieth district, and be entitled to one senator; the counties of Jefferson, Clallam, and San Juan shall constitute the twenty-first district, and be entitled to one senator; the county of Snohomish shall constitute the twenty-second district, and shall be entitled to one senator; the counties of Skagit and Island shall constitute the twenty-third district, and be entitled to one senator; the county of Whatcom shall constitute the twenty-fourth district, and be entitled to one senator.

Sec. 2. Until otherwise provided by law, the representatives shall be divided among the several counties of the state in the following manner; The county of Adams shall have one representative; the county of Asotin shall have one representative; the county of Chehalis shall have two representatives; the county of Clarke shall have three representatives; the county of Clallam shall have one representative; the county of Columbia shall have two representatives; the county of Cowlitz shall have one representative; the county of Douglas shall have one representative; the county of Franklin shall have one representative; the county of Garfield shall have one representative; the County of Island shall have one representative; the county of Jefferson shall have two representatives; the county of King shall have eight representatives; the county of Klickitat shall have two representatives; the county of Kittitas shall have

two representatives; the county of Kitsap shall have one representative; the county of Lewis shall have two representatives; the county of Lincoln shall have two representatives; the county of Mason shall have one representative; the county of Okanogan shall have one representative; the county of Pacific shall have one representative; the county of Pierce shall have six representatives; the county of San Juan shall have one representative; the county Skamania shall have one representative; the county of Snohomish shall have two representatives; the county of Skagit shall have two representatives; the county of Spokane shall have six representatives; the county of Stevens shall have one representative; the county of Thurston shall have two representatives; the county of Walla Walla shall have three representatives; the county of Wahkiakum shall have one representative; the county of Whatcom shall have two representatives; the county of Whitman shall have five representatives; the county of Yakima shall have one representative.

## ARTICLE XXIII—AMENDMENTS.

Section 1. Any amendment or amendments to this constitution may be proposed in either branch of the legislature, and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals with the ayes and noes thereon, and be submitted to the qualified electors of the state for their approval, at the next general election, and if the people approve and ratify such amendment or amendments, by a majority of the electors voting thereon, the same shall become part of this constitution, and proclamation thereof shall be made by the governor: *Provided*, That if more than one amendment be submitted, they shall be submitted in such a manner that the people may vote for or against such amendments separately. The legislature shall also cause the amendments that are to be submitted to the people to be published for at least three months next preceding election, in

some weekly newspaper in every county where a newspaper is published throughout the state.

Construed: 1 W. 301; 25 W. 588; 40 W. 74.

Sec. 2. Whenever two-thirds of the members elected to each branch of the legislature shall deem it necessary to call a convention to revise or amend this constitution, they shall recommend to the electors to vote at the next general election for or against a convention, and if a majority of all the electors voting at said election shall have voted for a convention, the legislature shall at the next session, provide by law for calling the same; and such convention shall consist of a number of members not less than that of the most numerous branch of the legislature.

Cited: 1 W. 301; 25 W. 588.

Construed: 40 W. 75.

Sec. 3. Any constitution adopted by such convention shall have no validity until it has been submitted to and adopted by the people.

## ARTICLE XXIV—BOUNDARIES.

Section 1. The boundaries of the State of Washington shall be as follows: Beginning at a point in the Pacific ocean one marine league due west of and opposite the middle of the mouth of the north ship channel of the Columbia river, thence running easterly to and up the middle channel of said river and where it is divided by islands up the middle of the widest channel thereof to where the forty-sixth parallel of north latitude crosses said river, near the mouth of the Walla Walla river; thence east on said forty-sixth parallel of latitude to the middle of the main channel of the Shoshone or Snake river; thence follow down the middle of the main channel of Snake river to a point opposite the mouth of the Kooskooskia or Clear Water river; thence due north to the forty-ninth parallel of north latitude; thence west along said forty-ninth parallel of north latitude to the middle of the channel which separates Vancouver's Island from the continent, that is

to say to a point in longitude 123 degrees, 19 minutes and 15 seconds west; thence following the boundary line between the United States and British possessions through the channel which separates Vancouver's Island from the continent to the termination of the boundary line between the United States and British possessions at a point in the Pacific ocean equi-distant between Bonvilla point on Vancouver's Island and Tatoosh Island lighthouse; thence running in southerly course and parallel with the coast line, keeping one marine league off shore, to place of beginning.

#### ARTICLE XXV—JURISDICTION.

Section 1. The consent of the State of Washington is hereby given to the exercise, by the congress of the United States of exclusive legislation in all cases whatsoever over such tracts or parcels of land as are now held or reserved by the government of the United States for the purpose of erecting or maintaining thereon forts, magazines, arsenals, dockyards, lighthouses, and other needful buildings, in accordance with the provisions of the seventeenth paragraph of the eighth section of the first article of the constitution of the United States, so long as the same shall be so held and reserved by the United States: *Provided*, That a sufficient description by metes and bounds, and an accurate plat or map of each such tract or parcel of land be filed in the proper office of record in the county in which the same is situated, together with copies of the orders, deeds, patents, or other evidences in writing of the title of the United States: *And provided*, That all civil process issued from the courts of this state, and such criminal process as may issue under the authority of this state, against any person charged with crime in cases arising outside of such reservations, may be served and executed thereon in the same mode and manner, and by the same officers, as if the consent herein given had not been made.



## ARTICLE XXVI—COMPACT WITH THE UNITED STATES.

The following ordinance shall be irrevocable without the consent of the United States and the people of this state:

First: That perfect toleration of religious sentiment shall be secured, and that no inhabitant of this state shall ever be molested in person or property on account of his or her mode of religious worship.

Second: That the people inhabiting this state do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries of this state, and to all lands lying within said limits owned or held by any Indian or Indian tribes; and that, until the title thereto shall have been extinguished by the United States, the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the congress of the United States, and that the lands belonging to citizens of the United States residing without the limits of this state shall never be taxed at a higher rate than the lands belonging to residents thereof, and that no taxes shall be imposed by the state on lands or property therein belonging to or which may be hereafter purchased by the United States or reserved for use: *Provided*, That nothing in this ordinance shall preclude the state from taxing, as other lands are taxed, any lands owned or held by any Indian who has severed his tribal relations, and has obtained from the United States or from any person a title thereto by patent or other grant, save and except such lands as have been or may be granted to any Indian or Indians under any act of congress containing a provision exempting the lands thus granted from taxation, which exemption shall continue so long and to such an extent as such act of congress may prescribe.

Third: The debts and liabilities of the Territory of Washington, and payment of the same are hereby assumed by this state.

Fourth: Provision shall be made for the establishment and maintenance of systems

public schools free from sectarian control, which shall be open to all the children of said state.

## ARTICLE XXVII—SCHEDULE.

In order that no inconvenience may arise from a reason of a change from territorial to a state government, it is hereby declared and ordained as follows:

Section 1. No existing rights, actions, suits, proceedings, contracts, or claims shall be affected by a change in the form of government, but all shall continue as if no change had taken place; and all process which may have been issued under the authority of the Territory of Washington previous to its admission into the Union shall be as valid as if issued in the name of the state.

Sec. 2. All laws now in force in the Territory of Washington, which are not repugnant to this constitution, shall remain in force until they expire by their own limitation, or are altered or repealed by the legislature: *Provided*, That this section shall not be so construed as to validate any act of the legislature of Washington granting shore or tide lands to any person, company, or any municipal or private corporation.

Cited: 2 W. 258; 4 W. 26; 8 W. 372; 11 W. 233; 13 W. 302; 22 W. 548; 28 W. 498; 47 W. 206.

See 14 W. 310; 22 W. 129; 81 Fed. 356; 22 W. 548; 28 W. 498; 43 W. 182; 198 U. S. 473; 51 W. 56. (Invalidating territorial act Bal. Code, sec. 4807).

Sec. 3. All debts, fines, penalties, and forfeitures, which have accrued, or may hereafter accrue, to the Territory of Washington, shall inure to the State of Washington.

Sec. 4. All recognizances heretofore taken, or which may be taken before the change from a territorial to a state government, shall remain valid, and shall pass to and may be prosecuted in the name of the state, and all bonds executed to the Territory of Washington, or to any county, or municipal corporation, or to any officer or

court in his or its official capacity, shall pass to the state authorities and their successors in office, for the uses therein expressed, and may be used for and recovered accordingly, and all the estate, real, personal, and mixed, and all judgments, decrees, bonds, specialties, choses in action, and claims or debts, of whatever description, belonging to the Territory of Washington, shall inure to and vest in the state of Washington, and may be sued for and recovered in the same manner, and to the same extent by the State of Washington, as the same could have been by the Territory of Washington.

Sec. 5. All criminal prosecution and penal actions which may have arisen, or which may arise, before the change from a territorial to a state government, and which shall be pending, shall be prosecuted to judgment and execution in the name of the state. All offenses committed against the laws of the Territory of Washington, before the change from a territorial to state government, and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the State of Washington, with like effect as though such change had not taken place; and all penalties incurred shall remain the same as if this constitution had not been adopted. All actions at law and suits in equity which may be pending in any of the courts of the Territory of Washington, at the time of the change from a territorial to a state government, shall be continued and transferred to the court of the state having jurisdiction of the subject matter thereof.

Sec. 6. All officers now holding their office under the authority of the United States, or of the Territory of Washington, shall continue to hold and exercise their respective offices until they shall be superseded by the authority of the state.

Sec. 7. All officers provided for in the constitution, including a county clerk for each county, when no other time is fixed for their election, shall be elected at the election to be held for the adoption of this constitution on the first Tuesday of October, 1889.

Sec. 8. Whenever the judge of the superior court of any county, elected or appointed under the provisions of this constitution, shall have qualified, the several causes then pending in the district court of the territory, except such causes as would have been within the exclusive jurisdiction of the United States district court, had such court existed at the time of the commencement of such causes within such county, and the records, papers and proceedings of said district court, and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the superior court for such county. And where the same judge is elected for two or more counties, it shall be the duty of the clerk of the district court having custody of such papers and records to transmit to the clerk of such county or counties, other than that in which such records are kept, the original papers in all causes pending in such district court and belonging to the jurisdiction of such county or counties, together with transcript of so much of the records of said district court as relate to the same; and until the district courts of the territory shall be superseded in manner aforesaid, the said district courts and the judges thereof shall continue to exercise the same jurisdiction and powers, to be exercised in the same judicial districts, respectively, as heretofore constituted under the laws of the territory. Whenever a quorum of the judges of the supreme court of the state shall have been elected and qualified, the causes then pending in the supreme court of the territory, except such causes as would have been within the exclusive jurisdiction of the United States circuit court, had such court existed at the time of the commencement of such causes, and the papers, records and proceedings of said court, and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the supreme court of the state, and until so superseded, the supreme court of the territory and the judges thereof shall continue with like powers and jurisdiction as if this constitution had not been adopted.

Sec. 9. Until otherwise provided by law, the seal now in use in the supreme court

of the territory shall be the seal of the supreme court of the state. The seals of the superior courts of the several counties of the state shall be, until otherwise provided by law, the vignette of General George Washington, with the words: "Seal of the Superior Court of . . . . . County," surrounding the vignette. The seal of municipalities and all county officers of the territory, shall be the seals of such municipalities and county officers, respectively, under the state, until otherwise provided by law.

Sec. 10. When the state is admitted into the Union, and the superior courts in the respective counties organized, the books, records, papers and proceedings of the probate court in each county, and all causes and matters of administration pending therein, shall, upon the expiration of the term of office of the probate judges, on the second Monday in January, 1861, pass into the jurisdiction and possession of the superior court of the same county created by this constitution, and the said court shall proceed to final judgment or decree, order or other determination, in the several matters and causes as the territorial probate court might have done if this constitution had not been adopted. And until the expiration of the term of office of the probate judges, such probate judges shall perform the duties now imposed upon them by the laws of the territory. The superior courts shall have appellate and review jurisdiction over the decisions of the probate courts, as now provided by law, until such latter courts expire by limitation.

Sec. 11. The legislature, at its first session, shall provide for the election of all officers whose election is not provided for elsewhere in this constitution, and fix the time for commencement and duration of their term.

Sec. 12. In case of a contest of election between candidates, at the first general election under this constitution, for judges of the superior courts, the evidence shall be taken in the manner prescribed by the territorial laws, and the testimony so taken shall be certified to the secretary of state;

and said officer, together with the governor and treasurer of state, shall review the evidence and determine who is entitled to the certificate of election.

Sec. 18. One representative in the congress of the United States shall be elected from the state at large, at the first election provided for in this constitution; and thereafter at such times and places and in such manner as may be prescribed by law. When a new apportionment shall be made by congress, the legislature shall divide the state into congressional districts, in accordance with such apportionment. The vote cast for representative in congress, at the first election, shall be canvassed and the result determined in the manner provided for by the laws of the territory for the canvass of the vote for delegate in congress.

Sec. 14. All district, county, and precinct officers, who may be in office at the time of the adoption of this constitution, and the county clerk of each county elected at the first election, shall hold their respective offices until the second Monday of January, A. D. 1891, and until such time as their successors may be elected and qualified in accordance with the provisions of this constitution; and the official bond of all such officers shall continue in full force and effect as though this constitution had not been adopted. And such officers shall continue to receive the compensation now provided until the same be changed by law.

Sec. 15. The election held at the time of the adoption of this constitution shall be held and conducted in all respects according to the laws of the territory, and the votes cast at said election for all officers (where no other provisions are made in this constitution), and for the adoption of this constitution and the several separate articles, and the location of the state capitol, shall be canvassed and returned in the several counties in the manner provided by territorial law, and shall be returned to the secretary of the territory in the manner provided by the enabling act.

Sec. 16. The provisions of this constitution shall be in force from the day on which

the president of the United States shall issue his proclamation declaring the State of Washington admitted into the Union, and the terms of all officers elected at the first election under the provisions of this constitution shall commence on the Monday next succeeding the issue of said proclamation, unless otherwise provided herein.

Sec. 17. The following separate articles shall be submitted to the people for adoption or rejection at the election for the adoption of this constitution: Separate article No. 1. "All persons, male and female, of the age of 21 years, or over, possessing the other qualifications provided by this constitution, shall be entitled to vote at all elections." Separate article No. 2: "It shall not be lawful for any individual, company, or corporation, within the limits of this state, to manufacture, or cause to be manufactured, or to sell, or offer for sale, or in any manner dispose of any alcoholic, malt, or spirituous liquors, except for medicinal, sacramental or scientific purposes." If a majority of the ballots cast at said election on said separate articles be in favor of the adoption of either of said separate articles, then such separate articles so receiving a majority shall become a part of this constitution and shall govern and control any provision of the constitution in conflict therewith.

Sec. 18. The form of ballot to be used in voting for or against this constitution, or for or against the separate articles, or for the permanent location of the government, shall be:

1. For the constitution.  
Against the constitution.
2. For woman suffrage article.  
Against woman suffrage article.
3. For prohibition article.  
Against prohibition article.
4. For the permanent location of the seat of government. (Name of place voted for).

Sec. 10. The legislature is hereby authorized to appropriate from the state treasury sufficient money to pay any of the expenses of this constitution not provided for by the enabling act of congress.

## CERTIFICATE.

We, the undersigned, members of the convention to form a constitution for the State of Washington, which is to be submitted to the people for their adoption or rejection, do hereby declare this to be the constitution formed by us, and in testimony thereof, do hereunto set our hands, this twenty-second day of August, *anno domini* one thousand eight hundred and eighty-nine.

(Signed) John P. Hoyt, president; Francis Henry, J. J. Browne, George Comegys, N. G. Blalock, Oliver H. Joy, John F. Gowey, David E. Durie, Frank M. Dallam, D. Buchanan, James Z. Moore, John R. Kinnear, B. H. Sullivan, George W. Tibbetts, George Turner, H. W. Fairweather, Austin Miers, Thomas C. Griffiths, M. M. Godman, C. H. Warner, Gwin Hicks, J. P. T. McCroskey, Wm. F. Prosser, S. G. Cosgrove, Louis Sohns, Thos. Hayton, A. A. Lindsey, Sam'l H. Berry, J. J. Weisenburger, D. J. Crowley, P. C. Sullivan, J. T. McDonald, R. S. More, John M. Reed, Thomas T. Minor, Edward Eldridge, J. J. Travis, Geo. H. Stevenson, Arnold J. West, Silvius A. Dickey, Charles T. Fay, Henry Winsor, Charles P. Coey, Theodore L. Stiles, Rob't B. Sturdevant, James A. Burk, John A. Shoudy, John McReavy, Allen Weir, R. O. Dunbar, W. B. Gray, Morgan Morgans, Truften P. Dyer, James Power, Geo. H. Jones, B. B. Glascock, B. L. Sharpstein, O. A. Bowen, H. M. Lillis, Harrison Clothier, J. F. Van Name, Matt C. McElroy, Albert Schooley, J. T. Eshelman, H. C. Willison, Robert Jamieson, T. M. Reed, Hiram E. Allen, S. H. Manley, H. F. Suksdorf, Richard Jeffs, J. C. Kellogg.

Attest: Jno. I. Booge, chief clerk.



# CONSTITUTIONAL AMENDMENTS.

## AMENDMENT 1.

Art. 10, Sec. 5. Investment of School Fund.—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.

Adopted November, 1894.

## AMENDMENT 2.

Art. 6, Sec. 1. Qualifications of Voters.—All male persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; they shall have lived in the state one year, and in the county ninety days, and in the city, town, ward, or precinct thirty days immediately preceding the election at which they offer to vote; they shall be able to read and speak the English language: *Provided*, That Indians not taxed shall never be allowed the elective franchise: *And further provided*, That this amendment shall not affect the right of franchise of any person who is now a qualified elector of this state. The legislature shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language, and providing for punishment of persons voting or registering in violation of the provisions of this section.

Approved November, 1896.

## AMENDMENT 3.

Art. 7, Sec. 2, was amended by adding the following proviso: "*And provided further*, That the legislature shall have power, by appropriate legislation, to exempt personal property to the amount of \$300 for each head of a family liable to assessment and taxation under the provisions of the laws of this state of which the individual is the actual *bona fide* owner."

Approved November, 1900.

## AMENDMENT 4.

Art. 1. Sec. 11. Absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual, and no one shall be molested or be disturbed in person or property on account of religion; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for or applied to any religious worship, exercise, or instruction, or support of any religious establishment: *Provided, however,* That this article shall not be so construed as to forbid the employment by the state of a chaplain for the state penitentiary, and for such of the state reformatories, as in the discretion of the legislature may seem justified. No religious qualification shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror, in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony.

Approved November, 1904.

## AMENDMENT 5.

Article 6, sections 1 and 2, were amended by striking said sections and inserting in lieu thereof the following:

Section 1. All persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; they shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote; they shall be able to read and speak the English language: *Provided,* That Indians not taxed shall never be allowed the elective franchise: *And further provided,* That this amendment shall not affect the rights of franchise of any person who is now a qualified elector of this state. The legislative authority shall en-

act laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language, and providing for punishment of persons voting or registering in violation of the provision of this section. There shall be no denial of the elective franchise at any election on account of sex.

#### AMENDMENT 6.

Article 3, section 10, was amended to read as follows:

Sec. 10. In case of the removal, resignation, death or disability of the governor, the duties of the office shall devolve upon the lieutenant governor; and in case of a vacancy in both the offices of governor and lieutenant governor, the duties of the governor shall devolve upon the secretary of state. In addition to the line of succession to the office and duties of governor as hereinabove indicated, if the necessity shall arise, in order to fill the vacancy in the office of governor, the following state officers shall succeed to the duties of governor and in the order named, viz.: Treasurer, auditor, attorney general, superintendent of public instruction and commissioner of public lands. In case of the death, disability, failure or refusal of the person regularly elected to the office of governor to qualify at the time provided by law, the duties of the office shall devolve upon the person regularly elected to and qualified for the office of lieutenant governor, who shall act as governor until the disability be removed or a governor be elected; and in case of the death, disability, failure or refusal of both the governor and the lieutenant governor-elect to qualify, the duties of the governor shall devolve upon the secretary of state and in addition to the line of succession to the office and duties of governor as hereinabove indicated, if there shall be the failure or refusal of any officer named above to qualify, and if the necessity shall arise by reason thereof, then in that event in order to fill the vacancy in the office of governor, the following state officers shall succeed to the duties of governor in the order named, viz.: Treasurer,

auditor, attorney general, superintendent of public instruction and commissioner of public lands.

Any person succeeding to the office of governor as in this section provided, shall perform the duties of such office, only until the disability be removed, or a governor be elected and qualified and if a vacancy occur more than thirty days before the next general election occurring within two years after the commencement of the term, a person shall be elected at such election to fill the office of governor for the remainder of the unexpired term.

#### AMENDMENT 7.

Article 1 was amended by adding to the end thereof two new sections numbered 33 and 34 which read as follows:

Section 33. Every elective public officer in the State of Washington except judges of courts of record is subject to recall and discharge by the legal voters of the state, or of the political subdivision of the state, from which he was elected whenever a petition demanding his recall, reciting that such officer has committed some act or acts of malfeasance or misfeasance while in office, or who has violated his oath of office, stating the matters complained of, signed by the percentages of the qualified electors thereof; hereinafter provided, the percentage required to be computed from the total number of votes cast for all candidates for his said office to which he was elected at the preceding election, is filed with the officer with whom a petition for nomination, or certificate for nomination, to such office must be filed under the laws of this state, and the same officer shall call a special election as provided by the general election laws of this state, and the result determined as therein provided.

Section 34. The legislature shall pass the necessary laws to carry out the provisions of section thirty-three (33) of this article, and to facilitate its operation and effect without delay: *Provided*, That the authority hereby conferred upon the legislature shall not be construed to grant to the legislature any exclusive power of law-making nor in any

way limit the initiative and referendum powers reserved by the people. The percentages required shall be, state officers, other than judges, senators and representatives, city officers of cities of the first class; school district board in cities of the first class; county officers of counties of the first, second and third classes, twenty-five per cent. Officers of all other political subdivisions, cities, towns, townships, precincts and school districts not herein mentioned, and state senators and representatives, thirty-five per cent.

Adopted November, 1912.

### AMENDMENT 8.

Article II was amended by striking therefrom all of sections 1 and 31 and inserting in lieu thereof the following:

Section 1. The legislative authority of the State of Washington shall be vested in the legislature, consisting of a senate and house of representatives, which shall be called the legislature of the State of Washington, but the people reserve to themselves the power to propose bills, laws, and to enact or reject the same at the polls, independent of the legislature, and also reserve power, at their own option, to approve or reject at the polls any act, item, section or part of any bill, act or law passed by the legislature.

(a) Initiative: The first power reserved by the people is the initiative. Ten per centum, but in no case more than fifty thousand, of the legal voters shall be required to propose any measure by such petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions shall be filed with the secretary of state not less than four months before the election at which they are to be voted upon, or not less than ten days before any regular session of the legislature. If filed at least four months before the election at which they are to be voted upon, he shall submit the same to the vote of the people at the said election. If such petitions are filed not less than ten days before any regular session of the legislature, he shall transmit the same to the legislature

as soon as it convenes and organizes. Such initiative measure shall take precedence over all other measures in the legislature except appropriation bills and shall be either enacted or rejected without change or amendment by the legislature before the end of such regular session. If any such initiative measure shall be enacted by the legislature it shall be subject to the referendum petition, or it may be enacted and referred by the legislature to the people for approval or rejection at the next regular election. If it is rejected or if no action is taken upon it by the legislature before the end of such regular session, the secretary of state shall submit it to the people for approval or rejection at the next ensuing regular general election. The legislature may reject any measure so proposed by initiative petition and propose a different one dealing with the same subject, and in such event both measures shall be submitted by the secretary of state to the people for approval or rejection at the next ensuing regular general election. When conflicting measures are submitted to the people the ballots shall be so printed that a voter can express separately by making one cross (X) for each, two preferences, first, as between either measure and neither, and secondly, as between one and the other. If the majority of those voting on the first issue is for neither, both fail, but in that case the votes on the second issue shall nevertheless be carefully counted and made public. If a majority voting on the first issue is for either, then the measure receiving a majority of the votes on the second issue shall be law.

(b) Referendum. The second power reserved by the people is the referendum, and it may be ordered on any act, bill, law, or any part thereof passed by the legislature, except such laws as may be necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions, either by petition signed by the required percentage of the legal voters, or by the legislature as other bills are enacted. Six per centum, but in no case more than thirty thousand, of the legal voters shall be

required to sign and make a valid referendum petition.

(c) No act, law, or bill subject to referendum shall take effect until ninety days after the adjournment of the session at which it was enacted. No act, law, or bill approved by a majority of the electors voting thereon shall be amended or repealed by the legislature within a period of two years following such enactment. But such enactment may be amended or repealed at any general regular or special election by direct vote of the people thereon.

(d) The filing of a referendum petition against one or more items, sections or parts of any act, law or bill shall not delay the remainder of the measure from becoming operative. Referendum petitions against measures passed by the legislature shall be filed with the secretary of state not later than ninety days after the final adjournment of the session of the legislature which passed the measure on which the referendum is demanded. The veto power of the governor shall not extend to measures initiated by or referred to the people. All elections on measures referred to the people of the state shall be had at the biennial regular elections, except when the legislature shall order a special election. Any measure initiated by the people or referred to the people as herein provided shall take effect and become the law if it is approved by a majority of the votes cast thereon: *Provided*, That the vote cast upon such question or measure shall equal one-third of the total votes cast at such election, and not otherwise. Such measure shall be in operation on and after the thirtieth day after the election at which it is approved. The style of all bills proposed by initiative petition shall be: "Be it enacted by the people of the State of Washington." This section shall not be construed to deprive any member of the legislature of the right to introduce any measure. The whole number of electors who voted for governor at the regular gubernatorial election last preceding the filing of any petition for the initiative or for the referendum shall be the basis on which the number of legal voters necessary to sign such petition shall be counted. All

such petitions shall be filed with the secretary of state, who shall be guided by the general laws in submitting the same to the people until additional legislation shall especially provide therefor. This section is self-executing, but legislation may be enacted especially to facilitate its operation.

The legislature shall provide methods of publicity of all laws or parts of laws, and amendments to the constitution referred to the people with arguments for and against the laws and amendments so referred, so that each voter of the state shall receive the publication at least fifty days before the election at which they are to be voted upon.

Adopted November, 1912.

2	of legislative
3	be authorized by special acts
3	place
3	Power conferred as to time and
3	for want of quorum
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3	etc., to be transferred to
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